

**CHRISTIANSBURG TOWN COUNCIL  
CHRISTIANSBURG, MONTGOMERY CO., VA.  
WORK SESSION MINUTES OF NOVEMBER 6, 2013 – 6:00 P.M.  
REGULAR MEETING MINUTES OF NOVEMBER 6, 2013 AT 7:30 P.M.**

A WORK SESSION OF THE CHRISTIANSBURG TOWN COUNCIL, MONTGOMERY COUNTY, CHRISTIANSBURG, VA. WAS HELD AT CHRISTIANSBURG TOWN HALL, 100 EAST MAIN STREET, CHRISTIANSBURG, VA, ON NOVEMBER 6, 2013 AT 6:00 P.M.

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

ADMINISTRATION PRESENT: Town Manager Barry Helms; Assistant Town Manager Randy Wingfield; Planning Director Nichole Hair.

WORK SESSION

1. Discussion regarding proposed amendments to the Zoning Ordinance of the *Christiansburg Town Code* to address parking requirements and site plan modifications.

~~Recess until 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 NOVEMBER 6, 2013 AT 7:30 P.M.

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

ADMINISTRATION PRESENT: Town Manager Barry Helms; Town Clerk Michele Stipes; Town Attorney Theresa Fontana; Assistant Town Manager Randy Wingfield; Finance Director/Treasurer Val Tweedie; Planning Director Nichole Hair; Assistant to the Town Manager Adam Carpenetti; Crime Prevention Sergeant Phillip Townley.

PLEDGE OF ALLEGIANCE

**PUBLIC HEARING**

1. Council's intention to adopt an ordinance amending Chapter 30 "Zoning" specifically, section 30-9 of the *Christiansburg Town Code* to address parking requirements for mixed use structures with apartments in the B-2 Central Business District; on-site parking requirements and off-site cooperative parking provisions; and grandfathered status in the B-2 Central Business District and sections 30-185, 30-186, 30-190, and 30-193 of the *Christiansburg Town Code* to clarify the requirements for final site plans, when preliminary and final site plans expire, and fees associated with the submittal of same.

Mr. Bob Poff, who has requested changes to downtown parking requirements numerous times over the years, voiced his support of the changes proposed by the Planning Commission. He hopes that the Planning Commission will continue to monitor parking needs downtown and requested that future considerations include the number of parking spaces per usage, which he believes should be a different requirement for the Central Business District. Mr.

Poff addressed the proposed distance requirement for parking to be within nine hundred feet of the property, suggesting a more appropriate distance of twelve to fifteen hundred feet. Mr. Poff also suggested the Town consider adopting a two-tiered cost system for fees associated with Conditional Use Permit requests, with reduced fees for parking variance requests that require a CUP.

Christina O'Connor, Director of Downtown Christiansburg, Inc., 495 Turpin Walk, voiced her concerns to Council regarding parking restrictions placed in the ordinance amendment, specifically in regards to parking in the Central Business District. Ms. O'Connor referred to a recent downtown parking study she was involved with that indicated current downtown parking is in excess of what is actually needed, and if approved, the amended ordinance would continue to require additional parking to be provided by business owners in the downtown area. The study was performed in June 2013 at the request of the Planning Commission, and was held on a peak weekday at peak hours along Main Street from Hickok Street to Roanoke Street. The study did not take into consideration the distinction between private and public parking spaces. It was noted that the only public parking in the downtown area is on-street parking; all lots are privately owned except for the Town Hall parking lot and Courthouse parking. According to Ms. O'Connor, the restrictions could hinder interest in renovating downtown buildings, and discourage new businesses from locating here. Because of these concerns, she requested that Council waive the parking requirements for the Central Business District and consider the option of shared parking for businesses in that district. Shared parking spaces are a basic free enterprise practice and business owners could work out the details amongst themselves as to how the sharing would occur. She suggested that the town look to other localities that have made this method work, such as Salem, Charlottesville, Asheville, as models of how to establish and maintain shared parking in Christiansburg. Ms. O'Connor believes this practice would be a step in the right direction in assisting with the revitalization of the Central Business District. Councilman Hall noted that the localities given as examples each have a thriving downtown district. Ms. O'Connor said that was evidence of the success of shared parking. Ms. O'Connor presented her concerns and information to the Planning Commission for its consideration during the citizen input meeting. Councilman Barber expressed concern with the request to waive parking requirements downtown, and Ms. O'Connor clarified that a shared parking policy would need to be in place before action was taken to waive requirements. Councilman Hall asked if existing business owners would be receptive to a policy of shared parking; Ms. O'Connor replied that businesses may be reluctant at first, but various options could be provided for owners to decide which would be most beneficial for their parking needs. Councilman Vanhoozier noted that the Planning Commission meeting minutes reflect that the localities given as examples of successful shared parking models have public parking decks and garages for parking availability. Those localities also charge for parking, whereas parking in Christiansburg is free of charge. Ms. O'Connor believes that shared parking will be necessary in the future, with or without the off-street parking requirements.

