

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, APRIL 25, 2005, 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., Assistant Town Manager Stephen A. Moore, Town Clerk Sharon P. Hackler, Town Attorney Robert P. Kaase, Town Treasurer Michael G. Stephens, Patrol Officer Chris Irvin, Jody Gibson, Becky Grubb, Pat Snapp

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 April 11, 2005, the request of the Mount Rogers Community Services Board for waiver of fee for use of the Community Center on May 27, 2005, and the request of the Wythe County Community Hospital Laboratory for issuance of a raffle permit for 2005. A motion was made by Councilman Weisiger and seconded by Vice-Mayor King to approve the consent agenda consisting of the minutes of the regular meeting of April 11, 2005, the request of the Mount Rogers Community Services Board for waiver of fee for use of the Community Center on May 27, 2005, and the request of the Wythe County Community Hospital Laboratory for issuance of a raffle permit for 2005. 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 noted the next agenda item is Citizens' Period. He 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. Each Council member has been given a copy of a resolution that would reflect the request of the City of Roanoke with regard to the air traffic control tower at the Roanoke Regional Airport. Apparently, the Federal Aviation Administration is going to limit the time that the air traffic control tower is operational due to financial constraints. The City of Roanoke has requested governing bodies throughout southwest Virginia to adopt a resolution that would request the FAA to reconsider its decision to curtail the hours of the air traffic control tower. He summarized that this is the resolution before the Council for their consideration. Mayor Crewe inquired if there is a motion that the resolution requested by the City of Roanoke be adopted. A motion was made by Vice-Mayor King and seconded by Councilman Lambert to adopt the resolution regarding the air traffic control tower at the Roanoke Regional Airport. Mayor Crewe inquired if there is any discussion on the motion. He noted that the FAA is proposing closing the control tower from midnight to 5:00 a.m., and this resolution is requesting them to continue to operate the tower 24 hours per day. Vice-Mayor King inquired if the FAA pays for the air traffic control tower to be open. Mayor Crewe stated that is correct. He 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, H. Judson Lambert. Against: None.
2. The Wytheville Redevelopment and Housing Authority made application some time ago to the Appalachian Regional Commission for grant funds in the amount of \$150,000, and those funds have, in fact, been awarded to the Housing Authority. Appalachian Regional Commission funds are typically administered by the Department of Housing and Community Development, and under that scenario, the Housing Authority is not an

eligible recipient. The Housing Authority has requested that the Town of Wytheville act as the administrator, or the fiscal agent, for this grant. Therefore, the Town of Wytheville would be the recipient of the \$150,000 in grant funds from ARC, but would merely, in turn, write the Housing Authority a check for those amounts of money. The Town has a planning grant with the Housing Authority under a similar arrangement, and the Authority takes care of all the paperwork, the audits, and all of those types of things. If the Town is not willing to act as the fiscal agent for the Housing Authority, the Authority is not eligible to receive the \$150,000. Town Manager Sutherland stated he would ask that he or the Mayor be authorized to execute the appropriate documents for the Housing Authority to receive these funds. A motion was made by Councilman Jones and seconded by Councilman Weisiger that the Town act as the fiscal agent for the Wytheville Redevelopment and Housing Authority to receive Appalachian Regional Commission funds in the amount of \$150,000 and to authorize the Town Manager and/or the Mayor to execute the appropriate documents. Mayor Crewe inquired if there is any discussion. He inquired if the Town will receive the check for the funds, and then the Town will write a check in the amount of the funds to the Wytheville Redevelopment and Housing Authority, and the Authority will do all of the paperwork. Town Manager Sutherland stated that is correct. Mayor Crewe explained that if anything is improperly done, the Town would be responsible, and if the Housing Authority does something wrong with the funds, it would be the Town's responsibility as the recipient. Town Manager Sutherland advised that is correct and noted the Town is the recipient of the funds. Mayor Crewe inquired if there is any other discussion. He noted he thinks most of the documents have to be signed by the Town Manager, but the documents have to be signed by the responsible party, who is either the Town Manager or himself to facilitate the receipt of the grant for \$150,000 for the Housing Authority. 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.

