

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL  
HELD IN THE COUNCIL CHAMBERS ON MONDAY, NOVEMBER 14, 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., Chief Deputy Clerk Sharon G. Corvin, Police Officers Chris Irvin and John Humphrey, Justin Harmon with Wytheville Enterprise, Becky Grubb, Pat Snapp, Velma Webb, Carolyn Connor, Robert Melton, Frankie Scott

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

**RE: CONSENT AGENDA**

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting of October 10, 2005; the request of the Wythe County Extension Offices Wythe-Bland Region Master Gardeners for waiver of fee for use of the Community Center on March 24 and 25, 2006, for a master gardener event; the request of the Virginia Cooperative Extension for waiver of fee for use of the Community Center on December 28, 2005, for a pesticide recertification training; and the request of the Wythe County Relay for Life for waiver of fee for use of the Community Center on January 10, 2006, for a rally. A motion was made by Councilman Lambert and seconded by Vice-Mayor King to approve the consent agenda consisting of the minutes of the regular meeting of October 10, 2005; the request of the Wythe County Extension Offices Wythe-Bland Region Master Gardeners for waiver of fee for use of the Community Center on March 24 and 25, 2006, for a master gardener event; the request of the Virginia Cooperative Extension for waiver of fee for use of the Community Center on December 28, 2005, for a pesticide recertification training; and the request of the Wythe County Relay for Life for waiver of fee for use of the Community Center on January 10, 2006, for a rally. Mayor Crewe inquired if there is any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., William B. Weisiger, H. Judson Lambert. Against: None.

**RE: CITIZENS' PERIOD**

Mayor Crewe stated the next agenda item is Citizens' Period, and noted that Mr. Robert Melton is the only one who indicated he would like to speak. He thanked everyone for attending the meeting. Mr. Melton was recognized and stated he would like to address the Council regarding the old Metro Insurance building on Main Street. Mayor Crewe inquired regarding the building. Mr. Melton stated that they are putting an addition on it, and it is in the historical district. He advised that he brought all of the information to the Town Office. Mr. Melton advised that they were going to have a Board of Architectural Review meeting this past week, but they did not have a quorum, and they stated the Council would review it at this meeting. Councilman Lambert explained that Town staff was going to try to reschedule the Board of Architectural Review meeting for 5:30 or 6:00 p.m. this evening, and Town staff could not schedule it because there were not enough people available to attend the meeting. He noted they will try to hold a meeting on Thursday night. Mayor Crewe advised that this is for the Board of Architectural Review and not Town Council, and noted this is what confused him because it was not on the Council agenda. Mayor Crewe explained that this matter will go before the Board of Architectural Review, and they have not set the meeting, and Town staff is trying to get a quorum to hold a meeting on Thursday evening at 6:00 p.m. before the Planning Commission meeting. He inquired if the Planning Commission meets this week. Councilman Jones advised that the Planning Commission does not meet this week, but explained that as long as the Board of Architectural Review approves the application and it meets the requirements, Mr. Melton can move forward with his plans. Mayor Crewe advised that is correct. Councilman Jones noted that the request does not have to go before the Planning Commission. Mayor Crewe remarked that to save Mr. Melton extra trouble, Town staff will try to contact him, but if he has not heard from the Town by lunchtime on Thursday, please call the Town Office, and they will tell him whether or not they were able to schedule a meeting because there were not enough people on the Board of Architectural Review to have a meeting this evening, someone is out of town, etc. Councilman Lambert indicated that Ms. Susan Zammit is a member, and she has undergone surgery and is not available. Mayor Crewe noted this is the issue, and Town staff could not get a

quorum because someone was not able to attend. He remarked that Town staff will attempt to schedule a meeting for Thursday. Mayor Crewe reiterated that this is what confused him because it is not on the Council agenda, but, noted that there was going to be a Board of Architectural Review meeting, but it did not occur. He thanked Mr. Melton for attending the meeting, and advised that, hopefully, Town staff can schedule a meeting for Thursday. Mayor Crewe stated he was sorry that Town staff was not able to schedule a Board of Architectural Review meeting for today.

