

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON TUESDAY, MAY 29, 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., Chief Deputy Clerk Sharon G. Corvin, Assistant Town Manager Stephen A. Moore, Police Officer John Humphrey, Kristen Roy, Terry Korsvik, Roger "Cowboy" Mead, Pat Snapp, Janet Gordon, Richard Martin

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 Weisiger.

RE: CONSENT AGENDA

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting of May 14, 2007. A motion was made by Councilman Weisiger and seconded by Councilman Lambert to approve the consent agenda consisting of the minutes of the regular meeting of May 14, 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., William B. Weisiger, H. Judson Lambert. Against: None.

RE: CITIZENS' PERIOD

Mayor Crewe stated the next agenda item is Citizens' Period. He stated he is pleased to have the opportunity to introduce a couple of persons he has come to know over the last couple of years since Run for the Wall has been coming to Wytheville for seven years. Mayor Crewe advised that the Council is honored at this meeting to have Ms. Terry Korsvik from Washington who came in today from Pennsylvania on a motorcycle with her brother, Larry, and Mr. Roger Mead, who on the road goes by "Cowboy," hence the cowboy hat and the image that goes with it. He explained that Mr. Mead was the assistant southern route coordinator this year in leading the pack on the southern route from California all the way to Washington, DC, on the Run for the Wall. Mayor Crewe noted that over the last several years, he has gotten to know Mr. Mead quite well, and he is honored to call him a friend. He stated he appreciates Mr. Mead and Ms. Korsvik attending the meeting and everything they have done. Mayor Crewe noted that among Mr. Mead's other claims to fame, he has "adopted" a couple of kids at Spiller Elementary School and sends them T-shirts, pens, and letters, and keeps in contact with them all the time. He pointed out that Mr. Mead has helped a couple of teachers at the school with several projects. Mayor Crewe indicated that if he understands correctly, when Mr. Mead leaves the meeting, he is going to have dinner with one of the Spiller Elementary School teachers to keep this contact going. He stated the reason Mr. Mead is in Wytheville today is because several of the motorcyclists, because of the way they were treated in Wytheville, came back when they finished in Washington, DC, to Wytheville yesterday. Mayor Crewe stated they were kind enough to call him when they got to town, and he met them late last night, and then this morning. He noted that Mr. Mead had some Harley Davidson trouble, and several of them arranged it so that their Harleys were worked on in Wytheville because of the way the Harley shop had taken care of them, and they brought their motorcycles back here. Mayor Crewe indicated that as the Council can imagine, going 3,000 miles across the country, plus the trip to get there to start and then coming back requires oil changes and things like that. He stated that Mr. Mead's bike could not get fixed quite that rapidly, so he will be leaving tomorrow. Mayor Crewe stated that somehow Mr. Mead talked Ms. Korsvik and her brother into coming to Wytheville to wait so everyone could go together. He advised that Ms. Korsvik is going back to the State of Washington, and Mr. Mead will have someone to ride with him part of the way. Mayor Crewe noted he means this sincerely when he states that Mr. Mead is an American hero, and the Council is really glad he is attending the meeting. He advised Mr. Mead that the Council appreciates all that he has done. Mayor Crewe advised Mr. Mead that he is welcome to state anything he desires, but he does not have to speak.

Mr. Mead stated he would like to thank Mayor Crewe especially, and the Council members he just met, as well as the citizens of Wytheville. He noted that this is an amazing town. Mr. Mead indicated that Run for the Wall loves stopping in Wytheville, and all the riders talk about it every year. Mr. Mead noted that the closer they get to Wytheville, the more they start talking about the

