

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL  
HELD IN THE COUNCIL CHAMBERS ON MONDAY, MAY 14, 2007, AT 7:00 P.M.**

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

Members absent: None

Others present: Town Manager C. Wayne Sutherland, Jr., Town Clerk Sharon P. Hackler, Assistant Town Manager Stephen A. Moore, Town Attorney Robert P. Kaase, Police Officer Chastity Russell, Igor Knizhnik, John Largent, Coleman Shuler, David W. Largent

**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 Weisiger followed by the Pledge of Allegiance led by Councilman Lambert.

Mayor Crewe advised that unless someone objects, he is going to use the Chair's prerogative to add an item to the end of the agenda after Other Business to receive another presentation. It was the consensus of the Council to add a presentation at the end of the agenda. Mayor Crewe advised that the Town Council will proceed with the agenda as amended.

**RE: CONSENT AGENDA**

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting and work session of April 23, 2007, and the special meeting of April 30, 2007, and the request of the Wytheville Lions Club for waiver of business license fees and inspection fees for the annual charity carnival to be held July 16 through 21, 2007. A motion was made by Councilman Weisiger and seconded by Vice-Mayor King to approve the consent agenda consisting of the minutes of the regular meeting and work session of April 23, 2007, and the special meeting of April 30, 2007, and the request of the Wytheville Lions Club for waiver of business license fees and inspection fees for the annual charity carnival to be held July 16 through 21, 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, William B. Weisiger, H. Judson Lambert. Against: None. Abstentions: John W. Jones, Jr. on the request of the Wytheville Lions Club.

**RE: PUBLIC HEARING – RETAINING WALLS**

Mayor Crewe stated the meeting constituted a public hearing (due notice having been given) to consider an amendment to Article XVI – General Provisions, by adding Subsection 16-17, Retaining Walls, of the Town of Wytheville Zoning Ordinance. Mayor Crewe advised that he will open the public hearing pursuant to the Town's advertisements for the purpose of hearing any comments anyone would like to bring to the Council's attention regarding the retaining walls and the construction thereof. Mayor Crewe noted that he does not have anyone on the signup sheet who desired to speak. He advised that he did not think Mr. Coleman Shuler is attending the meeting to speak on this topic. Mayor Crewe inquired if there are persons present who wished to address the Council during the public hearing. There being none, he declared the public hearing closed.

**RE: CITIZENS' PERIOD**

Mayor Crewe stated the next agenda item is Citizens' Period and advised that the Council always has Citizens' Period at each meeting. He recognized Mr. Coleman Shuler and advised him that he has five minutes to make his comments.

Mr. Coleman Shuler was recognized and stated happy day after Mother's Day to all who are mothers and have mothers because Mother's Day, Father's Day, Christmas, Easter, Thanksgiving, and several other things are just key to our heritage, our life, our character, and tonight just happens to be the day after Mother's Day. He advised that he comes asking for the Council's help again. Mr. Shuler indicated that as the Council may recall, the last time he was at the Council meeting, he asked for.....because as the Council will recall, he presented a bill for \$14,999.07. He noted he has not received any response about that, and he asked what process he needed to go through to get that paid. Mr. Shuler advised that the only response he got was just to the first question that he had asked in January about getting the information which showed that some citizens are discriminated against either as Council policy or as Town employee policy. He stated that part of what he was trying to accomplish was if Council is not a

party to the discrimination, then the Council is not aware that it is existing, and, therefore, that information that he had requested for his own personal case would have made the Council aware of the fact. Mr. Shuler noted that, of course, he did, even though he requested that in January, finally got a written letter from the Town Manager that stated if he paid \$800 that the Town would consider looking up that information. He indicated he did not respond to this because the main thing he was wondering was the process for getting paid, and nobody has yet responded. Mr. Shuler remarked that he is sure the Council does not want to take time at this meeting because he is not on the agenda or anything like that, but he is making the request that either through the appointed officials or the elected officials that somebody tell him the proper procedure since he was told it would only be added to the minutes that night and he had not done the proper procedure for getting paid. He explained that all he needs to know is the proper procedure so he can pursue that. Mr. Shuler indicated that one of the other things he needed to ask is because, and noted in fact he got the idea from Mr. Weisiger's commercial, is in being a small town drug store, they cannot compete volume wise with Wal-Mart and other places, but they can compete for quality. He noted that one of the things that Mr. Weisiger states is "your valuable time." Mr. Shuler advised that he gets the impression, again, either by accident or design, that either elected or appointed people, one, two, or more, or a majority does not consider Coleman Shuler's time valuable since he has appeared before this body since January, or his liberty valuable, or his health valuable, or his constitutional rights valuable. He advised he would like that to change because he would like to be able to believe in the elected officials. Mr. Shuler commented that it reminds him of something he brought to the Council's attention before the Mayor indicated the last time he addressed the Council that the bill he submitted was not going to be considered because there was a pending case in the court that related to criminal charges. He stated in his opinion, those two are separate things, and he hopes that the majority of Council, and not just the presiding officer, will consider that because in looking back, he was thinking that he is just one small citizen, and if the Town Manager, and if the Town Public Safety Director, and if the Town Building Official and Inspection Official, if those four people met with the Commonwealth Attorney stating they wanted to continue to prosecute a criminal case against him, he is thinking that is almost \$500,000 of taxpayer salaries that are going to be used to persecute and prosecute one citizen of the municipality. Mr. Shuler noted that there has to be a bigger reason than just the surface stuff. He indicated that he hopes somebody on this Council will state, "Whoa, wait a minute. This is not what Wytheville is about." Mr. Shuler remarked that in keeping with the thing of the valuable time because as he indicated in January, he will appear before the Council and at the Committee meetings and other things until he dies or until he gets this resolved. He noted this will impinge upon the Council's valuable time. He reiterated that his request is this because the Council knows that he talks a lot, and there is an old Chinese proverb long before this country was ever founded that states, "One picture is worth a thousand words." Mr. Shuler indicated that he is going to ask each of the members of Council, any of the appointed officials that want to, if they want to do it at the same time or take his time individually because he does not mind investing time individually in each of them, or if they want it to be a group. Mayor Crewe interjected that Mr. Shuler has one minute left to speak. Mr. Shuler thanked Mayor Crewe for the time reminder and advised that he appreciates it. Mr. Shuler continued that if the Council will give him 30 minutes to one hour of their time, they will just take a little tour and see the things because he remembers one comment that the Mayor made that they have a difference of opinions. He stated that facts, and noted they can have different impressions of the facts, but if he just shows the Council the facts, he thinks they will agree that what he is trying to accomplish is just not in the best interest of Coleman Shuler, but it is in the best interest of Town Council and in the best interest of all the citizens. He advised that Mr. Jerry Mabe that has been asked to continue prosecuting this case happens to be the only person running for reelection this fall. Mr. Shuler advised that none of the aforementioned appointed officials who met with him and asked him to continue to prosecute him has to face the public, and Mr. Jerry Mabe should not have to pay for something that somebody else initiated. He noted he thanks the Council and he welcomes their questions, comments, or response to his request or anything else that they need to ask of him. Mayor Crewe remarked that he will speak on behalf of Council, and, of course, anyone who desires can speak for himself or herself. He advised that the answer is as he has told Mr. Shuler repeatedly in these meetings and every time, basically, that they have had a communication is the only way any of this is ever going to be resolved is if the court resolves it, and that is why they are in court. Mayor Crewe indicated that Mr. Shuler and the Town do have a very strong difference of opinion. He stated if anyone on Council wants to pay Mr. Shuler's bill, they can make a motion to have it paid. Mayor Crewe advised that there has been no such motion. He noted that it is not under consideration for payment unless and until someone wants to put it in the budget and include it in the Town's expenses or make a suggestion. Mayor Crewe indicated that as he told Mr. Shuler the night that he submitted the bill, it is in the minutes, and it is received. He noted that unless someone makes a motion to vote upon it or do something with the bill, that is all that is ever going to happen to it. Mayor Crewe remarked that any of the rest of the issues and Mr. Shuler's offer to meet and tour the premises can certainly be considered if anyone wants to, and the Town can try and set that up and do what anyone wants to. He explained that the Town has answered the Freedom of Information request in writing as the