3. The Public Works Committee meeting scheduled for tomorrow, April 26, 2005, has been canceled.
4. Mayor Crewe stated that he will advise the Council regarding a telephone call and then a personal phone conversation he received. He advised that the stop marks that have been installed at Sixth and Ridge Streets are much appreciated, and several of the neighbors have called and stated it has made a difference in the traffic patterns. Mayor Crewe summarized that the Town painted stop marks on the pavement at Sixth and Ridge Streets where people were running the stop signs.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Vice-Mayor King, reporting for the Budget and Finance Committee, stated that later in the meeting, the Council will have a budget work session to review the appropriations that have been requested by the Town's various departments. She stated that as usual, there are far more requests for appropriations than revenues will permit. Vice-Mayor King indicated that there is no question that all of the requested appropriations are valid and would serve the various departments well, but, unfortunately, there are not sufficient revenues to accommodate all of the requests. She noted that since the last work session in which the Council reviewed revenues, the Committee has identified some additional growth in the General Fund side of the revenues that will provide some relief. Vice-Mayor King advised that the Committee also has under consideration revisions to certain taxes and/or user fees. She remarked that even with the potential new revenues, it appears that there would still be a shortfall on the General Fund side of the budget in the magnitude of \$200,000. Vice-Mayor King noted that with regard to the Water and Sewer component of the budget, there are far more capital outlay projects identified than can be reasonably funded. She indicated that the bulk of the projects in the Water and Sewer side of the budget are to improve the Town's existing facilities and to continue the Town's efforts to extend services that will connect the Town's system with the County's system, and subsequently, serve the south side of Progress Park. Vice-Mayor King noted that both the Budget and Finance Committee and the Public Works Committee will continue to review the budget numbers in the upcoming weeks at their Committee meetings. She stated the tentative adoption schedule that was previously approved would have the first reading of the budget set for May 9. Vice-Mayor King advised that because the schedule under which the Council is currently operating permitted the flexibility of an additional meeting to review the budget prior to July 1, the Council could, if it so desired, delay the first reading of the budget until May 23. She stated that the Committee is not suggesting at this time that the schedule be amended, but they did want to point out that the option is available.

Vice-Mayor King also reported that later in the meeting, the Council will consider an amendment to the Town's Personnel Policy. She advised that fortunately, the amendment is merely

housekeeping in nature and clarifies the number of hours in a pay period for police and fire personnel. Vice-Mayor King explained that under the Fair Labor Standards Act, police officers can work 168 hours in a 28-day period, and firefighters can work up to 188 hours in the pay period before receiving overtime pay or compensatory time. She stated that the Town has operated under this policy for many, many years, but the language in the Town's existing Personnel Policy is not clear. Vice-Mayor King indicated that the amendment the Council will consider later merely clarifies this existing practice. She noted that when the ordinance is considered, it would be the recommendation of the Budget and Finance Committee that the rules be suspended and the amendment be adopted on first and final reading. A copy of the Budget and Finance Committee report is attached and made part of these minutes. ([Attachment](#)).

RE: PUBLIC WORKS COMMITTEE REPORT

Councilman Weisiger, reporting for the Public Works Committee, reported that bids were received on April 12 for the paving of certain streets throughout town. He noted that there were three bidders with the successful bidder being APAC Virginia, Incorporated with a low quotation of \$43.64 per ton of asphalt in place. Councilman Weisiger stated that this year, the paving program consists solely of applying asphalt pavement, and there are no milling projects within the scope of the work. He advised that the current year's budget has \$188,635 available for paving. He noted that based on the streets that have been identified thus far, it appears that the cost for paving those on the identified list will be in the magnitude of \$135,000. Councilman Weisiger indicated that the Committee has attached, for the Council's review, a listing of the streets identified thus far. He stated that as the Town performs the paving program, its estimated expenses for the identified streets may vary, but it does appear that the Town will have an opportunity to add certain other streets to its current paving program. Councilman Weisiger explained that the Committee will be reviewing this in the next week or so and would welcome any suggestions that members of Council may have. He indicated that the Committee would also note that it is the Town's plan to perform the 2005-2006 paving program in the fall of this year. Councilman Weisiger advised that on July 1, when the new budget is adopted, there will be new paving funds appropriated giving the Town the opportunity to do some additional paving this year before the winter season. He stated that the contract has been awarded to APAC Virginia, and the Committee would anticipate that they would commence their work within the next few weeks.

