

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL  
HELD IN THE COUNCIL CHAMBERS ON MONDAY, MARCH 26, 2007, AT 7:00 P.M.**

Members present: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., H. Judson Lambert

Members absent: William B. Weisiger

Others present: Town Manager C. Wayne Sutherland, Jr., Assistant Town Manager Stephen A. Moore, Town Clerk Sharon P. Hackler, Town Attorney Robert P. Kaase, First Sergeant Joel Hash, Police Officer Chris Irvin, Justin Harmon with Wytheville Enterprise, Karen Brooks with Brock Hughes Free Clinic, Pat Snapp, Becky Grubb, Mark Boenke, Agnes Eades, Coleman Shuler, Tyler Crewe

**RE: CALL TO ORDER, QUORUM, INVOCATION, PLEDGE**

Mayor Crewe called the meeting to order and established that a quorum of Council members was present. The invocation was given by Councilman Lambert followed by the Pledge of Allegiance led by Councilman Jones.

**RE: CONSENT AGENDA**

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting of March 12, 2007. A motion was made by Vice-Mayor King and seconded by Councilman Jones to approve the consent agenda consisting of the minutes of the regular meeting of March 12, 2007. Mayor Crewe inquired if there is any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., H. Judson Lambert. Against: None.

**RE: CITIZENS' PERIOD**

Mayor Crewe stated the next agenda item is Citizens' Period. He advised that the Council is always glad to see citizens at the meeting. He noted there is always a Citizens' Period for anyone who desires to address the Council.

Ms. Karen Brooks with the Brock Hughes Free Clinic was recognized and stated she understands that the Town Council is in their budget cycle. She remarked that she wanted to share a little bit about the Brock Hughes Free Clinic. Ms. Brooks advised that, hopefully, the Council does know that the clinic exists. She noted that believe it or not, she goes into the community, and people do not know that the clinic exists. Ms. Brooks stated there is still a lot of work to be done. She indicated that also, it is very important that they continue to be where they are in the area. Ms. Brooks explained that she has only been with the clinic about one and one-half years, but it a great service and it depends on various funding in order for them to continue operations. She advised that needless to state, they are a free clinic, and they do not charge for their services. Ms. Brooks noted that they have criteria that need to be met, and they offer their services to residents of Wythe or Bland Counties. She stated that a high percentage of their patients are Wytheville residents only because the clinic is located in Wytheville. Ms. Brooks pointed out that they are located inside the Edgemont Center. She advised that she sees Councilman Lambert quite a bit at the Center. Ms. Brooks noted that a person also has to have an income level at or below 200 percent of poverty level, and they have to provide proof of income, and that is either the latest tax return or pay stub that shows proof of their income. She remarked that the person cannot receive Medicaid or Medicare. Ms. Brooks noted that needless to state, Medicaid and Medicare help take care of the uninsured. She remarked that their patients truly have nowhere else to go, and they have no means of paying for their healthcare. Ms. Brooks stated that they serve as a provider, and they keep people out of the emergency room, and there is not the high cost of emergency room visits. She noted she thinks the clinic does a good job of that. Ms. Brooks remarked that needless to state, they need to stay in the community. She noted she has prepared a fact sheet that is front and back that will cover everything and how free clinics are funded through foundations and grants, but advised that this does not take care of the operational expenses. Ms. Brooks explained that their budget is less than \$130,000 per year, and needless to state, this is a rather cheap way to take care of health needs since everyone knows that health care costs a lot. She stated for every \$1.00 spent, the clinic can give \$3.75 worth of healthcare to their patients. Ms. Brooks advised that she thinks they run a very efficient business. She noted she hopes the Council will see this as a need, and the Brock Hughes Free Clinic would like to request \$10,000 this year to help the clinic keep going. Ms. Brooks remarked that this funding can really make an impact, and for anything less than that, as the Council knows, healthcare is expensive, and she would request the Council to

keep this in mind. She noted she is going to pass out the fact sheet because she knows everyone else wants to have a chance to talk. Ms. Brooks inquired if there are any questions for the Town Council. Mayor Crewe inquired if anyone has any questions for Ms. Brooks. There being none, Mayor Crewe thanked Ms. Brooks for the information. He explained that the Council has two standing Committees, and they include the Budget and Finance Committee, which is seated to his left and includes Vice-Mayor King and Councilman Jones, and the Public Works Committee, which includes Councilman Weisiger, who is not attending this meeting, and Councilman Lambert. Mayor Crewe stated the Council will take Ms. Brooks' request and begin reviewing it. He thanked Ms. Brooks for attending the meeting.