kids. He stated when the kids start coming down the hill, he can hear the riders yell, "Here come the kids." Mr. Mead explained that they started out this year with a plan, and they have three schools that they visit. He noted these include one in Colorado City, Texas, Spiller Elementary School in Wytheville, and Montvale Elementary. Mr. Mead stated they started out this year with a goal of giving \$1,500 to each school to be used for necessary projects, whatever they may be. He advised that they know school districts nowadays are short handed money wise, and they can always use a little extra. Mr. Mead noted that they determined anything above that \$1,500 after the run was over would be divided three ways and sent back to the schools. He remarked that when they came into Spiller Elementary School, they presented Ms. Marcy Olinger with a check for \$1,500 for the school's share. Mr. Mead remarked that on the way back, he and "Tadpole," the coordinator this year, sat down and counted out how much money they had donated after Montvale. He stated that coming into Colorado City, Texas, over the years, the riders are not used to what is going on, and they have not met the kids yet, so the wallets are a little tight. Mr. Mead remarked that once they meet the kids in Colorado City, the riders loosen up a little bit, and then they pick up a lot of riders in Dallas, Fort Worth, and Jackson, Mississippi, and places like that who have not met the kids yet. He advised that once the riders meet the kids at Spiller Elementary School, the wallets and hearts open. Mr. Mead remarked that by the time they get to Montvale, it is an outpouring of love and money. He stated that "Tadpole" handed him a check this morning, which he presented to Ms. Olinger this morning, and it was another \$1,500, for a total of \$3,000 for the school fund. Mr. Mead indicated that on top of this, they got involved with the Wounded Warrior Project with Mr. Mark Peterson with the Volvo Plant, and noted he assumes the Council has heard about this, and they buy backpacks for the wounded GIs when they come back because they leave everything in Iraq and they come back with nothing. He explained that these backpacks have toiletries, a Walkman radio, basic necessities, pencils, etc. Mr. Mead advised that each backpack costs \$99. He noted that Run for the Wall was committed to 15 backpacks for the Wounded Warrior Project. He noted that he presented them with a check for \$6,000 for 60 backpacks. Mr. Mead pointed out that all of this would not be possible without the Town of Wytheville. He noted that this could have been a white spot on the highway for them, but the outpouring of love that the citizens give them is what keeps them coming back year after year. Mr. Mead advised that on behalf of Run for the Wall, he would like to thank the Council very much, and noted he hopes to see everyone next year. Vice-Mayor King inquired if Mr. Mead has the address for the Wounded Warrior Project. Mayor Crewe advised that he has the address for it, and indicated that woundedwarrior.org is the web page for it. He noted that he can get all the information on it. Vice-Mayor King indicated that Links may be interested in participating in this. Mayor Crewe noted that on the way out, Mr. Mead may desire, but noted it is up to Mr. Mead, to talk with Mr. Justin Harmon who is the local newspaper reporter, and he may want to ask Mr. Mead a question or two. He stated he knows Mr. Harmon is doing a story on Run for the Wall because he talked to him today. Mayor Crewe indicated that there were two Wythe County people who went all the way to California and came all the way back with Run for the Wall. He stated that Mr. Bob Atwell, Sr. from Wytheville and Mr. Jim Watt from Ivanhoe rode with Run for the Wall. Mayor Crewe indicated that Mr. Atwell was a pacesetter in Platoon 3, which was one of the platoons coming back, so he actually had a leadership role coming across the country. He noted that Mr. Mead and the Run for the Wall riders continue to touch lives. Mayor Crewe advised that as he previously stated, Mr. Mead called him last night, and he was stuck in town today. He noted that Run for the Wall collects money, and it is usually cash, so they have to get to the banks and do things. Mayor Crewe remarked that he had the opportunity this morning to take Mr. Mead to Mr. Jack Hunley's bank where they met another Vietnam veteran. He noted they started talking to Mr. Hunley, and they had been in some of the same places and knew some of the same battles. Mayor Crewe remarked that this is another connection they have to Wytheville. He reiterated his thanks to Run for the Wall for all they do, and advised that the Town of Wytheville is looking forward to seeing them next year. Mayor Crewe stated that the Town is already working on making it bigger and better next year. Mr. Mead advised that they will be back next year. Mayor Crewe thanked Mr. Mead and Ms. Korsvik for attending the meeting.

Mayor Crewe inquired if there are others who wish to address the Council during Citizens' Period on a topic that is not on the agenda. He stated he is looking at the sign up sheet, and most everyone has indicated they wanted to talk about the dog ordinance. Mayor Crewe noted this ordinance will be considered shortly, and advised he thinks the proposed dog ordinance is why most people are attending the meeting. He inquired if there are others who wish to speak 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 Budget and Finance Committee will meet on their regular day, Thursday, May 31, 2007.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Vice-Mayor King, reporting for the Budget and Finance Committee, reported that later in the meeting, the proposed budget for fiscal year 2007-2008 will be presented for consideration on the first of three readings. She noted that a public hearing has been scheduled for the June 11 meeting of Council, and the budget documents will be considered on the second of three readings on that same evening. Vice-Mayor King commented that the final reading on the budget will be held at the June 25 meeting of Council. She advised that the budget document as presented can be amended at any of these three readings. Vice-Mayor King advised that the total budget revenues and appropriations total \$17,362,200. She noted that of this amount, \$12,041,000 is in the General Fund side of the proposed budget while \$5,321,200 is in the Water and Sewer Fund. Vice-Mayor King pointed out that the budget as drafted retains the current rate of \$0.16 per \$100 for real estate taxation. She stated that during this past year, Wythe County has completed a reassessment of real property, and the increase in valuation using the current \$0.16 tax rate will result in an additional \$300,000 in tax revenue. Vice-Mayor King noted that there are no other user fees or tax increases in the proposed budget. She indicated that the budget also reflects the use of nearly \$2 million in reserve funds which have been earmarked in three broad categories. Vice-Mayor King advised that approximately \$1 million of reserve funds will be used for capital outlay items, approximately \$400,000 in payments are due the New River Regional Water Authority, and the remaining \$600,000 is to be used for increased personnel and operational expenses primarily associated with the new Community Center. She explained that the Budget and Finance Committee has not reached a concurrence on the budget as drafted, and, therefore, there is no recommendation from the Budget and Finance Committee with regard to the adoption of the budget as it is drafted. Vice-Mayor King stated that a motion for adoption, if any, will, therefore, need to be by the Council.

