

**CHRISTIANSBURG TOWN COUNCIL  
CHRISTIANSBURG, MONTGOMERY CO., VA.  
MINUTES OF JANUARY 15, 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 JANUARY 15, 2013 AT 7:30 P.M.

COUNCIL MEMBERS PRESENT: Mayor Richard G. Ballengee; Vice-Mayor James W. Vanhoozier, D. Michael Barber; R. Cord Hall; Steve Huppert; D. Henry Showalter; Bradford J. Stipes. ABSENT: None.

ADMINISTRATION PRESENT: Town Manager Helms; Assistant Town Manager Randy Wingfield, Town Clerk Michele Stipes; Town Attorney Theresa Fontana; Planning Director Nichole Hair; Finance Director/Treasurer Valerie Tweedie. Assistant to the Town Manager Adam Carpenetti.

PLEDGE OF ALLEGIANCE.

**PUBLIC HEARINGS**

1. Amendment to the Budget for Fiscal Year 2012-2013. Council was provided a copy of the proposed budget amendment that would increase the general fund capital expenditures by \$670,000, operating expenditures of the general fund by \$40,000, and the enterprise fund budget capital expenditures by \$102,000. Town Manager Helms reported that the \$520,000 for the acquisition of new garage vehicles and garbage carts has been removed from the budget amendment because the trucks will not be delivered until after the end of the fiscal year. This acquisition will be included in next year's budget. Total budget increase for this proposed amendment is \$292,000. Fire Chief Billy Hanks requested the purchase a seventy-five foot aerial ladder truck, funded with monies from the fire apparatus fund. Mr. Hanks explained in detail the aerial ladder truck equipment, its effectiveness as a full service pumper truck, and its potential benefit to the Town because of its smaller size. The Town currently owns three fire trucks. The current ladder truck is twenty-five years old and the Town has the option to partially refurbish the truck which would extend the service life by years. The seventy-five foot aerial truck is a demo truck and is being offered on a first-come, first-serve basis as a cost of approximately \$730,000, which includes the truck equipment. The fire department has driven the truck to test its effectiveness and abilities in town. Chief Hanks, on behalf of the members of the fire department, said it is a pleasure to serve the community and the department appreciates the support it receives from Town Council and staff. A picture of the requested truck was provided for informational purposes. The truck would not replace any existing truck. Town Manager Helms reported that this equipment wasn't included in the advertised budget amendment, which is why the Public Hearing is being held. In discussing funds available for this use, Finance Director/Treasurer Tweedie said the funds could be drawn from the fire truck reserve fund or from the Virginia Fire Programs fund.
2. A Conditional Use Permit request by Shah Development, L.L.C. (agent for property owner Ina M. Graves) for residential use at 115 Fisher Street (tax parcel 499 – ((3)) – 1) in the B-3 General Business District. Mr. John Neel of Gay and Neel, Inc., representing Shah Development, L.L.C., provided Council with three drawings indicating the development envisioned for the property, which is an extension of the adjacent Fisher Street Condominiums, also owned by Shah Development, L.L.C. Plans are for six units with off-street parking and ample greenspace to meet the Town Code requirements. Mr. Neel explained that there is currently a house located on the property that has been condemned by the Town. The asbestos has been abated and removed, and the house is being demolished to allow for development. Mr. Thom Rutledge of Shah Development, L.L.C. spoke to concerns addressed by the Planning Commission, specifically the request that Shah Development provide a Deed of Easement for a school bus for the condominium project. Mr. Rutledge explained that the lower access to the development would create a hammer head affect resulting in ease of access for school buses. The Planning Commission had also suggested ways to aesthetically improve upon the proposed units, which will be townhouses that can be subdivided and sold as individual units. Shah Development has closed on the property and it is now the fee simple owner of the property. Mr. Rutledge and Mr. Neel offered to answer questions of Council.
3. Council's intention to adopt an ordinance in regards to revenue recovery for rescue squad service. There was no one to speak for or against this request.

4. A resolution supporting inclusion of the N. Franklin Street - Cambria Street intersection project in VDOT project programming and reprioritization of projects within the program. The resolution will be submitted to VDOT and to the MPO, a copy of which is attached. There was no one to speak for or against this request.

