

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, MAY 12, 2003, AT 7:00 P.M.**

Members present: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., William B. Weisiger, Charles G. Crockett

Members absent: None

Others present: Town Manager C. Wayne Sutherland, Jr., Assistant Town Manager Stephen A. Moore, Town Clerk Sharon P. Hackler, Town Attorney Robert P. Kaase, Town Treasurer Michael G. Stephens, Danny Gordon with WYVE/WXBX, Stephanie Porter-Nichols with Wytheville Enterprise, Patrol Sergeant Joel Hash

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 Vice-Mayor King followed by the Pledge of Allegiance led by Councilman Jones.

RE: CONSENT AGENDA

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting and the budget work session of April 28, 2003. A motion was made by Vice-Mayor King and seconded by Councilman Weisiger to approve the consent agenda consisting of the minutes of the regular meeting and the work session of April 28, 2003. 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, Charles G. Crockett. Against: None.

RE: CITIZENS' PERIOD

Mayor Crewe stated the next agenda item is Citizens' Period. He inquired if there are persons present who wish to address Council during Citizens' Period. There being none, he proceeded with the agenda. He advised that if someone arrives later, he will offer him or her the opportunity to address Council.

RE: OLD BUSINESS

Under Old Business, Town Manager Sutherland reported the following:

1. The Town received notice from the Virginia Department of Conservation that there have been certain amendments to State law with regard to sediment control laws. Town staff placed this matter on the Public Works Committee agenda for tomorrow morning, and it will be placed on the Budget and Finance Committee agenda for their meeting on Thursday morning. The revisions are minimal and deal with regulations for single-family dwellings. The Town has no choice but to adopt these new regulations, and they will be discussed in the Committee meetings so everyone understands the changes. This matter will be placed on the agenda for the next Council meeting since it is necessary for the regulations to be adopted and in place by July 1, 2003.
2. The week of May 20, 2003, the Committee meetings have been changed. The Public Works Committee will hold their meeting on Thursday, May 22, and the Budget and Finance Committee will hold their meeting on Tuesday, May 20.
3. The Virginia Department of Transportation is going to hold a video teleconference at the Bristol District Office to discuss the Six-Year Plan that the Commonwealth Transportation Board has approved. This meeting begins at 9:30 in Bristol on Wednesday, May 14, 2003. If anyone is interested in attending, Town staff will make the necessary arrangements.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Councilman Jones, reporting for the Budget and Finance Committee, stated that this past week, several persons representing a regional church sought and received permission to solicit funds from motorists who were approaching traffic signals. He explained that this type of solicitation is apparently a normal fund raising process for this organization. Councilman Jones stated that the solicitations were conducted at the intersection of Main Street, Cassell Road, and Withers Road. He noted the persons doing the soliciting wore orange vests to make them more visible and

would approach vehicles seeking donations as they were stopped for the red traffic signal. Councilman Jones remarked that as a result of this solicitation activity, the Town received several calls inquiring if this was permissible. He noted that currently, the Town has no regulation that deals with solicitation other than regulations on magazine sales and other similar activities. Councilman Jones advised that the Committee discussed this briefly at the last meeting and thinks it may be worthwhile to investigate the need for new regulations concerning solicitations. He stated that the Committee has requested the Virginia Municipal League to provide the Town with ordinances that may be in place at other locations throughout Virginia. He remarked that the Town's primary concern is that solicitation that occurs on street rights-of-way may be a safety hazard both to the persons conducting the solicitations and a distraction for the driving motorists. Councilman Jones pointed out that the Committee also wants to review carefully the impact any regulations would have on other types of public solicitations that go on during the year. He advised that, hopefully, in the next meeting or so, the Committee will have all of the information available for the Council's review.

Councilman Jones also reported that immediately following the regular meeting of Council, the Council will convene to hold its second work session to consider various line items in the budget for fiscal year 2003-2004. He remarked that at the Council's work session later in the meeting, they will review the various line items comprising the appropriations side of the proposed budget. Councilman Jones stated that generally speaking, the proposed appropriations on the General Fund side will remain relatively constant with the exception of particular capital outlay projects or special projects identified by the department heads. He noted, however, that on the Water/Sewer side of the appropriations, there are many water and sewer projects that need to be completed in the next fiscal year. Councilman Jones stated that several of these projects are associated with the new Pepsi facility that is being constructed on the east side of town. He advised that all of these items will be discussed in more detail at the budget work session, and citizens are invited to attend. A copy of the Budget and Finance Committee report is attached and made part of these minutes.

