

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL  
HELD IN THE COUNCIL CHAMBERS ON MONDAY, SEPTEMBER 13, 2004, 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, Patrol Officer Chris Irvin, Stephanie Porter-Nichols with Wytheville Enterprise, Larry Edwards, George T. Fisher, Agnes Eades, Kathy Desposito, Barry Anders, Robert G. Melton

**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 of August 23, 2004, and the request of the Wythe County Breast Cancer Coalition for waiver of fee for use of the Community Center on October 21, 2004, for an informational session. 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 August 23, 2004, and the request of the Wythe County Breast Cancer Coalition for waiver of fee for use of the Community Center on October 21, 2004, for an informational session. Mayor Crewe inquired if there is any discussion on the motion. Vice-Mayor King stated that there was no mention in the minutes regarding Mr. Jerry Horn giving the Town a check for the Community Center Project and inquired if this should be in the minutes. Councilman Lambert stated this matter was in the minutes. Mayor Crewe noted this was mentioned in the minutes and it is on the bottom of the first page and on the top of the second page. He stated it is about ten lines down from the top of the second page. Vice-Mayor King stated she now sees it in the minutes. Mayor Crewe inquired if there is any other discussion on the minutes. 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: PUBLIC HEARING – ALLEY CLOSING**

Mayor Crewe stated the meeting constituted a public hearing (due notice having been given) to consider the request of Mr. Nick Kapranos to vacate and abandon an alley running parallel to Pine and Spiller Streets between 22<sup>nd</sup> and 24<sup>th</sup> Streets. He inquired if there are persons present who wish to address the Council regarding this matter. There being none, he declared the public hearing closed.

**RE: PUBLIC HEARING – REZONING OF SOUTHERN PORTION OF PETUNIA ROAD**

Mayor Crewe stated the meeting also constituted a public hearing (due notice having been given) to consider the rezoning of certain properties located on the west side of Petunia Road between Old Stage Road and West Lee Highway from R-3 Residential to R-2 Residential. He inquired if there are persons present who wish to address the Council during the public hearing. There being none, he declared the public hearing closed.

**RE: CITIZENS' PERIOD**

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

**RE: OLD BUSINESS**

Under Old Business, Town Manager Sutherland reported the following:

1. The Town received a communication today from the consulting engineering firm, Draper Aden Associates, who had prepared the plan for the Mount Rogers Planning District Commission, for the regional solid waste management plan. The Council had reviewed this plan earlier this spring. As the Council knows, the State is now requiring

that localities update their solid waste management plan. A decision was reached, and the Town was a participant, as well as all of the other governing bodies in the Mount Rogers Planning District Commission, to develop a regional solid waste management plan. Draper Aden's inquiry today is that the Council adopt the resolution, which has been presented to the Council at this meeting. Mayor Crewe advised that the resolution was placed around the table when the Council members arrived at the meeting. Councilman Jones noted they received the resolution. Mayor Crewe noted that the Council has previously reviewed this plan and, now, Draper Aden needs a formal resolution from the Council. Town Manager Sutherland stated that is correct. He noted the Council does not have to approve the resolution at this meeting, and it could be deferred for action until the next meeting if the Council wants to review the document. If the Council is so inclined, Draper Aden would request that the resolution be adopted by the Council. A motion was made by Councilman Jones and seconded by Vice-Mayor King to adopt the resolution regarding the regional solid waste management plan. 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.

2. Thursday morning, at the Budget and Finance Committee meeting, they heard this matter, but the Public Works Committee has not heard regarding the money that was budgeted in the Police Department's budget for new police cruisers. For the past several years, the Town has been leasing the police vehicles. The value of the lease on these two cruisers is \$17,000, and the Police Department has approximately \$35,000 in their budget. The Ford Motor Company requires that there be a Council action in the lease arrangement. Town Manager Sutherland noted he would ask the Council to authorize Town staff to execute the lease documents with Ford Motor Company. A motion was made by Councilman Lambert and seconded by Vice-Mayor King to authorize Town staff to execute the necessary lease documents for two police vehicles with the Ford Motor Company. 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.
3. In the Loretto subdivision, they have completed the final section of roadway. This road has not been formally named at this point in time, but when the developers submitted all of the information, they requested that the road be designated as "Davis Circle." Mayor Crewe noted that unless someone on Council has a problem, this is the name that Town staff would assign to the road. Town Manager Sutherland stated that is correct unless the Council would like to name the road a different name. It was the consensus of the Town Council to name the road in the Loretto subdivision as "Davis Circle."

