

**CHRISTIANSBURG TOWN COUNCIL  
CHRISTIANSBURG, MONTGOMERY CO., VA.  
MINUTES OF APRIL 16, 2013 AT 7:30 P.M.**

A REGULAR MEETING OF THE CHRISTIANSBURG TOWN COUNCIL, MONTGOMERY COUNTY, CHRISTIANSBURG, VA. WAS HELD AT CHRISTIANSBURG TOWN HALL, 100 EAST MAIN STREET, CHRISTIANSBURG, VA, ON APRIL 16, 2013 AT 7:30 P.M.

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

ADMINISTRATION PRESENT: Town Manager Barry Helms; Assistant Town Manager Randy Wingfield, Town Clerk Michele Stipes; Town Attorney Jim Guynn; Assistant to the Town Manager Adam Carpenetti; Planning Director Nichole Hair; Finance Director/Treasurer Val Tweedie; Aquatics Director Terry Caldwell; Police Chief Mark Sisson.

PLEDGE OF ALLEGIANCE

**PUBLIC HEARING**

1. Council's intention to adopt an ordinance amending Chapter 30 "Zoning" of the *Christiansburg Town Code* in regards to sidewalk requirements in the B-1 Limited Business and B-3 General Business Districts. Town Manager Helms reported that this amendment would allow, in certain instances, the substitution of a paved trail instead of a sidewalk for new developments.
2. Council's intention to adopt an ordinance in regards to a rezoning request by Loyal Order of Moose, Inc. for property located at 115 Farmview Road, N.W. (tax parcels 466 – ((1)) – 60A-64A and 436 – ((2)) – 65A-67A) from I-2 General Industrial to B-3 General Business. The property is scheduled as Commercial in the Future Land Use Map of the Christiansburg Comprehensive Plan. Mr. John Neel of Gay and Neel, Inc. provided Council with a drawing of the property, which is located behind the Target store. He explained that the zoning of I-2 General Industrial is a result of the property's connection to Norfolk and Southern railroad tracks, but that B-3 General Business zoning would provide for better usage of the property. Three proffers have been submitted regarding property access and buffering. The Planning Commission voted unanimously to recommend approval of this request and Mr. Neel requested that Council take action on this matter during tonight's meeting, rather than waiting until the next Council meeting. Town Manager Helms reported that the Town received a letter from the owner of an adjoining trailer park, but that the letter was not in opposition to the rezoning. The surrounding area is zoned I-2 General Industrial and B-3 General Business. Mr. Cliff Dowdy, realtor and representative of the property purchaser, was available to answer questions of Council.

**REGULAR MEETING**

MAYOR BALLENGEE called the regular meeting of Council to order and asked if there were any additions or corrections to the regular meeting minutes of April 2, 2013. Councilman Hall made a motion to approve the minutes as presented, seconded by Councilman Barber. Council voted on the motion as follows: AYES: Barber, Hall, Showalter, Stipes, Vanhoozier. NAYS: None.

AGENDA AMENDMENT: Councilman Vanhoozier made a motion to amend the agenda to include Council discussion and action on the rezoning request by Loyal Order of Moose, Inc. for property located at 115 Farmview Road, N.W. Councilman Hall seconded the motion and Council voted as follows: AYES: Barber, Hall, Showalter, Stipes, Vanhoozier. NAYS: None. Mayor Ballengee placed this matter as item #3 under Discussions by Mayor and Council Members.

