

CHRISTIANSBURG TOWN COUNCIL  
CHRISTIANSBURG, MONTGOMERY CO., VA.  
WORK SESSION MINUTES OF NOVEMBER 19, 2013 – 6:00 P.M.  
REGULAR MEETING MINUTES OF DECEMBER 3, 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 DECEMBER 3, 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; Town Attorney Theresa Fontana; Director of Human Resources and Public Relations Becky Wilburn.

WORK SESSION

1. Council to discuss the process of filling a vacant seat on Council, which is expected to occur January 1, 2014 when Councilman Mike Barber assumes the mayor's seat.

~~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 DECEMBER 3, 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; Assistant Town Manager Randy Wingfield; Town Clerk Michele Stipes; Town Attorney Theresa Fontana; Finance Director/Treasurer Val Tweedie; Planning Director Nichole Hair; Director of Engineering and Special Projects Wayne Nelson; Assistant Director of Engineering Todd Walters.

PLEDGE OF ALLEGIANCE

**PUBLIC HEARING**

1. Council's intention to adopt an ordinance vacating a 10-foot public utility easement interior to the rear property line at 645 Southview Terrace (tax parcel 528 – ((9)) – 52). Mr. Jay Dickerson, applicant and owner of 645 Southview Terrace, explained his request to vacate the public utility easement along the rear of his property. Mr. Dickerson built a building in his backyard without a permit or inspections several years ago and stated he had contacted the Town in regards to the construction and was told nothing was required. Mr. Dickerson was back billed, and paid, town and county property taxes on the building after the County Assessor's Office became aware of the structure. Currently, Mr. Dickerson is in the process of installing a pool in his backyard and the Town required applications for a building permit for the storage building and vacating of the easement as a condition of his proceeding. According to Mr. Dickerson, Appalachian Power Company (APCO) has objected to the application because it owns two utility easements across the rear property, one of which services a street light and the other is intended for future use. APCO was not present to address its objections, but Town Manager Helms read a letter he received from APCO explaining its objections. Town Manager Helms reported that the Town could approve the request to vacate its 10-foot public utility easement, but it would not affect the issues with APCO. The Town foresees no future use for the 10-foot public utility easement by the Town and no objections were presented concerning the request. Mr. Dickerson said his only concern regarding APCO is that he not be required to tear down the building. He offered to give property in front of the building to APCO for placement of the easements. Mr. Dickerson

pointed out that the Town easement dead-ends at his eastern property line. It was noted that if the 10-foot public utility easement was vacated, the Town could then issue a building permit.

Mr. Allen Butterfield, 675 Southview Terrace, spoke in support of Mr. Dickerson and his request to vacate the existing public utility easement.

Billy Bower, 490 Overhill Road, spoke in support of Mr. Dickerson's request, noting that the improvements he has made to his personal property has improved the neighborhood as a whole.

Mr. Alfred Tickle, 495 Dogwood Lane, called Mr. Dickerson a very good neighbor who has made many improvements to the neighborhood by improving his property. Mr. Tickle said he doesn't see the need to keep a dead-end easement and he voiced support for the vacation request.

2. Council's intention to adopt an ordinance amending Chapter 30 "Zoning" specifically, 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. There was no one to speak for or against the request.
3. Council's intention to adopt an ordinance requesting the General Assembly consideration for an amendment to Christiansburg Town Charter. 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 November 19, 2013. Councilman Barber made a motion to approve the minutes as presented, seconded by Councilman Vanhoozier. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

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

1. LISA BLEAKLEY, EXECUTIVE DIRECTOR OF TOURISM, TO UPDATE COUNCIL ON TOURISM ACTIVITIES. Ms. Bleakley began her presentation by thanking Council for its continued support of the tourism office. She provided Council with a handout outlining five goals of the Tourism Strategic Plan and she reviewed the active tactical support for obtaining those goals. Ms. Bleakley reported that the Virginia Tourism Corporation reported an increase of 6.3% in travel expenditures in Montgomery County in 2012, and she talked about what draws tourists to the area. The tourism office is not adequately staffed to design and produce tourism events, but Ms. Bleakley reported that it does allocate a portion of its budget to sponsor organizations and individuals interested in organizing an event on an application basis. Ms. Bleakley offered to answer questions of Council and Council thanked her for the update.

