

AGENDA
Wytheville Town Council
Monday, September 25, 2006
7:00 P.M.
Wytheville Municipal Building
150 East Monroe Street
Wytheville, Virginia 24382

- A. **CALL TO ORDER**—MAYOR TRENTON G. CREWE, JR.
- B. **ESTABLISHMENT OF QUORUM**—MAYOR TRENTON G. CREWE, JR.
- C. **INVOCATION**—COUNCILMAN JOHN W. JONES, JR.
- D. **PLEDGE OF ALLEGIANCE**—VICE-MAYOR JACQUELINE K. KING
- E. **CONSENT AGENDA**
 - 1. Minutes of the regular meeting of September 11, 2006
 - 2. Request of the March of Dimes for waiver of fee for use of Withers Park and McWane Shelter for a walk on October 7, 2006
- F. **CITIZENS' PERIOD**
- G. **OLD BUSINESS**—TOWN MANAGER C. WAYNE SUTHERLAND, JR.
- H. **COMMITTEE REPORTS**
 - 1. Budget and Finance
 - a. Solicitations for lease of Community Center sought
 - b. Edith Bolling Wilson Virginia State Historic Marker to be dedicated
 - 2. Public Works
 - a. Street lighting in Meadows of Pine Ridge
 - b. Update on work in Progress Park
- I. **APPOINTMENTS**
 - 1. Recommendation of the Recreation Commission for the reappointment of a youth member to the Recreation Commission for a one-year term

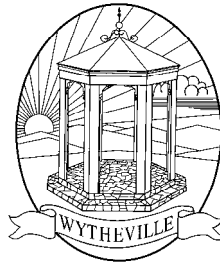
J. RESOLUTIONS/ORDINANCES

1. Ordinance No. 1204, an ordinance amending and reenacting Chapter 10, Planning and Development, of the Code of the Town of Wytheville, Virginia, by amending Article IV, Erosion and Sediment Control, Section 10-79, on first reading
2. Ordinance No. 1205, an ordinance amending and reenacting Ordinance No. 1203, the Budget Ordinance for fiscal year 2006-07, so as to amend the Personal Property Tax Relief Act amount from seventy per centum (70%) to sixty-one and nine tenths per centum (61.9%), on first reading

K. OTHER BUSINESS

1. Recommendation of the Planning Commission regarding the request of Jay Laxmi, LLC for final approval of the subdivision of property located on the north side of Peppers Ferry Road between I-77 and Cove Road in a B-2 Business District

L. ADJOURNMENT



Meeting Date:	Monday, September 25, 2006
Item Name:	Consent Agenda
Item Number:	E-2
Subject:	Waiver of Fees

SUMMARY:

Enclosed is a request of the March of Dimes for waiver of fees for use of Withers Park and McWane Shelter for a walk on October 7, 2006. The March of Dimes conforms to the criteria for waiver of fee and Director of Recreation Showalter has also approved the request.



Town of Wytheville
Department of Parks and Recreation

Request for Waiver of Fees

Name of Organization: March of Dimes Non-Profit / Profit
Date of Activity: October 7, 2006 Tax-exempt No: 13-1846366
Purpose of Activity: walk

Request of Area	Hours	Use Fee	Additional Information
Gym			
Bingo Room			
Room			
Withers Park	<u>8am-2pm</u>	<u>300</u>	
Elizabeth Park			
Melone Shelter	<u>9am-2pm</u>	<u>25</u>	
Number of Persons in Attendance: <u>150</u>			

Requirements

- The activity provides a direct recreational, educational or entertainment value to the participants.
 - Alcoholic beverages will not be sold, served, or consumed.
 - The activity was scheduled through the Department of Recreation at least one month in advance of the date of the event.
 - Group requesting waiver of fees is a public agency, or group incorporated by the Commonwealth of Virginia as non-profit organization.
 - Proceeds raised will be donated to: March of Dimes
- (The generation of funds for a charitable or worthy cause shall not, of itself, be deemed as a reason for waiver of Center or Park use fees)

Organization Representative: Nikki Hicks
Address: 341 Red Oak Ridge Rd.
City/State: Castlewood, Va Zip Code: 24224
Day Phone: 276-762-0032 Night Phone: _____
Signature: Nikki Hicks Date: 9-20-06

Approval
Director of Recreation: Bob Shoultz Date: 9-20-06
Comments: _____
Approved By: _____ Date: _____
Comments: _____