Councilman Weisiger also reported that the Commonwealth Transportation Board is conducting a series of meetings offering the public the opportunity to comment on the working draft of the Six-Year Improvement Program for fiscal years 2006 through 2011. He stated that the Six-Year Program is those projects that have been identified by the Department of Transportation to be constructed during that time period. Councilman Weisiger indicated that the Six-Year Plan only reflects programs or primary highways, interstate highways, and local urban roads. He advised that the Town has submitted to the Commonwealth Transportation Board a document that outlines those needs which the Town has identified and would like included in the Program. Councilman Weisiger stated that the Town continues to identify, as its top priority, the yet unnamed connector road that will link Peppers Ferry Road to Lithia Road. He noted that this segment of road is very important for the Town's new community center project. Councilman Weisiger advised that the Town has also identified other projects, and the Committee will briefly describe them here. (1) the reconstruction of Main Street between 11th and 12th Streets; (2) upgrade improvements to Peppers Ferry Road between its intersection with I-77 and the corporate limits; (3) the underpass beneath the railroad on South 3rd Street; (4) the 20th Street Bridge; (5) improvements to North 4th Street between Fairview Road and the western corporate limits; (6) improvements to the intersection on East Main Street at Exit 73 where Lithia Road and Malin Drive connect with Main Street. He noted that these are the same projects that the Town has identified for a number of years, but the Town continues to think that they have merit. Councilman Weisiger remarked that hopefully, at some point in the future when the Department of Transportation has an improved funding situation, the Town will be successful in bringing these projects to construction. He advised that the Committee would note, also, that the Town continues to monitor the Department's study of reconstruction of I-81 through Virginia. Councilman Weisiger stated that no new information has been available for some time, though the Department does anticipate that the first phase of the study will be completed by the summer of this year. He noted at that time, the Town will have more information about alternatives the Department is considering and the Council will be in a position to make comments. A copy of the Public Works Committee report is attached and made part of these minutes. ([Attachment](#)).

RE: ORDINANCE NO. 1187 – PERSONNEL POLICY AMENDMENT

Mayor Crewe presented Ordinance No. 1187, an ordinance amending and reenacting Ordinance No. 1028, generally known as Personnel Rules, Regulations, and Policies, of the

Town of Wytheville, Virginia, so as to include revisions to Section 4.6, Overtime Pay, of the Ordinance, on first reading. He explained that this amendment does not change the way the Town pays the employees or the rate that the Town pays, but it is changing the wording about the pay periods for certain safety officers and fire personnel. A motion was made by Vice-Mayor King and seconded by Councilman Jones to suspend the rules and adopt Ordinance No. 1187, an ordinance amending and reenacting Ordinance No. 1028, generally known as Personnel Rules, Regulations, and Policies, of the Town of Wytheville, Virginia, so as to include revisions to Section 4.6, Overtime Pay, of the Ordinance, on first and final reading. Mayor Crewe inquired if there is any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition:

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

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1187 was adopted on first and final reading. Mayor Crewe stated the ordinance will be effective immediately.

RE: CASSELL PINES PLANNED UNIT DEVELOPMENT

Mayor Crewe stated the next agenda item is to consider the request for final approval of the plans of the Wytheville Redevelopment and Housing Authority for the "Cassell Pines Project" planned unit development located on the north side of Cassell Road and east of Longview Village Road. He noted that Ms. Jody Gibson is attending the meeting regarding this matter. Mayor Crewe advised that this matter comes to the Council from the Planning Commission with preliminary approval. He noted that the plans have been updated, and as the Council can see, they have been reviewed by the Engineering Department, and the recommendation is for final approval pending final technical compliance. Mayor Crewe stated he is not suggesting that Ms. Gibson has to address the Council, but the Council would be happy to hear from her. Ms. Gibson noted that she is attending the meeting to answer any questions. Mayor Crewe inquired if there are any questions about the proposal for the Cassell Pines Project as a planned unit development. A motion was made by Councilman Jones and seconded by Vice-Mayor King to give final approval to the plans of the Wytheville Redevelopment and Housing Authority for the "Cassell Pines Project" planned unit development located on the north side of Cassell Road and east of Longview Village Road pending final technical compliance. 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: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting. Mayor Crewe advised that the Town Council will now hold the budget work session (7:15 p.m.).

Trenton G. Crewe, Jr., Mayor

Sharon P. Hackler, MMC, Clerk of Council

BUDGET AND FINANCE COMMITTEE REPORT

APRIL 25, 2005

1. Later this evening, the Council will have a budget work session to review the appropriations that have been requested by the Town's various departments. As usual, there are far more requests for appropriations than revenues will permit. There is no question that all of the requested appropriations are valid and would serve the various departments well, but, unfortunately, there are not sufficient revenues to accommodate all of the requests. Since our last work session in which we reviewed revenues, we have identified some additional growth in the General Fund side of the revenues that will provide some relief. We also have under consideration revisions to certain taxes and/or user fees. Even with the potential new revenues, it appears that there would still be a shortfall on the General Fund side of the budget in the magnitude of \$200,000. With regard to the Water and Sewer component of the budget, there are far more capital outlay projects identified than can be reasonably funded. The bulk of the projects in the Water and Sewer side of the budget are to improve our existing facilities and to continue our efforts to extend services that will connect the Town's system with the County's system and, subsequently, serve the south side of Progress Park. Both our Committee and the Public Works Committee will continue to review the budget numbers in the upcoming weeks at our Committee meetings. The tentative adoption schedule that was previously approved would have the first reading of the budget set for May 9. Because the schedule under which we are currently operating permitted the flexibility of an additional meeting to review the budget prior to July 1, the Council

could, if it so desired, delay the first reading of the budget until May 23. We are not suggesting at this time that the schedule be amended, but we did want to point out that the option is available.