Town is required to do by law, and the only other answer that he can give Mr. Shuler is that the Council is going to have to wait for a judge to tell them, and this is where they are. Mr. Shuler inquired as to what they are waiting for the judge to tell them. Mayor Crewe answered for the judge to tell the Town the answer to Mr. Shuler's questions because the Town does not agree with Mr. Shuler. Mr. Shuler inquired as to what a judge can answer of what he is asking the Council, and advised that he is not sure he understands Mayor Crewe. Mayor Crewe indicated that unless someone else feels differently and makes a motion, the Council has no intentions of paying the bill Mr. Shuler submitted because the Town does not owe the bill. He stated if Mr. Shuler would like to take that up with a judge, that can be done, and if Mr. Shuler wants more information than he is getting under the Freedom of Information Act request, he can take that up with the judge because the Town believes their response is in accordance with law and sufficient. Mayor Crewe advised the part about discriminating against citizens has been a common theme throughout, and that is part of the lawsuit. He noted that Mr. Shuler's allegations that different agents of the Town have acted improperly is part the parcel of that case that has to be taken up with the judge. Mayor Crewe stated that the Council does not think their Town agents have acted improperly, and they do not believe that the Council is discriminating through their agents or otherwise. He noted he does not know how to reiterate that again. Mayor Crewe advised that, again, if anyone on Council feels differently, they can speak for himself or herself, and that is the basis of all their discussions in the 20+ years the Town has been wrestling with these issues. Mr. Shuler noted that it keeps going up and inquired if that is correct. Mayor Crewe answered that it keeps gets longer and longer. Mr. Shuler inquired if he has been in the town for 20+ years. Mayor Crewe answered that if he remembers correctly, the letter that was generated when the trailer was moved was about 19 and one-half years ago, and that is really the genesis of all of this. Mr. Shuler inquired if Mayor Crewe would be willing to give him a copy of that letter. Mayor Crewe advised that he believes that letter would be supplied in the Freedom of Information Act request that the Town has, and once it is paid for, the Town can supply everything they have. Town Manager Sutherland noted that Mr. Shuler's property was annexed in 1990, and inquired if that is correct. Mr. Shuler answered for the Town to tell him. He noted that the Town is claiming that he does not have a command of the facts. Town Manager Sutherland indicated that he can, certainly, determine exactly when Mr. Shuler's property was annexed. Mayor Crewe stated that the last annexation was 1990, and that is true. Mr. Shuler noted that this is not 25 years. Mayor Crewe advised that he agrees, and noted that it is not 25 years, and it is only 17 years. Mr. Shuler noted that he has not taken any lawsuit against the Town yet. Mayor Crewe advised that this is Mr. Shuler's prerogative. Mr. Shuler pointed out that Mayor Crewe stated that something is in the court, and it is not. Mayor Crewe explained that Mr. Shuler has made some allegations in his case that is in the court that would encompass the things they have discussed at this meeting. Mr. Shuler inquired as to which things this would be. Mayor Crewe answered that it is everything Mr. Shuler just listed such as discrimination, the \$14,000 he states the Town owes him for inconveniences, and noted this is what he gathers that bill is and it is not really specified on the bill that was submitted, but it appears to be for Mr. Shuler's time and effort in trying to comply with the ordinances that are the subject of that litigation. He noted the Freedom of Information Act request is to give documents necessary for that case, and advised that he thinks all three of those, and noted that he wrote down three things, the \$14,000 bill, the discrimination of the citizens, and the Freedom of Information Act request, all of which he believes can be addressed as part of the pending litigation. Mr. Shuler stated that Bing is the Town's lawyer, and he does not understand this. He explained that he is being charged with violating misdemeanor building codes. Mayor Crewe interjected that Mr. Shuler is actually being charged with contempt of court, and that is the criminal part. Mr. Shuler noted that is not correct and advised that the original criminal part was the violation of the building codes. Mayor Crewe stated he agrees with that. Mr. Shuler advised that what he is stating is the pending case is against him. Mayor Crewe noted that he agreed with that, too. Mr. Shuler continued that any case he would bring before the court would be against the Town, so there is nothing against the Town that is in front of the judge now. Mayor Crewe advised that he disagrees with that, but indicated he is not going to give Mr. Shuler legal advice. Mr. Shuler stated he thinks even the members of the Town Council know that if Coleman Shuler is the defendant, he cannot also be the plaintiff. Mayor Crewe stated that he disagrees with that statement. Mr. Shuler remarked that Mayor Crewe just stated in his own words that the case before the court is him being in contempt of court. Mayor Crewe advised that this is the presently pending charge. Mr. Shuler explained that this has nothing to do with the Town's wrongdoings. Mayor Crewe stated he is not going to argue with Mr. Shuler. He noted he has answered it 15 times, and he has no intentions of answering it again. Mayor Crewe stated that Mr. Shuler needs to take it up with the court because the Town and Mr. Shuler cannot resolve this. He noted that 17 years worth of getting there has not gotten them any closer, and reiterated for Mr. Shuler to take it up with the court, and the Council is through with discussions, unless someone else wants a motion to be made. Mayor Crewe advised that there is nothing else for the Council to state. Mr. Shuler advised that unless somebody else would have another question because this is not about the court. Mayor Crewe inquired if anyone wants to make a comment or has a question or make a motion, they are certainly free to do so. Mr. Shuler inquired if anybody will accept his request that they survey the Town properties to prove that he