I. CITIZEN'S HEARING

1. MS. LISA BLEAKLEY, TOURISM DIRECTOR, TO PRESENT THE DRAFT TOURISM PLAN. Ms. Bleakley thanked Council for the opportunity to speak and shared a progress report from the Montgomery Regional Tourism office. Ms. Bleakley provided Council with a draft copy of a three-year strategic tourism plan, including timelines. The anticipated date that the plan would be adopted is May 17, 2013. Ms. Bleakley discussed with Council the information provided in the Tourism Strategic Plan and requested that Council provide recommendations or suggestions that would improve the plan. She then offered to answer questions of Council. Once adopted, the Tourism Strategic Plan would be used in prioritizing efforts in regional tourism planning, and would be updated as needed. Councilman Showalter commended the efforts of Ms. Bleakley, Mr. Randy Rose, who helped develop the strategic tourism plan, and the members of Town staff who attended tourism development meetings as representation of Christiansburg. Council thanked Ms. Bleakley for the update.
2. UPDATE ON CHRISMAN MILL ROAD RAILROAD CROSSING BY MR. ADAM CARPENETTI, ASSISTANT TO THE TOWN MANAGER. Mr. Adam Carpenetti, Assistant to the Town Manager, updated Council on the background and current standing regarding the requests for "quiet zone" status at the Chrisman Mill railroad crossing. When the initial request was made several years ago, it included the Cambria railroad crossing. "Quiet zone" status was grandfathered-in at the Cambria crossing location, and the Town made upgrades to the crossing that would bring it into compliance with railroad safety guidelines. Upgrades and improvements to Chrisman Mill Road that would be required to meet safety guidelines would be extensive and expensive. The Town has studied numerous measures that are typically used in meeting safety requirements at railroad crossings, but because of the alignment of Chrisman Mill Road, typical safety measures would not be enough to lower the risk index score. Mr. Carpenetti then explained risk index scoring used by the railroad in determining the qualifications of crossings. Mr. Carpenetti provided Council with an aerial view of the Chrisman Mill crossing and surrounding area, noting that one side of the crossing is located in Montgomery County indicating that the county would need to be involved in any improvements to the crossing. In order to lower the risk index score of the Chrisman Mill crossing, the road would need extensive realignment, and then supplemental safety measures would need to be put into place, such as the installation of a four gate crossing. The railroad estimated that installation of a four gate crossing could cost up to two hundred thousand dollars and that the Chrisman Mill Road must be realigned before it would consider that measure. Mr. Carpenetti stated that the Cambria crossing, because of its grandfathered status, is at-risk of losing its "quiet zone" status should an accident occur at the crossing. Councilman Stipes, familiar with the involvements required for major roadway improvements, estimated a cost of five hundred thousand dollars to improve the Chrisman Mill crossing enough to qualify for "quiet zone" status. Mr. Carpenetti said that when the Town studied this matter six years ago, it did not have the right-of-way property necessary to realign the road. Councilman Hall suggested the continual requesting of "quiet zone" status, just to keep attention focused on the situation. Mr. Carpenetti said the Town could choose to make improvements to Chrisman Mill Road from a safety standpoint in the hopes that it would lower the risk index score.

3. CITIZEN COMMENTS

- a. Ms. Connie Turner of Alleghany Street complimented the Town on the upgrades to the neighborhood park on Ellett Drive. She thanked the Town and Council for its continued support of the Christiansburg Alumni Return, which is scheduled for August 10, 2013 at the Christiansburg Parks and Recreation Center. Future announcements will be made on the event and all are invited to attend.
- b. Mr. John Casali, a resident of Diamond Point, said that in 2009 residents living near the Chrisman Mill railroad crossing came to Council to request that the Town pursue "quiet zone" status for that area. He has also written emails and met with Town staff since 2009 encouraging action on this matter. Mr. Casali is present tonight on behalf of those residents, seeking information on the Town's intent regarding this matter. According to Mr. Casali, the train whistle, which he believes doesn't guarantee safety, is a disturbance to the residents living in close proximity to the crossing, especially during the nighttime hours. Mr. Casali presented data he gathered during a study of the crossing and explained his four principal findings: 1) The train whistle is a community annoyance; 2) The whistle is a hearing concern due to the high decibel measurement; 3) The situation creates legal inequality; and 4) The crossing is a driving hazard. Mr. Casali discussed the data he collected to support each finding. Mr. Casali said that making the necessary safety improvements to Chrisman Mill Road may eliminate the need for the train whistle, and he presented his ideas for the safety measures that could be considered. Concerning the cost of the road and crossing improvements, Mr. Casali said it is unclear how much it would cost until a study is done. According to Mr. Casali, Mr. Jimmy Radford, a resident of Diamond Point, owns land adjacent to the railroad near the Chrisman Mill crossing and is willing to assist the

Town by providing land needed to address the realignment issues. Council discussed meeting with Mr. Radford regarding his willingness to work with the town on this issue. Mr. Casali suggested that the Town report to the railroad details of its planned road improvements before moving forward. Councilman Showalter stressed the importance of including Montgomery County in future involvements concerning improvements to Chrisman Mill Road and the railroad crossing. Mr. Casali is willing to speak to Montgomery County regarding this matter, but would like for the Town to have preliminary plans in place first so he will have something to present. Town Council authorized Town Manager Helms to begin a review to determine the involvements of upgrading the crossing to meet railroad standards for "quiet zone", and to meet with Mr. Jimmy Radford to determine the extent of his willingness to become involved, and to bring to Council a cost estimate for consideration. Mayor Ballengee will introduce this matter for discussion at the May 8<sup>th</sup> liaison meeting with Montgomery County. Town Manager Helms estimated it would take approximately two months to put together a cost estimate and a preliminary plan to present to Council.

