

**CHRISTIANSBURG TOWN COUNCIL  
CHRISTIANSBURG, MONTGOMERY CO., VA.  
MINUTES OF SEPTEMBER 6, 2011 AT 7:30 P.M.**

A REGULAR MEETING OF THE CHRISTIANSBURG TOWN COUNCIL, MONTGOMERY COUNTY, CHRISTIANSBURG, VA. WAS HELD AT THE CHRISTIANSBURG TOWN HALL, 100 EAST MAIN STREET, CHRISTIANSBURG, VA, ON SEPTEMBER 6, 2011 AT 7:30 P.M.

COUNCIL MEMBERS PRESENT: Mayor Richard G. Ballengee; Vice-Mayor D. Michael Barber; R. Cord Hall, Steve Huppert, D. Henry Showalter; Bradford J. Stipes, James H. Vanhoozier.

ADMINISTRATION: PRESENT: Interim Town Manager Barry D. Helms; Town Clerk Michele M. Stipes; Town Attorney Jim Guynn; Assistant to the Town Manager Adam Carpenetti; Engineering Director Wayne Nelson; Planning Director Randy Wingfield; Finance Director/Treasurer Valerie Tweedie.

PLANNING COMMISSIONERS: PRESENT: Chairperson Craig Moore; Joe Powers; Meghan Dorsett; Barry Akers; Mark Caldwell; Jennifer Sowers; Ann H. Carter; Kevin Conner.

PLEDGE OF ALLEGIANCE.

**JOINT PUBLIC HEARING**

1. Conditional Use Permit request by Lenzkes Clamping Tools, Inc. for a commercial garage at 845 Radford Street (tax parcels 525 – ((A)) – 41, 42, and 43) in the I-1 Limited Industrial District. There was no one to speak for or against this request.

**REGULAR MEETING**

MAYOR BALLENGEE called the Regular Meeting of Council to order and asked if there were any additions or corrections to the Minutes of August 16, 2011. There being no corrections, Councilman Barber made a motion to approve the minutes, seconded by Councilman Huppert. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

AGENDA AMENDMENT - MAYOR BALLENGEE asked for a motion and second to amend the agenda to reflect the removal of Item #2 under Discussions by Mayor and Council members. Councilman Barber made a motion to amend the agenda as stated, seconded by Councilman Hall. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier.

CITIZEN HEARINGS:

1. Briefing from American Electric Power representatives regarding the Falling Branch-Merrimac 138 kv Transmission Line. American Electric Power (AEP) representatives Joseph Jones, Tom Rotenberry, and Bob Whitaker, presented to Council a Powerpoint presentation outlining the Falling Branch-Merrimac Transmission Reinforcement. Mr. Jones reviewed the status of the current facilities, noting that the current infrastructure is not sufficient to handle the growth seen in Christiansburg and Blacksburg in recent years. Mr. Jones provided an overview of AEP's proposal and how it plans to remedy the inadequacy. The new transmission line will meet the growing needs for electricity, and will ensure reliability for customers. According to the Mr. Jones, the last major reinforcement in the Christiansburg/Blacksburg area was in early 1990. The proposed transmission reinforcement was originally announced in the year 2008, but was delayed due to a slowdown in the economy. Mr. Jones explained how the new system would tie into current facilities in Falling Branch, which would include connecting stations with a new transmission line approximately eight miles long, with an average 100' tall structure, with 100' right-of-way. Mr. Jones then explained the process of the project that includes a mandatory review by the Virginia State Corporation Commission to begin after extensive public input in the company routing process. Public outreach is a vital part of the route selection process, which has already begun with a public workshop at Christiansburg High School on July 26, 2011. Additional public outreach includes company distributed news releases, advertising, direct telephone contact, and detailed