is accurate in his statement. Mayor Crewe noted if anyone wishes to do that, then they can make a motion. Mr. Shuler stated he is asking this now. Mayor Crewe advised that there are five Council members, and no one is answering, so there is Mr. Shuler's answer. Mr. Shuler stated that is fine. He advised that he will be back. Mayor Crewe stated that is fine, and it is a public meeting. Mr. Shuler noted that it is a gross injustice that the Council does not want to find the facts. He stated when he told the Council that he had information that one of the Town employees committed perjury, and the Town has never yet investigated it, it proves that nobody intends to find it out. Mr. Shuler pointed out that the facts exist. He indicated to no amount of him talking or the Council talking will change the facts of what that person did. Mayor Crewe reiterated that this is why they need to tell it to the court. He thanked Mr. Shuler for attending the meeting. Mr. Shuler noted that, again, if the Council so wishes, but this Council will have a "black eye" and the citizenry will not be represented well. Mr. Shuler thanked the Council for their time.

Mayor Crewe advised that he did not see anyone else on the signup sheet and noted he did not think there is anyone else who wanted to address the Council during Citizens' Period. He inquired if there were others who wished to address the Council during Citizens' Period. There being none, he proceeded with the agenda.

### **RE: OLD BUSINESS**

Under Old Business, the following was reported:

1. The Public Works Committee will meet tomorrow on its regular day, and the Budget and Finance Committee will meet on Wednesday, May 16, 2007.
2. Councilman Jones noted that he would like to mention about June 11. He stated he would like to ask the Public Works Committee to take another look at Holston Road. Mr. Jones indicated that the speeding issue is something that is all across town, and they discussed this at the meeting. Councilman Jones remarked that he thinks maybe one of the things that might help possibly is to put two stop signs down there where a person turns left to go over toward Wytheview. He explained that this means the traffic has to stop at least one time. Councilman Jones stated that the gentleman whose residence is in the curve claims that the motorists speed through there, and he is concerned that one is going to miss the curb and slam into his house. Town Manager Sutherland inquired if this is Mr. Cassell. Councilman Jones advised that it is Mr. Johnson. He inquired if the Town put up "No Through Truck" signs. Town Manager Sutherland advised that is correct. Vice-Mayor King inquired if the trucks are still traveling through on Holston Road. Councilman Jones stated that is correct, and this is what Mr. Johnson stated. Councilman Weisiger pointed out that putting up signs will not stop the trucks. Councilman Jones stated that is correct. He noted he has one citizen with whom he talked to try to verify the statements that were made, and the citizen's statement was that if the police would park in his driveway, he guarantees that they could catch five or six people every morning about 7:00 a.m. who are late for work going to Carrington Place. Town Manager Sutherland inquired if the thought is that the road to Wytheview would be a three-way stop. Councilman Jones noted that it is already a one stop. He indicated that this is just a suggestion, and he is not stating publicly to do this. Town Manager Sutherland advised that the three-way stop signs are very effective, and people have to stop. Mayor Crewe remarked that sometimes people slide through them, but they stop. Councilman Lambert inquired if the truck traffic to which Councilman Jones is referring is the 18-wheeler big trucks. Councilman Jones stated that is correct, and Mr. Johnson specifically mentioned one dump truck that he had to dive out of the road into his yard to keep from getting hit. He noted he thinks if the Council looks all over town, they see people going through stop signs, red lights, speeding, and it is not just an issue on Holston Road. Vice-Mayor King remarked that Highway 11 is a racetrack on the weekends. Mayor Crewe advised that this is duly noted, and it will be on the Public Works Committee's agenda in the morning to review.

### **RE: BUDGET AND FINANCE COMMITTEE REPORT/PUBLIC WORKS COMMITTEE REPORT**

Mayor Crewe advised that there are no Town citizens present at the meeting to hear the Committee reports. A motion was made by Councilman Jones for the Council to accept the reports as written in lieu of giving oral reports. The motion was seconded by Vice-Mayor King. 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., William B. Weisiger, H. Judson Lambert. Against: None. A copy of the [Budget and Finance Committee report](#) and a copy of the [Public Works Committee report](#) are attached and made part of these minutes.

**RE: ORDINANCE NO. 1215 – RETAINING WALLS**

Mayor Crewe presented Ordinance No. 1215, an ordinance amending Article XVI – General Provisions, by adding Subsection 16-17, Retaining Walls, of the Town of Wytheville Zoning Ordinance, on first reading. He stated this ordinance is related to the public hearing held earlier regarding retaining walls. Mayor Crewe noted that the Council will see that there have been no comments all the way through the Planning Commission public hearing or at this meeting. He stated the suggestion is that the rules be suspended and the ordinance be adopted on first and final reading. A motion was made by Councilman Jones and seconded by Vice-Mayor King to suspend the rules and adopt Ordinance No. 1215, an ordinance amending Article XVI – General Provisions, by adding Subsection 16-17, Retaining Walls, of the Town of Wytheville Zoning Ordinance, on first 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., William B. Weisiger, H. Judson Lambert.

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1215 was adopted on first and final reading. Mayor Crewe stated the ordinance will be effective immediately.

**RE: RESOLUTION – DESTINATION IMAGINATION TEAM**

Mayor Crewe stated the next agenda item is to consider a resolution honoring the Spiller/Scott Memorial Middle Level Destination ImagiNation Team. A motion was made by Councilman Jones and seconded by Councilman Weisiger to adopt the resolution honoring the Spiller/Scott Memorial Middle Level Destination ImagiNation Team. 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., William B. Weisiger, H. Judson Lambert. Against: None.

**RE: APPOINTMENTS – WILLOW BROOK/JACKSON UMBERGER HOMESTEAD MUSEUM ADVISORY BOARD**

Mayor Crewe stated the next agenda item is the appointments to the Willow Brook Jackson/Umberger Homestead Museum Advisory Board to fill the expiring terms of Mr. Robert Kegley and Mrs. Jennifer Morin whose terms expire May 29, 2007. He remarked that the suggestion would be that the Council reappoint Mr. Robert Kegley and Mrs. Jennifer Morin although their terms have expired since there are no other appointees or no other applications. A motion was made by Vice-Mayor King and seconded by Councilman Weisiger to reappoint Mr. Robert Kegley and Mrs. Jennifer Morin to the Willow Brook Jackson/Umberger Homestead Museum Advisory Board. 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., William B. Weisiger, H. Judson Lambert. Against: None.

