

**CHRISTIANSBURG TOWN COUNCIL  
CHRISTIANSBURG, MONTGOMERY CO., VA.  
MINUTES OF OCTOBER 7, 2008 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 OCTOBER 7, 2008 AT 7:30 P.M.

COUNCIL MEMBERS PRESENT: Mayor Ballengee, Councilmembers Barber, Carter, Showalter, Stipes, Vanhoozier, and Wade. COUNCIL MEMBERS ABSENT: None. Also present Town Manager Terpenney, Assistant Town Manager Helms, Town Clerk Stipes, Town Planner Hair, and Town Attorney Memmer.

MAYOR BALLENGEE stated there was a quorum present of Council Members.

PLEDGE OF ALLEGIANCE led by Town Planner Hair.

**PUBLIC HEARING**

1. Council's intention to adopt an ordinance in regards to disposition of 0.02 acres of Town property located on Sherwood Drive (tax parcel 498 – ((17)) – C). Town Manager Terpenney explained that this property was designated as the sewer pump station site for a new subdivision at the beginning of construction. Once the subdivision was complete, it was realized that a gravity sewer system would provide adequate sewer service to the neighborhood, and a pump station was not necessary. The small portion of land would be returned to the lot from which it was subdivided.
2. Council's intention to adopt an ordinance in regards to a request to vacate a 8,157 square foot portion of Robin Hood Drive right-of-way (adjoining tax parcels 498 – ((17)) – 24 and 25). Manager Terpenney explained that during Phase I of the subdivision, Robin Hood Drive was dedicated as a cul-de-sac; Phase II continued Robin Hood Drive through the subdivision and the street is no longer a cul-de-sac. This vacation request will return, to the original property, the rounded portions of the original cul-de-sac, no longer needed.
3. Council's intention to adopt an ordinance in regards to a request to vacate a storm water management easement located on the northern side of Robin Hood Drive (on tax parcel 498 – ((17)) – 24). Manager Terpenney explained that the storm water management system developed for Phase II of the subdivision will adequately serve the entire neighborhood; therefore, the storm water management system created for Phase I is no longer needed. This request will vacate that storm water management easement.

**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 September 16, 2008. Hearing no additions or corrections, Mayor Ballengee declared the Minutes approved as presented.

MAYOR BALLENGEE noted the promotional items at each Councilmember's seat from the Wounded Warriors Unity Tour bicyclists, who stopped in Christiansburg on their way to Lynchburg. The purpose of the tour is to raise funding for Fisher House Foundation, Inc., which serves military families during time of medical crisis, by providing a temporary home located within walking distance of various hospitals. Mayor Ballengee greeted the bicyclists, and distributed water, on behalf of the Town. The bicyclists will travel a total of 518 miles.

**CITIZEN HEARINGS:**

MAYOR BALLENGEE opened the Citizen Hearings for those desiring to address Council.

ERIK OLSEN OF BLACKSBURG TRANSIT – UPDATE ON MASS TRANSIT SURVEY PROJECT – Mr. Erik Olsen gave a brief review of a bus survey to be sent to all Christiansburg households in the coming weeks. This survey is a joint effort between the Town of Christiansburg, Blacksburg Transit, Town of Blacksburg, Virginia Tech, and Montgomery County to increase public transportation and commuting options within the Town of Christiansburg. The survey provides the opportunity

for Christiansburg residents to help design the future bus service within town. The survey will be mailed out on October 21, with a preliminary report on December 2, and a final analysis provided in early spring. The survey will be advertised on radio station Q99 for four weeks in October. Councilwoman Carter commented positively on the noted incentive that those who respond will have an opportunity to win a \$25 gift certificate. Council thanked Mr. Olsen for his efforts in improving bus service in Christiansburg.

MS. CAROL LINDSTROM presented to Council a written request, which she read, that Council consider rescheduling the regular Town Council meeting scheduled for November 4, 2008, which is Election Day. Council discussed the request, noting that meeting rescheduling has been considered in the past, but not changed, for local election dates. After discussing, and determining that there are no Public Hearings scheduled for that date, Councilman Wade made a motion to reschedule the regular Town Council meeting for Monday, November 3, 2008, at 7:30 p.m. The motion was seconded by Councilman Barber, and voted upon by Council as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, and Wade. NAYS: None. Councilman Vanhoozier suggested Council also consider rescheduling regular Town Council meetings that fall on local election dates. A copy of Ms. Lindstrom's letter is attached and made a part of these minutes.

LISA LUCAS GARDNER, once again, addressed her concern with what she perceives as waste, particularly fuel, by Town employees. Her main focus is on the number of police "take-home" vehicles, but also commented on the fuel used by fire trucks and rescue vehicles during the Town's Annual Fire Prevention Parade held earlier this evening. She commented that she also believes Town personnel use government vehicles for personal use. Mayor Ballengee commented that it is not possible to always monitor town employees, and suggested Ms. Gardner provide the Town Manager with the identification number of vehicles she believes are being misused. Councilman Barber, after Ms. Gardner previous complaints about fuel waste by the Police Department, looked into the matter and reported that fourteen thousand dollars is budget for fuel costs for the Police Department for the fiscal year 2008 – 2009. This amounts to approximately less than \$1 per year, per citizen, which, he commented, he doesn't believe is excessive. Ms. Gardner said that the fourteen thousand dollars reported is inaccurate, and accused the Police Department of covering up excessive fuel waste.