interactive mapping online. Mr. Jones offered to answer any questions of Council. Councilman Huppert and Councilman Barber both asked if AEP has a particular route under consideration at this time. Mr. Rotenberry replied that AEP is currently considering a Northeastern route through Montgomery County, but the route is not definite at this time because the company is still seeking input from citizens and local government. Mr. Rotenberry reported that a route should be known by the end of September, and at that time AEP will present the route to Town Council, along with other available route options, for Council consideration and comment. However, Mr. Rotenberry informed Council that, ultimately, the route selection is governed by the State Corporation Commission. Councilman Barber stated that in selecting a route it is important to preserve the integrity of the areas impacted, and that minimal impact should be a focal point. Councilman Stipes asked if there would be a direct benefit to Christiansburg citizens with this infrastructure investment. Mr. Jones replied that one benefit would be more reliability in service. Also, the new line will enable AEP to support further growth in the area. The new line will provide support for the existing transformer and will effectively double capacity at Merrimac, which is currently near capacity. Councilman Hall inquired about the information gathering process and how long that process has been underway. Mr. Whitaker replied that research for the project began several years ago, but was delayed until this year. Councilman Hall expressed his concern that Council input this late in the process will not have an impact on the outcome, especially if AEP is hoping to file with the State Corporation Commission by January 2012. Mr. Whitaker assured Council that AEP is eager for, and values, Council's input, noting that January is the preferred filing date, with an anticipated service date in winter 2015. Mr. Whitaker stressed that AEP will work with Council if there are concerns with the selected route. Councilman Stipes noted that the AEP representatives are not mandated to come before Council, but are here voluntarily.

2. Planning Commission's recommendations on:

- a. A proposed ordinance amending Chapter 30 "Zoning" of the Christiansburg Town Code in regards to provisions for urban agriculture including the keeping of chicken hens, chicks and beehive stands, and provisions for agriculture and forestry uses in the R-1A Rural Residential District including the keeping of horses. Planning Commission Chairperson Craig Moore reported that, after an in-depth study, the Planning Commission recommendations that Town Council deny adopting the proposed ordinance amendment as stated. The Planning Commission vote was as follows: six ayes; two nays; one absence.
- b. Planning Commission Chairperson Craig Moore addressed Council regarding the Planning Commission attendance policy, and procedures for Public Hearings and Regular Meetings. Poor attendance at regular Town Council meetings by Planning Commissioners has been a concern of Town Council. Councilman Hall initially voiced this concern out of belief that the Planning Commissioners should be present at regular Town Council meetings to answer questions and to be present as experts. Chairperson Moore commented that the Planning Commission members have come to rely on the video recordings as a means of observing the meeting. After reviewing the current Planning Commission attendance by-law, which was adopted by the current Planning Commission, Chairperson Moore proposed the idea of individual public hearings of Town Council and Planning Commission, rather than joint public hearings. With that, the Planning Commission would have separate public hearings at regular Planning Commission meetings. Mr. Moore explained that this would improve public hearing attendance by Planning Commissioners, but would result in longer legal advertisements and additional posting of signs to meet requirements. Individual public hearings would also add a few weeks to the public hearing process for each request. Council discussed its decision several years ago to change the format of the Public Hearing/Planning Commission recommendation process, which extended the process by two weeks. Town Council said it is aware of past complaints by applicants and Planning Commissioner's with the length of time it takes to complete the rezoning and Conditional Use Permit process. After further discussion by Council, Councilman Hall requested that Town Council be provided with the Planning Commission attendance records since the appoints in 2010. Councilman Stipes said he formerly served on the Planning Commission and he agrees that holding separate public hearings would be an improvement.

3. Citizen's Comments.

- a. Mr. Thom Rutledge, Project Manager with Shelor Motor Mile, addressed Council regarding the American Electric Power Falling Branch-Merrimac Electric Transmission Reinforcement line. Mr. Rutledge said that the route being considered by AEP runs through property owned by Shelor Motor Mile. Mr. Rutledge reported that Shelor Motor Mile spent a lot of money to bury power lines on its property for aesthetic reasons, and the company is opposed to the route under considered by AEP because of the unsightly nature of the project.
- b. Ms. Lisa Gardner, Phlegar Street, spoke in support of the proposed ordinance to allow the keeping of chickens and honeybees in town limits. Ms. Gardner said regulation is key to making this provision successful, and that owners would be held responsible for complying with the ordinance. Ms. Gardner asked Council to give the ordinance a chance.