**RE: A-95 REVIEW**

Mayor Crewe stated the next agenda item is to consider an A-95 Review of Southwest Virginia CDFI for a rural business enterprise grant proposal for marketing development services. He indicated that the Council has its usual choices. Mayor Crewe inquired if there is a motion as to what recommendation the Council would like to make, if any. Vice-Mayor King inquired if the Council usually gives a favorable review. Mayor Crewe noted that is correct unless it is something of concern. He stated he does not think this will have a big impact on the Town of Wytheville one way or the other. A motion was made by Vice-Mayor King and seconded by Councilman Weisiger to adopt the A-95 Review of Southwest Virginia CDFI for a rural business enterprise grant proposal for marketing development services. 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., William B. Weisiger, H. Judson Lambert. Against: None.

## **RE: PLANNING COMMISSION RECOMMENDATIONS – HAPPEL REZONING AND COUNTRY CLUB HEIGHTS ZONING**

Mayor Crewe stated the next agenda item is to consider the recommendation of the Planning Commission regarding the request of Richard D. and Diane M. Happel for the rezoning of a portion of property located on the east side of Carrington Place between Asbury Lane and Cove Road from A-1 Agricultural to MA-1 Medical Arts and the recommendation from the Planning Commission regarding the proposed zoning of Country Club Heights, which is property acquired during a recent boundary adjustment, located on the west side of Petunia Road between Route 11 West and Old Stage Road to R-1 Residential and R-2 Residential. He noted the Council would need to schedule these two public hearings that can be set for June 11, 2007, at 7:00 p.m. Mayor Crewe explained that these two items kept the Planning Commission for a late meeting on Thursday evening. Mayor Crewe inquired if anyone has any problems with setting a public hearing to consider these matters for the June 11, 2007, meeting at 7:00 p.m. It was the consensus of the Council to set the public hearings for June 11, 2007, at 7:00 p.m. to consider the request of Richard D. and Diane M. Happel for the rezoning of a portion of property located on the east side of Carrington Place between Asbury Lane and Cove Road from A-1 Agricultural to MA-1 Medical Arts and to consider the proposed zoning of Country Club Heights, which is property acquired during a recent boundary adjustment, located on the west side of Petunia Road between Route 11 West and Old Stage Road to R-1 Residential and R-2 Residential.

## **RE: PROPOSED PROPERTY ACQUISITION PRESENTATION**

Mayor Crewe stated the Council will now move to the agenda item that has been added to the meeting agenda. He requested Mr. John Largen to come forward and make whatever remarks that he desired. He noted that Mr. Knizhnik is also welcome to make any comments he desires.

Mr. John Largen stated he appreciates the opportunity to address the Town Council. He remarked that if it is acceptable, he will provide some handouts to the Town Council. Mayor Crewe thanked Mr. Largen for waiting patiently while the Council went through their agenda. Mr. Largen advised that what they wanted to speak about at this meeting is a parcel of property within the town limits that they have the ability to come in according to the private-public partnership of the Town of Wytheville. He stated this is nothing new in the State of Virginia, and it has become very common. Mr. Largen advised that they see a lot of needs in the town, and like many towns, they have become the usual red tape paperwork and cost to upgrade the building facilities. He noted the thing they tried to look at, and one pressing need they saw when reviewing the Wytheville and Wythe County area and one of the first and foremost needs they saw, was the public safety facility. Mr. Largen stated he thinks everyone knows from growing up in this town, it has been a good building, but it has been there a long time. He pointed out that with the growth of the town and the town pushing outward, there is the potential need to supply the police officers and the fire crews with a larger and better facilitated location, especially today when the ADA standards are considered, they look at dual sex operations of facilities when it comes to both the locker room facilities, sleeping facilities, etc. Mr. Largen indicated that what they want to do, and what they have put into this preliminary proposal is to try to let the Council proceed with reading this and seeing how through a public-private partnership they could come and work hand in hand with the town to provide a facility that would keep the town out of the bond referendum and try to show a savings to the town by working in a joint partnership in developing the property for their needs. He stated that one more of the things they have seen, like Roanoke County just did their new public safety building this way, was it was done in a public-private partnership. Mr. Largen pointed out that this is becoming very, very common. He stated they are seeing branch associates do it with highways. He advised they are seeing other firms, and noted he listed Honeywell in the information, and Johnson Controls is doing it also with Pulaski County Schools and Longwood College. Mr. Largen pointed out that the list goes on and on. He indicated that VCU in Richmond has been in dire need of dormitory space, much more than the Commonwealth of Virginia would be willing to support at this time, but yet the student population required it, and, therefore, they worked with public-private partners to build new upgraded dormitories to their specifications. Mr. Largen indicated that at the end of the lease-purchase agreement, of course, for a set fee, the building will be turned over to the Commonwealth of Virginia for the Commonwealth University. He noted that as the Council reads through this, they tried to incorporate looking at this property, and indicated that he will be more specific about the property location as they can handle this with the Town. Mr. Largen explained that they are in final negotiations on the price, and if the knowledge of this were to go public, the price they could offer the Town goes up because it will take a property the current owners have had trouble selling, and it will put them into a bidding war. He advised that they have to use a little common sense and a little business sense to ensure they can buy the property at a reasonable cost to everyone. Mr. Largen indicated that the second thing he wanted to point out is that they looked at the property not only as a benefit to the town, and remarked that he knows they are County citizens also, and they do see that with the growth of the industrial sector and reading the County's strategic plan that they would like to develop a