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

Councilman Jones, reporting for the Budget and Finance Committee, reported that in 2000, the Council made certain amendments to the Procurement Ordinance to permit Council to competitively negotiate for insurance services. He advised at that point, the Council determined that competitive, sealed bidding was neither practical nor fiscally advantageous to the Town. Councilman Jones stated that as members of the Council know, the Town's insurance programs are very important, and it is difficult, if not impossible, to accept sealed bids on the various components of an insurance program. He noted that because of the range of insurances the Town must have, and to ensure that there are no uncovered exposures, the Committee requested Bankers Insurance, L.L.C., to act as the Town's broker to competitively bid the Town's insurance programs with various insurance companies. Councilman Jones indicated that at a recent meeting, Mr. Steve Lester, Jr., provided them with an overview of the most cost effective insurances that were available to adequately protect the Town's exposures. He stated that Mr. Lester noted the pricing of the insurance industry is escalating and, as such, solicited quotations from a number of insurance companies. Councilman Jones remarked that Mr. Lester reviewed, in detail, the various components of the Town's insurance program for the coming year and noted that the total annual premium for the next year will be \$123,391. He stated that the Committee has attached for the Council's review a tabulation of premiums for the various coverages for the upcoming year. Councilman Jones explained that because of time constraints, it was necessary to advise Mr. Lester of the Town's intent, and the Committee requested him to bind the Town's insurance. He stated the Committee would recommend that the Council now take formal action to approve the insurance coverage through Bankers Insurance, L.L.C., for the upcoming year. Mayor Crewe inquired if anyone on Council has any problems with taking action to approve the insurance coverage through Bankers Insurance, L.L.C., for the upcoming year. He noted that the Public Works Committee has

also reviewed this information. A motion was made by Councilman Jones and seconded by Vice-Mayor King to approve the insurance coverage through Bankers Insurance, L.L.C., for the upcoming year. 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.

Councilman Jones also reported that recently, the Committee reviewed a request from the Wythe-Grayson Regional Library for an appropriation of funds to be used by the library for operational expenses. He stated that as the Town understands, the Regional Library has had a reduction in revenues due to state and federal budget cutbacks. He noted that the Wytheville branch of the Regional Library is used extensively by the town citizens, and, certainly, the Town would like to assist the library in order that they can maintain current services. Councilman Jones advised that recently, the Wythe County Board of Supervisors approved an additional appropriation of \$6,000 to the Regional Library. He indicated that it has been the practice of the Town and County for many years to fund these types of requests using a pro rata formula based on population. Councilman Jones noted that as such, it is the recommendation of the Budget and Finance Committee that the Council appropriate 28 percent of the amount appropriated by Wythe County, or a total of \$1,680, to the Regional Library. He stated that assuming this recommendation is approved, the Committee would also recommend that the Town Treasurer be authorized to forward these funds to the Regional Library as soon as possible. A motion was made by Councilman Jones and seconded by Vice-Mayor King that the Council appropriate \$1,680 to the Wythe-Grayson Regional Library and that the Town Treasurer be authorized to forward these funds to the Regional Library as soon as possible. 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.

Councilman Jones also reported that recently, the Town has received a request from Dr. J. J. Booker to obtain out of town water service for his property, which is located just out of the corporate limits on the west side of North Fourth Street. He noted that an out of town water service requires approval by the Council and by the Wythe County Board of Supervisors. Councilman Jones stated that Dr. Booker's property is immediately adjacent to the corporate limits, though it is not within the corporate limits. Councilman Jones indicated that the Committee sees no problem with the extension of an out of town water service to Dr. Booker and would recommend that it be approved. He stated that additionally, the Committee would request that this inquiry be sent to the Board of Supervisors for their approval. A motion was made by Councilman Jones and seconded by Vice-Mayor King that the Council approve an out of town water service to Dr. J. J. Booker and that the Council send this inquiry to the Wythe County Board of Supervisors for their approval. 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 is attached and made part of these minutes. ([Attachment](#)).