Vice-Mayor King also reported that later in the meeting the Council will consider, on the first of three readings, an ordinance that would prohibit animals from public parks and cemeteries. She stated the Town has received a number of comments on both sides of this issue and realizes that it is something of concern to many people. Vice-Mayor King advised that the Council understands that pet owners enjoy the opportunity of sharing leisure time with their pet in the Town parks and also realizes that there are probably some persons who are less responsible than others. She noted that in any event, there are sanitation problems associated with dog feces in Withers Park. Vice-Mayor King stated that the Council would note also that it is not as much a sanitation issue in the cemeteries, but the Council does believe it is both inappropriate and disrespectful for animals to be permitted to use the bathroom in the cemeteries. She noted that since this ordinance will be heard on three readings, it can be adopted as it is drafted, amended, or defeated. A copy of the Budget and Finance Committee report is attached and made part of these minutes. ([Attachment](#)).

PUBLIC WORKS COMMITTEE REPORT

Councilman Lambert, reporting for the Public Works Committee, reported that their Committee has received a number of inquiries regarding the two-hour parking limit on Main Street from First Street eastwardly. He explained that this limitation on parking is particularly cumbersome for church activities at St. John's Episcopal Church. Councilman Lambert noted that also, when viewing the area, there always appears to be ample parking spaces for the number of business establishments along this section of roadway. He advised that since there is no shortage of parking spaces along this section of Main Street, it would be the recommendation of the Public Works Committee that the Town eliminate the two-hour parking restriction along this section of roadway. Mayor Crewe inquired if any Council member has any objections to eliminating the two hour parking limit on Main Street from First Street eastwardly. There being none, it was the consensus of the Council to instruct Town staff to proceed with eliminating the two-hour parking limit on Main Street from First Street eastwardly.

Councilman Lambert also reported that the Town received bids last Wednesday for milling and paving various streets throughout town. He noted that W-L Contracting Company was the low bidder on the project. Councilman Lambert advised that based on the schedule that has been prepared, approximately \$16,000 in milling will be performed and approximately \$250,000 in paving. He explained that it is anticipated that W-L Contracting Company can begin their work very shortly. Councilman Lambert advised that the monies that will be expended for this contract are in the Town's current budget. He noted that in the proposed budget for fiscal year 2007-2008, there are additional funds appropriated for paving in the next fiscal year. Councilman Lambert remarked that it is the Council's plan that the Town will perform the paving with this contract in this fiscal year and have other subsequent paving performed after July 1. He noted that no action is required of the Council, but the Committee did want everyone to be aware that the Town's annual paving schedule would be commencing in the very near future. A copy of the Public Works Committee report is attached and made part of these minutes. ([Attachment](#)).

RE: ORDINANCE NO. 1216 – PROHIBITION OF DOGS AND OTHER ANIMALS IN CERTAIN TOWN OWNED PROPERTIES

Mayor Crewe presented Ordinance No. 1216, an ordinance amending and reenacting Chapter 3, Animals, Article II. Cats and Dogs, by adding Section 3-26, Dogs and other Animals Prohibited in Town-owned Cemeteries, Parks, Recreation and Play Areas, and other Posted Areas; Exceptions by Special Permit, of the Code of the Town of Wytheville, Virginia, on first reading. He noted this is the ordinance that has gotten people's attention. Mayor Crewe remarked that this did not come from a Committee, if he understands correctly. A motion was made by Councilman Weisiger and seconded by Vice-Mayor King to approve Ordinance No. 1216, an ordinance amending and reenacting Chapter 3, Animals, Article II. Cats and Dogs, by adding Section 3-26, Dogs and other Animals Prohibited in Town-owned Cemeteries, Parks, Recreation and Play Areas, and other Posted Areas; Exceptions by Special Permit, of the Code of the Town of Wytheville, Virginia, on first, but not final, reading. Mayor Crewe noted that the motion is now on the floor, and he recognized Ms. Janet Gordon and thanked her for attending the meeting. Mayor Crewe remarked that he thinks Council received this letter, but if not, he has it to share with them. He stated he received an e-mail from Ms. Terry Peak who basically is opposed to the ordinance, if he is reading it correctly. Mayor Crewe remarked that Ms. Peak's comment is she is not opposed to having no pets in the cemeteries, but she is opposed to having no pets in the parks. He stated he also received a similar telephone call from Ms. Margaret Ferrell. Mayor Crewe noted he would like for the record to reflect that Town Council heard from Ms. Peak and Ms. Ferrell. He stated he has had a number of telephone calls at his law office today, and a couple in the Mayor's Office who did not identify themselves, so he does not know who they were. Mayor Crewe indicated that he has had comments both ways, and he is sure the other Council members have also.