Mr. Mark Boenke was recognized and stated he is coming before the Town Council not only as a design professional, but a concerned citizen, and in his current apparel, also a soccer coach. He stated his concern is the growth of this town and how it is being handled. Mr. Boenke advised that he is not coming before the Council to discredit nor discommend the work that Assistant Town Manager Moore, the Engineering Department, and Acting Town Engineer Hackler have done. He noted they have done a tremendous job given the resources they have. Mr. Boenke pointed out that as this town grows and the community grows, he foresees a need of another staff position being one that can handle planning full time, a planning administrator. He stated a person who can answer the people's concerns and help in the development and the planning of construction going forward. Mr. Boenke indicated he knows that currently it is part of Assistant Town Manager Moore's job, and noted he would bet that Mr. Moore and the Town Council could attest that with the new community center and Mr. Moore's involvement in the planning stages of the center, this has really taken away time from his other duties. He noted that he only sees the planning part really consuming Mr. Moore and the Engineering Department. Mr. Boenke advised that as the town grows, he is looking and recommending that the Town Council think about and consider a planning administrator, and one who has been in a similar situation that this town is going to go through. He noted this would be someone from the outside who has seen a town like Wytheville grow who can look at the ordinances and can be proactive instead of reactionary so the town is not in a crisis mode. Mr. Boenke indicated that a perfect example is the retaining wall ordinance that the Town is currently considering. He stated that the town has three walls too many, and having a retaining wall wrap around a fire hydrant is poor planning practice, however, as the design professional that he is, on the flip side, he is working for his client, and he is going to maximize the use and the ordinances that are in place, and this is taking advantage of the Town. Mr. Boenke pointed out that in the long run, taking this advantage is actually going to decrease the natural beauty that this town has and turn it into more of a metropolis area. He noted he believes the citizens, and the planning that was done over the past couple of years, want this to remain as a quaint, little town that is here now. He advised that this can be done, even though the town is going to go through some growth. Mr. Boenke remarked that he just wanted to bring this matter before the Council as a concerned citizen and design professional. He advised he thinks there needs to be a change or an increase, and reiterated that this is not to discredit the work currently done, but to enhance the work that is done so it can be a manageable and attainable event. He thanked the Town Council for their time. Mayor Crewe inquired if anyone has any questions for Mr. Boenke. There being none, he thanked Mr. Boenke for his comments, and noted that the Council will, obviously, give this some thought.

Mr. Coleman Shuler was recognized and thanked the Council for the opportunity to address them. He noted it is always nice to see fellow citizens who are interested in what the Council is doing, and that the citizens are a group and a family. Mr. Shuler indicated that as he wrote on the sign up sheet, there are three areas he wants to address briefly. He noted that first, he wanted to apologize relative to his health. Mr. Shuler stated that as the Council knows, at the first Council meeting this year, he noted he would try to make an effort to be at every Council meeting in order for him and the Council to get things resolved in their ongoing situation. He remarked that he had some severe health setbacks, and it just happened that the days and the time of the meetings, he was unable to attend, and remarked that he is sure the Council was probably glad about it, but it was because of health, and it was not because he changed his mind or anything.