Mayor Crewe inquired if there are others who would like to address Town 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 Public Works Committee will meet tomorrow morning on its regular date and time. The Budget and Finance Committee meeting this week will be held on Friday morning, November 18, instead of Thursday, November 17.
2. At the end of this meeting, the Council will need to hold a closed meeting for Town Attorney Kaase to update the Town Council on some pending legal issues.

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

Councilman Jones, reporting for the Budget and Finance Committee, reported that recently, the Committee received a letter from Mrs. Judy Willis, who is the chairman of the Agape Food Pantry, which is located at 1355 West Spring Street. He noted the Agape Food Pantry is a local non-profit organization whose mission is to provide to those in need in Wythe County. Councilman Jones explained that the Agape Food Pantry occupies a space that is leased from Mr. George and Mrs. Helen Keck for \$1 per year. He stated that they have a purchaser's agreement to buy the property for \$10.00 in April, 2006. Councilman Jones advised that given that this property is owned by private persons, it is subject to real estate taxation. He stated that the Agape Food Pantry has asked for reimbursement of the tax payment made for the current year's taxes which equal \$108.96. Councilman Jones noted that after reviewing this matter, it is the belief of the Committee that the Agape Food Pantry provides a valuable service to the community, and the Town's donation to them in an amount equal to their real estate taxation is worthwhile. He stated, as such, it would be the recommendation of the Budget and Finance Committee that the Council make a donation in the amount of \$108.96 to the Agape Food Pantry. A motion was made by Councilman Jones and seconded by Vice-Mayor King to make a donation in the amount of \$108.96 to the Agape Food Pantry, which is the amount equal to their real estate taxation. 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 as the Council is aware, the Town has received a number of inquiries from the manager of the Lowe's Home Improvement Center concerning tractor trailers that are parking in his customer parking lot, which has resulted in damage to his property and safety concerns. He remarked that the Town has met with the Lowe's store manager to address these concerns, and he is preparing to take certain measures to revise the geometrics of the parking lot to the extent that it will make parking difficult for tractors and trailers. Councilman Jones indicated that in the course of reviewing the issue, it became evident that there are certain amendments that need to be made to the Town Code to help with this and other parking violations. He stated that later in the meeting, the Council will consider an ordinance that amends two sections of the Town's current parking regulations. Councilman Jones advised that first, Section 8-117 clarifies that it is illegal to operate or park any vehicle on any street that does not have a current state license or a current state inspection decal. He stated that secondly, the ordinance provides that it shall be unlawful to trespass on private property without approval of the property owner. Councilman Jones explained that this section of the Code will permit the Town's police officers to charge violators with trespassing without the involvement of an owner. He indicated that the Lowe's store has authorized the Town of Wytheville Police Department to act as its agent for enforcement of trespassing violations. Councilman Jones commented that additionally, while reviewing the enforcement alternatives available, the Committee reviewed all of the various parking citations and their associated fines. He stated the Committee has attached for the Council's review a list of the violations and the proposed fines for each. He stated there are two fines the Committee would call to the Council's attention. Councilman Jones pointed out that first, please note that the Committee has established a \$50 fine for illegally parking in a privately controlled lot in violation of posted

parking regulations. He remarked that this will directly address the situation at the Lowe's parking lot. Councilman Jones advised that secondly, please note the fine for illegally parking in a handicap space will be set at \$100. Councilman Jones noted that currently, the Town's fine is established at \$25, but State law provides that fines for handicap parking space violations shall not be less than \$100. He remarked that later in the meeting, when Ordinance Number 1195, which amends certain traffic regulations, is reviewed, it would be the Committee's recommendation that the rules be suspended and the ordinance be adopted on first and final reading, and be effective immediately. Councilman Jones stated that secondly, the Committee would recommend to the Council that the fines, as previously discussed and attached to this report, be adopted and become effective immediately. A copy of the Budget and Finance Committee report is attached and made part of these minutes.