## II. DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS

### 1. TOWN COUNCIL ACTION ON:

- a. AN ORDINANCE TO AMEND SECTION 29-14, TAMPERING WITH WATER AND SEWER SYSTEM PROHIBITED, OF ARTICLE I, "IN GENERAL," OF CHAPTER 29, WATER AND SEWERS OF THE *CHRISTIANSBURG TOWN CODE*; PROHIBITING OBSTRUCTION OF TOWN WATER AND SEWER FACILITIES AND METERS; PROVIDING AN EFFECTIVE DATE. Councilman Vanhoozier made a motion to approve the ordinance amendment with an effective date of May 1, 2013, seconded by Councilman Barber. Town Council was polled on the motion as follows: Barber – Aye; Hall – Aye; Showalter – Aye; Stipes – Ayes; Vanhoozier – Aye.

2. RESOLUTIONS IN RECOGNITION OF CHRISTIANSBURG HIGH SCHOOL WRESTLING CHAMPIONSHIPS AND DIVING CHAMPIONSHIPS. Council was presented with resolutions recognizing Christiansburg High School students, Ronnie Piemonte, for being named the One Meter VHSL State Diving Champion for the second consecutive year, and Leah Piemonte for being named One Meter VHSL State Diving Champion for the fourth consecutive year, at the 2013 AA and A VHSL State Championship meet held February 14 – 16 at the Christiansburg Aquatic Center. A third resolution was presented in recognition of the Christiansburg High School wrestling team state championship, with four individual certificates to be presented along with a resolution in recognition of wrestler Joey Dance for being named 2013 World Class Champion. Councilman Barber made a motion to approve each resolution, seconded by Councilman Vanhoozier. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None. The resolutions and certificates will be presented to the students at a future meeting.

3. A REZONING REQUEST BY LOYAL ORDER OF MOOSE, INC. FOR PROPERTY LOCATED AT 115 FARMVIEW ROAD, N.W. (TAX PARCELS 466 – ((1)) – 60A-64A AND 436 – ((2)) – 65A-67A) FROM I-2 GENERAL INDUSTRIAL TO B-3 GENERAL BUSINESS. The property is scheduled as Commercial in the Future Land Use Map of the Christiansburg Comprehensive Plan. Town Manager Helms read the Planning Commission's resolution recommending that Town Council approve the request with the three proffers as submitted. Planning Commission vote was as follows: 9 Ayes; 1 Abstention; 1 Absent. Councilman Vanhoozier made a motion to accept the Planning Commission's recommendation to approve the request with the three submitted proffers, seconded by Councilman Barber. Council was polled on the motion as follows: Barber – Aye; Hall – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.

## III. TOWN MANAGER'S REPORTS

PUBLIC HEARING REQUEST(S): Town Manager Helms presented the following request and recommended setting the Public Hearing for May 7, 2013:

1. Water, sewer and garbage fee increases for Fiscal Year 2013-2014.

On motion by Councilman Vanhoozier, seconded by Councilman Showalter, Council voted to set the Public Hearing for May 7, 2013. Council voted on the motion as follows: AYES: Barber, Hall, Showalter, Stipes, Vanhoozier. NAYS: None.

PROGRESS REPORTS AND ANNOUNCEMENTS:

- Council was provided with a draft copy of two updated chapters of the Christiansburg Comprehensive Plan for review and comments.
- Phase I of the environmental site assessment on the Wilson property has been completed with no negative findings. The Town recently signed a purchase contract on the Wilson property with plans to develop it for passive and active recreational use, and with completion of this assessment, will proceed with closing on the property.
- Council was provided with a photo of the recently purchased street sweeper.
- A budget work session has been scheduled for April 23, 2013 at 6:00 P.M. and will be held in the 3<sup>rd</sup> floor conference room of Town Hall.
- A work order has been turned in for placement of a speed limit sign on Forelmont Street as discussed at the April 2, 2013 meeting.
- Dr. Daniel Hurd of New River Dermatology in Blacksburg has invited all Town employees to visit his office during the first week of May for a complimentary skin cancer screen in recognition of Skin Cancer Awareness Week.
- Council Hall suggested that the Town find ways to begin participating in recognizing National Child Abuse Prevention Month, which is the month of April this year.

IV. ADJOURNMENT:

There being no further business to bring before Council, the meeting was adjourned at 9:24 PM.

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Michele M. Stipes, Clerk of Council

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Richard G. Ballengee, Mayor