Mr. Bob Poff reported to Council that he, too, was involved with the parking study done at the request of the Planning Commission. The study was performed on a Wednesday and was coordinated to occur on a heavy court date. Throughout the day of the study, the upper deck of the courthouse parking garage received very little use, and parking throughout the Central Business District never met full capacity. It is Mr. Poff's opinion, based on his observations, that the current parking ordinance requires too many parking spaces in the downtown area.

Ms. Carol Lindstrom, 630 Depot Street, offered a word of caution regarding shared parking, stating that it has been her experience that it doesn't work. Shared parking doesn't prevent people from parking where they want regardless of who "owns" the parking space. Ms. Lindstrom believes this type of arrangement could result in costly legal battles. Ms. Lindstrom recommended that Council approve the current recommendations of the Planning Commission, further recommending that Council reconsider once the downtown area starts to become more thriving in nature.

Mr. Jonathon Hedrick of Patriot Way, and member of the Planning Commission, addressed the recommendation of a shared parking policy in the Central Business District. It is his concern that to require shared parking, at a time when the downtown area is not thriving in nature, would, in effect, penalize current business owners that own parking spaces at the expense of bringing in new businesses. Private parking spaces are a big investment for business owners, requiring costly maintenance. Mr. Hedrick agreed that at a time when the downtown area begins to thrive, reconsideration of shared parking would be an appropriate action.

2. A proffer amendment request by Johnny C. Martin for property located at 3301 Roanoke Street (an approximately 1.95 acre portion of the total 37.4 acre tax parcel 502 – ((9)) – 5C), which is zoned B-3 General Business, to amend a proffer statement to allow for a modification in parking and paving requirements. There was no one to speak for or against the request.

3. Council's intention to adopt an ordinance in regards to the recodification of the *Christiansburg Town Code*. Work session of council held last week to discuss this matter. There was no one to speak for or against the request.

## **REGULAR MEETING**

### **I. CALL TO ORDER:**

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 October 1, 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, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

### **II. CITIZEN'S HEARING:**

#### **1. JANET KESTER OF LITERACY VOLUNTEERS OF THE NEW RIVER VALLEY TO ADDRESS COUNCIL.**

Ms. Janet Kester, Program Coordinator for Literacy Volunteers of the New River Valley, 195 West Main Street, Christiansburg, provided Council with an update on the activities of the agency over the past few months. The objective of the program is to offer literacy programs and services at minimal costs to those in need throughout the New River Valley. The agency recently joined in partnership with New River Community College to expand its offerings in the community. A computer lab is now available to program participants through the college, and in the spring the agency will offer a new program to teach digital literacy paid for through grants. The digital literacy program will start in Christiansburg as a pilot program. Ms. Kester reported that increased training and support for agency tutors has added to the success of the literacy program, which has doubled the number of participants over the past nine months. Many volunteers are utilized by the agency in its daily operations, and Ms. Kester commended the work that they do. Materials are provided through grants and through the generous contributions of businesses and localities in the New River Valley, including the Corning Foundation.