There being no one else to address Council, MAYOR BALLENGEE closed the Citizen Hearings.

#### DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

##### COUNCIL ACTION ON THE PUBLIC HEARINGS REQUESTS:

1. Council action on the street vacation request, Phase I, Robinhood Estates. Councilman Wade made a motion to approve all three, related public hearing requests for Robinhood Estates, seconded by Councilman Stipes. Council voted as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, and Wade. NAYS: None.
2. Council action on the stormwater management easement vacation request, Robinhood Estates. See above vote.
3. Council action on the disposition of public property, sewer pump station lot, Robinhood Estates. See above vote.

RESOLUTION OF RECOGNITION FOR FORMER COUNCILMAN STEVE HUPPERT. Vice Mayor Stipes presented to Councilman Huppert a Resolution of Recognition for his service on Town Council from September 2004 through September 2008. A copy of the resolution is attached herewith and made a part of these minutes. Mayor Ballengee remarked that Mr. Huppert is ready and willing to continue serving the Town in other capacities.

DISCUSSION REGARDING TOWN ELECTIONS. Mayor Ballengee referred to election information provided by Montgomery County Registrar, Randy Wertz, at the September 2, 2008 Town Council meeting, and reviewed with Council the options associated with this matter. Town Attorney Memmer advised that, according to State Code, a petition to place a referendum on an election ballot must come from registered voters, not elected officials. She further stated that the Town can choose to change the election date by ordinance to change Town Charter. Councilman Showalter commented that he submitted a petition to the Court to change the election date from May to November, and has received court approval to proceed. He now has nine months to gather the required signatures. If signature requirement is met, and the majority vote is to change the election date to November, Town Attorney Memmer stated that the change would still need to be approved by the General Assembly, then would go through the process of Town Charter amendment.

DISCUSSION REGARDING LIAISON LUNCHEONS. Councilman Showalter asked for details regarding the monthly liaison luncheons between Christiansburg, Blacksburg, and Montgomery County. Mayor Ballengee explained that these informal meetings are held the second Wednesday of each month, hosted by rotation. This has been done for many years and has resulted in open dialogue between the three localities, and has cultivated positive working relationships. Representatives from the three

localities share ideas, progress reports, etc., about various topics, usually current issues. FOIA guidelines are met, and the press is always notified, but, typically, does not attend. Councilman Showalter said he is aware that two Councilmembers (Wade and Stipes) currently attend the meetings, and he would like to start receiving the agendas, as well as progress reports. Mayor Ballengee said he would provide him with agendas, and information pertaining to Christiansburg.

**TOURISM DEVELOPMENT COUNCIL MARKETING REPORT.** Councilman Showalter requested this discussion and began by asking fellow Councilmembers if they had reviewed the Tourism Research and Strategic Plan, submitted on September 2, 2008, by Shane Adams, Director of the Montgomery County Chamber of Commerce. Councilwoman Carter and Councilman Vanhoozier both commented that, while they have briefly reviewed the report, they are unprepared, at this time, to participate in a discussion. Councilman Showalter said he is interested in discussing the report and suggested Council schedule a work session for later this month. Mr. Shane Adams offered to invite representatives from Randall Travel Marketing, Inc., the research company that provided the report, to come before Council for discussion. No decision was made by Council.

**SAFETY REQUIREMENTS FOR LIGHTWEIGHT VEHICLES.** Councilman Barber referred to an email Council received a few weeks ago from Joseph Young, asking Council to consider adopting an ordinance requiring operators of scooters, and other lightweight vehicles, to wear protective gear, such as helmet and eyewear. Council agreed that an ordinance is needed to educate and protect citizens, and Mayor Ballengee appointed Councilman Barber, Planning Commissioner Booth, and Police Chief Sisson to serve on an ad hoc committee to review the matter and make a recommendation to Council. Councilman Barber said he would like enforcement to begin January 1, 2009.

**LETTER OF SUPPORT FOR HUCKLEBERRY TRAIL EXTENSION.** Councilman Stipes presented to Council a Resolution of Support for Montgomery County's request for a project to extend the Huckleberry Trail, which is required by the Commonwealth Transportation Board for localities seeking grant funds. Councilman Stipes made a motion to adopt the resolution, seconded by Councilwoman Carter. Town Clerk Stipes polled Council as follows: Barber – AYE; Carter – AYE; Showalter – AYE; Stipes – AYE; Vanhoozier – AYE; Wade - AYE. Mayor Ballengee commented that he and Councilman Stipes will present the resolution to the Montgomery County Board of Supervisors at the next board meeting on October 14. Councilman Stipes said letters of support from the community, for the project, would be greatly appreciated and can be sent to Town Manager Terpenney, Kevin Conner of Gay and Neel, Inc., or to himself. Any letters of support will be submitted to the State as part of the grant application.