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

Councilman Lambert, reporting for the Public Works Committee, stated that over the past several weeks, the Committee has reviewed an inquiry for the intersection of Fisher Road and Mountain View Drive to be designated as a four-way stop situation. He explained that this is a misaligned intersection in that the portion of Mountain View Drive on the east side of Fisher Road is approximately fifty feet south of the portion of Mountain View Drive on the west side of Fisher Road. Councilman Lambert indicated that the intersection of Mountain View Drive at this location is generally at the crest of the hill on Fisher Road. He commented that vehicles that are proceeding north on Fisher Road do not reach the crest of the hill on Fisher Road until after they have passed its intersection with Mountain View Drive. Councilman Lambert pointed out that stopping traffic on Fisher Road at the intersection of the eastward leg could, potentially, pose some safety problems, particularly during snowy weather. He stated the Committee does not think any stop sign should be erected at this location. Councilman Lambert advised, however, that motorists who are traveling south on Fisher Road as it approaches Mountain View Drive have crested the hill and could reasonably stop during snowy weather. He stated these vehicles that are proceeding southwardly on Fisher Road are not readily visible to vehicular traffic on Mountain View Drive. Councilman Lambert noted, therefore, that the Committee believes it would improve the safety of this intersection to install a stop sign on Fisher Road for vehicles proceeding south at the point where it intersects with the westward leg of Mountain View Drive. He commented that the effect of the installation of this stop sign is there will be a three-way stop at this intersection. Councilman Lambert noted that the Committee believes this will enhance the safety of this intersection and would recommend that installation of this sign be approved and that Town forces erect it and install a stop bar on the pavement as soon as possible. Mayor Crewe inquired if any Council members have any problems with the installation of this stop sign and bar. Vice-Mayor King stated she has a problem with the installation of this stop sign and bar. Mayor Crewe inquired if Vice-Mayor King would like to officially note that she would not like for this to be done. Vice-Mayor King stated that is correct. Councilman Jones indicated that he thinks they discussed at some point that the Town would place a sign further back that states "Stop Sign Ahead." Mayor Crewe noted that this is one of the things the Public Works Committee discussed. Councilman Jones advised the other thing that would be good is to look at it again in maybe six months to see if it has created any problems. Councilman Lambert inquired of Vice-Mayor King as to what problems she saw this creating. Vice-Mayor King answered that she lived on this corner for 32 years, and advised she does not think she ever knew of a wreck there. She advised that her problem is trying to get up the hill and watching people come over the hill when it is really bad because Fisher Road is not always one of the first roads plowed. Vice-Mayor King pointed out that there is a lot of traffic in this area. She remarked that she thinks this is odd how this has just recently come about since this new housing unit is being built off of Fisher Road. Councilman Lambert indicated that the comments he has received are the traffic on Fisher Road has increased substantially because people are now using Fisher Road to go up and cut over. Vice-Mayor King inquired if people are not doing this on all the streets. Councilman Lambert stated that is correct. Mayor Crewe pointed out that motorists are speeding on all the streets. Vice-Mayor King stated that is correct. Councilman Weisiger advised that Town Manager Sutherland had someone pass him on Fisher Road. Mayor Crewe pointed out that no one is paying attention to speed limits on any of the streets. Councilman Weisiger advised he is worried about this himself because he comes out Mountain View Drive every morning, and a person cannot see what is coming over the hill, and if a person is traveling 50 MPH, they are going to plow into another motorist. Vice-Mayor King indicated that when a person comes out Mountain View Drive like Councilman Weisiger travels and turns left down Fisher Road, the house on the corner, on the right coming out of Mountain View Drive, has a bush that has been there for years, and if this bush was cut back, it would help. Councilman Weisiger noted that a motorist still cannot see over the knoll of the hill. Vice-Mayor King advised that is correct. Councilman Weisiger reiterated that this is what concerns him because people travel so fast on that road, and even worse now than when Vice-Mayor King lived there he thinks. Mayor Crewe indicated that the Public Works Committee's suggestion is to put the stop sign up for people coming over the knoll and heading down the hill, and not place a