business education center. He indicated that this also becomes a Town issue, because what he sees with this property is it is in very close proximity to a current facility owned by the Town plus other educational facilities, and inquired if this is a nice way to say it without giving the location of the property. Mr. Largen stated it would develop a very nice Wythe-Town Center, and puts the Council in a position to where not only do they work with the public safety issues in the town, but they now can attract better businesses and develop a business incubator. He remarked that they could go to the next level, and take the current students in the high schools, and try to provide a facility where there is a mentorship program and a teaching program that can take them to an advanced course level, which he knows Wythe County and the Town could use. Mr. Largen indicated that he grew up in this area and graduated from Pulaski. He noted that the town does not have a governor's school in Wytheville, and it has been strategically placed. Mr. Largen remarked that a lot of students would go to the governor's school, but they do not want to go to Pulaski or Abingdon, and they want to stay at home, and they want to be within the confines of their own fellow citizens with which they have grown up. He noted that another big strategic move that everyone is trying to make in southwest Virginia is how to attract people, like himself, back to southwest Virginia. Mr. Largen advised that he has been very blessed to leave the area and prosper in the Richmond and DC areas because the economy that was there was strong, but yet his values came from this area. He stated the town is also sitting in a strategic goldmine. Mr. Largen explained that with some of the other developers he has talked about, the town is within 12 hours of two thirds of the U.S. population. Mr. Largen advised that the town is within 2.5 hours of Charlotte, North Carolina; Beckley, West Virginia; Charleston, West Virginia; and Knoxville, Tennessee. He pointed out that the list goes on, and the town is sitting here, and that is why he is working with his developer, who is helping him purchase the property. Mr. Largen remarked that they know the State is pushing very, very hard to get this second Gatorade put there and not go to Pittsburgh because the word is it will be Pittsburgh. Mr. Largen advised that they are trying to work with the Town to develop a comprehensive property that would take the third phase, and that is the private mixed used offices and facilities within the same location. He noted this is a lot in the information in three pages, and there is a lot to go further into detail. Mr. Largen stated the first and most important phase is how they can take the Town to the next level. He remarked that he does not know the ISO rating for the public safety on the fire rating. Mr. Largen indicated that he does not know what they need to do, and the Town may already have an excellent rating, but from his meetings with the International Fire Chiefs Association, he knows that the Town is already needing a 68-foot ladder truck that is supposed to be part of that number one rating. He inquired as to why this is important to the Town, and answered that it affects all the businesses and all the town's insurance ratings in town. Mr. Largen explained that this will attract the industries. He noted they also know from being engineers and contractors that the Town has 30+ foot high industrial facilities, and the Town is now dealing with four to five story buildings, and this is going to affect the fire trucks. He noted he is sure the Town is very aware of this. Mr. Largen indicated that the property they are considering, and noted everyone probably has a little idea of what he is talking about, still keeps the Town within the close proximity of one mile to the town, which according to the chief was important. He stated what the chief was telling him was that to get the Town the highest rating, they needed a ladder truck and within 2.5 miles of the facilities and within the major residential and commercial areas of one mile. Mr. Largen indicated that he thinks everyone knows the Town has done the best with everything, and advised that this also includes the County, but they are probably 10 to 15 miles between locations. He stated the town is also sitting here with an extremely congested interstate that they are trying to find a way to get around. Mr. Largen advised that currently, as good as the fire departments are, they are having to respond from a downtown location to get to the interstate locations. He pointed out that they are trying to put the town next to the interstates. Mr. Largen indicated that they are trying to work with the Town on their 911 ability to have a facility that they could probably put their own radio facilities out to communicate to Big Walker Mountain without having to go to their own tower or something of that nature. He remarked that with this said, he would appreciate the Town taking into consideration this preliminary proposal they have been given, and they would like to move forward with the Town to be able to do a formal proposal because he is not going to purchase the property unless he knows he can move forward with a facility that will be used. Mr. Largen remarked that they have brought in private developers, and they have had approximately six developers look at this same property. He stated that as a town, they have a choice, and it is bringing revenue to the town only because of its current owners, but it is not bringing the revenue that it could. Mr. Largen advised that it has been looked at for retail, and every developer who has been there only wants to take it down, but they are going to spend \$1.5 to \$2 million to take the building down, and this is just going to happen. He stated he knows from a visual standpoint, when a person walks up to it, they may think how a fire truck will be placed in the building. Mr. Largen indicated that this is why they are structural, mechanical, and electrical engineers. He stated they have already met with Marty Britt with H. S. Williams, and they have had Mr. Britt at the site, and he has already done a survey for them, and it is just steel. Mr. Largen remarked that he is going to leave the blueprints for the Town Manager's review and ask that they stay within the department and not go outside the Town, and it is private, privileged information. He noted this blueprint will show the building, and indicated that everyone knows

which building he is talking about. Mr. Largen indicated that there are two main offices to the left, and the brick building goes out. He advised they can easily put seven 14' X 14' bay doors in there, and noted this does not include the rest of the building. Mr. Largen remarked that this is just a preliminary drawing from his staff to get ready to move forward. He reiterated that he is not moving forward unless he can work out some type of commitment because it is thousands of dollars to have their operators and engineers working. Mr. Largen noted this is a fine way for their corporation to make a profit, and this is what they are in business to do, but they can give back to the town and give the Town an opportunity to purchase something that they may not be able to do in a conventional process. He stated that in talking with Mr. Marty Britt, and he is doing a lot of life safety buildings, and indicated that he knows their construction bid is done with him, the Town is looking at a one to three year process for the Town to just go through the process of finding a building, and figuring out how to build it and when to build it. Mr. Largen remarked that this is just what Quantico found out when their performance contractor went in there, and they could have the buildings up and done and only \$200,000 above what the Corps of Engineers want to charge just for their engineering, which blew their minds. He pointed out that it cut the cost by about 65 percent of the original cost, and it was 35 percent of the budget cost. Mr. Largen indicated that he is not promising that to the Town, but he does know if they had gone and built this building, and noted this is not counting buying the property and grading, but just building it from the slab up, it would be \$130 per square foot. He advised this is the number that Mr. Britt gave him and this is what they normally bid. Mr. Largen remarked that they know they can go below this, but how far below would be determined by what the Town would need. He stated they will forego the cost of all the concrete and the other costs, but they do need to re-roof the facility, and that will be an expense. He indicated that they would have to do some more asphalt there because looking at the front of the right there, they would have to install seven doors. He explained that if they brought EMS up there as far as Wythe County, they would bring the rescue squad, and they would go down to another one of the bays and put another five doors in. Mr. Largen pointed out it is not hard to do, but it is just money and steel. He indicated that if they look in the current offices, he is sure they can make them nicer, but they wanted to reduce cost. Mr. Largen indicated that a lot of off white paint would lighten it up if they want to keep costs down. He stated his other suggestion, which would run the Town's bill up, would be that they cut through the brick and install windows to let light in. Mr. Largen pointed out there is nothing worse than working in a dungeon. He noted he did that when he was with a corporation. Mr. Largen remarked that when he went to Pulaski County High School, it really kept their eyes on the chalkboard because it got a little old sometimes with no windows. He advised that this facility can easily house anything the Town wants to put in it. Mr. Largen indicated that if there was any future growth of the Town outside of this Municipal Building, he can put in this building whatever their choice would be, and it is phenomenal what all this building could house. He noted he knows when other people look at it, they look at a big elephant, and the Council has to remember that they are contractors and engineers and they look at what is viable and what is for real. Mr. Largen indicated that if he started giving the Town a brick building like this with concrete and doors, it is going to be pushing \$130,000+. He stated they just want permission and some type of commitment to work with the Town to go ahead and go through the process of doing a formal proposal and giving them budget numbers, and if this works for the Town, then they will move forward from there. Mr. Largen indicated that they have already met with Wachovia and BB&T, and they can secure the financing, but it just comes down to if the Town wants to move forward with this. He noted if the Town wants to move forward, the thing they are looking at is it will not be ready tomorrow, but they can house quickly, and much more quickly than the Town would with another facility, and they will preserve a site in this county and town that has been here forever. He noted he thinks this is worth preserving. Mr. Largen remarked that the site does not match industrial standards, and it is not 30 feet high inside, and no one wants to go to the retail side with it because they are not doing indoor malls anymore. He indicated that on top of it with Mr. Peter Patel's growth at the bottom of the hill and what is happening out on Fourth Street, which he applauds and is great, is awesome. Mr. Largen noted that at the same time, he does want to build another facility, which he has been advised on what to do, to take away from what the Town can do downtown for revitalization on the advice he has been given there. He advised what he does know is if the Town moves to this facility, they are going to open up parking and more development around the churches downtown, and reiterated this will open that up. Mr. Largen noted that they will provide a lot more space around those facilities. He inquired if there are any questions. Town Manager Sutherland inquired if the property owner has given Mr. Largen any updated information on their environmental concerns. Mr. Largen answered that after he and his attorney, and noted he is not an attorney and he got hold of their confidentiality agreement and tore it apart, he has no more update than what the Town already has in house. He inquired as to what the Town found in its standards as far as environmental issues. Mr. Largen advised that he knows they have been in there, and the only thing they found that is still left in the building and the first thing they would do is go into the basement area where the boilers are existing, and that is the only asbestos that is there. He noted they would entomb it. Town Manager Sutherland advised that there is lots of information about this and the groundwater pollution. Mr. Largen noted that is correct on the groundwater pollution. He continued that the groundwater part comes down to