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

Councilman Lambert, reporting for the Public Works Committee, reported that earlier in the meeting, a public hearing was conducted to consider vacating and abandoning an alley bounded by Pine, Spiller, 22<sup>nd</sup>, and 24<sup>th</sup> Streets. He noted that at the last meeting of Council, the Public Works Committee was appointed to serve as viewers, as prescribed by State law, to determine if the closing of this alley was of any detriment to the Town's interest. Councilman Lambert advised that at the last Committee meeting, the Committee did, in fact, tour this area and agree that the existing alley has no practical purpose to the Town. He stated the Committee would note it is their recommendation that a utility easement be maintained over the entire width of this existing alley. Councilman Lambert indicated there are no plans for using this alley for any utilities, but the Committee thinks it would be in the Town's best interest to maintain this flexibility for the future. He noted that later in the meeting, the Council will consider an ordinance concerning vacating and abandoning this alley, and it would be the recommendation of the Public Works Committee that the rules be suspended and the ordinance be approved on first and final reading. Mayor Crewe advised that the Council will consider the ordinance later in the meeting.

Councilman Lambert also reported that several months ago, the Council approved an agreement known as the "New River Regional Water Authority Preliminary Service Agreement," which established the relationship among Wythe County, Carroll County, and the Town of Wytheville in the development of a regional water system. He noted that as the Council may recall, the Preliminary Service Agreement was adopted to satisfy various funding

agencies, who wanted to know that there was, in fact, a formal arrangement between the three parties. Councilman Lambert noted that the Authority's attorney is currently working on a more detailed service agreement, but that document is some months away from being approved. He advised that subsequent to the Council's approval of the Preliminary Service Agreement, both Wythe County and Carroll County felt that paragraph number 4 needed to be amended slightly to include the words "if the documents are satisfactory" immediately following the word "documents" in the first sentence. Councilman Lambert remarked that the Committee does not think this changes the intent or character of the document and, as such, would request the Council to approve this Preliminary Service Agreement, as amended. A motion was made by Councilman Lambert and seconded by Councilman Weisiger that the Council approve the New River Regional Water Authority Preliminary Service Agreement, as amended. Mayor Crewe noted that the Council has the agreement before them, and the motion is for the Council to approve the amendments to the Preliminary Service Agreement. 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, H. Judson Lambert. Against: None. Mayor Crewe noted that the Town will inform Wythe County and Carroll County that the Town of Wytheville has approved the amendments to the Preliminary Service Agreement.

Councilman Lambert also reported that as the Council knows, the Wytheville Redevelopment and Housing Authority has acquired a parcel of land on Cassell Road on which they desire to construct additional apartments. He explained that the Housing Authority property borders on a section of Town right of way that, for all practical purposes, is not currently being used by the Town. Councilman Lambert remarked that a number of years ago, Cassell Road had a number of meandering curves in it, and a road project was undertaken to straighten several curvy sections of the road. He noted that one of the curvy sections that was eliminated is the section of property that the Housing Authority property abuts. Councilman Lambert stated that the Housing Authority has requested that the Town consider abandoning this small section of right of way between their property line and the existing roadway such that it would facilitate the construction of their apartment units. He noted the Committee has reviewed this, and, preliminarily, does not see any problems with this request. Councilman Lambert indicated that the Council will, however, have to go through the same procedures as they did earlier in this meeting with regard to the alley. He stated that as such, it would be the Committee's recommendation that the Public Works Committee be appointed as viewers for this request and that a public hearing be set for the October 11 meeting of Council. Mayor Crewe inquired if any of the Council members have any problems with setting a public hearing for the October 11, 2004, meeting to consider the request of the Housing Authority to abandon this portion of right of way. There being no objections, it was the consensus of the Council to set a public hearing for the October 11, 2004, meeting to consider the request of the Wytheville Redevelopment and Housing Authority for the abandonment of right of way on Cassell Road. A copy of the Public Works Committee report is attached and made part of these minutes. ([Attachment](#)).