Ms. Gordon stated she is attending the meeting on behalf of pets and all the responsible pet owners who do walk their animals in Withers Park and Elizabeth Brown Park. She indicated that she does agree to the part about dogs being banned from the cemeteries because, to her, that is disrespectful to the people who have family members buried there. Ms. Gordon advised that, personally, she does not think a person should be in the cemeteries walking their pet, and the only time someone should be there is during a funeral, visiting a loved one's grave, or cleaning up around a loved one's stone. She indicated that she understands the reason for this ordinance 100 percent and why the Council wants to ban the animals. Ms. Gordon remarked that she is a nurse, and she knows all the health issues. She stated she thinks there are several issues, personally, that the Town should consider before doing a final statement on this. She noted that she will explain these issues. Ms. Gordon inquired as to where the pet owners who live in apartments, townhouses, mobile homes, etc., who bring their pets to the park to walk and play fetch with their pets are supposed to go. She commented that they cannot play fetch out on the sidewalks. Ms. Gordon inquired about the elderly and the handicapped people who come to Withers Park to walk their pets because of the flat walking track and the fact that the track is easier for them to walk on since it is flat and handicapped accessible. She inquired as to what these people are supposed to do. Ms. Gordon commented that some of these individuals walk to exercise, and they take their pets with them to exercise, too. She indicated that some of them walk their pets with them just for protection. Ms. Gordon remarked that as far as the pet owners walking their pets on the sidewalks, there is a higher risk of a fall than it is on a walking track. She pointed out that not all streets in the Wytheville area are level and even. Ms. Gordon commented that anyone can fall anywhere at any given time, but indicated that a person also has to have access to some of those sidewalks because not all of them have small ramp accesses where the handicapped and elderly people who have canes can get up and walk their pets. She advised that even if a person is walking down some of the older sidewalks that are brick, they are very uneven. Ms. Gordon remarked that there are also people going both ways on the sidewalks versus just one way on the walking track. She noted that she believes it would be better for the pet owners to stay in one direction. Ms. Gordon inquired about all the out-of-town visitors who come in for the Chautauqua Festival. She stated there are several who come who do bring their pets because they know they can bring their pets with them, especially those who just drive up for a day's visit, for example, from Bristol or Roanoke. Ms. Gordon inquired as to what they are going to do when they come to town and there is nowhere to walk their pets, and they do not have a hotel room. She pointed out that there are very few hotels in town that allow pets. Ms. Gordon advised that as a pet owner herself, if she is traveling, she wants to make sure where she is going she can take her pet with her. She stated she believes that if a visitor came in and found out that if they get caught, they are going to be charged with a Class IV Misdemeanor, this is going to raise some concern as to whether they want to come back and visit. Ms. Gordon commented that she, personally, and other pet owners pay Town and County taxes, and she pays for a dog tag, and she takes her pet to the local veterinarians for their vaccinations, and she advised that she feels she should be allowed somewhere in town besides the sidewalks to walk and play with her dog, Romeo. She noted that she has had pet owners tell her they would be taking their pets out of town to spend time with them and walk with them. Ms. Gordon advised that she, personally, does not think they should have to do that. She noted she