Mr. Shuler advised that the second thing he wrote on the sign up sheet was thanks regarding the new community center. He noted that he means this sincerely. Mr. Shuler stated he has been listening, of course, to the things on the radio. He advised he has not been on one of the tours yet, but he plans to take one. Mr. Shuler commented that he did go down some during the construction when it was just a shell, and when it was drywall, etc., and it is truly something that will add tremendously to the community. He noted he had swimming lessons at the old McWane Pool, and noted it is not the one that is there now, and he has always thought the town needed an indoor pool. Mr. Shuler commented that this was when he was young and healthy, and now, when Ms. Mills was talking about the water aerobics and with some of the injuries he has received in his lifetime, he could swim before he could walk because he could not bend his knee when he had that serious operation. He noted it is for the health, the fitness, the daycare, and

then with the culmination of the meeting center, it is success and community and togetherness. Mr. Shuler thanked the Council and all the people who worked on it. Mr. Shuler stated it was a dream of the whole community, but noted it took the leadership of those in decision making situations. He summarized that the center is a tremendous asset for different people for different reasons, but advised that for the whole community, it is a tremendous blessing.

Mr. Shuler noted that the third thing on the sign up sheet he wrote was a statement of account. He explained that he had a billing statement, and it is to the Town of Wytheville, Wayne Sutherland – Town Manager, Trenton Crewe – Mayor, and Michael Stephens – Treasurer. He noted it is made out to pay to the order of Coleman Shuler. Mr. Shuler remarked that he listed his name and address. He stated the amount of the bill is \$14,999.07 for authorized services, mandated compliances, ordered alterations, labor and materials, expenses and charges, reimbursements, miscellaneous costs, etc. Mr. Shuler advised that the statement is dated today, Monday, March 26, 2007. He presented this statement of account to the Council. Mayor Crewe advised that this will be filed as part of the Town Council minutes. Mr. Shuler thanked the Council for listening to his comments. Vice-Mayor King stated that she did not understand. Mayor Crewe stated that this will be added to the Town Council minutes.

Mayor Crewe inquired if there are others who wish to address the Town Council during Citizens' Period. There being none, he proceeded with the agenda.

### **RE: OLD BUSINESS**

Under Old Business, Town Manager Sutherland reported the following:

1. The Public Works Committee will not meet this week, however, the Budget and Finance Committee will meet on Thursday, March 29, 2007, at its usual time. He advised Councilman Lambert that he is welcome to attend the Budget and Finance Committee meeting on Thursday.

### **RE: BUDGET AND FINANCE COMMITTEE REPORT**

Councilman Jones, reporting for the Budget and Finance Committee, reported that both Committees have already seen some preliminary information regarding the development of the budget for fiscal year 2007-2008. He stated that over the next several weeks, both Committees will review, in more detail, the various requests for appropriations for the coming year. Councilman Jones remarked that the Council is scheduled to have a budget work session at the April 23 meeting of Council. He advised there are several issues that will, no doubt, require the Council's careful consideration. Councilman Jones indicated that this next year, for the first time, the Town will be operating the new Community Center. He noted that while the Town has estimated the operational expenses that will be associated with this new facility, only time will assist in making these operations as efficient as possible. Councilman Jones indicated that another topic that will be considered during the next budget cycle will be expenses associated with the New River Regional Water Authority. He stated that the Authority has bid the construction of the new facility in Austinville and will begin incurring expenses during the next fiscal year. Councilman Jones stated that the Town, as a participant with Wythe County and Carroll County, will necessarily have expenses associated with this project. He remarked that finally, the Committee would note that the Council will need to continue to maintain the Town's other existing operations and be cautious to provide sufficient funding to be assured that the streets, water, sewer, and other basic infrastructure systems are maintained in good order. Councilman Jones noted that with regard to the revenue side of the budget, it appears that all of the Town's existing revenue streams will be maintained, though there are still certain questions with regard to the levels of State funding that will be provided in the next fiscal year. He remarked that, also, the Committee would note that the Town does not, as of yet, have any information on the reassessments performed by Wythe County. Councilman Jones indicated that it is necessary that the Town has this reassessment information prior to establishing a tax rate for the coming year. Councilman Jones explained that no action is required of the Council at this time, but the Committee did want the citizens to know that the budget process is under way. Mayor Crewe stated that with the budget process under way, it makes Ms. Brook's request timely. A copy of the Budget and Finance Committee report is attached and made part of these minutes. ([Attachment](#)).