### REGULAR MEETING

*COUNCILMAN HALL made a motion to amend the agenda to include a closed meeting under Virginia Code Section 2.2-3711(A)(3) for the discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body. Councilman Barber seconded the motion and Council voted to amend the agenda as included: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None. The closed meeting will be held immediately following the scheduled closed meeting.*

*At the recommendation of Town Manager Helms, Councilman Barber made a motion to amend the agenda to include Council action on the Fisher Street project request, seconded by Councilman Hall. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None. This matter will be placed as item #6 on the agenda.*

*Councilman Stipes made a motion to amend the agenda to include Council discussion and action on the request by the Fire Department to purchase an aerial truck, seconded by Councilman Hall. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None. This matter will be placed as item #7 on the agenda.*

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 January 2, 2013. Councilman Hall requested that paragraph 2(b) of the minutes be amended to exclude sentence #7. Councilman Hall further commented that Councilman Stipes misspoke when he said that Council had previously discussed and voted on the matter of changing meeting dates, noting that Council did not vote previously and requested that the reference to the vote be removed. Council had discussed the matter in the past, but no formal action had been taken prior to the January 2, 2013 meeting. Councilman Barber made a motion to approve the minutes as amended, seconded by Councilman Showalter. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

Mayor Ballengee reported that he appointed members of the Cemetery Committee in error at the January 2, 2013 meeting and amended the appointments to Councilman Hall and Councilman Huppert. Mayor Ballengee asked Town Clerk Stipes to reflect this change in the minutes of January 2, 2013.

### I. CITIZEN HEARINGS:

1. Blacksburg Transit update by Ms. Becky Martin. Ms. Becky Martin provided Council with an update on Blacksburg Transit dated January 15, 2013. The report provided a ridership comparison for each of the three bus routes from May 2011 through October 2013, which indicated steady ridership. Ms. Martin reported that Blacksburg Transit is currently focusing on roof replacements and amenity updates for the bus stops and shelters and explained in detail the planned improvements for each location. Christiansburg Public Works crews will be assisting with the shelter improvements. Ms. Martin announced that Blacksburg Transit is now working with the mobility coordinator of New River Valley Agency on Agency and has seen success in providing for the transportation needs of the elderly in Christiansburg and Blacksburg. Council thanked Ms. Martin for the update.

### 2. CITIZEN COMMENTS.

- a. Mr. Josh Smith introduced Council to the Ignite Academy located on the formerly Life East campus, revamped to the Cross Pointe Conference Center. Ignite Academy is evolving as a junior college with a focus on the Word of God, global missions, and community involvement. Regent University and Liberty University partner with Ignite Academy to provide students with Distance Education transferrable classes. Ignite Academy currently has an enrollment of seventy-four students, with a capacity for three hundred. Mr. Smith explained that students are required to perform ten hours of community service each week and he asked Christiansburg to partner with them in providing opportunities to meet this requirement. The students currently assist vendors participating in the Wilderness Trail Festival, and are involved with numerous nonprofit agencies, but the school is looking to expand its service outreach further into the community. March 9<sup>th</sup> has been designated as an outreach day for potential students and Mr. Smith said he hoped the Town would be willing to provide service opportunities for those interested in Ignite Academy. Mayor Ballengee said he would speak with the directors of Parks and Recreation and the Aquatic Center to coordinate areas of need with Ignite. Councilman Barber said he is familiar with the students' outreach efforts with the Wilderness Trail Festival and the many compliments the students receive from the vendors they assist.

Councilman Barber said he supports partnering with Ignite to provide service opportunities, and also to assist in advertising the March 9<sup>th</sup> event day. Public Relations Director Becky Wilburn offered to speak with Mr. Smith to determine if the event could be posted on the Town's website, and Brad Epperley and Terry Caldwell offered to work with Mr. Smith to coordinate opportunities to partnership with Ignite on service projects.

II. DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

1. A RESOLUTION SUPPORTING DESIGNATION OF THE CROOKED ROAD: VIRGINIA'S HERITAGE MUSIC TRAIL AS A NATIONAL HERITAGE AREA. Councilman Vanhoozier made a motion to adopt the resolution, seconded by Councilman Showalter. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None. Mayor Ballengee said he would notify Mr. Hinshelwood of Council's approval. A copy of the resolution is attached herewith.
2. A RESOLUTION SUPPORTING A SAFE ROUTES TO SCHOOL INFRASTRUCTURE GRANT APPLICATION. Councilman Stipes made a motion to approve the resolution, seconded by Councilman Vanhoozier. Council was polled on the motion as follows: Barber – Aye, Hall – Aye, Huppert – Aye, Showalter – Aye, Stipes – Aye, Vanhoozier – Aye. Councilman Stipes thanked Planning Director Nichole Hair for her efforts in getting the application filed for these funds, and recognized Lieutenant Donnie Cromer for his role in encouraging the Town to seek these funds. A copy of the resolution is attached herewith.
3. CONSIDERATION OF ACCEPTING A REIMBURSEMENT GRANT FROM THE VIRGINIA TOURISM CORPORATION FOR A LOVEWORKS SCULPTURE. Public Relations Director Becky Wilburn provided Council with a memo explaining the LOVEworks artwork VTC Grant/Project for which the Town has applied for and received a reimbursement grant from the Virginia Tourism Commission to create a LOVEworks artwork that portrays the message that “love is at the heart of every Virginia vacation”. Mrs. Wilburn provided Council with a drawing indicating the design of the artwork and the location site, which is in front of the Christiansburg Aquatic Center. The Virginia Tourism grant provided a reimbursement of twelve hundred dollars of the total estimated cost of twenty-eight hundred, leaving a balance of sixteen hundred dollars to be funded by the Town. The memo further explained that the Virginia Tourism Board would promote the LOVE artwork, and the locality in which it's located, as part of participation in the artwork campaign. As required for participation, the sign would be a permanent structure erected for no less than one year. Council approval is required for participation. Councilman Barber made a motion to accept the twelve hundred dollar reimbursement grant from VTC and to approve an expenditure of sixteen hundred dollars for the remaining cost of the artwork. Councilman Showalter seconded the motion and Council voted as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.
4. Council appointment(s) to the Planning Commission. Mayor Ballengee reported that the background checks were approved for the two candidates appointed in December: David Franusich, who is filling Mark Caldwell's unexpired term and Jonathan Hedrick, who is filling Barry Akers' unexpired term. There currently remains one vacancy on the Planning Commission that Council can fill if it chooses. Mayor Ballengee reported that Council could consider interviewing the applicant that was unable to make his interview in December due to traffic problems on the interstate. Council agreed to interview the third applicant if he is still interested in the position, and will schedule the interview at a future Council meeting. Planning Director Hair said she will notify the two appointees of their official appointment.
5. MR. STIPES AND MR. VANHOOZIER - STREET COMMITTEE REPORT/RECOMMENDATION ON:
  - a. Subdivision: Kensington Phase V, Creating Lots 1-15; creating 15 lots; located on Aldwych Avenue, N.W. Councilman Stipes reported that this is a simple subdivision that has been reviewed by the Street Committee and found to conform with the Town's master plan and subdivision ordinance. Councilman Stipes made a motion to approve the subdivision request, seconded by Councilman Vanhoozier. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

Councilman Huppert commented that the stop sign placed at Alleghany and Miller Streets has been effective in slowing down traffic. Councilman Stipes and Councilman Vanhoozier said that the stop signs placed on Sleepy Hollow Road have also had the anticipated effect of slowing down traffic.

- b. A resolution supporting inclusion of the N. Franklin Street - Cambria Street intersection project in VDOT project programming and reprioritization of projects within the program. Councilman Stipes reported that the Street Committee recommends Council adopt the resolution and Councilman Vanhoozier made a motion to adopt, seconded by Councilman Stipes. Council was polled on the motion as follows: Barber – Aye, Hall – Aye, Huppert – Aye, Showalter – Aye, Stipes – Aye, Vanhoozier – Aye. A copy of the resolution is attached herewith.