believes that if, and when, this banning does go into effect, the shelters are going to be fuller than they are now because of the potential pet owners not wanting to get pets because they will not have anywhere to take them. Ms. Gordon inquired if the Town would prefer for the irresponsible pet owners to have the feces all over the sidewalks and the homeowners' yards and have the homeowners complain because the feces is in their yards. She stated it will be the elderly pet owners who walk with the chance of falling and breaking a hip, an arm, or another body part. Ms. Gordon noted that someone who falls will try to sue the Town because of the condition of the sidewalks. She stated that she and the Council both know there are people who will sue the Town over anything. Ms. Gordon inquired that if the feces is all over town if this would not be a bigger health concern. She noted that the visitors to the town who see this would think that Wytheville does not care about how the streets look. She stated that if the residents of Wytheville really care about each other like they say they do, then they would have all the options out on the table for this issue. Ms. Gordon inquired if since this ordinance is supposed to go into effect this Friday at 12:01 a.m., why the Town Council has not brought this issue up earlier and allowed pet owners more time to discuss this issue. She stated that the first she heard of it was Tuesday of last week when her husband brought the newspaper in and told her before he even handed it to her that she would be upset about what was in the newspaper. Ms. Gordon inquired that if the Council is supposed to have three meetings before Friday, when the meetings are going to take place. She advised that she tried calling the Town Office several times this week and last week, and she finally got someone on Friday morning to actually speak to about some questions she had concerning this ban. Ms. Gordon inquired as to which Town Officer is going to be able to be in all five locations that were listed in the newspaper and all the Town-owned properties to write the tickets. Ms. Gordon indicated that it would take more than one officer, which would possibly mean more money to pay out. She advised that the Town is going to have to spend more money to post signs everywhere and enforce it. Ms. Gordon stated this is why she would like to propose some options. She noted that first, exclude one park from the banning or provide a safe, flat well lighted area, with a fenced in area with on or off leash regulations, with a few park benches, and trash cans just like Withers Park or Elizabeth Brown Park for owners to take their pets. Ms. Gordon stated that secondly, post a sign with a fee of anywhere between a \$250 and \$500 fine if a pet owner is caught not cleaning up after their pets and to enforce this fine. She noted that thirdly, why not only post a sign, but also put cameras in the parks to survey the areas and ask for citizens who are willing to be in charge of seeing that things are being taken care of and cleaned up. Ms. Gordon advised that to her, it would be much easier to have one central location for pet owners to go versus having to go out of town or having feces all over the Town sidewalks. She inquired if the Council agreed that one central location is much better. Ms. Gordon remarked that in closing, she would like the Town Council to review all the options she has stated and seriously think about what they are doing. She stated that Wytheville is a growing town with new businesses coming to town. Ms. Gordon inquired if the Council really wants new homeowners and people relocating with their pets to think twice before moving to town because of a pet policy that punishes everyone, including the responsible pet owners. She stated that almost every pet owner she knows considers his/her pet a part of the family. Ms. Gordon inquired if the Council would want one of their family members to be banned from somewhere because of someone else's actions and because of something someone else did wrong. She advised that she does not feel like all pet owners should be punished, just the irresponsible ones. Ms. Gordon inquired as to how the Council wants pet lovers to view the town of Wytheville and if it would be a friendly town or a town that does not care about the rights of pets. She stated that she also got a petition together, and she was not able to get all the signatures she wanted to due to the holiday and due to some things with her scheduling as far as graduation and sickness. Ms. Gordon remarked that she has over 30 and almost 40 signatures on the petition if the Council would like to review it, and noted that they are welcome to look at it. She thanked the Town Council for their time. Mayor Crewe thanked Ms. Gordon for attending the meeting. He noted he thinks there are a couple of things he can address. Mayor Crewe indicated that he is not sure where Ms. Gordon got the information that the ordinance is effective on Friday at 12:01 a.m. because the ordinance is not effective then, and it never has been. He explained that the proposal that is on the floor at this time is to adopt the ordinance on first, but not final, reading. Mayor Crewe stated that the ordinance will be read at the next Council meeting for the second time, which will be June 11. He noted that the time it will be read after that would be June 25, which is the second meeting in June. Mayor Crewe explained that this would be the third reading of the ordinance. He noted that at any time, someone on Council could make a motion to suspend the rules and adopt the ordinance in the final form at either of those meetings, but the motion that is on the floor right now is to adopt the ordinance on first reading only, which means it takes two more readings or a motion to suspend the rules. Mayor Crewe advised that there has never been any mechanism in place where the ordinance could have been made effective real quickly, and this is, frankly, why the Council is going through all this. He stated that the Town is looking at providing another area, and this is one of the things that has been discussed. Mayor Crewe pointed out that this is an insurance issue, a space area issue, a cost issue, etc. He noted that regarding the high fine, the Town is limited in what the Town can assess by State law, and that is one of the factors in this, but this is something the Town is considering. Mayor Crewe remarked that the Council has