#### **RE: ORDINANCE NO. 1177 – PETUNIA ROAD REZONING**

Mayor Crewe presented Ordinance No. 1177, an ordinance amending Ordinance No. 640, generally known as the Zoning Ordinance, to rezone certain properties located on the west side of Petunia Road between Old Stage Road and West Lee Highway from R-3 Residential to R-1 Residential, on third and final reading. He noted there are two ordinances, with one being Ordinance No. 1177, which was approved at the last Council meeting on second reading with the provision that the southern properties not be included. Mayor Crewe remarked that when he opened the public hearing, there was no one in attendance. He explained that if someone would like to address the Council regarding this particular ordinance, the Council will be glad to hear from him or her. Mayor Crewe noted that this ordinance does not affect the southern properties on Petunia Road, but only the northern properties. He inquired if there are persons present who wish to address the Council at this time. He stated this does affect Mr. Barry Anders' property, and Mr. Anders does not have to speak but since he was not present when the public hearing was held earlier, and noted that the Council meeting started promptly at 7:00 p.m., the Council would be glad to hear any comments that anyone would like make, if they care to make any. There being no one who desired to address the Council, a motion was made by Councilman Jones and seconded by Councilman Lambert to approve Ordinance No. 1177, an ordinance amending Ordinance No. 640, generally known as the Zoning Ordinance, to rezone certain properties located on the west side of Petunia Road between Old Stage Road and West Lee Highway from R-3 Residential to R-1 Residential, on third 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. 1177 was approved on third and final reading. Mayor Crewe noted that this means the zoning is now granted to the properties on the northern side of Petunia Road. He explained this is now a completed process as of the action of Council at this meeting.

**RE: ORDINANCE NO. 1179 – ALLEY CLOSING**

Mayor Crewe presented Ordinance No. 1179, an ordinance vacating and abandoning an alley running parallel to Pine and Spiller Streets between 22<sup>nd</sup> and 24<sup>th</sup> Streets, on first reading. He noted the recommendation from the Public Works Committee is that the rules be suspended and the ordinance be adopted on first and final reading. A motion was made by Councilman Lambert and seconded by Councilman Weisiger to suspend the rules and adopt Ordinance No. 1179, an ordinance vacating and abandoning an alley running parallel to Pine and Spiller Streets between 22<sup>nd</sup> and 24<sup>th</sup> Streets, 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. 1179 was adopted on first and final reading. Mayor Crewe noted the alley is now abandoned with the reservation of the utility easement.

**RE: ORDINANCE NO. 1180 – REZONING OF SOUTHERN PORTION OF PETUNIA ROAD**

Mayor Crewe presented Ordinance No. 1180, an ordinance amending Ordinance No. 640, generally known as the Zoning Ordinance, to rezone certain properties located on the west side of Petunia Road between Old Stage Road and West Lee Highway from R-3 Residential to R-2 Residential, on first reading. He noted this is the ordinance that affects several people attending the meeting. Mayor Crewe advised that this ordinance rezones from R-3 Residential to R-2 Residential the southern portion of properties on Petunia Road between Old Stage Road and West Lee Highway. He noted no one has to speak, but if they desired, the Council will be glad to hear from them at this time. There being no one who wished to address the Council, a motion was made by Councilman Lambert and seconded by Vice-Mayor King to suspend the rules and adopt Ordinance No. 1180, an ordinance amending Ordinance No. 640, generally known as the Zoning Ordinance, to rezone certain properties located on the west side of Petunia Road between Old Stage Road and West Lee Highway from R-3 Residential to R-2 Residential, 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. 1180 was adopted on first and final reading. Mayor Crewe advised that this means the zoning changes to R-2 Residential and is effective immediately.

**RE: RESOLUTION – TOBACCO INDEMNIFICATION AND COMMUNITY REVITALIZATION COMMISSION FUNDS**

Mayor Crewe stated the next agenda item is the consideration of a resolution authorizing the Town to apply for Tobacco Indemnification and Community Revitalization Commission funds for the Southwest Virginia Artisans Market. He noted this resolution is for the amount of \$120,000. A motion was made by Vice-Mayor King and seconded by Councilman Jones to approve the resolution authorizing the Town to apply for Tobacco Indemnification and Community Revitalization Commission funds for the Southwest Virginia Artisans Market. Mayor Crewe inquired if there is any discussion on the motion. Mayor Crewe noted this resolution only

means the Town is applying for the money and will see if it is awarded and inquired if that is correct. Town Manager Sutherland stated that is correct. There being no further discussion, 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: RESOLUTION – APPALACHIAN REGIONAL COMMISSION FUNDS**