them needing to go into a full detail search with the current property owners. Mr. Largen remarked that they have not agreed to that because they have not agreed to the final price. He stated he will not agree to sign something that gives away his firstborn son for information that the Town already has and is public knowledge and in the newspapers, which was how it was written the first time. Mr. Largen remarked that he sent it back to their lawyers and asked them to try again. Town Manager Sutherland noted that there is information available from the Department of Environmental Quality. He pointed out there is certain information that the Town has that they have an agreement with the property owners not to divulge. Town Manager Sutherland explained that there is a wealth of information out there from DEQ that they could request under the Freedom of Information Act. Mr. Largen inquired if informally, the Town has reservations on the property. Town Manager Sutherland answered he does not know this answer because they do not know enough about what DEQ has determined. Mayor Crewe advised that some red flags have gone up, but they really do not have any answers. Mr. Largen indicated that he thinks everyone should all investigate that, and indicated he thinks this is part of the process. Mayor Crewe noted he thinks this is going to have to be done. He indicated that the thing he knows from going through what happened in Pulaski two years ago, the industrial people came in the Hercules facility when they were making the sulfa to go to the Hercules and to the T & T Plant, and inquired if the Council knew the old Grants site, which is now the shopping plaza where Country Cookin' and all that is. Mr. Largen indicated that this is now sitting on a big toxic site on which he used to ride a motorcycle all the time. He noted he was breathing it all the time and did not know it. Vice-Mayor King inquired if it has been three years since the Town looked at this property. Mayor Crewe noted it has probably been three years since the Town met with anyone about it. Mr. Largen noted that the thing they need to remember is it was an electrical motor plant. Mayor Crewe indicated that the rules were different than they are now, so it is no telling what is in the ground out there. Mr. Largen advised that is correct. He remarked that there were several things he learned while working with the EPA on the Pulaski situation. He noted that the town people were freaking out about this in Pulaski. Mr. Largen indicated that most of the town is built on it in Pulaski, and a big chunk of the county in Radford, and it is all used as fill space. He noted that every time they wanted to level something and build something, they just gave them all this free dirt that was loaded with all kinds of heavy metal. He noted the best thing they could do is cap it, asphalt it, or concrete it. Mr. Largen advised that capping it was absolutely the best thing. He remarked that he thinks everyone can agree that no one is going to go up there and start drilling wells for town water. Mr. Largen pointed out that there is already a water supply there. Town Manager Sutherland noted that is correct, and DEQ has already identified that. He stated there is a policy that requires connection to a public water system, and a well is not going to be permitted on that site. Mr. Largen noted that what they would have to do is look at the balance of the property and if this is something they moved forward on, and they have the balance of 13 acres, if it is something they would want to promote as a developer to go to residential housing if it is for 55 and over or whatever and do cluster homes. He stated that definitely it would be Town water and sewer. Mr. Largen inquired if they would have a problem if someone planted shrubs outside, and advised that they need to know that. He indicated, however, that if the property was to turn into a facility and the other property turns into something for commercial use, such as restaurants, etc., and they were on concrete pads and asphalt, as he stated previously, he thinks if they brought in the EPA and what they learned in Pulaski, Pulaski's problem was much heavier. He advised that he did not know if they were dumping, like someone did in Bluefield, but it was the Cruise Brothers who were there who made transformers, and that was one of the biggest clean up sites in the United States because they would just dump the liquid that was in the transformers, which was extremely toxic. Mr. Largen explained that this was happening in Pulaski also, and the contamination was unbelievable. Mayor Crewe noted another issue is the karst topography, and no one knows where it is going once it pours out into the ground, and this was a concern. Mr. Largen noted that is correct. Mr. Largen indicated that their problem when they were doing it with American Electric Power was not only was it sitting next to Reed Creek that everyone swam in, and all of it was running off and running down. Mr. Largen advised that in the Town's situation with this, he thinks they would have to go over to the new Community Center and the Wythe County site, and they would have to drill test wells within a certain range of this facility. He noted he does know from walking the property that there has been a lot of test wells there, and there has been a lot of boring, and he has seen it in the asphalt where they have been boring down. Mr. Largen noted what he thinks would be fair to everyone is they have talked about and known about that there is a potential issue there. He stated he thinks they have to get the property owners, and the Town has signed off and he will have to sign off, but he will not sign off on this agreement, unless it indemnifies him of any responsibility of what is already out there. Town Manager Sutherland stated he understands all of that, but he just wanted to be sure that Mr. Largen is aware that there were certain issues out there. Mr. Largen noted there are issues out there, but his question is if they are talking about an issue if they dig the ground up. He stated as far as any asbestos goes because he knows Mr. Steve Lester, Jr. brought that up to him, and the only asbestos left in the place, and advised that they have really cleaned the inside of the building out. Mr. Largen explained that construction wise, the biggest fault when they go into an existing building is the existing structure and the wall, etc. that they do not