Alc. hol: _____ Deposit Pd: _____ Fees Pd: _____

Town of Wytheville
Parks & Recreation Department

250 S Fourth St.
Wytheville, VA 24382
Phone: 276-223-3378
Fax: 276-223-3314

Facility Use Agreement

Representative Name: Nikki Hicks
Organization Name: March of Dimes
Address: ROUTE 3 BOX 58
City: CASTLEWOOD State: VA ZIP: 24229
Day Phone: 762-0032 Night Phone: _____
Fax: 762-5400 E-Mail: CAUSTIN-HICKS@

Activity Date: October 7, 2006
Area Requested: Wythevs Park
McWane Shelter
Purpose of Activity: Walk
Classification: NLNPE

Activity Details
Persons: 60 TIME IN: 8am TIME OUT: 2pm
Activity Time: 9am TOTAL HOURS: 6 hrs
Tables: _____ Chairs: _____ Bases: _____
Coffee Urn: _____ Storage: _____ PA: _____
Caterer's Name: _____ Arrival: _____
Alcohol Use: _____ Officer: _____ Time: _____

Fees
Paid Set Up: _____ (staff)
Paid Clean Up: _____ (staff)
Room/Area Rental Fees: \$ 325
Kitchen: \$ _____
Security Deposit: \$ 200
P.A. Rental: \$ _____
Set Up Fee: \$ _____
Police Officer Fees: \$ _____
Other: \$ _____
TOTAL: \$ 545
Total Paid: \$ _____
Date: _____ Rec. No. _____
Check Cash
BALANCE: \$ _____ **DUZ BY:** _____
Balance Paid: \$ _____ Date: _____
Rec. No. _____ Check Cash

I (We) understand that permission for use is granted on condition that all rules and regulations pertaining to the use shall be followed and understand that permission for use may be revoked at any time for failure to do so. Upon request I have read the facility policies and agree to abide by them. The Town of Wytheville Parks and Recreation Department reserves the right to cancel or change facility rentals as needed

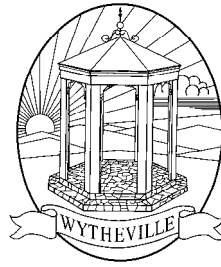
This agreement is subject to the details, terms, conditions and policies of the facility.

Representative's Signature: [Signature] DATE: 8/18/06
Staff Signature: [Signature] DATE: _____

Handbook Provided: _____
Police Dept. Contacted: _____
ABC Application: _____

Refund Amount: _____ Date: _____
Police Officer Pd: _____ Date: _____
Staff Pd: _____ Date: _____

CLASS - no fee
no bal.



Meeting Date:	Monday, September 25, 2006
Item Name:	Committee Reports
Item Number:	H-1
Subject:	Budget and Finance

SUMMARY:

The Budget and Finance Committee will report on the following matters:

- a. Solicitations for lease of Community Center sought
- b. Edith Bolling Wilson Virginia State Historic Marker to be dedicated

BUDGET AND FINANCE COMMITTEE REPORT

SEPTEMBER 25, 2006

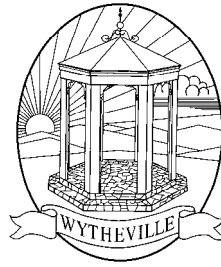
1. Both Committees have now had the opportunity to review the solicitation for the receipt of proposals for leasing the existing Community Center at 250 South Fourth Street. As we had reported earlier, one or more organizations had approached the Council about the lease of the property, and we determined that it would be equitable to publicly receive proposals for the lease of the building. The proposals will be received from governmental, civic, and faith based organizations through October 16, 2006. It is not clear at this point when the Town will actually be relocated from the old Community Center into the new Community Center, but we anticipate that it will be sometime during the first quarter of 2007. There are certain basic parameters that we have established for those organizations who would desire to submit a proposal. First, the leasing organization will be responsible for costs associated with operating the facility. Second, the lease will also require that the organization maintain the interior and exterior of the building in an acceptable fashion. Third, any organization that leases the building will be required to accommodate the existing activities of the Wythe Arts Council and the veterans organizations. Additionally, we have noted that the term of the lease would be negotiable, though we would anticipate that it would be a long term lease. Any organizations that are interested in submitting a proposal can get additional information from the Town Manager's Office.