also considered cameras in the parks. He commented that, again, this is a security issue, an expense issue, and a privacy issue. Mayor Crewe stated that regarding enforcement, the way he thinks the Town would enforce this new ordinance, if it were to pass, is the same way the Town is enforcing the present regulations. He noted that whenever the Police Department can, they send police officers, the Town parking officer, and anyone who can, to go through the parks all hours of the day and night to try to enforce the regulations. Mayor Crewe advised that it is like speeding, and no one speeds when there is a police car parked there, and it is difficult to find someone violating the regulations. He indicated that the enforcement mechanism is probably a real problem because the Town cannot enforce the regulations they have now, and that is why there is a problem. Mayor Crewe noted that Ms. Gordon is correct in that the responsible pet owners really are not the ones who are causing the problems, but the irresponsible pet owners are causing a huge problem that the Town has not been able to address with their present ordinance. He stated this is why the Council is considering these regulations. Mayor Crewe remarked that he appreciates the things that Ms. Gordon has outlined, and advised that he has tried to take some notes as she was speaking. He noted that he appreciates Ms. Gordon attending the meeting. Mayor Crewe advised Ms. Gordon that if she would like to keep getting names on her petition and get it to him or to the Town Office, the Council will be more than glad to accept it and add it to their minutes. He noted this is a hot topic, and there are a lot of people who are interested in this. Mayor Crewe stated that he is not speaking for Council and they can speak individually, and the people he is hearing from, in general, he thinks, are the responsible pet owners who would probably not be a problem to begin with, but it is the irresponsible pet owners who really, like Ms. Gordon has stated, are causing the Town to punish everyone for the ones who are irresponsible. Mayor Crewe pointed out that the Town's current regulations have not worked very well. He advised that Ms. Gordon has laid out some good suggestions the Council needs to talk about and needs to consider, some of which the Council has considered but has not made any final decisions on. Mayor Crewe explained that the Council has made no final decision on the ordinance. He stated if Ms. Gordon follows Town Council's regulations, minutes, and meetings, usually something like this would come from one of the Committees with a motion to adopt it. Mayor Crewe indicated that as everyone has probably noticed at this meeting, it came from the Committee as a report but not as a motion to adopt it. He noted that basically, it will be the same thing with the budget, and it will come that way. Mayor Crewe explained the ordinance is now on the floor, but he does not sense anyone on Council trying to rush anything through, but they are just trying to look at it and get some feedback and discuss it. He stated he appreciates the amount of effort that Ms. Gordon has invested in trying to address the issues. Mayor Crewe inquired if anyone on Council has any questions or comments they would like to state. Vice-Mayor King stated she has two dogs, one big one and one little one. She advised that, fortunately, she has a big yard. Vice-Mayor King indicated that all of the Council's feelings, and noted the complaints that the Town receives, are how much Withers Park has been used in the last week. She stated that this week, she thinks, Spiller School is having field day there, and the kids are rolling and playing in the grass. Vice-Mayor King noted that she would not like it if her child came home with dog feces on it, or the school called her to come and pick up her child. She pointed out that this Friday night the Town starts First Fridays, and people bring blankets and sit in the grass. Vice-Mayor King noted that there are food vendors in the park, and people eat over there. Mayor Crewe stated that in two weeks, the Chautauqua Festival starts in Elizabeth Brown Park. Vice-Mayor King pointed out that dogs are not permitted during the Chautauqua Festival. Mayor Crewe noted that is correct. Vice-Mayor King noted that she would guess that Ms. Gordon can see, too, where the Council is coming from. She advised that it is nothing against Ms. Gordon because she knows that Ms. Gordon takes care of her dog. Vice-Mayor King summarized that she does not know what the answer is, and she does not know if individuals can police the parks. Mayor Crewe indicated that if anyone makes a complaint, the Town can certainly follow up on it. Vice-Mayor King remarked that the Town has to know who the people are. Mayor Crewe noted that most people are kind of reluctant to complain. Vice-Mayor King stated that this man told her today that he saw a large dog come across from the gas station and use the bathroom. She explained that the man and the dog crossed the road, the dog used the bathroom in the grass, then went on down in the park and used the bathroom again, and then the man and the dog got in his car. Mayor Crewe noted that the man did not clean up anything. Vice-Mayor King advised that is correct, and the man who told her noted it was a big dog, but the Town does not know who the pet owner was. Mayor Crewe pointed out that by the time the police officer would have gotten there, he probably would have been gone. Vice-Mayor King stated that is correct. Mayor Crewe stated that he knows today there was someone with a video camera walking around Withers Park, but he does not know who it was or why he/she was there. He noted that he suspects the Town will probably hear from this person later. Town Manager Sutherland stated it could have been News Channel 10. Mayor Crewe stated he was told it was a video camera and not a television camera. Vice-Mayor King noted that News Channel 10 and Mr. Danny Gordon were in Withers Park this afternoon. Town Manager Sutherland advised that this news story was in the *Richmond Times Dispatch* on Sunday. Mayor Crewe inquired if there is any other discussion on the ordinance. Councilman Weisiger advised Ms. Gordon that he thinks she had some very good points, and he appreciated her presenting