stop sign for the motorists going up the hill. Councilman Weisiger advised that is correct. Councilman Lambert indicated that he feels it is worth putting up the sign and seeing what happens, and if it causes problem, like Councilman Jones has previously stated, it can be evaluated. Councilman Jones indicated that the only reason he thought it would be good to put the "Stop Sign Ahead" sign up is because if the Town does not warn the motorists, they will come flying over the top of the hill, and they cannot stop, particularly if the weather is bad, and they are going to be sliding all over the place. Vice-Mayor King stated she agreed. She pointed out that motorists speed up Fisher Road, too. Councilman Weisiger noted that is correct, and advised there is a problem if a person has to stop on the hill in snowy and icy weather, and a motorist could not get started again. Vice-Mayor King stated that is correct, and advised that she is still against this. Mayor Crewe noted his reading is there is a majority who want to install the sign, and evaluate it in six months. Vice-Mayor King indicated that as she told them in Committee meetings, she has had a lot of complaints lately about all the stop signs the Council is putting in Wytheville. She noted that people are asking her when the Council is going to stop putting up the signs. Councilman Weisiger advised that they will stop putting up the stop signs when people stop speeding. Vice-Mayor King pointed out that the signs cannot be put everywhere. She noted she is going to start telling the citizens to call Councilmen Weisiger and Lambert. Councilmen Weisiger and Lambert noted that this is acceptable and they would be glad to talk to them. Councilman Weisiger indicated that they are discussing installing some more stop signs around the Wytheville Training Center, and advised the Council to be ready to consider this. Vice-Mayor King remarked that she does not understand and advised that she guesses it is happening in every locality, but in Wytheville, it is absolutely awful. She noted that last night there were two cars racing side by side on Route 11, and she saw them when she was on the deck at her house, and they were racing side by side and were going very fast. Mayor Crewe advised that this subject was a topic at VML among several people that he talked to, and everyone is using more enforcement and putting marked cars out and doing everything they can. He summarized that almost every locality representative he spoke to said the same thing, and people are not paying any attention to the traffic laws. Mayor Crewe remarked that they are making turns on red lights, running red lights, etc. Vice-Mayor King summarized that it is ridiculous. Mayor Crewe advised that the motoring public is just not obeying the laws. He reiterated that his read on it is the majority of the Council wants to install the stop sign and see what happens. He noted the Council will direct the Town staff to install the stop bar and signs on it, and to keep watch on the matter and review it.

Councilman Lambert also reported that now that autumn has arrived and the leaves are turning and starting to fall, the Town has had several inquiries with regard to the Town's annual leaf collection program. He advised that though the vast majority of leaves have not yet fallen, Town forces began last week to collect leaves at curbside as they are deposited. Councilman Lambert noted that, obviously, over the next several weeks, the volume of leaves that will be collected will increase and the collection efforts will be more oriented to a street-by-street collection. He indicated that with regard to the leaf collection program, the Committee thinks it is important to remind town citizens about the policies of leaf collection. Councilman Lambert explained that in the leaf collection program that will be occurring over the next two months, citizens should rake the leaves up to the side of the street, but not onto the edge of the street. He noted the accumulation of large quantities of leaves in the street tends to create traffic hazards. Councilman Lambert remarked that the Town would also remind citizens that on some days, there are large volumes of brush and debris at curbside beyond leaves, and sometimes Town crews may be a day or two behind collecting all of these wastes. He advised that any citizen who has specific questions should contact the Town Office. Mayor Crewe noted that people are still piling leaves in the street. Councilman Weisiger advised that he would like to commend the Town Manager for placing his leaves on the curb and not in the street. He noted he drove down Mountain View Drive yesterday, and everyone else had their leaves out in the street. Mayor Crewe advised that several streets in Town have narrowed by ten feet because of the leaves piled in them. Councilman Lambert inquired if the Council thought a bold notice in the newspaper may alert people. Mayor Crewe stated that Mr. Harmon with the *Wytheville Enterprise* may be able to help the Council with this matter by placing some of this information in an article when he writes it. He noted it is like the motoring public, and he does not think it is going to make a big dent in it one way or the other, but the Town will try it. Vice-Mayor King advised she does not think some people read the newspaper or listen to the radio. Mayor Crewe noted that may be true.