2. As a matter of public interest, we would note that the Virginia State Historical Marker commemorating the birthplace of Edith Bolling Wilson will be dedicated on Friday, October 13, 2006, at 2:30 p.m. in front of the Bolling home. The Bolling home is located at 145 East Main Street, which is on the south side of Main Street between Church and First Streets.

The erection of this historic marker is the result of the efforts of the Edith Bolling Wilson Birthplace Foundation and Bill and Farron Smith. The Town has assisted the Foundation in preparing a location on Main Street at the Bolling property for the erection of the sign. More information will be available about the ceremony in the near future, but we did want to give notice that the marker would be installed and to congratulate the Foundation for their success in obtaining this marker.

Jacqueline K. King

John W. Jones, Jr.



Meeting Date:	Monday, September 25, 2006
Item Name:	Committee Reports
Item Number:	H-2
Subject:	Public Works

SUMMARY:

The Public Works Committee will report on the following matters:

- a. Street lighting in Meadows of Pine Ridge
- b. Update on work in Progress Park

PUBLIC WORKS COMMITTEE REPORT

SEPTEMBER 25, 2006

1. In October of last year, our Committee received several requests for the installation of street lighting in the Meadows of Pine Ridge subdivision. As you may recall, the Town's subdivision regulations currently require the installation of streetlights, but when the Meadows of Pine Ridge subdivision was created, these regulations did not exist. Subsequent to that inquiry, the Council did approve the installation of street lighting in this neighborhood, and we are pleased to advise that most of the street lighting has now been installed. The contractor for Appalachian Power Company has some work remaining to be completed, but they anticipate that they will finalize their work in the very near future.

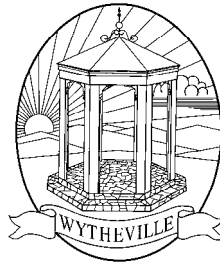
This project took far longer to be completed than was anticipated. The Town developed a preliminary design and coordinated these locations with the residents in the neighborhood. Unfortunately, there were some delays in bidding the project with the power company, and we went through a series of price adjustments during the bidding process and American Electric Power had some difficulty in obtaining a subcontractor to perform the work. In any event, we are pleased that the work is now nearly completed, and we have already received a number of very positive comments from residents in the neighborhood.

2. During the first week of September, the Town issued a change order for the water line project being constructed in Progress Park. As you may recall, the Town has recently

installed new water lines to provide water service to the new Gatorade facility. These water lines supply the Gatorade facility both from the north and south sides. As you know, also, the Amcor Virginia project is moving at a rapid pace, and they, too, will be supplied by the Town's new water system. The purpose of change order two was to connect the water lines on the north side of the site with the water lines on the south side of the Gatorade facility. This water line was always anticipated, but could not be constructed until both Gatorade and Amcor completed the excavation work between their two facilities. That work has been completed, and the final segment of the water line is now under construction. This final segment of water line will cost \$62,775. The total water line project to serve Progress Park was estimated at \$2,450,000, and it appears that when all of the work is complete, we will have constructed the project for approximately \$25,000 less than the anticipated amount. There is no action required by the Council on this matter, but we did want everyone to realize that the water line project in Progress Park was nearing completion and within budget.

William B. Weisiger

H. Judson Lambert



Meeting Date:	Monday, September 25, 2006
Item Name:	Appointments
Item Number:	I-1
Subject:	Recreation Commission

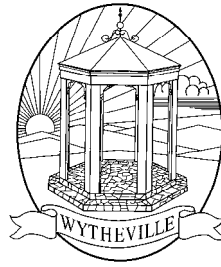
SUMMARY:

Enclosed is the recommendation of the Recreation Commission regarding the appointment of a youth member to the Commission. The Recreation Commission would recommend the reappointment of Ms. Allison Phillips to a one year term, expiring September 30, 2007.

Memorandum

To: Town Council
From: Recreation Commission
Date: September 12, 2006
Re: Recreation Commission Student Member

The Recreation Commission would like to recommend to Town Council that Allison Phillips be reappointed to serve as student member for the term beginning October 1, 2006 and ending September 30, 2007.



Meeting Date:	Monday, September 25, 2006
Item Name:	Resolutions/Ordinances
Item Number:	J-1
Subject:	Ordinance No. 1204—Erosion and Sediment Control

SUMMARY:

Enclosed is Ordinance No. 1204, which amends the Town Code regarding erosion and sediment control. The amendment sets forth that the Soil and Water Conservation Board, not the Town, has approval of utility companies' annual general erosion and sediment control specifications. If Council concurs, we would recommend that the rules be suspended and the ordinance adopted on first and final reading.

