

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON TUESDAY, MAY 27, 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, Chief Deputy Clerk Sherry G. Corvin, Town Attorney Robert P. Kaase, Town Treasurer Michael G. Stephens, Stephanie Porter-Nichols with Wytheville Enterprise, Patrol Sergeant Jim Harrington, Kenneth Rich

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 Crockett 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 and the budget work session of May 12, 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 May 12, 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.

RE: OLD BUSINESS

Under Old Business, the following was reported:

1. Town Manager Sutherland stated that Town staff did not distribute this request because it was received this afternoon, but the Town has received an application from Mr. Frankie Scott for the operation of a public vehicle company to operate a limousine service. Mr. Scott submitted the application, the insurance certificate, etc. As the Council is aware, there is a process to issue the permit, and it will be necessary to conduct a public hearing to consider the Certificate of Public Convenience and Necessity. If the Council so desires, they could set this public hearing for the June 23 meeting in order to meet the publication time period. Mayor Crewe noted he doubts it, but inquired if there are any worries about conducting this public hearing at the same meeting as the public hearing on the budget. He advised that he did not think the public hearing to consider the Certificate of Public Convenience and Necessity would take long. Town Manager Sutherland pointed out that the Council will already have conducted the public hearing on the budget prior to the June 23 meeting of Council. Mayor Crewe inquired if the Council has any problems with scheduling the public hearing to consider the Certificate of Public Convenience and Necessity at the June 23 meeting. There being no concerns expressed, it was the consensus of the Council to schedule a public hearing for June 23 to consider the issuance of a Certificate of Public Convenience and Necessity to Mr. Frankie Scott for a limousine service.
2. Town Manager Sutherland noted that last Wednesday, he attended a ceremony at Rohm and Haas Powder Coatings who was celebrating their participation in a voluntary protection program. Rohm and Haas Powder Coatings is now one of the elite companies in Virginia, and noted there are only about 20 in Virginia, that has achieved the standard of safety practices that they have attained. Nationally, there are only about 800 companies that have achieved these levels of safety, and Rohm and Haas Powder Coatings is to be congratulated on this achievement.

3. Mayor Crewe remarked that he has received a letter dated May 21 from Ms. Jean Lester, the Event Chair of the American Cancer Society Relay for Life, thanking the Town for all that was done for the Relay for Life event. He noted he will make the letter available to anyone who would like to read it.
4. Mayor Crewe stated he has received a letter dated May 19 from Secretary of Transportation Whitt Clement in response to the Town Council's resolution they adopted at their May 12 meeting. He noted that Secretary Clement thanked the Council for bringing his attention to the matter, etc. Mayor Crewe noted that the last paragraph states, "It remains to be seen what will be forthcoming from either of the proposals from the private sector now under consideration by the Virginia Department of Transportation. I am hopeful that any agreement reached will include the important component of rail as an alternative means of transportation in the I-81 corridor." He noted that, likewise, he will be glad to make this letter available for anyone who would like to see it.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Vice-Mayor King, reporting for the Budget and Finance Committee, stated that for functions at the Community Center or in one of the Town's parks that involve the consumption of alcohol by attendees, the Town's current regulations require that an off-duty police officer be present for the activity. She noted that for many years, the cost for a police officer has been set at \$15.00 per hour. Vice-Mayor King advised that the organization requiring the police officer would pay the fees for the police officer to the Town, and the Town would pay the police officer as an accounts payable item rather than as a payroll item. She indicated that this year, the auditors have noted that the Town will need to make these payments to police officers through the payroll account, and, therefore, deduct applicable federal and state taxes. Vice-Mayor King explained that as such, it is proposed, and the Committee agrees, that the new rate for off-duty police officers be set at \$24.00 per hour. She noted that these additional fees will cover the taxes, and the officer will receive essentially the same amount of pay for working the activity. Vice-Mayor King stated that the Committee would note, also, that there are occasions when an organization may want to use an off-duty police officer where it may not be necessary for the officer to be uniformed in his Town Police Officer's uniform. She advised that in such cases, the Town would suggest that officers contract directly with the organization. Vice-Mayor King remarked that if the Council agrees, the Committee would recommend that this new fee structure be implemented immediately. A motion was made by Vice-Mayor King and seconded by Councilman Jones to immediately implement the new fee structure of \$24.00 per hour for the use of off-duty police officers. 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. Mayor Crewe noted the new fee structure has been adopted and will become effective immediately.