RE: PUBLIC WORKS COMMITTEE REPORT

Councilman Weisiger, reporting for the Public Works Committee, stated that after the last Joint Governing Bodies meeting, the Town received a letter and a package of information from Mr. Jim Minick who is advocating for certain railroad improvements, which would be of benefit in dealing with the excessive truck traffic on Interstate 81. He advised that as the Council is aware, the Commonwealth Transportation Board is currently reviewing two proposals from independent contractors to perform improvements on the I-81 corridor throughout Virginia. Councilman Weisiger noted that in the solicitation of proposals, the Transportation Board noted that it was desirable for the contractors to offer alternatives for improved rail service in the corridor that would, hopefully, reduce the truck traffic volume issues. He stated that several governing bodies along the I-81 corridor have adopted resolutions encouraging the Transportation Board to require these contractors to incorporate rail services, both freight and passenger, into their ultimate design plans. Councilman Weisiger commented that the Committee discussed this concept and agreed that it could be of great benefit to Virginia for these improved railroad services. He stated that as such, the Public Works Committee would offer the attached resolution and would recommend that the Council adopt it and send it to the appropriate governmental agencies and boards. A motion was made by Councilman Weisiger and seconded by Councilman Crockett to adopt a resolution encouraging the Transportation Board to require these contractors to incorporate rail services, both freight and passenger, into their ultimate design plans for I-81. Mayor Crewe remarked that one observation that he made, and advised that he noticed it when he was tracking the language of the other jurisdictions, is it specifically refers in the second paragraph to the two multi-national corporations who have made the proposals, Halliburton and Fluor. He remarked that technically, the Halliburton proposal is actually coming from Star Solutions. Mayor Crewe remarked that he did not know if the Town needs to refer to this or not. He indicated that the Fluor Corporation is referred to as the Fluor proposal, but it is coming from more than the Fluor Corporation. Mayor Crewe pointed out that the Halliburton proposal is coming from Star Solutions, which is more than Halliburton. He noted that the resolution, as worded, is correct in that Halliburton and Fluor have both made submittals, but it is not coming just from those corporations. He noted he wondered if this wording needs to be changed, and advised that this is just his observation for the Council's thought. Mayor Crewe reiterated that this is more than just Halliburton and Fluor. Councilman Crockett indicated that he noticed the same thing, and advised that in paragraph four, it mentions Star Solutions and Fluor, and noted he wondered if the Council needed to change Halliburton to Star Solutions. Councilman Weisiger inquired if the Council could amend the resolution at this time. Mayor Crewe remarked that what the Council is considering is changing the word "Halliburton" in the second paragraph to "Star Solutions." Councilman Crockett indicated that he thinks the two names should match, and, he would agree that regarding Star Solutions, Halliburton's proposal is known as Star Solutions. A motion was made by Councilman

Crockett and seconded by Councilman Weisiger to change the word "Halliburton" in the second paragraph to "Star Solutions." Mayor Crewe noted that he would take this as an amendment to the motion and inquired if there is any discussion on this 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, Charles G. Crockett. Against: None. Mayor Crewe noted the amendment passed, and stated the Council now has before them the resolution as amended. He inquired if there is any discussion on the resolution. There being none, the motion to adopt the resolution as amended was approved with the following in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., William B. Weisiger, Charles G. Crockett. Against: None.

Councilman Weisiger also reported that the contractor who was awarded the annual paving contract has now completed the work. He stated that this year's program consisted of applying 5,027 tons of asphalt to various town streets. Councilman Weisiger noted that the contractor who performed the work was APAC Virginia, Inc., and the total cost of this year's program was approximately \$208,370. He indicated that a good majority of the asphalt paving was applied to both lanes in both directions of West Lee Highway from a point near Twentieth Street westward to the corporate limit line. Councilman Weisiger noted that this section of pavement had deteriorated and clearly needed to be overlaid. He advised that also, this week, most of the work needed to repaint the lines on the pavement had been completed. Councilman Weisiger stated that no action is required by the Council, but the Committee did want to report that this work had been performed. Mayor Crewe advised that APAC did a good job with the paving. Vice-Mayor King noted that Tazewell Street looks good from Monroe Street to Spiller Street with the paving and the new sidewalk. Town Manager Sutherland advised that the section of Spiller Street by the Old Library Building also looks nice. A copy of the Public Works Committee report is attached and made a part of these minutes.

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

Mayor Crewe stated the next agenda item is the appointment of members 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, 2003. He advised that Mr. Kegley and Mrs. Morin have both indicated their willingness to serve if reappointed, and noted that they are both eligible for reappointment. He noted that the Council can wait to make the appointments at the next meeting, if they desired. 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, Charles G. Crockett. Against: None.

RE: ADJOURNMENT

Mayor Crewe inquired if there is any further business to be discussed before the budget work session. There being none, a motion was duly made, seconded, and carried to adjourn the meeting (7:12 p.m.).

Trenton G. Crewe, Jr., Mayor

Sharon P. Hackler, CMC, Clerk of Council