match, and, for example, someone wants a 40' X 20' room, and they have all the walls in place, so they have to start worrying about tearing into all of that. He stated the good thing, other than the offices up front, everything out back has been gutted, and there is nothing left, and it is just a big open warehouse space. Mr. Largen noted that whatever was there besides the bathroom and the ceiling is gone, and is no longer there, other than the boiler room where there is asbestos on several fittings and the steam, and noted they would abandon that facility. He explained that they would also take the boilers and spend \$50,000+ to get rid of the asbestos, and they will spend \$5,000 to cinderblock it in and forget about it. He indicated that there is just enough space there not to worry about. Mayor Crewe stated the other thing that might help them make a decision, which they are probably aware of, is the Town is under the review process right now with the State consultant to consider the possibility of consolidating 911 dispatching with the Town, County, and Bland County. He pointed out that his personal thought is it is not going to work, but he is not the expert, and the Town is awaiting the report, and it has been since July or August since the Town has seen anything. Town Manager Sutherland advised that actually, on this topic, they will be doing this report rather soon. Mayor Crewe noted that this may mix into this. Mr. Largen remarked that he has heard about this, and the point about that is he thinks this is a strategic location because it is the closest exit to Bland. Mayor Crewe advised that is correct. Mr. Largen commented that it has a smokestack that has tower use to it that is sitting above, and it is at a good location, and if a person heads up the road, they go to the industrial park and all the way to Max Meadows, or a person can go I-77 or I-81 south or north. He indicated that he knows he agrees with Town Manager Sutherland. Mr. Largen noted that first, they can determine what is there is user friendly, but inquired what the liabilities will be, and noted that the Town Attorney and their attorney would have to look at what are the liabilities to the existing corporation to their environmental issues. He inquired as to what will allow the current owner to walk away from this or not walk away from this. Mr. Largen pointed out that EPA takes a very strong stand on that. Town Manager Sutherland noted that is correct. He advised that he knows in Pulaski, what they tried to do was get with Mr. Huff and the Pulaski Development Corporation, and they gave them property everywhere thinking they would indemnify themselves and be away from any lawsuits. Mr. Largen noted that the dilemma was the problem went so extensive and the Town of Pulaski wanted it so quiet because if it got out, the land property values in Pulaski were bad already, and they would just plummet. He stated when the EPA lady came in, and noted he forgot her name, she calmed everyone down. Mr. Largen indicated that he went to the meetings, and she calmed everyone down. Mayor Crewe stated that the Town has not had that problem with the EPA. Mr. Largen noted that there were local persons, like who was at this meeting earlier, who wanted to "fan all the flames," and the EPA person calmed people down and noted that a person almost has to eat it, ingest it, and breathe it and do all this to get any damage from it. He stated he thinks everyone needs to be concerned about a chemical situation, but he thinks it is something that can be taken care of through due diligence. Mayor Crewe indicated that if he understands where they are right now, and noted that granted he has only a limited amount of time to skim the proposal, what Mr. Largen really wants from the Council at this stage is some kind of feedback as to whether or not the Town is interested in moving to the next step. Mr. Largen indicated that is correct. Mayor Crewe explained that the next step would be a more formal proposal with numbers, dates, timelines, etc. Mr. Largen noted that is correct. Mayor Crewe stated that then at some point, the Council would state yea or nay, and inquired if that is where the Town is with this. Mr. Largen noted that is correct. He indicated that this is just like reading a magazine, and there is not enough information included in this. Mr. Largen commented that in order for them to give the Town an extensive price on the contract would mean meeting with Town Manager Sutherland and Assistant Town Manager Moore to move forward with the Town's needs to ensure they are being met. He stated that because what they do in the engineering business is that most engineers make the mistake of building what they want to build. Mr. Largen pointed out that why they do so well is they meet with their owners and contractors to find out what works for the customer and why they want to do what they want to do. He explained that the thing with the private-public partnership, and noted he did not know how it worked at the community center, and indicated that he is getting ready to do the Galax High School as a contractor, they would be open for a lot of change orders, and when they go with the public-private partnership, if the parties sat down, the scope is there, and they have agreed upon the scope, he cannot come back to the Town for change orders, unless the Town would come to him and request him to add a door or do something differently. Mr. Largen advised that they take this risk and responsibility of living up to the scope other than having a clause that there are material cost increases due to time of contract, raw materials, etc. He noted this is the only risk, and everyone takes that risk when they walk into a contract like this. Mr. Largen remarked that most of the things he knows when the Town does a building, they do run into Requests for Information (RFI) and a lot of change orders. Mr. Largen noted if the Town gets a weak architect and engineer that misses a lot of issues on the original contract documents, they are open to a lot of liability in adding costs to constructing the building. He stated the thing about going with a public-private partnership, this is something they try to handle all up front so when they go to a number, they know it is a very firm number. Mayor Crewe inquired if anyone has any questions, comments, or reactions at this point. Town Attorney Kaase advised that this states, "John Largen & Associates