Vice-Mayor King also reported that later in the meeting, the Council will consider on first reading the proposed budget for fiscal year 2003-04. She advised that at the Council's next meeting, a public hearing will be conducted, and the budget will be considered on second reading. She remarked that the budget will be considered on third and final reading at the June 23 meeting of Council. Vice-Mayor King stated that in the budget for fiscal year 2003-04, with exception of the increases in meals and motel taxes adopted several weeks ago, there are no other tax or fee increases. She remarked that the total proposed budget, including General fund activities and Water & Sewer Fund activities, totals \$12,285,000. Vice-Mayor King pointed out that this total is slightly different than the totals discussed at the Council's two work sessions, but reflects changes that have been discussed at the Committee meetings over the past couple of weeks. She indicated that the Committee would note, also, that the revenues that will be derived by the increase in meals and motel taxes, effective September 1, have been held separately, and will be used for debt services. Vice-Mayor King stated that the Committee would also note that there will be a transfer of funds from the General Fund side of the budget to the Water & Sewer side of the budget to accommodate improvements to the Town's water and wastewater facilities. She indicated that the Committee will make other comments about the budget topic as it comes up on the agenda, but the Committee did want to point out these several items. Vice-Mayor King noted that the Committee would remind the Council that the budget document can be amended at any time during the deliberation process, provided that the budget is duly adopted prior to July 1 of this year. A copy of the Budget and Finance Committee report is attached and made part of these minutes.

RE: PUBLIC WORKS COMMITTEE REPORT

Councilman Crockett, reporting for the Public Works Committee, stated that under state law, streets and highways in municipalities are eligible to receive funds from the Urban Division of

the Department for expenses associated with streets and highways in a particular locality. He advised that for a street or highway to be eligible, it must conform to the standards established by the Virginia Department of Transportation (VDOT) that generally require at least fifty feet of right of way and thirty feet of pavement. Councilman Crockett stated that fortunately, practically all of Wytheville's streets qualify for the program. He indicated that funds are distributed by VDOT on the basis of lane miles. Councilman Crockett noted that there are several classifications of streets and highways, but generally each lane mile results in a payment of about \$7,887 from VDOT. He explained that each year, the Department has communities do an inventory of streets and add or delete streets from the system. Councilman Crockett indicated that the Committee has attached, for the Council's review, a tabulation of the streets that will be added into the urban system this year. He noted that the Department requires the Council to adopt a resolution to include the new streets into the system. Councilman Crockett stated that the resolution is attached, and it is the Committee's recommendation that the Council adopt this resolution. A motion was made by Councilman Crockett and seconded by Councilman Weisiger to adopt a resolution to include the new streets in the urban maintenance system. 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.

Councilman Crockett also reported that in the past few years, particularly with the growth in the development of new residential housing, the Town has experienced difficulties with new entrances from the street into the property of the dwelling. He noted that normally, the Town has fewer problems on streets where curb and gutter exist as opposed to streets where ditches are used to control drainage. Councilman Crockett explained that on streets where ditches are used for drainage control, it is important that culvert pipes be installed at the correct elevation so as not to impede drainage on that portion of the street. He remarked that there have also been some worse case situations where property owners filled the ditch line and paved it, thus creating even worse drainage situations. Councilman Crockett advised that the Committee feels the best course of action to monitor these new entrances would be to issue permits for new entrances. He stated that the Committee has attached for the Council's review the program that has been established. Councilman Crockett remarked that the Committee would note that the permit requires a \$100 deposit, but is reimbursed to the property owner once the entrance has been installed properly. He stated the Committee would suggest that this matter be placed on the Council's next agenda for adoption, and this will give each member of Council the opportunity to review the program and ask questions during Committee meetings. Councilman Crockett advised that the Committee thinks this new program is workable and fair to property owners, and insures that the Town's drainage systems are not impacted and that acceptably installed entrances into the street will be at no permit cost to the property owners.

