

CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
MINUTES OF MARCH 5, 2013 AT 7:30 P.M.

A SPECIAL MEETING OF THE CHRISTIANSBURG TOWN COUNCIL, MONTGOMERY COUNTY, CHRISTIANSBURG, VA. WAS HELD AT CHRISTIANSBURG TOWN HALL, 100 EAST MAIN STREET, CHRISTIANSBURG, VA, ON MARCH 5, 2013 AT 6:40 P.M.

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

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 MARCH 5, 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 Barry Helms; Assistant Town Manager Randy Wingfield, Town Clerk Michele Stipes; Town Attorney Jim Guynn; Planning Director Nichole Hair; Assistant to the Town Manager Adam Carpenetti; Public Relations Director Becky Wilburn; Finance Director/Treasurer Val Tweedie.

SPECIAL MEETING

MAYOR BALLENGEE called the special meeting of Council to order.

CALL TO ORDER

II. CLOSED MEETING:

a. REQUEST FOR A CLOSED MEETING. Councilman Barber made a motion to enter into a Closed Meeting under Virginia Code Section 2.2-3711(A)(1), for the discussion, consideration, or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. The Closed Meeting is being held for the interview of a Planning Commission applicant. Councilman Vanhoozier seconded the motion and Council was polled on the motion as follows: Barber – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.

a. RECONVENE IN OPEN MEETING. Councilman Hall made a motion to reconvene in Open Meeting, seconded by Councilman Barber. Council voted on the motion as follows: Barber – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.

b. 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 the Resolution to enter into Closed Meeting, seconded by Councilman Barber. Council voted on the motion as follows: Barber – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.

a. COUNCIL ACTION ON THE MATTER. There was no action taken by Council.

--Recess until 7:30 P.M.--

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

1. A Conditional Use Permit request by Cary W. Hopper for residential use at 970 Radford Street (tax parcel 525 – ((A)) – 20) in the B-3 General Business District. Mr. Cary Hopper, applicant, explained that there are currently three buildings located on this property; one is rented by Montgomery County Emergency Assistance, and the remaining two were formerly used by a daycare center and will be reverted back to single-family residential. There was no voiced or written opposition to this request.

REGULAR MEETING

I. CALL TO ORDER

Approval of Minutes.

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 15, 2013 and called meeting of Council minutes of January 26, 2013. Councilman Vanhoozier made a motion to approve the minutes as presented, seconded by Councilman Hall. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

COUNCILMAN HALL made a motion to amend the agenda to remove the recommendation from the Cemetery Committee, item #5 under Discussions by Mayor and Council Members, requesting that it be postponed until the March 19, 2013 Council meeting. The Cemetery Committee's recommendation will be provided to Council for review in a future agenda packet. Councilman Barber seconded the motion, and Council voted as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

COUNCILMAN SHOWALTER requested that Council be provided an opportunity to discuss the safety situation at Falling Branch Elementary School, since the three weeks authorized for police presence at the school will soon expire. Councilman Showalter said there have been additional incidences of trespassing at the school in recent days and he wants to discuss extending the three weeks pending further information from the Montgomery County School Board. Mayor Ballengee added this discussion as item #3 under the Citizen's Comments.

II. CITIZEN'S HEARING:

1. MR. KEVIN BYRD, EXECUTIVE DIRECTOR OF THE NEW RIVER VALLEY PLANNING DISTRICT COMMISSION, TO ADDRESS COUNCIL REGARDING THE NEW RIVER VALLEY PLANNING DISTRICT COMMISSION. Mr. Kevin Byrd thanked Council for the opportunity to speak and reported on New River Valley Planning District Commission (NRVPDC) operations and involvements in the communities it serves. The NRVPDC recently assisted the Town of Blacksburg in establishing a taskforce to facilitate interaction between local government and private industry, putting to use the nontraditional planning abilities of the commission. Economic impact studies are another example of the nontraditional planning frequently performed by the NRVPDC in assisting localities with various needs. Mr. Byrd gave examples of the various services and resources available to communities through the NRVPDC including website design, staffing analysis, boundary adjustment studies, research and projections, and assistance with grant applications, among other services. Mr. Byrd stated that the NRVPDC corresponds with each locality individually to determine specific needs and offered to assist Christiansburg with any services that may be of interest. The NRVPDC has recently gone through an agency assessment to review the visions and goals of the commission. As a result, NRVPDC board has a renewed interest in building leadership capacity in the region. The NRVPDC Board is currently considering changing the commission's name, which was a recommendation resulting from the assessment. Councilman Stipes voiced his appreciation for Mr. Byrd and the NRVPDC, noting that the commission has assisted Christiansburg with several projects including the Safe Routes to School grant application, and will be assisting with the *Recreation Master Plan*, and the *Cemetery Master Plan*. Councilman Stipes said he supports utilizing the services of the NRVPDC, especially in areas of grant writing, and he urged the commission and the Town's Planning Department to work together in discussing funding possibilities that would benefit Christiansburg. Councilman Showalter invited Mr. Byrd to attend a Council work session later in the year, for the purpose of receiving advice from him on future Town planning with a focus on VISION 2020.