6. COUNCIL ACTION ON A CONDITIONAL USE PERMIT REQUEST BY SHAH DEVELOPMENT, L.L.C. FOR RESIDENTIAL USE AT 115 FISHER STREET (TAX PARCEL 499 – ((3)) – 1) IN THE B-3 GENERAL BUSINESS DISTRICT. Town Manager Helms read the Planning Commission's resolution recommending Town Council issue the Conditional Use Permit with one condition. The Planning Commission vote on seven ayes and one absent. Councilman Hall made a motion to accept the Planning Commission's recommendation to issue the CUP with one condition, seconded by Councilman Barber. Council was polled on the motion as follows: Barber – Aye, Hall – Aye, Huppert – Aye, Showalter – Aye, Stipes – Aye, Vanhoozier – Aye. A copy of the Conditional Use Permit is attached herewith.
  7. FIRE DEPARTMENT'S REQUEST TO PURCHASE A 75-FOOT AERIAL TRUCK AT AN APPROXIMATE COST of \$737,000. Councilman Stipes made a motion to proceed with the purchase, seconded by Councilman Huppert. Council was polled on the motion as follows: Barber – Aye, Hall – Aye, Huppert – Aye, Showalter – Aye, Stipes – Aye, Vanhoozier – Aye.
  8. CLOSED MEETING:
    - a. COUNCILMAN HALL MADE A MOTION TO enter into a Closed Meeting under Code of Virginia Section 2.2-3711(A)(5), for discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; and Virginia Section 2.2-3711(A)(3) for the discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where the discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body. Councilman Barber seconded the motion and Council was polled on the motion as follows: Barber – Aye, Hall – Aye, Huppert – Aye, Showalter – Aye, Stipes – Aye, Vanhoozier – Aye.
    - b. COUNCILMAN HALL MADE A MOTION TO enter into a Closed Meeting under Code of Virginia Code Section 2.2-3711(A)(3) for the discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. Councilman Barber seconded the motion and Council was polled on the motion as follows: Barber – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.
    - c. Certification. Councilman Huppert moved to certify that the Town Council of the Town of Christiansburg, meeting in Closed Meeting, to the best of each member's knowledge, discussed only the matters lawfully exempt from open meeting requirements by Virginia Law and only such matters as are identified in both Resolutions to enter into Closed Meeting. Councilman Barber seconded the motion and Council was polled on the motion as follows: Barber – aye; Hall – aye; Huppert – aye; Showalter – aye; Stipes – aye; Vanhoozier – aye.
- IV. TOWN MANAGER'S REPORTS:
- PUBLIC HEARING REQUEST(S) – Town Manager Helms presented the following requests and recommended setting the Public Hearings for February 19, 2013:
1. Planning Commission request to amend *Town Code* pertaining to applications for land rezonings or Conditional Use Permits.
  2. Ordinance amendment pertaining to high grass in conservation easements and/or town controlled property.
- On motion by Councilman Barber, seconded by Councilman Hall, Council voted to set the Public Hearings for February 19, 2013. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes. NAYS: None.
- JOINDER STUDY – Town Manager Helms reported that a Public Hearing is required for the Joinder Study, noting that Blacksburg has scheduled its Public Hearing on this matter for January 22, 2013. Councilman Barber made a motion to schedule the Public Hearing for February 19, 2013, seconded by Councilman Vanhoozier. Council voted on the motion as follows: AYES: Barber, Huppert, Stipes, Vanhoozier. NAYS: Hall, Showalter.
- TAXI CAB LICENSE APPLICATION – Town Manager Helms submitted to Council a taxi cab operator's license application for Albert Vincent Underwood, Jr. to drive for Christiansburg Cab. The Police Department has investigated the applicant and recommends approval. On motion by Councilman Barber, seconded by Councilman Hall, Council voted to approve the taxi cab operator's license application for Albert Vincent Underwood, Jr. as follows: AYES:

Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

**PROGRESS REPORTS AND ANNOUNCEMENTS:**

- A copy of the proposed budget policy has been provided to Council. Town Manager Helms asked Council to read the document and be prepared to discuss at the next Council meeting.
- Town Manager Helms reminded Council of the VML Local Government Day on January 31<sup>st</sup>. Those attending have been registered and hotel rooms have been reserved.

COUNCILMAN SHOWALTER reported that he has been contacted by downtown merchants with concerns regarding parking along Main Street during Christmas store hours, and he asked that Council begin discussions on ways to avoid this issue in the future. Mayor Ballengee agreed that this is an important issue, noting that he had received similar complaints. Councilman Showalter suggested seeking input from Police Chief Sisson.

COUNCIL REQUESTED a recommendation from the Finance Committee on the addendum to the budget, and the budget policy, provided to Council for discussion at the next Council meeting.

COUNCILMAN HALL reported on his attendance at the Montgomery County Board of Supervisor's (BOS) meeting held last night, noting that Adam Carpenetti was also in attendance. Councilman Hall expressed concern that the presentation given to the BOS regarding emergency services revenue recovery was not well received. Councilman Hall suggested that the Town send a letter to the BOS explaining the expectations of the Town and its commitment to reinvest the funds in emergency services. Mayor Ballengee agreed to send a joint email with Town Manager Helms to the BOS at the request of Council.

**V. ADJOURNMENT:**

There being no further business to bring before Council, the meeting was adjourned at 10:30 PM.

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Michele M. Stipes, Clerk of Council

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Richard G. Ballengee, Mayor