Councilman Lambert reported that at the last meeting of Council, they discussed the potential to create an exclusive left turn movement for vehicles traveling southwardly on Eleventh Street as they approach Main Street. He advised that as the Council knows, there are large volumes of traffic making this turning movement, and, often, vehicles that are proceeding northwardly on Eleventh Street impact this left turning movement. Councilman Lambert indicated that they asked the Public Works Department to investigate the existing equipment and to make a determination if a left turn signal could be installed at this location. He advised that this left turn

signal would be similar to the arrangement at the intersection of Fourth Street and Ridge Road. Councilman Lambert advised that the new signal would give traffic proceeding southwardly on Eleventh Street approaching Main Street an advanced opportunity to turn before the traffic proceeding northwardly on Eleventh Street is released to proceed. He stated unless the Council has questions or concerns, the Committee will ask the Public Works Department to proceed with making the revision to the signalization and the lane markings at this location. Mayor Crewe noted the Budget and Finance Committee reviewed this, and no one had any problems with changing this signalization. It was the consensus of the Council to request the Public Works Department to make the revision to the signalization and the lane markings at this intersection.

Councilman Lambert reported that the New River Regional Water Authority has now produced a final draft of a service agreement among Wythe County, Carroll County, and the Town of Wytheville for the construction, maintenance, and operation of the water treatment facility and transmission mains that will serve all three communities. He indicated that the Committee has attached a copy of the Service Agreement for the Council's review and would anticipate that the Committee would seek an action to adopt this agreement at the next meeting of Council. Councilman Lambert stated that, likewise, Wythe County and Carroll County will take the Service Agreement to their Boards for consideration. He commented that the second document the Committee has included for the Council's review is a draft of an agreement between Wytheville and Wythe County concerning the construction, maintenance, and operation of a transmission main between the water treatment facility in Austinville and the corporate limits of Wytheville. Councilman Lambert explained that this section of line would have the capability of transmitting water in either direction, being from the water treatment plant in Austinville to Wytheville, or from the Wytheville Water Treatment Plant to the Fort Chiswell area. He noted that Wythe County hopes they will be in a position to bid this segment of line sometime in early 2006. Councilman Lambert advised that Wythe County has arranged the financing for this project, and the Town will pay its proportional share once the project is completed. He stated that, likewise, the Council will review this document in Committees over the next week, and the Public Works Committee will ask that it be considered for approval at the next meeting of Council.

Councilman Lambert remarked that finally, the Committee would note that the New River Regional Water Authority continues to look at alternatives for financing the construction of the new water treatment facility. He explained that the Authority had been working with the Virginia Municipal League/Virginia Association of Counties (VML/VACo) Bond Program to arrange the financing for the project. Councilman Lambert remarked that they have experienced some difficulty in arranging the financing since the Authority does not, as yet, have any revenue source, nor will it have a revenue source until the water treatment plant is completed and operational. He stated that currently, the VML/VACo Bond Pool Program has noted they will require a general fund obligation from all three participating jurisdictions. Councilman Lambert advised that under the law, Wytheville and Wythe County can provide such general fund obligations, but Carroll County does not have this authority under State law. He noted, therefore, they are considering other funding alternatives. Councilman Lambert indicated that at the next meeting of the Authority, they hope to hear a presentation from the Virginia Resources Authority to determine if they are capable of making a loan to the Authority without general fund obligations of the three participating jurisdictions. He stated the Committee would note also that the VML/VACo Bond Program will have another allocation program in spring of 2006. Councilman Lambert remarked that the Committee does not think the delays the New River Regional Water Authority has incurred by exploring other financial opportunities will negatively impact the construction schedule. He stated the Authority meets on Thursday, November 17, at 9:00 a.m. in the Council Chambers and will continue to discuss all of these topics. A copy of the Public Works Committee report is attached and made part of these minutes.