propose to enter into an agreement with the Town to purchase..." He inquired as to who will own this property. Mr. Largen answered that what they would enter into would be into a long term lease purchase agreement with the Town. Mr. Largen explained that they would own the property, but, again, they would set the boundaries of the property up so at the end of the lease-purchase agreement, or if the Town so decides to accelerate the purchase within the legal agreement, they could do so. He stated they have seen some people enter into these agreements that are 10 or 15 year agreements, and the revenues are very good from tax sources, and the next thing they know, they have the buy out clause in the agreement to purchase that property on an accelerated rate. Town Manager Sutherland noted he is not trying to belabor this because he knows Mr. Largen would like to leave, but he assumes they have looked at historic tax credits. Mr. Largen stated that is correct, and noted this would be part of it. He advised that the only thing they would have to worry about with the historic tax credits is once they cut the doors open for the fire department, it is a chance they may lose the tax credits. Mr. Largen noted that this is one thing they have looked at. He reiterated that they have definitely looked at historical tax credits, and they have to look at working with the Town on the property tax base and cost. Mr. Largen remarked that what he sees they offer to the property also, and noted this would mean more asphalt, which if there is an environmental issue this is a good, and he is already seeing just on a regular basis that the Community Center is doing extremely well. He noted they are going to start getting conferences in there, and there are going to be a lot of upset people when they cannot park and the Community College is next door. He noted that what this property lends to the Town, and noted that the Town is already landlocked with the new Holiday Inn coming in beside the Community Center. Mr. Largen pointed out that this offers the Town the ability to make a driveway up the back side and walkway and put additional parking in. He noted there are already 300 or 400 parking spaces in an L-shape, and it could come around and would be there. Mr. Largen indicated that his recommendation is not to put a right of way through there and make another through street over to the College because they are doing that down in front of the hotels already. He noted that the Town does not need too many cut throughs in the property, especially if they saw that the grassed area would be a good residential area, and they would be upset if there is too much traffic. Mr. Largen continued that he thinks restricted traffic travel would be a good thing for the Town and for the property. He stated that this way, the Town would also have additional parking for the conference attendees. Mr. Largen remarked that what they would also try to do in phase three in the back part of the building that is facing the community center is this is where they would look for the private use, and this is the most attractive part of the building. He noted that the front part is very attractive and the back is very attractive, and the middle is just space. Mr. Largen indicated that this is where they would attract the FedEx, Kinkos, engineering firms, the support firms, etc. He stated they have seen the Community Center and they would like to have the opportunity to have people come in and do the mentorship programs, the retreat programs for corporate retreats, etc., and the Town is going to need an off site facility for that. Mr. Largen indicated that these people will be looking for it to be close to the Town's building, and these were things he looked at to do. He stated he also sees the one thing they did is when they built the vocational facility in Galax is that need is in this area also. Mr. Largen commented that when he looked at the center section of that building, whether the Town or the County comes on board with that, it has a lot of space, and it is within the proximity of the other education facilities to be able to pull people in and out of there. Mayor Crewe inquired if there are any questions, comments, or thoughts. Councilman Lambert noted that at some point in time this would probably be a jointly owned property, and inquired if this is done elsewhere and inquired as to what problems Mr. Largen foresees if the Town wanted to, for example, do 42,000 square feet. Mr. Largen answered that the Town has choices in this matter. He explained that the choice would be to enter into the agreement with the Town taking over the whole commercial part of the property. He indicated that this puts the Town potentially on phase three of being a landlord, and whether the Town wants to do that or not, he does not know. Mr. Largen advised that if the Town is going to enter into a business incubator like the County has asked for, the Town is going to be in this business anyway. He noted that he knows they have an engineering firm that started that way in Lynchburg with which they do business, and it was quite helpful to them. Mr. Largen continued that it was a small firm like them, and they started out with three or four people and grew to six or eight, and then ten or twenty. He noted they started in the local facility, and they had the ability to have a virtual office space, conference space they normally would not have had, and there was a lot of support there for them. Mr. Largen noted that this attracts these businesses in there. He stated this will also help a lot of people, like himself, who started out of their homes who still have an office in their homes as well as outside their homes, and if the Town gave them the opportunity to move to a business incubator at a very attractive rate, the Town will receive three things, which is they know they have a business license that is legitimate and legal they have had to do as part of the process to be in there. He noted that there will not be all the UPS, FedEx trucks, and all their workers showing up every morning at their house in the middle of a neighborhood, and it gives them a degree of professionalism to have their own facility to start with. Mr. Largen indicated that the Town's long term goal would not be to have the business there but for a certain time period and for the business to grow out of the facility with their own space or another space in town. He explained that the Town would

just want to help get them off the ground and make them financially sound. Mr. Lagen indicated that part of that same facility is that the Town will try to have a blend of businesses in there that they could pull from such as accounting and all the normal pitfalls a small business falls into is what a business incubator will really do for both the Town and the County to grow that in there. Mayor Crewe advised that the Council will study this and get back with them, and it is a lot to think about. Mr. Lagen indicated that the mobile numbers and their e-mail addresses are in the information. Mayor Crewe stated he noticed this at the top. Mayor Crewe thanked Mr. Lagen and Mr. Knizhnik for attending the meeting.

**RE: ADJOURNMENT**

There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting (7:59 p.m.).

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Trenton G. Crewe, Jr., Mayor

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Sharon P. Hackler, MMC, Clerk of Council

## **BUDGET AND FINANCE COMMITTEE REPORT**

**MAY 14, 2007**

1. As you will note, the budget for fiscal year 2007-2008 is not on the agenda for consideration on first reading. As we noted at our last meeting, we were awaiting the information from Wythe County concerning the reassessment of real estate that has just recently been completed. We do now, in fact, have the information in preliminary form from Wythe County. The information that we have received is not in its final form since there are certain revisions being made before the Board of Equalization. We would note, however, that the revisions that might result from actions of the Board of Equalization would be minimal in terms of the overall valuations of all real estate within the town of Wytheville. Both Committees are currently reviewing this information to determine the tax rate that will be implemented for the coming year. The real property assessments for 2006 were slightly over \$557 million, and the value of these same parcels following the reassessment is approximately \$745 million.

Also, with regard to the budget, there have been certain changes to revenues that will be available. One significant increase in revenues will be in the Water and Sewer Fund where we anticipate approximately \$500,000 in additional revenues from large consumption of water by industrial users. With

regard to the appropriations side, we are evaluating what capital outlay, if any, to include in the budget, and, also, have inserted the expenses that will be due from the Town of Wytheville for the coming year for the New River Regional Water Authority, which is approximately \$386,000.

We will have a draft of the budget for the Council to consider at our meeting on May 29. The public hearing on the budget will be conducted on June 11, with final adoption slated for the June 25 meeting of Council.

2. We have attached for your review a draft of an amendment to the Town Code that would not permit dogs and other pets in public parks and cemeteries. For a number of years, we have had a problem with pet owners, particularly dogs, using the bathroom in Withers Park and West End Cemetery. We have attempted to handle this situation voluntarily with signs and providing devices that can be used to clean up dog feces. The problem continues to escalate and, particularly, at the two locations just noted, there are considerable amounts of feces. As such, we do not see any alternative way to control this problem shy of prohibiting animals from entering these areas. We would note that the Code revision would allow, with a permit, animals to use these areas for special occasions such as pet shows, etc. Also, we would note that Seeing Eye dogs and other similar animals would be allowed as provided by state law. We will have this item placed on the agenda for the May 29

meeting of Council, and, if it is approved, the effective date will be June 1.

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Jacqueline K. King

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John W. Jones, Jr.

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## **PUBLIC WORKS COMMITTEE REPORT**

**MAY 14, 2007**

1. The Town will receive bids this week on Wednesday afternoon for milling and paving streets in various locations in town. We would anticipate that the cost may be somewhat higher than previous years because of petroleum products associated with asphalt paving. We have attached for your review a schedule of the streets that are to be both milled and repaved as well as a schedule of the streets that will receive a course of paving only. We would note that there is one additional section of street that is not denoted in the schedule that we added subsequent to the advertisements. We have included the paving of Eleventh Street from North Street to Main Street. Once the bids are received, we will know if it is necessary to delete certain sections to remain within budget or if there are monies such that additional streets can be added. Assuming that a contract is awarded for this work, we would anticipate that the contractor would commence these activities within the next month. There is no action required of the Council at this time, but we did want to make everyone aware that our annual paving schedule was about to commence.

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William B. Weisiger

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H. Judson Lambert