2. CITIZEN COMMENTS:

- a. Richard Goss, a resident of Montgomery County, requested that the speed limit on Chrisman Mill Road be changed from 25 mph to 45 mph. Mr. Goss said the current speed limit of 25 mph is a dramatic decrease

from the speed limit along Route 114, and is often not adhered to by motorists. The speed limit on the state owned portion of Chrisman Mill Road is 55 mph. Chrisman Mill Road is a two lane road with approximately twelve homes. Mayor Ballengee referred this matter to the Street Committee for review and recommendation.

- c. Ms. Sherri Blevins, Virginian Drive, addressed Council regarding the safety issues at Falling Branch Elementary School, thanking Council for its leadership role in holding meetings, providing additional signage at the school, and providing a police officer during school hours. Ms. Blevins encouraged the continued placement of an officer at the school, noting there have been several recent trespassing incidences. Measures taken by VDOT are additional signage at the park and ride prohibiting trespassing on school property, and placement of a low fence. Ms. Blevins urged a zero tolerance policy in handling the issue of trespassing on the school property. Delegate Nick Rush has contacted Ms. Blevins informing her that he is seeking grant funding for safety upgrades through various school safety programs.
- d. Ms. Tracy Hurst, Glade Drive, vice-president of the PTA of Falling Branch Elementary School, thanked Council for its support in addressing the safety concerns at the school, commenting that she feels discouraged by the lack of support from other leadership parties involved with the school. Ms. Hurst requested an extension of time for police presence at the school and urged others in the community to reach out to the leadership involved.
- e. Angela Whirl, Pine Hollow Rd, reiterated the comments of Ms. Blevins and Ms. Hurst, thanking Council for its leadership involvement and urging the continued placement of an officer at Falling Branch Elementary School.
- f. Police Chief Mark Sisson updated Council on the measures being taken by the Police Department to address safety concerns at Falling Branch Elementary School. Chief Sisson said there has been collaboration between the entities involved, and the leadership meeting set up by Christiansburg was a positive start. The Police Department has placed an officer at the school for the past two and a half weeks; the authorized three weeks will expire on this Friday. The position is currently manned by the D.A.R.E. officer, which has placed a strain on the department. There have been incidences of trespassing at the school in the past week and trespassing summons have been issued to those individuals. Council discussed extending the length of time for police presence at the school, and Councilman Showalter recommended extending police service until the next leadership collaborative meeting scheduled for April. In addressing the continued placement of an officer at the school, Chief Sisson said it would ease the situation if Council would authorize overtime for the officers involved with providing security at the school. Currently, three officers work in rotation at Falling Branch Elementary School. Councilman Vanhoozier expressed support for continued police presence at the school, but stressed that pressure needs to remain on the Montgomery County School Board, the Montgomery County Board of Supervisors, and VDOT in offering concrete resolutions for both short-term and long-term solutions to the safety concerns at Falling Branch Elementary School. Councilman Barber stated his support for keeping police presence at the school through the end of the current school year. Council discussed the apparent lack of concern the school board and the board of supervisors seem to have regarding the incidences of trespassing at the school, and considered billing the entities for the cost of placing an officer at the school. Mayor Ballengee reported that Superintendent of Schools, Brenda Blackburn, stated at the collaborative meeting that the county's first priority was to contact the bus companies to notify them of the situation. At that meeting, Ms. Blackburn stated that the problems are a direct result of the bus services that utilize the park and ride, and she suggested that the bus companies be billed for the cost of measures taken to prevent trespassing on school property. Town Manager Helms reported that in response to the concerns expressed, the Megabus system is currently seeking an alternate bus stop. Councilman Hall stated that a letter of recommendation from Police Chief Sisson may cause the county to realize the significance of the security concerns at the school. Police Chief Sisson spoke to the in-depth safety assessment being performed at Falling Branch Elementary School by the Police Department, which will indicate specific safety concerns that needed to be addressed. Chief Sisson said that he will provide a written recommendation, based on the safety assessment, with specific recommendations that will address the specific concerns. The report will be provided within thirty days. Chief Sisson said he believes the written recommendation will be taken seriously as the Superintendent of Schools has expressed a willingness to continue working with the Police Department in addressing the safety concerns. After further discussion, Council authorized extending the police presence at Falling Branch Elementary School for another four weeks. The additional four weeks will provide time for the school board to put the recommendations of the Police Department into place. Concerning overtime pay for the officers providing security at the school, Town Manager Helms said he has the authority to reassign funds in the budget to meet this cost. Mayor and Council thanked Chief Sisson and the Police Department staff for their time and efforts in this matter.