### **RE: PUBLIC WORKS COMMITTEE REPORT**

Councilman Lambert, reporting for the Public Works Committee, reported that the Committee has received an inquiry from Alpha Construction Company with regard to the existence of streets on a ten-acre parcel of land situated in the northwest quadrant of Twentieth and Washington Streets. He stated that this acreage, previously known as the Turpin Estate Property, has laid dormant for a number of years. Councilman Lambert indicated that as a

matter of fact, the most recent survey on record for this parcel of property is more than one hundred years old. He explained that in the Town's current mapping, the Town does not recognize that there are any public rights-of-way within this parcel of property. Councilman Lambert stated however, in certain maps that the Town has on file, there are public rights-of-way illustrated in this acreage. He advised that the Engineering Department has researched this matter and can find no evidence that these rights-of-way were ever conveyed to the Town of Wytheville. Councilman Lambert noted that in an effort to limit the potential for the existence of public rights-of-ways in the property, Alpha Construction has requested the Town to consider giving them a quit claim deed to any rights-of-way within the property. He stated the Committee discussed this at their meeting this week and believes that this is, in fact, a reasonable request. Councilman Lambert explained that a quit claim deed merely means that the Town is conveying what the Town may or may not own to someone and with no guarantee. He stated this would result in Alpha Construction being able to utilize the property without any restrictions pertaining to the roadways. Councilman Lambert noted that the Committee would ask that the Town Attorney coordinate with the Town Manager and Alpha Construction to develop the documentation needed to make this effective. He advised that once these documents are developed, the Committee would recommend that they return to the Council for approval. Mayor Crewe indicated that the Council is at this stage in getting the documents developed, and then the Council will vote on them in another meeting. He requested Town Attorney Kaase to coordinate with Town Manager Sutherland on getting the quit claim deed prepared.

Councilman Lambert also reported that last Tuesday, a portion of Tazewell Street from a point at Valley Street northwestward to Fourth Street was closed for construction. He stated that as the Council knows, Tazewell Street will be relocated as a part of the Crown Development. Councilman Lambert indicated that it is anticipated it will take approximately one month for this construction to occur before Tazewell Street can be utilized again. He stated that, of course, this is weather dependent, and it may take somewhat longer than anticipated. Councilman Lambert advised, also, the Committee would note that the contractor has been working in the evening to dig a ditch across Fourth Street to connect water and sewer to this property. He remarked that the developer estimated it would take approximately one week to finish this excavation, and, hopefully, it will be complete within the next day or so. He stated the Town appreciates everyone's patience while traffic is being detoured off Tazewell Street, and, hopefully, the Town can reopen Tazewell Street in the very near future. Mayor Crewe noted that so far, everything has gone rather well and inquired of Town Manager Sutherland if that is correct. Town Manager Sutherland stated that is correct. A copy of the Public Works Committee report is attached and made part of these minutes. ([Attachment](#)).

#### **RE: ORDINANCE NO. 1210 – INOPERATIVE MOTOR VEHICLES**

Mayor Crewe presented Ordinance No. 1210, an ordinance amending and reenacting Chapter 12, Solid Waste Collection and Disposal, of the Code of the Town of Wytheville, Virginia, by amending Article VII. Keeping of Inoperative Vehicles, on second reading. He explained that this is the ordinance dealing with inoperative vehicles. Mayor Crewe stated this is the second reading of the ordinance by the Council and advised that there have not been any comments. Mayor Crewe remarked that the suggestion would be that the rules be suspended, and the ordinance be adopted on second and final reading. He noted that, certainly, the ordinance can go through a third reading, if that is the pleasure of the Council. A motion was made by Vice-Mayor King and seconded by Councilman Lambert to suspend the rules and adopt Ordinance No. 1210, an ordinance amending and reenacting Chapter 12, Solid Waste Collection and Disposal, of the Code of the Town of Wytheville, Virginia, by amending Article VII. Keeping of Inoperative Vehicles, on second and final reading. Mayor Crewe inquired if there is any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition:

FOR: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., H. Judson Lambert

AGAINST: None

ABSTENTIONS: None

Mayor Crewe stated the ordinance was adopted on second and final reading and will be effective immediately.