Councilman Crockett also reported that relatively often, the Committee will receive an inquiry from a citizen seeking installation of a speed limit sign on some particular portion of street. He noted that these requests are always the result of a citizen observing vehicles exceeding the speed limit, and, for the most part, these concerns are streets within particular neighborhoods. Councilman Crockett advised that the Committee, too, is concerned about vehicles exceeding speed limits, and is particularly concerned about these violations in residential areas. He noted, however, given that the Town is about 15 square miles and has about 150 miles of roadway, it is impractical to post speed limit signs on every street. Councilman Crockett remarked that the Town would remind citizens that the speed limit throughout the corporate limits is 25 miles per hour, and the exceptions are roadways such as East Main Street and West Main Street and West Lee Highway, where signs reflect a higher speed limit. He noted that the Town would encourage citizens to observe these speed limits, and it is the Committee's belief that if vehicles continue to exceed speed limits that the Committee will ask the Police Department to aggressively take action to ticket those violators. Councilman Crockett stated the Committee would note, however, that speeding and violating other traffic laws is not only a problem in Wytheville, it has become a national issue. He explained that for whatever reason, motorists throughout the country are disregarding traffic laws and regularly exceeding the speed limit, running red lights, and failing to stop their vehicles at stop signs. Councilman Crockett stated that failure to obey traffic laws results in vehicle crashes that result in personal injury and property loss. He indicated that the Committee believes that motorists in the community have a responsibility to obey these laws or, otherwise, the Town will need to take the appropriate actions to assure compliance. Councilman Crockett noted that as a side issue, he was traveling up Monroe Street at Eleventh Street today, and the light changed and he stopped. He advised that he was wondering the entire time if the motorist behind him was also going to stop. Mayor Crewe indicated that fortunately, the motorist behind Councilman Crockett must have stopped or he would not be attending this meeting. Councilman Crockett stated that the motorist stopped, but it was rather doubtful for a few seconds. A copy of the Public Works Committee report is attached and made a part of these minutes.

RE: ORDINANCE NO. 1157 – EROSION AND SEDIMENT CONTROL

Mayor Crewe presented Ordinance No. 1157, an ordinance amending and reenacting Chapter 10, Planning and Development, of the Code of the Town of Wytheville, Virginia, by amending Article IV, Erosion and Sediment Control, Sections 10-79 and 10-81, on first reading. He noted this is the ordinance, as he understands, that the Town has no discretion about the changes. He explained that these changes are required by State law and have to be in place by July 1 to the erosion and sediment control sections of the Town's ordinance. Mayor Crewe indicated that the suggestion is that the rules be suspended and that the ordinance be adopted on first and final reading. A motion was made by Vice-Mayor King and seconded by Councilman Weisiger to suspend the rules and adopt Ordinance No. 1157, an ordinance amending and reenacting Chapter 10, Planning and Development, of the Code of the Town of Wytheville, Virginia, by amending Article IV, Erosion and Sediment Control, Sections 10-79 and 10-81, on first and final reading. Mayor Crewe inquired if there is any discussion on the motion. Councilman Crockett stated his understanding is that these changes parallel State law and inquired if that is correct. Town Manager Sutherland stated that is correct. Mayor Crewe explained that these changes are mandated by State law. Councilman Crockett noted that these changes are nothing different than State law. Mayor Crewe advised that is correct. Mayor Crewe inquired if there is any other 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

ABSTENTIONS: None

Ordinance No. 1157 was adopted on first and final reading. Mayor Crewe noted that this ordinance will become effective immediately.