**PLANNING COMMISSION PROCEDURE ON PUBLIC HEARING REQUESTS.** Councilwoman Carter, being familiar with the process from both the Council and the Planning Commission standpoint, believes a change in the Public Hearing process is needed. She commented that often new information is presented during Public Hearings that the Planning Commission doesn't have adequate time to consider. The current process also prolongs the duration of the regular Town Council meetings. Councilwoman Carter further commented that waiting until the following meeting after a Public Hearing (2 weeks) shouldn't cause undue hardship to applicants. Councilman Wade, who brought this matter to the attention of Council at the September 16<sup>th</sup> meeting, proposed the following: Council set the Public Hearing dates as is currently done; The Public Hearing will be held before the Planning Commission meets on the request; The Planning Commission meets during the week immediately following the Public Hearing, addresses the request, and votes on its recommendation to Council; Planning Commission will present its recommendation to Council at the next regular Town Council meeting; Town Council then votes on the recommendation. Councilman Wade commented that the Planning Commissioners he spoke with supports this proposal, and he questioned any legal guidelines that may apply to this change in format. Manager Terpenney responded that the format is not prescribed in the Town Charter and, therefore, no ordinance is necessary for a change. Mayor Ballengee expressed his concern with prolonging the process for each request by two weeks, and Councilman Barber suggested adopting the proposal on a six month trial basis. Councilwoman Carter made a motion to adopt the change in Public Hearing request procedure as proposed by Councilman Wade, for a trial period of six months. Councilman Barber seconded the motion and Town Clerk Stipes polled Council as follows: Barber – AYE; Carter – AYE; Showalter – AYE; Stipes – AYE; Vanhoozier – AYE; and Wade – AYE.

#### TOWN MANAGER REPORTS:

**MONTHLY BILLS** – On motion by Councilman Barber, seconded by Councilman Vanhoozier, Council voted to approve the monthly bills to be paid 10 October, 2008, in the amount of \$1,890,331.72. AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, and Wade. NAYS: None.

**PUBLIC HEARING REQUESTS** – Town Manager Terpenney presented the following requests and recommended setting the Public Hearings as indicated:

November 3, 2008

1. Code amendment request, Chapter 30 "Zoning", *Christiansburg Town Code*, to allow exterminating company in the B-3 General Business District, with a Conditional Use Permit.
2. Conditional Use Permit request, exterminating company in the B-3 General Business District, 945 Radford Street, contingent upon the above code amendment request.
3. Rezoning request from A Agricultural to R-1A Rural Residential, Murray Street.
4. Conditional Use Permit request, Family Day Home, 6-12 children, R-1A Rural Residential District, contingent upon the above rezoning request.

On motion by Councilman Barber, seconded by Councilman Wade, Council voted to set the Public Hearings for November 3, 2008. Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, and Wade. NAYS: None.

November 18, 2008

1. Sign ordinance revision, roof signs.
2. Amendment to Chapter 30 "Zoning", *Christiansburg Town Code*, concerning bed and breakfasts, and parking garages.

On motion by Councilman Barber, seconded by Councilman Stipes, Council voted to set the Public Hearings for November 18, 2008. Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, and Wade. NAYS: None.

TOWN MANAGER TERPENNY reported that the attorneys for Virginia Tech are currently in the process of reviewing the Town's contract with Virginia Tech concerning the aquatic center. There are no problems with the contract, and Manager Terpenney explained that the delay is due to the overwhelming work load of the attorneys as a result of the April 16, 2007 Virginia Tech tragedy. Manager Terpenney said he expects the contract to be signed within the next month.

MANAGER TERPENNY reported that Aquatic Center Director, Terry Caldwell, is working on a business plan for the aquatic center and will soon have a draft copy for review. Once finalized, the business plan will be presented to Town Council for approval. Ms. Caldwell has been working out of an office in Town Hall.

MAYOR BALLENGEE referred to the Street Committee a request from Councilman Barber to consider placing a crosswalk at the Inn at Hans Meadow on Depot Street. The Street Committee will study this request and make a recommendation to Council at a future Town Council meeting.

COUNCILMAN WADE commented on the placement of the public notice bulletin board in the first floor foyer of Town Hall. He asked if plans were being made to place the bulletin board in a weather-proof box outside the front entrance of Town Hall. After some discussion, it was the consensus of Council to post two bulletin boards; leave the board currently in the first floor foyer, and place one outside the front entrance in a weather-proof box. Manager Terpenney will attend to this matter.

ADJOURN:

There being no further business to bring before Council the meeting was adjourned at 8:50 P.M.

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Michele M. Stipes, Clerk of Council

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Richard G. Ballengee, Mayor