- c. Mr. B.L. Griffith, a seventy-five year resident and former Christiansburg Town Council member and Board of Zoning Appeals member, addressed Council concerning the anticipated Town Manager appointment. Mr. Griffith said he has spoken with many employees of the Town who support, along with himself, Mr. Barry Helms as Town Manager. Mr. Griffith said, as a business owner and builder, he has worked closely with the former Town Managers, and Mr. Helms, and he doesn't believe the Town will find anyone better than Mr. Helms to fill the position of Town Manager. Mr. Helms is well-respected, and Mr. Griffith said it is his wish that Mr. Helms be appointed to serve the Town as Manager, a position he has successfully filled for more than one year.
- d. Mr. Bud Akers addressed Council on behalf of his grandmother, Irene Thompson, whose daughters were present as support. Mr. Akers explained that Ms. Thompson, who lives at 1145 West Main Street, and is ninety-seven years old, recently had to have her septic tank pumped, and according to Town Code she must now hook onto the Town's sewer system. Mr. Akers reported that Ms. Thompson is on a fixed limited income and cannot afford the cost of the sewer connection. He asked Council to consider a variance that would allow her to continue using her existing septic tank, which is in good working order. Mayor Ballengee said that Town Council doesn't have the authority to provide a variance as requested, and he deferred the request to the Water and Sewer Committee for review and recommendation.

#### DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

##### 1. Town Council action on:

- a. A proposed ordinance amending Chapter 30 "Zoning" of the Christiansburg Town Code in regards to provisions for urban agriculture including the keeping of chicken hens, chicks and beehive stands, and provisions for agriculture and forestry uses in the R-1A Rural Residential District including the keeping of horses. Councilman Huppert made a motion to support the Planning Commission's recommendation to deny the proposed ordinance amending Chapter 30 "Zoning" of the Christiansburg Town Code as stated above. Councilman Barber seconded the motion. Councilman Hall argued against denying the proposed amendment stating that his family used to raise chickens, and at one time owned in excess of two hundred chickens. Councilman Hall said he was not aware of any complaints during those years. Councilman Hall said he doesn't want Council to fear opening the flood gates with this proposal. There is a proper way to handle allowing urban agriculture and the proposed ordinance sets parameters that would govern the keeping of chickens and bees. Councilman Hall asked Council to consider his comments before voting on the motion. Councilman Hall also pointed out that there has been no voiced opposition to the proposed ordinance. Councilman Vanhoozier commented that the Planning Commission has extensively studied this matter and is confident in its recommendation. Councilman Huppert agreed that the Planning Commission recommendation should be supported by Council because of the research that went into the recommendation. Councilman Hall agreed, but noted that the Planning Commission recommendation was not a unanimous vote. Town Attorney Guynn said he will research how soon the matter can come back before Council if denied. Town Clerk Stipes polled Council on the motion as follows: Barber – Aye; Hall – Nay; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye. The proposed ordinance amendment is denied.

#### TOWN MANAGER REPORTS:

MONTHLY BILLS – On motion by Councilman Barber, seconded by Councilman Stipes, Council voted to approve the monthly bills to be paid on September 10, 2011, in the amount of \$1,801,757.94. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

INTERIM TOWN MANAGER HELMS reported that the Building Official is reviewing and revising the Methamphetamine Laboratory Policy and plans are to present the policy to Council at the next regular Council meeting.

#### ADJOURN:

There being no further business to bring before Council the meeting was adjourned at 9:00 P.M.

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Michele M. Stipes, Clerk of Council

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Richard G. Ballengee, Mayor