RE: ORDINANCE NO. 1158 – BUDGET ORDINANCE

Mayor Crewe presented Ordinance No. 1158, the Budget Ordinance for Fiscal Year 2003-04, on first reading. A motion was made by Vice-Mayor King and seconded by Councilman Jones to adopt Ordinance No. 1158, the Budget Ordinance for Fiscal Year 2003-04, on first reading. Mayor Crewe advised that the Budget Ordinance will be considered on second reading and the public hearing will also be held at the next meeting on June 9, and the third and final reading will be June 23. He noted that the budget is \$12,300,350, and there are no proposed user fee increases and no other tax increases other than the meals and lodging taxes which will become effective September 1, 2003. Mayor Crewe inquired if there is any discussion on the Budget Ordinance. Councilman Crockett stated he has several comments. He stated he has copies of a report that he has updated that he presented to Council several weeks ago, and noted he would like to distribute this report. He requested that a copy also be given to Mrs. Stephanie Porter-Nichols with the *Wytheville Enterprise*. Councilman Crockett noted that he would like for this report to also become an attachment to the minutes of this meeting; [Attachment](#). He noted there are several points he would like to discuss, and noted he thinks that everyone has had a chance to read this so he will not go into it thoroughly. Councilman Crockett indicated that on Page 4, he had estimated April, May, and June expenses that deal primarily with the water and sewer. He explained that as it turns out, he was basing his figures on the last six years of revenue as well as expenses. Councilman Crockett noted that in reality, what occurred, if the Council views the bottom of the page, is that the Town's expenses exceeded the figures he had estimated by a large amount, by close to \$80,000. He noted that the Town's actual losses were \$108,602. Councilman Crockett indicated that this comes as a major concern as he looks over the monthly reports, and he sees all of the various deficits that the Town is having. He noted that he also sees that over the last six years, the Town's water and sewer has only had two years when it has been in the "black," and the Town has continued to run up deficits each year. Councilman Crockett pointed out that the Town starts with a balanced budget, and for some reason, the Town always ends up with deficits. He remarked that in the last three years, including the coming year, the Town is borrowing another \$1 million from the General Fund. Councilman Crockett noted he thinks this comes to over \$2 million that the Town owes the General Fund, and noted he has the figures listed in this report. He explained that the last time the Council borrowed money, they borrowed \$1 million from the General Fund, and it took over four years to repay it. Councilman Crockett noted that he did not know how long it will take the Council to repay approximately \$2 million or whatever that figure is. He continued that this is a big concern. Councilman Crockett advised that he would like to draw the Council's attention to the last page of the report. He noted he went through and calculated the best he could what the payoffs on the Town's various loans would be and what dates the payoffs would be and the amount of the