2. Later this evening, the Council will consider an amendment to the Town's Personnel Policy. Fortunately, the amendment is merely housekeeping in nature and clarifies the number of hours in a pay period for police and fire personnel. Under the Fair Labor Standards Act, police officers can work 168 hours in a 28-day pay period, and firefighters can work up to 188 hours in the pay period before receiving overtime pay or compensatory time. We have operated under this policy for many, many years, but the language in our existing Personnel Policy is not clear. The amendment that we will consider later merely clarifies this existing practice. When the ordinance is considered, it would be the recommendation of the Budget and Finance Committee that the rules be suspended and that the amendment be adopted on first and final reading.

Jacqueline K. King

John W. Jones, Jr.

PUBLIC WORKS COMMITTEE REPORT

APRIL 25, 2005

1. Bids were received on April 12 for the paving of certain streets throughout town. There were three bidders with the successful bidder being APAC Virginia, Incorporated with a low quotation of \$43.64 per ton of asphalt in place. This year, the paving program consists solely of applying asphalt pavement, and there are no milling projects within the scope of the work. The current year's budget has \$188,635 available for paving. Based on the streets that have been identified thus far, it appears that the cost for paving those on the identified list will be in the magnitude of \$135,000. We have attached, for your review, a listing of the streets identified thus far. As we perform the paving program, our estimated expenses for the identified streets may vary, but it does appear that we will have the opportunity to add certain other streets to our current paving program. The Committee will be reviewing this in the next week or so and would welcome any suggestions any member of Council may have. We would also note that it is our plan to perform the 2005-2006 paving program in the fall of this year. On July 1, when the new budget is adopted, there will be new paving funds appropriated giving us the opportunity to do some additional paving this year before the winter season. The contract has been awarded to APAC Virginia, and we would anticipate that they would commence their work within the next few weeks.
2. The Commonwealth Transportation Board is conducting a series of meetings offering the public the opportunity to comment on the working draft of the Six-Year

Improvement Program for fiscal years 2006 through 2011. The Six-Year Program is those projects that have been identified by the Department of Transportation to be constructed during that time period. The Six-Year Plan only reflects programs or primary highways, interstate highways, and local urban roads. We have submitted to the Commonwealth Transportation Board a document that outlines those needs which we have identified and would like included in the Program. We continue to identify, as our top priority, the yet unnamed connector road that will link Peppers Ferry Road to Lithia Road. This segment of road is very important for our new community center project. We also identified other projects, and we will briefly describe them here. 1) the reconstruction of Main Street between 11th and 12th Streets, 2) upgrade improvements to Peppers Ferry Road between its intersection with I-77 and the corporate limits, 3) the underpass beneath the railroad on South 3rd Street, 4) the 20th Street Bridge, 5) improvements to North 4th Street between Fairview Road and the western corporate limits, 6) improvements to the intersection on East Main Street at Exit 73 where Lithia Road and Malin Drive connect with Main Street.

These are the same projects that we have identified for a number of years, but we continue to think that they have merit. Hopefully, at some point in the future when the Department of Transportation has an improved funding situation, we will be successful in bringing these projects to construction. We would note, also, that we will continue to monitor the Department's study of reconstruction of I-81 through Virginia. No new information has been available for some time, though the Department does anticipate that the first phase of the study will be completed by the

summer of this year. At that time, we will have more information about alternatives that the Department is considering, and we will be in a position to make comments.

William B. Weisiger

H. Judson Lambert

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**MINUTES OF THE WORK SESSION OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, APRIL 25, 2005, AT 7:20 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., Assistant Town Manager Stephen A. Moore, Town Treasurer Michael G. Stephens

RE: 2005-06 BUDGET WORK SESSION

Mayor Crewe called the work session to order. He stated the purpose of the meeting is to discuss the appropriations in the proposed budget for the Town of Wytheville for fiscal year 2005-06. Mayor Crewe requested Town Manager Sutherland and Town Treasurer Michael Stephens to review the proposed appropriations in the proposed budget. There was no action taken in regard to the proposed budget.

RE: ADJOURNMENT

There being no further business, the work session was adjourned (8:00 P.M.).

Trenton G. Crewe, Jr., Mayor

C. Wayne Sutherland, Jr., Town Manager