#### **RE: ORDINANCE NO. 1195**

Mayor Crewe presented Ordinance No. 1195, an ordinance amending and reenacting Chapter 8, Motor Vehicles and Traffic, by amending Section 8-117 regarding vehicles without state license, and also to amend Chapter 9, Offenses—Miscellaneous, by amending Section 9-38 regarding trespassing, of the Town Code of the Town of Wytheville, Virginia, on first reading. He noted this is the ordinance that came from the Budget and Finance Committee with the motion that it be adopted on first and final reading. Mayor Crewe explained that the ordinance changes the two segments of the parking and trespassing ordinances in regard to traffic. A motion was made by Councilman Jones and seconded by Vice-Mayor King to suspend the rules and adopt Ordinance No. 1195, an ordinance amending and reenacting Chapter 8, Motor Vehicles and Traffic, by amending Section 8-117 regarding vehicles without state license, and also to amend Chapter 9, Offenses—Miscellaneous, by amending Section 9-38 regarding trespassing, of the Town Code of the Town of Wytheville, Virginia, 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. 1195 was adopted on first and final reading and is effective immediately.

**RE: PARKING CITATION FINES**

Town Manager Sutherland inquired if the Town Council could consider the parking citation fines that were attached to the Budget and Finance Committee Report. Mayor Crewe noted he thought the fines were part of the ordinance, but Town Manager Sutherland is correct, and they are not part of the ordinance. Mayor Crewe noted if he is reading it correctly, the Budget and Finance Committee would recommend that the fines, as suggested, be adopted to be effective immediately. Vice-Mayor King stated that is correct. A motion was made by Councilman Jones and seconded by Vice-Mayor King to approve the parking citation fines as attached to the Budget and Finance Committee Report and for them to be effective immediately. Mayor Crewe inquired if there is any discussion on the motion. Mayor Crewe indicated that he will take a voice vote, and noted he thinks it is part of the same ordinance, and inquired if, technically, it takes a motion of the Council. Town Manager Sutherland advised that is correct, and it would be good for the Council to vote on it. Mayor Crewe noted the Council is voting on making the proposed fines effective immediately. 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.

**RE: APPOINTMENTS – WYTHEVILLE RECREATION COMMISSION**

Mayor Crewe stated the next agenda item is the notification of appointments to the Wytheville Recreation Commission to fill the expiring terms of Ms. Cheryl Pugh and Mr. Joe Stanley whose terms expire December 31, 2005. He noted that Ms. Pugh and Mr. Stanley are eligible for reappointment. Mayor Crewe explained that the process the Council uses for this is the Recreation Commission will make a recommendation, which will be considered at the next Council meeting. He advised that anyone who is interested in applying to serve on the Commission is invited to complete the application. Vice-Mayor King remarked that Ms. Pugh and Mr. Stanley are interested in serving again. Mayor Crewe noted that is correct.

**RE: APPOINTMENTS – WYTHEVILLE INDUSTRIAL DEVELOPMENT AUTHORITY**

Mayor Crewe stated the next agenda item is the notification of appointments to the Wytheville Industrial Development Authority to fill the unexpired term of Mr. Jimmy Smith whose term expires December 12, 2008, and the expiring terms of Mr. Tom Green and Mr. Steve Irvin whose terms expire December 12, 2005. He advised that Mr. Green and Mr. Irvin are not eligible for reappointment. Mayor Crewe explained that Mr. Jimmy Smith passed away, and his term needs to be filled, so there are three openings on the Wytheville Industrial Development Authority to be considered at the next meeting. He noted that anyone who is interested in serving on the Authority should, likewise, fill out an application and apply.