#### **2. RESOLUTION IN RECOGNITION OF GERALD W. "JERRY" HIGGINS.** Mayor-elect Barber presented the resolution to Mr. Higgins and commended him on his many years of valuable service to the citizens of Christiansburg, Blacksburg, Montgomery County, and the entire New River Valley through his volunteer efforts, business associations and his service as superintendent of the Blacksburg-Christiansburg-VPI Water Authority, which was recently renamed NRV Regional Water Authority. A copy of the resolution is attached herewith.

#### **3. CITIZEN COMMENTS.**

a. Mr. Gary Fissell, 660 Warren Court, expressed his interest in being selected to fill the vacancy on Council that will occur January 1, 2014. Mr. Fissell has lived in Christiansburg for three years and believes he would bring new ideas and perspectives to the Town in his desire to serve the community. Prior to retirement, Mr. Fissell held a municipal government job and, so, he has an understanding of what it means to be a public servant and to consider the welfare of the community as a whole. Mayor Ballengee thanked Mr. Fissell for his interest in serving Christiansburg as a member of Council. Council will decide at a future date the method it will use in filling the vacancy.

b. Mrs. Debbie Miles, 95 Kay Drive, addressed Council on behalf of residents of Kay Drive, La Plateau and Windsor Estates concerning the recent detour on Route 114 through the neighborhood of the mentioned streets where traffic is already a constant concern. The Sunday detour was scheduled by VDOT to allow for replacement of the railroad crossing on Route 114. The hours of 7:00 a.m. to 7:00 p.m. were chosen because Norfolk and Southern would not permit closure during nighttime hours. Mrs. Miles reported several near-accidents that occurred because residents were not informed that stop signs on Majestic Drive would be bagged and not in use. With future detours, Mrs. Miles requested that extensive notification be given of specific changes in traffic patterns before they occur. She also addressed ongoing community concerns with traffic violations through the neighborhood in spite of traffic control measures taken by the Town. It is her understanding that the signs posted to prohibit commercial vehicles from using the neighborhood streets are unenforceable, and the posted stop signs are often ignored by motorists. Motorists continue to speed through the neighborhood. Mrs. Miles asked Council to reconsider the traffic control measures taken, and focus on enforceable measures and increased police presence. The last concern voiced by Mrs. Miles is that of the recent purchase of the former Wilson property by the Town for the purpose of a Town park. The park property adjoins

residential property along Kay Drive and the residents are strongly opposed to the development of a park access along Kay Drive, particularly the use as anything other than pedestrian access. There are also resident concerns regarding noise and lights from the anticipated park. Councilman Huppert noted that detour notification was posted by VDOT in the Roanoke Times and in the News Messenger, but to his knowledge the decision to bag stop signs was last minute and notice of that action was not given. Councilman Barber stated that there would be considerable discussions in the future as to more drastic measures that could be taken to control

neighborhood traffic concerns, including the consideration of speed bumps or humps. Councilman Hall requested that the matter be referred back to the Street Committee for continued review and recommendation, urging the committee to consider closing the entrance to Windsor Drive from Gibson Drive to eliminate cut-through traffic. Councilman Hall said he understands the need for emergency vehicle access through the Gibson Drive entrance, but believes accommodations can be made for EMS access. Councilman Hall stated that the community needed to be involved in the decisions made concerning stricter traffic control measures. Mayor Ballengee agreed, noting that the community would also be involved in decisions regarding development of the park property. Councilman Stipes reported that the Town continues to be responsive in taking measures to control traffic throughout Town and will revisit the matter on Majestic Drive. He then reported on the meetings of the newly formed Bikeway/Walkway Committee, which is developing ways to convert existing streets into multi-use avenues. Councilman Stipes gave the assurance that more progress would be seen in transforming the streets in town and slowing down traffic.