them to the Council. Vice-Mayor King stated she agreed. Mayor Crewe noted that if there is no other discussion, he would assume the Council is ready to vote. He advised that he did not state this, but it is in the ordinance as drafted that certain dogs are exempt, and there is a permit process to allow dogs in the park. Mayor Crewe pointed out that it is not like all dogs are forever banned, and it is dogs and other animals are not permitted unless there is a permit issued for that particular animal and/or it is a Seeing Eye dog or a personal guide dog or a service dog. He advised that these types of dogs are exempt, and there is some give and take in the proposed draft of the ordinance. Mayor Crewe inquired if there is any other discussion. Vice-Mayor King indicated that if this ordinance passes at this meeting on first reading, maybe by the time the Council has their next meeting, they will have come up with some solution. Mayor Crewe pointed out that the ordinance can be amended at any time. Vice-Mayor King noted that is correct. Mayor Crewe explained that this is just the first step. Mayor Crewe inquired if there is any other discussion. 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. 1216 was approved on first, but not final, reading. Mayor Crewe noted that the ordinance will now go to the next step, and it does not mean that the ordinance is effective. He reiterated that the ordinance is not effective, and it will be considered for second reading at the next meeting. Town Manager Sutherland provided Ms. Gordon with a copy of the proposed ordinance.

Mayor Crewe advised that he noted Mr. Richard Martin indicated on the sign up sheet that he was attending the meeting regarding this topic, but did not wish to speak. He inquired if Mr. Martin would like to address the Council. Mr. Martin advised that he did not wish to address the Council.

RE: ORDINANCE NO. 1217 – BUDGET ORDINANCE

Mayor Crewe presented Ordinance No. 1217, the budget ordinance for fiscal year beginning July 1, 2007, and ending June 30, 2008. He noted that this ordinance is not coming as a recommendation from the Budget and Finance Committee. A motion was made by Vice-Mayor King and seconded by Councilman Weisiger to approve Ordinance No. 1217 and adopt and appropriate the departmental budget on first, but not final, reading. Mayor Crewe noted that this is just the first step of the ordinance, and it will go through more steps. He inquired if there is any discussion on the motion. There being none, the motion was approved with the following voting results:

FOR: Trenton G. Crewe, Jr., Jacqueline K. King, William B. Weisiger, H. Judson Lambert

AGAINST: John W. Jones, Jr.

ABSTENTIONS: None

RE: APPOINTMENT – SMYTH-WYTHE AIRPORT COMMISSION

Mayor Crewe stated the next agenda item is the appointment to the Smyth-Wythe Airport Commission to fill the unexpired term of Mr. Fred Cox whose term expires June 30, 2008. He advised that he knows the Budget and Finance Committee met on Thursday, and they discussed the possibility of making a joint appointment with Wythe County. Mayor Crewe stated that Town Manager Sutherland can correct him if he is wrong, but his recollection is the Town got the second appointment when the Town of Rural Retreat dropped out of the Airport Commission, and the Town and County split the share of the Town of Rural Retreat's allocation, and the County took a part, and the Town of Wytheville took a larger part of Rural Retreat's small share, and the Town of Wytheville got the larger share of what the Town of Rural Retreat was paying, and the Town got the appointment. He explained that he thinks this is how the Town of Wytheville got two appointments. Town Manager Sutherland advised that he thinks this is generally how it went. Mayor Crewe inquired as to the pleasure of the Council, and if they wanted to appoint someone, work out some more details with the County, wait, or proceed. Vice-Mayor King inquired if the Town could appoint someone and then work it out with the County. Mayor Crewe inquired if the Council wanted to make the appointment contingent upon the County's agreement. Vice-Mayor King inquired if this is smart and noted that she did not

know. Mayor Crewe stated he did not know either. Councilman Lambert indicated that at this time, since there is so much uncertainty, he thinks it would be wise to forego the appointment and take it under advisement. Mayor Crewe inquired if the Town should work out some details with the County. Councilman Lambert noted that is correct, and, for instance, find out if the Town can appoint someone who lives outside the Town limits, and this is one of the things they discussed. Mayor Crewe explained that this has always been an issue, and the Town's regulations state to appoint a town resident unless there are no town residents who are qualified or applied. He inquired if there is a motion to appoint anyone to the Smyth-Wythe Airport Commission. Mayor Crewe stated since there is no motion, the Council will table the matter and wait until the next meeting. He noted that the Council will carry this appointment over to the next meeting. Vice-Mayor King inquired what the Council will do. Mayor Crewe noted that Council will instruct Town staff to try and contact County Administrator Cellell Dalton to find out what needs to be done. Town Manager Sutherland explained that this would be similar to a Wall of Honor appointment where both the Council and the Board of Supervisors concur. Vice-Mayor King noted that this is what she was thinking. Mayor Crewe indicated that Town staff may also want to ask what Marion and Smyth County are doing because they just changed theirs to do it as a joint appointment, and the Town of Wytheville and Wythe County may be able to do the same type of arrangement. Vice-Mayor King pointed out that there are a couple of appointees on the Wall of Honor who live in the county. Mayor Crewe advised that there could be some similar language, and he thinks it just needs to be documented what Wythe County and the Town of Wytheville will be doing regarding the appointment. He noted he thinks this can be worked out, but reiterated that Town staff could check and see what Smyth County and Marion are doing and what Wythe County Administrator Cellell Dalton thinks, and the Council can go from there.