ORDINANCE NO. 1204

At a regular meeting of the Town Council of the Town of Wytheville, Virginia, held in the Council Chambers on the 25th day of September 2006, at 7:00 P.M.

Present:

Absent:

AN ORDINANCE AMENDING AND REENACTING CHAPTER 10, PLANNING AND DEVELOPMENT, OF THE CODE OF THE TOWN OF WYTHEVILLE, VIRGINIA, BY AMENDING ARTICLE IV, EROSION AND SEDIMENT CONTROL, SECTION 10-79

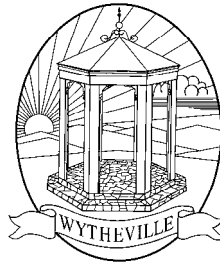
BE IT ORDAINED by the Town Council of the Town of Wytheville, Virginia, that Chapter 10, Planning and Development, of the Code of the Town of Wytheville, Virginia, be amended and reenacted by amending Article IV, Erosion and Sediment Control, Section 10-79, as follows:

ARTICLE IV. EROSION AND SEDIMENT CONTROL

Sec. 10-79. Regulated land-disturbing activities; submission and approval of plans; contents of plans.

- (h) Electric, natural gas and telephone utility companies, interstate and intrastate natural gas pipeline companies and railroad companies shall file general erosion and sediment control specifications annually with the Soil and Water Conservation Board for review and written comments. The specifications shall apply to:
1. Construction, installation or maintenance of electric transmission, natural gas and telephone utility lines, and pipelines; and,
 2. Construction of the tracks, rights of way, bridges, communication facilities and other related structures and facilities of the railroad company.

The Board shall have 60 days in which to approve the specifications. If no action is taken by the Board within 60 days, the specifications shall be deemed approved. Individual approval of separate projects within subdivisions 1 and 2 of this subsection is not necessary when approved specifications are followed. Projects not included in subdivisions 1 and 2 of this subsection shall comply with the requirements of the Town's Erosion and Sediment Control Program. The Board shall have the authority to enforce approved specifications.



Meeting Date:	Monday, September 25, 2006
Item Name:	Resolutions/Ordinances
Item Number:	J-2
Subject:	Ordinance No. 1205—Budget Ordinance

SUMMARY:

Enclosed is Ordinance No. 1205 which amends the budget ordinance regarding the Personal Property Tax Relief Act amount. As you may recall, this amount had to be estimated when the budget was adopted. The amount that now needs to be reflected is 61.9% in lieu of 70%. If Council concurs, we would also recommend that the rules be suspended and Ordinance No. 1205 be adopted on first and final reading.

ORDINANCE NO. 1205

At a regular meeting of the Town Council of the Town of Wytheville, Virginia, held in the Council Chambers on the 25th day of September 2006, at 7:00 P.M.

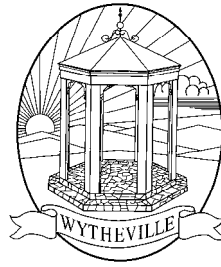
Present:

Absent:

AN ORDINANCE AMENDING AND REENACTING ORDINANCE NO. 1203, THE BUDGET ORDINANCE FOR FISCAL YEAR 2006-07, SO AS TO AMEND THE PERSONAL PROPERTY TAX RELIEF ACT AMOUNT FROM SEVENTY PER CENTUM (70%) TO SIXTY-ONE AND NINE TENTHS PER CENTUM (61.9%)

BE IT ORDAINED by the Town Council of the Town of Wytheville, Virginia, that Ordinance No. 1203, the Budget Ordinance for Fiscal Year 2006-07, be amended and reenacted as follows:

AN ORDINANCE setting the tax rate of \$0.16 per \$100 valuation of Real Estate, \$0.28 per \$100 valuation of Machinery and Tools, and \$0.28 per \$100 valuation of Personal Property, excluding household goods and personal effects and including the property separately classified by Sections 58.1-3200 and 58.1-3503 of the Code of Virginia, the Personal Property Tax Relief Act as authorized by Section 58.1-3523 of the Code of Virginia in the amount of sixty-one and nine tenths per centum (61.9%), and a Bank Franchise Tax as authorized by Section 58.1-1209 of the Code of Virginia in the amount of eighty per centum (80%) of the State rate of taxation for each one hundred dollars (\$100) of net capital of banks located in the Town. For such banks which have offices outside the corporate limits of the Town, the tax is to be apportioned as provided in Section 58.1-1211 of the Code of Virginia. The total rates as shown are for municipal purposes.