2. MAYOR BALLENGEE INTRODUCED THOM RUTLEDGE, THE PROJECT MANAGER FOR SHAH DEVELOPMENT, LLC., who spoke briefly to the subdivision plat for Cambria Crossing, Phase I to be presented to Council by the Street Committee later in the meeting. Mr. Rutledge explained a prior plat reconfigured the reserved right-of-way property from the center of the development to the right of the property, running parallel to the railroad tracks. Mr. Rutledge, on behalf of David Hagan, a partner in Shah Development, LLC, presented Council with an offer to donate to the Town the right-of-way property for public use, specifically for the development of a connector road from Cambria Street to Peppers Ferry Road, N.W. It was noted that if the Town were to accept the land offer, it may place the connector road project higher on VDOT's priority list. At the Town's request two years ago, Mr. Hagan allowed an easement along the Cambria Crossing property, for development of the Huckleberry Trail extension and the land offered contains the easement. Councilman Stipes personally thanked Mr. Hagan for his numerous and significant contributions to community for the betterment of Christiansburg. Councilman Stipes stated that the donation could create momentum that could positively impact the timeframe of the connector road project. Councilman Vanhoozier noted that the connector road project was included in the recent resolution prioritizing construction projects for VDOT funding consideration, and he further noted that the connector road project could be divided into phases which could also positively impact the timeframe.

*Councilman Hall made a motion to amend the agenda to include consideration of Shah Development, LLC's offer to donate real property to the Town of Christiansburg for public use (future connector road), seconded by Councilman Stipes. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None. The matter was placed as item #4 under Discussions by Mayor and Council members.*

*Councilman Hall made a motion to amend the agenda to include consideration of Mr. Dickerson's request to vacate a 10-foot public utility easement interior to the rear property line at 645 Southview Terrace. Councilman Stipes seconded the motion and Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None. The matter was placed as item #5 under Discussions by Mayor and Council members.*

3. CITIZEN'S COMMENTS.

- a. There were no comments from citizens.

III. DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS

1. DISCUSSION REGARDING APPOINTMENT TO THE ANTICIPATED VACANT SEAT ON COUNCIL. Council discussed various methods for selecting an individual to fill the anticipated vacancy on Council during its work session prior to the regular meeting. It was the consensus of Council to publicly advertise and solicit letters of interest from individuals interested in serving on Council. The advertisement would run through 5:00 P.M. on December 17, 2013. Each applicant would be required to provide verification of residency and verification of voter status from the county registrar's office.
2. REAPPOINTMENT OF JOHN T. OVERTON TO THE MONTGOMERY REGIONAL ECONOMIC DEVELOPMENT COMMISSION. MR. OVERTON'S TERM EXPIRES DECEMBER 13, 2013. Mayor Ballengee reported that Mr. Overton was willing to serve another term, but was unable to be present for introduction to Council. His meeting attendance was reported as regular by the Montgomery Regional Economic Development Commission. Councilman Barber made a motion to reappoint Mr. Overton to the Montgomery Regional Economic Development Commission, seconded by Councilman Stipes. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None. Council expressed its desire that Mr. Overton come before Council for introduction and Mayor Ballengee agreed to extend to him an invitation to attend the December 17, 2013 meeting.
3. MR. STIPES AND MR. VANHOOZIER – STREET COMMITTEE REPORT/RECOMMENDATION ON:
  - a. Plat Showing Resubdivision of Lots 18-30 and 33-49 of Cambria Crossing Phase I; creating 32 lots; located on Phoenix Blvd., N.W. Councilman Stipes reported that a Planned Housing Development plat was approved by Council in 2005 for this property. The initial N. Franklin Street – Peppers Ferry Road connector route right-of-way location has been reconfigured to run parallel with the adjacent railroad tracks. (This is the right-of-way property offered to the Town by David Hagan.) The resubdivision plat creates two additional building lots for a total of 32 lots. The zoning allows 150 building lots, but the developer plans only 126 lots. The Street Committee determined that the plat conforms with the original Planned Housing Development plat, and the subdivision ordinance, and it recommends approval. Councilman Stipes made a motion to approve the plat, seconded by Councilman Vanhoozier. Council was polled on the motion as follows: Barber – Ayes; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.
  - b. Kensington, Phase VII; creating 9 lots; located on Kensington Way, N.W. Councilman Stipes reported that the plat conforms with the approved conditions of the planned housing development and the subdivision ordinance. Councilman Stipes made a motion to approve the plat, seconded by Councilman Vanhoozier. Council was polled on the motion as follows: Barber – Ayes; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.
4. SHAH DEVELOPMENT, LLC. OFFER TO DONATE LAND TO THE TOWN. Councilman Barber made a motion to accept the donation of 3.621 acres of land from Shah Development, LLC for the purpose of public use, seconded by Councilman Vanhoozier. Council was polled on the motion as follows: Barber – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye. The offer was accepted by Council with gratitude. Councilman Vanhoozier suggested a public dedication in recognition of the generosity of Shah Development, LLC.