**RE: PLANNING COMMISSION RECOMMENDATION – ADULT USES**

Mayor Crewe noted the next agenda item is to consider the recommendation of the Planning Commission regarding amending the Town of Wytheville Zoning Ordinance, Article III – Definitions; Article XI – Business District B-2 General; and Article XI-A Business District B-2 DT General Business District – Downtown, to include revisions regarding adult uses. He noted the Council will need to schedule a public hearing to consider amending the Zoning Ordinance. Mayor Crewe remarked that the Council will see in their packet the information from the Planning Commission's October 13 meeting regarding adult uses. He noted the Council can meet the necessary advertising requirements if the Council schedules a public hearing for

December 12, 2005, at 7:00 p.m. Mayor Crewe inquired if anyone has any problems with scheduling a public hearing for December 12. It was the consensus of the Council to schedule a public hearing for the December 12, 2005, meeting at 7:00 p.m. to consider amending the Town of Wytheville Zoning Ordinance, Article III – Definitions; Article XI – Business District B-2 General; and Article XI-A Business District B-2 DT General Business District – Downtown, to include revisions regarding adult uses.

**RE: CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY**

Mayor Crewe stated the next agenda item is setting a date for a public hearing to consider renewing the Certificates of Public Convenience and Necessity during 2006 for Premier Taxi Service, LLC for the operation of taxicabs, and LifeCare Medical Transports, Incorporated and Guardian Ambulance Service for the operation of public vehicles. He noted the Council is required to hold an annual public hearing for the purpose of determining the number of taxicabs and public vehicles for Certificates of Public Convenience and Necessity that shall be issued. Mayor Crewe advised that, again, the Town can meet the publication requirements and hold this public hearing also on December 12, 2005. He noted that at that time, the Council can anticipate having a report from the Police Department for the inspection of vehicles, proof of insurance, etc., that have been reviewed. Mayor Crewe inquired if anyone has a problem with setting the public hearing for December 12. It was the consensus of the Council to set a public hearing for the December 12, 2005, meeting at 7:00 p.m. to consider renewing the Certificates of Public Convenience and Necessity during 2006 for Premier Taxi Service, LLC for the operation of taxicabs, and for LifeCare Medical Transports, Incorporated and Guardian Ambulance Service for the operation of public vehicles.

**RE: VETERANS DAY CEREMONY**

Vice-Mayor King stated that the Veterans Day Ceremony was very nice and rather well attended.

**RE: CLOSED MEETING**

Mayor Crewe noted that he will entertain a motion to go into closed session pursuant to Section 2.2-3711(A)(7) of the Code of Virginia for the purpose of discussing litigation with the Town Attorney. A motion was made by Councilman Jones and seconded by Councilman Weisiger to hold a closed meeting pursuant to Section 2.2-3711(A)(7) of the Code of Virginia for the purpose of discussing litigation with the Town Attorney. 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 advised that he does not anticipate taking any action after the closed meeting.

**RE: RECONVENE TO OPEN SESSION**

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

A motion was made by Councilman Jones and seconded by Councilman Weisiger that nothing was discussed in the closed meeting except the matter or matters (1) specifically identified in the motion to convene in a closed meeting and (2) lawfully permitted to be so discussed under the provisions of the Virginia Freedom of Information Act cited in that motion. 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

A copy of the certification is attached and made part of these minutes. (7:48 p.m.)

**RE: ADJOURNMENT**

There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting (7:50 p.m.).

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Trenton G. Crewe, Jr., Mayor

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Sharon G. Corvin, Chief Deputy Clerk

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