- g. Ms. Connie Turner, Alleghany St, expressed her concern that safety issues with Christiansburg's schools are not being appropriately addressed by Montgomery County School Board and Montgomery County Board of Supervisors, noting disappointment that the four hundred thousand dollars earmarked for upgrades at Christiansburg High School was recently withdrawn by the board of supervisors. Ms. Turner said she wants the concerns of Christiansburg to be taken seriously and suggested that the withdrawn funds be used to help fund placement of an officer at Falling Branch Elementary School.
- h. Mr. Richard Goss, a Montgomery County resident who was formerly a resident of Christiansburg for thirty-four years, urged the Town to request assistance from Montgomery County Board of Supervisors in providing police presence at Falling Branch Elementary School, further suggesting that a request for assistance be sent to the Montgomery County Sheriff's Department.
- i. Ms. Becky Wilburn, Director of Human Resources and Public Relations, reviewed with Council the Request for Proposals for Non-Professional Services: Classification, Compensation Plan, and Performance Evaluation Study dated March 8, 2013. The purpose of the RFP is to seek a compensation consultant to assist the Town in a proposed overhaul of the compensation plans. Ms. Wilburn offered to answer questions of Council, noting that she hopes to publish the RFP by the end of the week. Several Council members were unable to access the RFP through the agenda packet and requested additional time to review the document and submit questions. Mayor Ballengee extended the review session until March 11, 2013.

III. DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS

- 1. TOWN COUNCIL ACTION ON:
 - a. An ordinance to enact Section 2-6, Submission Requirements, of Article I, Chapter 2, "Administration", of the *Christiansburg Town Code*, providing requirements for submission of applications for a special exception, Conditional Use Permit, variance, rezoning Zoning Ordinance modification, conditional zoning, site plan review, subdivision plat review or a land disturbing permit, including building permits and erosion and sediment control permits. The Public Hearing was held February 19, 2013. Councilman Barber made a motion to approve the proposed ordinance enactment, seconded by Councilman Vanhoozier. Council was polled on the motion as follows: Barber – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier - Aye.
 - b. An ordinance amendment to Chapter 24, "Solid Waste, Weeds, Tree Trimmings, Leaves", of the *Christiansburg Town Code* in regards to the definition of "grass or weeds". The Public Hearing was held February 19, 2013. Councilman Barber made a motion to approve the proposed ordinance amendment, seconded by Councilman Hall. Council was polled on the motion as follows: Barber – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier - Aye.
- 2. RECOMMENDATION TO THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR AN APPOINTMENT TO THE MONTGOMERY REGIONAL ECONOMIC DEVELOPMENT COMMISSION. Ms. Ann Carter's term on the Montgomery Regional Economic Development Commission will soon expire and she has expressed an interest in continuing to serve in this capacity. Councilman Hall made a motion to recommend the reappointment of Ms. Ann Carter to the Montgomery Regional Economic Development Commission, seconded by Councilman Showalter. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.
- 3. Proposed revisions to Chapter 17, "Offenses—Miscellaneous", of the *CHRISTIANSBURG TOWN CODE* in regards to urban archery (Councilman Stipes). Councilman Stipes presented to Council for consideration revisions to the urban archery ordinance that would redefine acreage and zoning requirements. A copy of the proposed revisions was provided to Council for review in the agenda packet. Councilman Stipes said concerns with deer overpopulation has been brought to his attention numerous times over the years, prompting him to seek revisions to the ordinance that would allow more flexibility in deer control within Town limits. Council discussed the proposed revisions and agreed, along with Town Attorney Guynn, that clarifications were needed in the revisions including provisions for penalties for arrows crossing the road. Council agreed that acreage should be restricted to three acres or more. Councilman Stipes requested that Town Attorney Guynn tidy up the revisions for clarification and thoroughness, and that Council be prepared to reconsider at the March 19, 2013 Council meeting.
- 4. Seatbelt Usage (Councilman Huppert). Councilman Huppert referenced an extensive series of articles recently published in the Roanoke Times focusing on seatbelt usage in the region. Several articles featured the efforts of the Christiansburg Police Department through its "Click It or Ticket It" campaign to raise

awareness of the importance of seatbelt usage. Councilman Huppert commended Police Chief Sisson and his staff for their proactive approach in bringing awareness to this important issue.