interest rates. Councilman Crockett stated he tried to make this effective on July 1, 2003, which is when the Town starts its next fiscal year. He remarked that when the Council considers the interest on all of the loans that the Town has, and then they view the bottom line, the Town has current loans of over \$21 million, and noted it is \$21,601,694. Councilman Crockett stated if the cost of the Community Center is added to this figure, and noted he based this figure on a loan of \$12 million but advised it may be more or less, and the interest rate may or may not be four percent, and he figured this would become effective in January of 2005, and the total debt with interest on the Community Center project comes to almost \$26 million, and the total of these two figures combined shows a debt of about almost \$48 million in principal and interest. He explained that obviously, in the next year or so, the Town will pay down some of the debt before the Community Center is constructed. Councilman Crockett advised it is rather frightening to him that the Town is about to end up with that kind of debt. He explained if the population is divided, every man, woman, and child, into \$47 million or \$45 million, it comes to over \$5,000 to \$6,000 per person in debt. Councilman Crockett stated what really concerns him with this figure is that for every project the Council does, it costs the Town twice as much because the Town is financing it over a period of time--more than half, and more than twice in many cases. He advised what concerns him is that the Town continues to run deficits in the water and sewer, and something has to happen in this matter. Councilman Crockett stated he thinks when the Council reviews the rate increases, etc., and noted the Town has had minor rate increases in water and sewer for the last four years he believes, it gets to the point that at what point does the Council do something about this debt and about the deficits, and at what point does the Council start paying back the General Fund. Councilman Crockett noted that rate increases in water and sewer are certainly a possibility, and noted it may be a reality before the Council is done. He stated he thinks the Council has got to face the reality that they have got to get some expenses under control. Councilman Crockett indicated that the Town starts with a balanced budget every year, and by the time the year ends, there are deficits in the water and sewer. He noted he guesses the bottom line is that the Council is going to have to take some long looks and figure out how they can get these expenditures under control, or they are going to have to raise some water and sewer rates rather heavily. Councilman Crockett indicated that he shudders to think what is going to happen when the Council proposes increasing water and sewer rates. He noted that part of this is the Pepsi facility is not listed in this report that he prepared, and noted that, certainly, there will be revenue coming from Pepsi, but there are also some expenses involved in all of that such as additional manpower to operate the facility. Councilman Crockett stated that his big concern is how the Council is going to get this "red ink" stopped. He noted he hopes the Council spends some time looking at this, and he thinks the Council is going to have to analyze some cost figures and see how the Council can reduce this. Councilman Crockett advised that as he stated earlier, one of the easy solutions is to raise water and sewer rates, and noted he thinks this is a last resort, but advised he thinks it is about to become a reality as much as he hates to even contemplate it. He reiterated that he thinks raising water and sewer rates is about to become a reality unless the Council can figure out how to reduce some cost figures. Mayor Crewe thanked Councilman Crockett for his comments. He inquired if there is any other discussion on the motion. There being none, the motion was approved with the following voting results:

FOR: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., William B. Weisiger

AGAINST: Charles G. Crockett

ABSTENTIONS: None

Mayor Crewe advised that Ordinance No. 1158 passed on first, but not final, reading, and there will be two more readings of the Budget Ordinance.

RE: A-95 REVIEWS

Mayor Crewe stated the next agenda item is the consideration of two A-95 Reviews, both of which are from People Incorporated of Southwest Virginia. He stated the first A-95 Review is for a Southwest Virginia small business development project. Mayor Crewe advised that the cost of the project is \$80,000, with \$40,000 in ARC funds and \$40,000 from the Virginia Tobacco Indemnification and Revitalization Commission. He noted that no local funds are required. A motion was made by Vice-Mayor King and seconded by Councilman Weisiger to recommend a favorable review to the A-95 Review of People Incorporated of Southwest Virginia for a Southwest Virginia small business development project. He 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.

Mayor Crewe noted the second A-95 Review is also from People Incorporated of Southwest Virginia for a planning phase of a Southwest Virginia tourism project. He advised that the total project cost is \$20,000, which includes \$3,517 in other funds that show to be an in-kind contribution. He noted that this project will also not include any local funds, but noted he is unsure where the in-kind services will come from, but they are not requested of the Town of Wytheville. A motion was made by Vice-Mayor King and seconded by Councilman Weisiger to recommend a favorable review to the A-95 Review of People Incorporated of Southwest Virginia for a planning phase of a Southwest Virginia tourism project. Mayor Crewe inquired if there is any 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, Charles G. Crockett. Against: None.

RE: WALL OF HONOR MEMORIAL DAY CEREMONY, RUN FOR THE WALL

Mayor Crewe stated that on behalf of the Council and the citizens, he would like to thank the Town staff and the Police Department for the exceptional job they did with the Wall of Honor Memorial Day Ceremony this weekend, and also with the Run for the Wall group that was in town on Wednesday and left on Thursday morning. He noted he appreciated everyone's efforts to make these two events successful.

RE: ADJOURNMENT

Mayor Crewe inquired if there is any further business to be discussed. There being none, a motion was duly made, seconded, and carried to adjourn the meeting (7:28 p.m.).

Trenton G. Crewe, Jr., Mayor

Sherry G. Corvin, Chief Deputy Clerk

G:\COUNCIL\Minutes\2003\Council Minutes 052703.doc

[Back](#)