Mayor Crewe stated the next agenda item is the consideration of a resolution authorizing the Town to apply for Appalachian Regional Commission funds for the Southwest Virginia Artisans Market. He noted this resolution is for \$500,000. A motion was made by Vice-Mayor King and seconded by Councilman Weisiger to adopt the resolution authorizing the Town to apply for Appalachian Regional Commission funds for the Southwest Virginia Artisans Market. 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: APPOINTMENT – SOUTHWEST REGIONAL ENTERPRISE CENTER**

Mayor Crewe stated the next agenda item is the appointment of a member to the Southwest Regional Enterprise Center. A motion was made by Councilman Jones and seconded by Councilman Lambert to reappoint Charles G. Crockett to the Southwest Regional Enterprise Center. 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: ALCO PROPERTY TITLE**

Councilman Jones inquired if there is or is not a deed that is prepared as far as giving Alco the title to their property so the Town can obtain the easement in order to get the electric line across the Alco property. Town Attorney Kaase answered that there is a deed. Mayor Crewe inquired if Town Attorney Kaase knows the status of the deed. Town Attorney Kaase stated he would suggest that the Council consider going into a closed meeting to deal with a property matter and/or a legal matter. He remarked that he thinks the Council will be better served in this regard to go into a closed meeting and do this. Mayor Crewe inquired if this fits within the open meeting exemptions. Town Attorney Kaase stated that is correct.

Mayor Crewe inquired if there is anything that needs to be discussed in open session.

#### **RE: MOUNT ROGERS FALL DINNER MEETING**

Vice-Mayor King advised that she attended the Mount Rogers Fall Dinner Meeting in Bristol on September 2, 2004. Mayor Crewe thanked Vice-Mayor King for attending this meeting.

#### **RE: CLOSED MEETING**

Mayor Crewe stated it will be necessary for the Council to hold a closed meeting as permitted by Virginia Code §2.2-3711(A)(7) to consult with legal counsel regarding a legal matter and Virginia Code §2.2-3711(A)(3) for property acquisition with reference to Wytheville Community College and Alco Controls. A motion was made by Councilman Jones and seconded by Vice-Mayor King to hold a closed meeting as permitted by Virginia Code §2.2-3711 (A)(7) and §2.2-3711 (A)(3) to consult with legal counsel regarding a legal matter and property acquisition with reference to Wytheville Community College and Alco Controls. 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. (7:25 p.m.)

Mayor Crewe stated he does not anticipate the Council taking any action when they come out of the closed meeting. He stated he did not think this would be a lengthy session, and the citizens and media are welcome to stay if they desire to attend the meeting when the Council reconvenes to open session. Mayor Crewe reiterated that he did not think the Council will be voting on anything when they reconvene, but will only be giving an update, and this is what he anticipates.

Mayor Crewe thanked the citizens for attending the Council meeting.

**RE: RECONVENE TO OPEN SESSION**

A motion was made by Councilman Jones and seconded by Vice-Mayor King to reconvene to open session. 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: CERTIFICATION OF CLOSED MEETING**

A motion was made by Councilman Jones and seconded by Vice-Mayor King that only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which the certification resolution applies and that only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Wytheville Town Council. 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 certification is attached and made part of these minutes. (7:45 p.m.)

**RE: ADJOURNMENT**

There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting. (7:45 p.m.).

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Trenton G. Crewe, Jr., Mayor

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Sharon P. Hackler, CMC, Clerk of Council

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## **PUBLIC WORKS COMMITTEE REPORT**

**SEPTEMBER 13, 2004**

1. Earlier this evening, a public hearing was conducted to consider vacating and abandoning an alley bounded by Pine, Spiller, 22<sup>nd</sup> and 24<sup>th</sup> Streets. At the last meeting of Council, our Committee was appointed to serve as viewers, as prescribed by State law, to determine if the closing of this alley was of any detriment to the Town's interest. At our last Committee meeting, we did, in fact, tour this area and agree that the existing alley has no practical purpose to the Town. We would note that it is our recommendation that a utility easement be maintained over the entire width of this existing alley. There are no plans for using this alley for any utilities, but we think it would be in our best interest to maintain this flexibility for the future. Later this evening, the Council will consider an ordinance concerning vacating and abandoning this alley, and it would be the recommendation of the Public Works Committee that the rules be suspended and that the ordinance be approved on first and final reading.
2. Several months ago, the Council approved an agreement known as the "New River Regional Water Authority Preliminary Service Agreement," which established the relationship among Wythe County, Carroll County and the Town of Wytheville in the development of a regional water system. As you may recall, the Preliminary Service Agreement was adopted to satisfy various funding agencies, who wanted to know that there was, in fact, a formal

arrangement between the three parties. The Authority's attorney is currently working on a more detailed service agreement, but that document is some months away from being approved. Subsequent to the Council's approval of the Preliminary Service Agreement, both Wythe County and Carroll County felt that paragraph number 4 needed to be amended slightly to include the words "if the documents are satisfactory" immediately following the word "documents" in the first sentence. We do not think this changes the intent or character of the document and, as such, would request the Council to approve this Preliminary Service Agreement as amended.