5. **MR. STIPES AND MR. VANHOOZIER - STREET COMMITTEE RECOMMENDATION ON:**
 - a. Plat Showing Vacation of Lot Lines of Lots 72, 73, 74, 75 & 76 "Map of T.E. Cox's Lots" to Create Lot 72 Revised; creating 1 lot; located at 670 Starlight Drive, S.E. Councilman Stipes reported that this property is located at the corner of Starlight Drive and Cedar Street. The request is to vacate interior lot lines to create one large lot and includes a permanent street easement. The request conforms with the subdivision ordinance and Councilman Stipes made a motion to approve the plat as presented. Councilman Vanhoozier seconded the motion and Council voted as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.
 - b. Boundary Line Vacation of Tax Parcels 559 – ((1)) – 5A and 559 – ((1)) – 5B; creating 1 lot; located on Technology Drive, S.E. Councilman Stipes reported that this property is the site of AeroProbe in the Christiansburg Industrial Park. The request is to abandon an interior lot line and to relocate the utility easement along Technology Drive. The request conforms with the subdivision ordinance and Councilman Stipes made a motion to approve the plat as presented. Councilman Barber seconded the motion and Council voted as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.
 - c. Acceptance of easement for Huckleberry Trail project at the corner of Cambria Street and Providence Boulevard. Councilman Stipes reported that the Street Committee previously reviewed this matter and recommended approving acceptance of the easement. Town Manager Helms reported that the owner of the property has granted the easement at a cost of three thousand dollars, which is half the market value. No action by Council is required
6. **TAXI CAB LICENSE RENEWAL APPLICATION** – Town Manager Helms submitted to Council a taxicab renewal application for Christiansburg Cab Service, Inc. A review by the Christiansburg Police Department is pending for the individual drivers and those applications will be brought before Council at a later date. Councilman Hall made a motion to approve the taxicab license renewal application for Christiansburg Cab Service, Inc., seconded by Councilman Vanhoozier. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

IV. TOWN MANAGER'S REPORTS

1. **MONTHLY BILLS:** Councilman Hall made a motion to approve the monthly bills to be paid on March 10, 2013, in the amount of \$1,373,265.20, seconded by Councilman Barber. Council voted on the motion as follows: A YES: Barber, Hall, Huppert, Showalter, Vanhoozier. NAYS: None.
2. **PUBLIC HEARING REQUEST(S)** – Town Manager Helms presented the following requests and recommended setting the Public Hearings as indicated:

April 2, 2013

1. Proposed amendment to the *Christiansburg Town Code*, Section 29-14 in regards to tampering with or obstructing water meters.

On motion by Councilman Vanhoozier, seconded by Councilman Barber, Council voted to set the Public Hearing for April 2, 2013. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

April 16, 2013

2. Proposed amendment to the zoning ordinance of the *Christiansburg Town Code* pertaining to sidewalks in the business districts.

On motion by Councilman Vanhoozier, seconded by Councilman Hall, Council voted to set the Public Hearing for April 16, 2013. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

3. **PROGRESS REPORTS AND ANNOUNCEMENTS:**

- Request from Shelor Automotive to lower the speed limit on Roanoke Street from 45 mph to 35 mph from Interstate 81 to the 460 Bypass. Mayor Ballengee referred this request to the Street Committee for review and recommendation.

- The New River Valley Agency on Aging is hosting a community conversation on April 18, 2013 from 12:00 p.m. to 1:00 p.m. at the Montgomery County Government Center. The focus of the meeting is to provide education on the how to care for the needs of older adults and adults with disabilities. All are invited to attend.
- All-way stop signs have been placed on Majestic Drive at Kays Drive and on Berkshire Drive at Windsor Drive as part of the traffic calming program.
- The Town has been served with a federal lawsuit stemming from police action at a Christiansburg residence. An attorney representing the Town's insurance company will be in Christiansburg this week to begin an insurance investigation. Council will be kept updated on this matter.
- Council was provided a copy of the letter drafted by the Town Attorney regarding Falling Branch Elementary School. Councilman Showalter recommended that the Montgomery County Sheriff's Department be included as a recipient. Councilman Hall asked for one change to the letter: Add the word "property" after Falling Branch Elementary School to define the entire school property, not just the building.
- The Finance Committee will begin budget discussions on March 8, 2013, at 7:30 a.m.
- Councilman Huppert reported that the Planning Commission has begun working on updating the *Christiansburg Comprehensive Plan*. Updates will be provided to Council in sections for review and comments.

V. ADJOURNMENT:

There being no further business to bring before Council, the meeting was adjourned at 9:12 PM.

Michele M. Stipes, Clerk of Council

Richard G. Ballengee, Mayor