#### **RE: COMMUNITY CENTER/MEETING CENTER OPENING**

Mayor Crewe noted that he would congratulate the Town staff on the Community Center/Meeting Center opening functions that were held both Thursday and Saturday. He stated that having talked to the employees at the Center, there are still many people coming in to tour

the facility. Mayor Crewe indicated that at the beginning of this meeting, there were still a lot of people at the Community Center going through it. He advised that he appreciates all the hard work of Town staff.

**RE: ADJOURNMENT**

There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting (7:20 p.m.).

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Trenton G. Crewe, Jr., Mayor

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Sharon P. Hackler, MMC, Clerk of Council

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## **BUDGET AND FINANCE COMMITTEE REPORT**

**MARCH 26, 2007**

1. Both Committees have already seen some preliminary information regarding the development of the budget for fiscal year 2007-2008. Over the next several weeks, both Committees will review, in more detail, the various requests for appropriations for the coming year. We are scheduled to have a budget work session at our April 23 meeting of Council. There are several issues that will, no doubt, require our careful consideration. This next year, for the first time, we will be operating our new Community Center. While we have estimated the operational expenses that will be associated with this new facility, only time will assist in making these operations as efficient as possible. Another topic that will be considered during the next budget cycle will be expenses associated with the New River Regional Water Authority. The Authority has bid the construction of the new facility in Austinville and will begin incurring expenses during the next fiscal year. We, as a participant with Wythe County and Carroll County, will necessarily have expenses associated with this project. Finally, we would note that we will need to continue to maintain our other existing operations and be cautious to provide sufficient funding to be assured that our streets, water, sewer, and other basic infrastructure systems are maintained in good order. With regard to the revenue side of the budget, it appears that all of the Town's existing revenue streams will be maintained, though there are still certain questions with regard to the levels of State funding that will be provided in the next fiscal year. Also, we would note that we do not, as of yet, have any information on the reassessments

performed by Wythe County. It is necessary that we have this reassessment information prior to establishing a tax rate for the coming year. No action is required of the Council at this time, but we did want our citizens to know that the budget process is under way.

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Jacqueline K. King

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John W. Jones, Jr.

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## **PUBLIC WORKS COMMITTEE REPORT**

**MARCH 26, 2007**

1. Our Committee has received an inquiry from Alpha Construction Company with regard to the existence of streets on a ten-acre parcel of land situated in the northwest quadrant of Twentieth and Washington Streets. This acreage, previously known as the Turpin Estate Property, has laid dormant for a number of years. As a matter of fact, the most recent survey on record for this parcel of property is more than one hundred years old. In the Town's current mapping, we do not recognize that there are any public rights-of-way within this parcel of property. However, in certain maps that we have on file, there are public rights-of-way illustrated in this acreage. Our Engineering Department has researched this matter and can find no evidence that these rights-of-way were ever conveyed to the Town of Wytheville. In an effort to limit the potential for the existence of public rights-of-way in the property, Alpha Construction has requested the Town to consider giving them a quit claim deed to any rights-of-way within the property. We discussed this at our meeting this week and believe that this is, in fact, a reasonable request. A quit claim deed merely means that we are conveying what we may or may not own to someone and with no guarantee. This would result in Alpha Construction being able to utilize the property without any restrictions pertaining to the roadways. We would ask that the Town Attorney coordinate with the Town Manager and Alpha Construction to develop the documentation needed to make this effective. Once these documents are developed, we would recommend that they return to the Council for approval.

2. Last Tuesday, a portion of Tazewell Street from a point at Valley Street northwestward to Fourth Street was closed for construction. As the Council knows, Tazewell Street will be relocated as a part of the Crown Development. It is anticipated that it will take approximately one month for this construction to occur before Tazewell Street can be utilized again. Of course, this is weather dependent, and it may take somewhat longer than anticipated. Also, we would note that the contractor has been working in the evening to dig a ditch across Fourth Street to connect water and sewer to this property. The developer estimated that it would take approximately one week to finish this excavation, and, hopefully, it will be complete within the next day or so. We appreciate everyone's patience while traffic is being detoured off of Tazewell Street, and, hopefully, we can reopen Tazewell Street in the very near future.

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William B. Weisiger

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