Mr. Kevin Hensler, 335 Majestic Drive, said the main concern with the issue of the detour was that stop signs were bagged and no notification of this was given to residents, which resulted in several near-accidents. Councilman Showalter stated that a better system of communication is needed in the future when there are changes in traffic patterns to prevent the issues that occurred with the recent detour. Mayor Ballengee referred the request for additional traffic calming measures along Majestic Drive over to the Street Committee for review and recommendation, along with Councilman Hall's request to study the possibility of closing the Gibson Drive access into Windsor Estates while still allowing EMS access. Mayor Ballengee apologized for the inconvenience the recent detour created, and for the lack of communication concerning traffic pattern changes on that day.

- c. Carol Lindstrom, 630 Depot Street, thanked Town Manager Helms and Public Works crews for promptly addressing a water line break in Cambria on a recent Sunday afternoon. She appreciates the Town's efforts to save money by not contracting out jobs that can be done by Town crews.
- d. Ann Carter, 110 Highview Street, elaborated on the details of the downtown parking study performed at the request of the Planning Commission. She then thanked those who ran in the recent Council election, congratulated the winning candidates, and urged Council to consider appointing Mr. Sam Bishop to fill the vacant seat on Council that will occur in January. Mr. Bishop was a candidate on the recent election ballot and placed a close fourth.

### III. DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS

1. CONSIDERATION AND ACTION ON THE PROPOSED APPOINTMENT OF FRED NEWHOUSE TO THE TOWING BOARD. Councilman Barber made a motion to appoint Mr. Newhouse to the Towing Board, seconded by Councilman Hall. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None. Sergeant Phillip Townley introduced Mr. Newhouse to Council and Mayor Ballengee thanked him for his willingness to serve the Town in this capacity.
2. LAW ENFORCEMENT MUTUAL AID AGREEMENT WITH BLACKSBURG. Councilman Barber made a motion to approve the Law Enforcement Mutual Aid Agreement with Blacksburg, seconded by Councilman Vanhoozier. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.
3. EMS REVENUE RECOVERY POLICY UPDATE. Council was satisfied with the OIG advisory opinion submitted by the Town's attorneys via email that indicated the Town meets the requirements necessary to avoid the anti-kickback statute. Councilman Hall thanked Council for allowing additional time to obtain this information, which has relieved his concerns. Policy implementation date is scheduled for December 1, 2013.

4. COUNCILMAN STIPES AND COUNCILMAN VANHOOZIER – STREET COMMITTEE REPORT/RECOMMENDATION ON:

- a. Plat Showing Lot Line Relocation & Easement Dedication on Tax Parcels 525-(A)-36 & 38; creating 2 lots; located on Radford Street. Councilman Stipes reported that the request is to vacate and relocate interior lot lines to reconfigure the property. The plat conforms with the subdivision ordinance and the Street Committee recommends approval. Councilman Stipes made a motion to approve the request, seconded by Councilman

Vanhoozier. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

- b. Plat Showing Relocation/Vacation of Lot Line between Tax Parcels 435-(A)-13 & 13A; creating 2 lots; located on Weddle Way, N.W. Councilman Stipes reported that this simple subdivision request is to enlarge one lot utilizing the adjoining large lot. The plat conforms with the subdivision ordinance and the Street Committee recommends approval. Councilman Stipes made a motion to approve the request, seconded by Councilman Vanhoozier. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

- c. Plat Showing Subdivision of Lots 47, 48, & 49 “Hans Meadow” Phase II; creating 3 lots; located on Sherwood Drive, N.E. Councilman Stipes reported that this request is to convert two lots into three building lots. The plat conforms with the subdivision ordinance and the Street Committee recommends approval. Councilman Stipes made a motion to approve the request, seconded by Councilman Vanhoozier. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