Mayor Crewe thanked everyone for attending the meeting, and noted he hopes those attending will come back and see what happens not only with the dog ordinance, but some of the other agenda items.

Mayor Crewe advised that Mr. Mead has left the meeting, but if anyone is interested, he has the brochures that Mr. Mead gave him for Run for the Wall and for the mission of what they are doing, and who does different things within their organization. Mayor Crewe noted that Mr. Mead left a brochure for everyone on Council if they would like to have one.

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting (7:35 p.m.).

Trenton G. Crewe, Jr., Mayor

Sharon G. Corvin, Chief Deputy Clerk

BUDGET AND FINANCE COMMITTEE REPORT

MAY 29, 2007

1. Later this evening, the proposed budget for fiscal year 2007-2008 will be presented for consideration on the first of three readings. A public hearing has been scheduled for the June 11 meeting of Council, and the budget document will be considered on the second of three readings on that same evening. The final reading of the budget will be held at the June 25 meeting of Council. The budget document as presented can be amended at any of these three readings.

The total budget revenues and appropriations total \$17,362,200. Of this amount, \$12,041,000 is in the General Fund side of the proposed budget while \$5,321,200 is in the Water and Sewer Fund. The budget as drafted retains the current rate of \$0.16 per \$100 for real estate taxation. During this past year, Wythe County has completed a reassessment of real property, and the increase in valuation using the current \$0.16 tax rate will result in an additional \$300,000 in tax revenue. There are no other user fees or tax increases in the proposed budget. The budget also reflects the use of nearly \$2 million in reserve funds which have been earmarked in three broad categories. Approximately \$1 million of reserve funds will be used for capital outlay items, approximately \$400,000 in payments are due the New River Regional Water Authority, and the remaining \$600,000 is to be used for increased personnel and operational expenses primarily associated with the new Community Center.

Our Committee has not reached concurrence on the budget as drafted, and, therefore, there is no recommendation from the Budget and Finance Committee with regard to the adoption of the budget as it is drafted. A motion for adoption, if any, will, therefore, need to be by the Council.

2. Later this evening the Council will consider, on the first of three readings, an ordinance that would prohibit animals from public parks and cemeteries. We have received a number of comments on both sides of this issue and realize that it is something of concern to many people. We understand that pet owners enjoy the opportunity of sharing leisure time with their pet in our parks, and also realize that there are probably some persons who are less responsible than others. In any event, there are sanitation problems associated with dog feces in Withers Park. We would note also that it is not as much a sanitation issue in the cemeteries, but we do believe that it is both inappropriate and disrespectful for animals to be permitted to use the bathroom in the cemeteries. Since this ordinance will be heard on three readings, it can be adopted as it is drafted, amended, or defeated.

Jacqueline K. King

John W. Jones, Jr.

PUBLIC WORKS COMMITTEE REPORT

MAY 29, 2007

1. Our Committee has received a number of inquiries regarding the two-hour parking limit on Main Street from First Street eastwardly. This limitation on parking is particularly cumbersome for church activities at St. John's Episcopal Church. Also, when viewing the area, there always appears to be ample parking spaces for the number of business establishments along this section of roadway. Since there is no shortage of parking spaces along this section of Main Street, it would be the recommendation of the Public Works Committee that the Town eliminate the two-hour parking restriction along this section of roadway.
2. The Town received bids last Wednesday for milling and paving various streets throughout town. W-L Contracting Company was the low bidder on the project. Based on the schedule that has been prepared, approximately \$16,000 in milling will be performed and approximately \$255,000 in paving. It is anticipated that W-L Contracting Company can begin their work very shortly. The monies that will be expended for this contract are in our current budget. In the proposed budget for fiscal year 2007-2008, there are additional funds appropriated for paving in the next fiscal year. It is our plan that we will perform the paving with this contract in this fiscal year and have other subsequent paving performed after July 1. No action is required of the

Council, but we did want everyone to be aware that our annual paving schedule would be commencing in the very near future.

William B. Weisiger

H. Judson Lambert

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