3. As the Council knows, the Wytheville Redevelopment and Housing Authority has acquired a parcel of land on Cassell Road on which they desire to construct additional apartments. The Housing Authority property borders on a section of Town right of way that, for all practical purposes, is not currently being used by the Town. A number of years ago, Cassell Road had a number of meandering curves in it, and a road project was undertaken to straighten several curvy sections of the road. One of the curvy sections that was eliminated is the section of property that the Housing Authority property abuts. The Housing Authority has requested that the Town consider abandoning this small section of right of way between their property line and the existing roadway such that it would facilitate the construction of their apartment units. The Committee has reviewed this, and, preliminarily, does not see any problems with this request. We will, however, have to go through

the same procedure as we did earlier this evening with regard to the alley. As such, it would be our recommendation that our Committee be appointed as the viewers for this request and that a public hearing be set for the October 11 meeting of Council.

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William B. Weisiger

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H. Judson Lambert

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## **BUDGET AND FINANCE COMMITTEE REPORT**

**SEPTEMBER 13, 2004**

1. In 2000, the Council made certain amendments to the Procurement Ordinance to permit Council to competitively negotiate for insurance services. At that point, the Council determined that competitive, sealed bidding was neither practical nor physically advantageous to the Town. As members of Council know, the Town's insurance programs are very important, and it is difficult, if not impossible, to accept sealed bids on the various components of an insurance program. Because of the range of insurances that we must have, and to ensure that there are no uncovered exposures, our Committee requested Bankers Insurance, L.L.C., to act as the Town's brokers to competitively bid our insurance programs with various insurance companies. At a recent Committee meeting, Mr. Steve Lester, Jr., provided us with an overview of the most cost effective insurances that were available to adequately protect our exposures. Mr. Lester noted that the pricing of the insurance industry is escalating and, as such, solicited quotations from a number of insurance companies. Mr. Lester reviewed, in detail, the various components of our insurance program for the coming year and noted that the total annual premium for the next year will be \$123,391. We have attached for your review a tabulation of premiums for the various coverages for the upcoming year. Because of time constraints, it was necessary to advise Mr. Lester of our intent, and we requested him to bind our insurance. We would

recommend that the Council now take formal action to approve the insurance coverage through Bankers Insurance, L.L.C., for the upcoming year.

2. Recently, our Committee reviewed a request from the Wythe-Grayson Regional Library for an appropriation of funds to be used by the library for operational expenses. As we understand, the Regional Library has had a reduction in revenues due to state and federal budget cutbacks. The Wytheville branch of the Regional Library is used extensively by our citizens, and, certainly, we would like to assist the library in order that they can maintain current services. Recently, the Wythe County Board of Supervisors approved an additional appropriation of \$6,000 to the Regional Library. It has been the practice of the Town and County for many years to fund these types of requests using a pro rata formula based on population. As such, it is the recommendation of the Budget and Finance Committee that the Council appropriate 28 percent of the amount appropriated by Wythe County, or a total of \$1,680, to the Regional Library. Assuming this recommendation is approved, we would also recommend that the Town Treasurer be authorized to forward these funds to the Regional Library as soon as possible.
  
3. Recently, we received a request from Dr. J. J. Booker to obtain out of town water service for his property, which is located just out of the corporate limits on the west side of North Fourth Street. An out of town water service requires approval by the Council and by the Wythe County Board of Supervisors. Dr.

Booker's property is immediately adjacent to the corporate limits, though it is not within the corporate limits. We see no problem with the extension of an out of town water service to Dr. Booker and would recommend that it be approved. Additionally, we would request that this inquiry be sent to the Board of Supervisors for their approval.

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Jacqueline K. King

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John W. Jones, Jr.

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