5. COUNCIL'S INTENTION TO ADOPT AN ORDINANCE VACATING A 10-FOOT PUBLIC UTILITY EASEMENT INTERIOR TO THE REAR PROPERTY LINE AT 645 SOUTHVIEW TERRACE (TAX PARCEL 528 – ((9)) – 52). Councilman Hall made a motion to approve the easement vacation as requested, seconded by Councilman Showalter. Councilman Stipes asked Town Manager Helms if there were any concerns with vacating the easement. Town Manager Helms reported that the Town had no need for the easement and that the request is only to vacate the Town's easement, and vacating would have no effect on the easements belonging to APCO. Vacating the Town's easement would allow Mr. Dickerson to obtain a building permit for his existing building. Council was polled on the motion as follows: Barber – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye. Mr. Dickerson thanked Council for its support and also thanked Mr. Hagan for his generous contributions to the community.
6. CLOSED MEETING:
  - a. Councilman Barber made a motion to enter into a closed meeting under Virginia Code Section 2.2-3711(A)(5), for the 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. The motion was seconded by Councilman Hall and Council was polled as follows: Barber – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye. The Closed Meeting is being held for the discussion of Project 2013028 for the Falling Branch Industrial Park.
  - b. Reconvene in Open Meeting.
  - 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 Barber. Council voted on the motion as follows: Barber – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.
  - d. Council action on the prospective business or industry matter. There was no action taken by Council.

#### IV. TOWN MANAGER'S REPORTS:

1. MONTHLY BILLS: Councilman Hall inquired about the number of repairs at the aquatic center noted on the bills. Town Manager Helms reported that there have been several things in need of repairs and maintenance at the aquatic center that are no longer under warranty. Councilman Huppert expressed concern with potential gas waste from unattended, idling police cars. On motion by Councilman Barber, seconded by Councilman Vanhoozier, Council voted to approve the monthly bills to be paid on December 10, 2013, in the amount of \$ \_\_\_\_\_. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.
2. PROGRESS REPORTS AND ANNOUNCEMENT:
  - Council was provided a Huckleberry Trail update. It is anticipated that the portion of the trail along Cambria Street will be paved on Thursday.
  - A request was received from the Parks and Recreation Department to post No Parking signs along Main Street during the Christmas parade. In the past, cones used to block parking spaces were ignored. Town Manager Helms said his only concern is that the parking spaces were used by handicapped and elderly individuals, but he understands that the safety of the spectators must be first priority. It was the consensus of Council to approve the request and to utilize the new electronic boards, the Town website, and Facebook to give notice of detours and restricted parking areas.
  - Town Manager Helms presented a request to reduce the time limit for parking on East Main Street from three hours to thirty minutes from the intersection of North Franklin Street to the intersection Roanoke Street. The three hour parking limit for the Central Business District was reviewed and recommended by the Street Committee several years ago. Mayor Ballengee turned the request for reduce parking limit over to the Street Committee for review and recommendation to Council. The Street Committee requested the Central Business District Committee be involved with the review.
  - A Passenger Rail Committee meeting is scheduled for December 13, 2013. Councilman Barber plans to attend, along with Town Manager Helms or Assistant Town Manager Wingfield.
  - Branch Highways, Inc. has begun construction on the stormwater management pond next to Food Lion as a first step to working on the Diamond Hills Stream Restoration project.

- On motion by Councilman Barber, seconded by Councilman Hall, Council voted to schedule a work session for December 17, 2013 at 6:00 P.M. to review and discuss applications received from individuals interested in being considered for the vacancy on Council.
- Councilman Hall raised the question of grant writing for the Town and expressed concern that funding opportunities may be overlooked or bypassed without consistent grant writing. He is aware of non-matching grant funding opportunities that may become available next year that could support the Town's farmer's market, but the Town is only eligible to apply once it has designated a location site. Councilman Hall suggested the Town consider the old Christiansburg Middle School site for location of the farmer's market. He further suggested the Town consider partnering with the high school trade classes for student volunteer help. Councilman Showalter suggested that town staff consider locations to be presented for discussion at a work session in January. He requested that the matter be placed on Council's master task list for follow-up.
- Councilman Huppert complimented Public Works crews for the Christmas decorations in the downtown area.

V. ADJOURNMENT:

There being no further business to bring before Council, the meeting was adjourned at 9:25 PM.

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Michele M. Stipes, Clerk of Council

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Richard G. Ballengee, Mayor