- d. Plat Showing Subdivision of Tax Parcels 525-(A)-15 & 26A, creating 17 lots, Wynwood Estates on Melody Drive. Councilman Stipes reported that Council approved a CUP for this property more than two years ago, and the subdivision request conforms with the CUP and the subdivision ordinance. The Street Committee has reviewed the plat and recommends approval. Councilman Stipes made a motion to approve the request, seconded by Councilman Vanhoozier. Councilman Hall noted that pedestrian accommodations were not included in the plat because it was grandfathered by the CUP approval two years ago. It was clarified that per state law, the subdivision plat is valid indefinitely once a lot is sold and that the site plan is valid for five years. There is a timeframe requirement to record an approved subdivision plat within sixty days. Councilman Stipes noted that pedestrian access is available to the nearby middle school. Councilman Huppert noted that the subdivision does not provide a secondary access at this time, though there is a stub out for a future connection. Council voted on the motion as follows: AYES: Barber, Showalter, Stipes, Vanhoozier. NAYS: Hall, Huppert.

5. CLOSED MEETING:

- a. REQUEST FOR A CLOSED MEETING. Councilman Vanhoozier made a motion to enter into a closed meeting under Virginia Code Section § 2.2-3711(A)(3) for 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 as follows: Barber – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye. The purpose of the closed meeting is to discuss an interest to purchase Town owned property.

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

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

IV. TOWN MANAGER'S REPORTS:

1. MONTHLY BILLS: On motion by Councilman Barber, seconded by Councilman Stipes, Council voted to approve the monthly bills to be paid on November 10, 2013, in the amount of \$2,077,959.08. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.
2. PUBLIC HEARING REQUEST: Town Manager Helms presented the following requests and recommended setting the Public Hearings for December 3, 2013:
  - a. Request for Charter amendment.
  - b. Second Public Hearing, amendments to Chapter 30 "Zoning" specifically, section 30-9 of the *Christiansburg Town Code* to address site plan requirements.
  - c. Request to vacate a ten-foot public utility easement on the rear property line at 645 Southview Terrace (tax parcel 528 – ((9)) – 52).

On motion by Councilman Barber, seconded by Councilman Vanhoozier, Council voted to set the Public Hearings for December 3, 2013. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

3. PROGRESS REPORTS AND ANNOUNCEMENTS:

- a. Huckleberry Trail update.
- b. Town Manager Helms provided an information sheet and map to Council regarding Art Hamrick's concerns with the close proximity of the AEP substation on Cambria Street to railroad tracks. Mr. Helms reported that he has spoken with representatives of Norfolk and Southern who say they are unaware of requirements pertaining to the proximity of substations to railroad tracks. The attorneys for AEP have investigated and have found no violations with the substation, and Mr. Helms has contacted nearby residents and business owners in regards to concerns resulting from the location of the substation. The concerns varied from no issues to worries about the increase of static electricity.
- c. Mayor Ballengee referred to the Street Committee a request to reduce the speed limit on North Franklin Street to 35 MPH from Depot Street to Farmview Drive.
- d. Councilman Stipes provided a report from the Bikeway/Walkway Committee that outlined the committee's focus on increasing pedestrian and bicycle connectivity throughout Town. The committee meets the first Friday of each month at 7:30 a.m. Councilman Stipes commended the committee, calling it a highly effective working group.
- e. Council authorized Town Manager Helms to begin the bidding process for the annual employee Christmas gift certificates of \$50.00 for full-time, salaried employees and \$25.00 for permanent part-time employees. The bid requests are sent to Christiansburg grocery stores.
- f. Independence Boulevard will be closed for a portion of next summer for culvert replacement. It has been suggested that the Town look into the possibility of opening the portion of Providence Boulevard, which has not yet been completed, during the closure. The Town is currently considering the request.
- g. The Street Committee will meet at Town Hall on November 14, 2013 at 6:00 p.m. to discuss several matters.
- h. Councilman Barber passed along a letter from the League of Women Voters thanking and complimenting Becky Wilburn, Director of Human Resources and Public Information Officer, on her presentation at the educational forum on using the Freedom of Information Act, and the concept of Open Government, held on September 19, 2013. Councilman Barber, Mayor Ballengee, and Town Manager Helms attended the meeting.

V. ADJOURNMENT:

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

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Michele M. Stipes, Clerk of Council

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Richard G. Ballengee, Mayor