Meeting Date:	Monday, September 25, 2006
Item Name:	Other Business
Item Number:	K-1
Subject:	Jay Laxmi, LLC Subdivision approval

SUMMARY:

Enclosed is the recommendation of the Planning Commission regarding the request of Jay Laxmi, LLC for final approval of the subdivision of property located on the north side of Peppers Ferry Road between I-77 and Cove Road in a B-2 Business District. This subdivision proposes dividing the Peppers Ferry frontage into five lots with the residual property of about 60 acres being lot 6. The Planning Commission would recommend final approval of the subdivision with the following stipulations:

1. Subject to final technical compliance with the Town’s ordinances
2. The relocation of the sewer line to within the right of way and decreasing the line runs between the manholes
3. Relocation of stormwater structure on Peppers Ferry Road

If Council concurs with the recommendation, approval will be by way of a motion of Council.



WYTHEVILLE PLANNING COMMISSION RECOMMENDATION TO COUNCIL

Request:

Request of Jay Laxmi, LLC for final approval of the subdivision of property located on the north side of Peppers Ferry Road between I-77 and Cove Road, to be known as Peppers Ferry Crossing, in a B-2 Business District.

Recommendation to Town Council:

After considerable discussion regarding different aspects of the subdivision, including stormwater and sewer, is the recommendation of the Planning Commission that the Town Council give final approval to the request of Jay Laxmi, LLC for the subdivision of property located on the north side of Peppers Ferry Road between I-77 and Cove Road, to be known as Peppers Ferry Crossing, with the following stipulations:

1. Subject to final technical compliance with the Town's ordinances.
2. The relocation of the sewer line to within the right of way and decreasing the line runs between the manholes. (Discussed also was increasing the manhole diameters to allow ease of pipe work in the event of failure.)
3. Relocation of stormwater structure on Peppers Ferry Road.

TOWN OF WYTHEVILLE, VIRGINIA

APPLICATION FOR SUBDIVISION

NAME OF SUBDIVISION PEPPER'S FERRY CROSSING DATE 9/5/2006

NAME OF OWNER (S) JAY LAXMI, LLC

ADDRESS P.O. Box 308 ABINGDON, VA, 24212

PHONE NUMBER 276-591-4927 (CELL) 423-306-7462

NAME AND ADDRESS OF PERSONS TO CONTACT (Surveyor and Attorney) _____

PETER PATEL (CELL) 423-306-7462

(PRAKASH) PHONE NO. _____

NUMBER OF EXISTING LOTS ONE

NUMBER OF PROPOSED LOTS SIX

LOCATION OF PROPERTY PEPPER'S FERRY ROAD

PROPOSED USE OF SUBDIVIDED PROPERTY (single-family dwellings, townhouses, condominiums, industrial, commercial, etc.)

COMMERCIAL

PRESENT USE OF PROPERTY VACANT

CONFORMING OR NONCONFORMING USE CONFORMING

OTHER REGULATORY AGENCIES INVOLVED (Health Department, Water Control Board, Etc.)

HEALTH DEPARTMENT

WATER SUPPLY:

INDIVIDUAL _____ CONNECT TO EXISTING TOWN SYSTEM

SEWAGE DISPOSAL:

SEPTIC DISPOSAL _____ CONNECT TO EXISTING TOWN SYSTEM

ZONING CLASSIFICATION B2

MINIMUM LOT AREA _____

MINIMUM SETBACK _____

MINIMUM LOT WIDTH _____

IS PROPERTY CURRENTLY UNDER LAND USE CLASSIFICATION? No

ZONING CHANGE REQUIRED NO

ARE ANY PORTIONS IN FLOOD PLAIN? No

WILL ON-SITE STORM WATER MANAGEMENT BE PROVIDED? YES

ARE ALL NECESSARY UTILITY EASEMENTS SHOWN? YES

ARE ALL STREET RIGHTS OF WAY ADEQUATE (50' OR GREATER)? YES

IS DEDICATION AND CONSTRUCTION OF A PUBLIC STREET INVOLVED? YES

DOES PROPERTY CONFORM TO ALL APPLICABLE ZONING ORDINANCES? YES

REQUIRED PLAT OF PROPERTY IS ATTACHED? YES

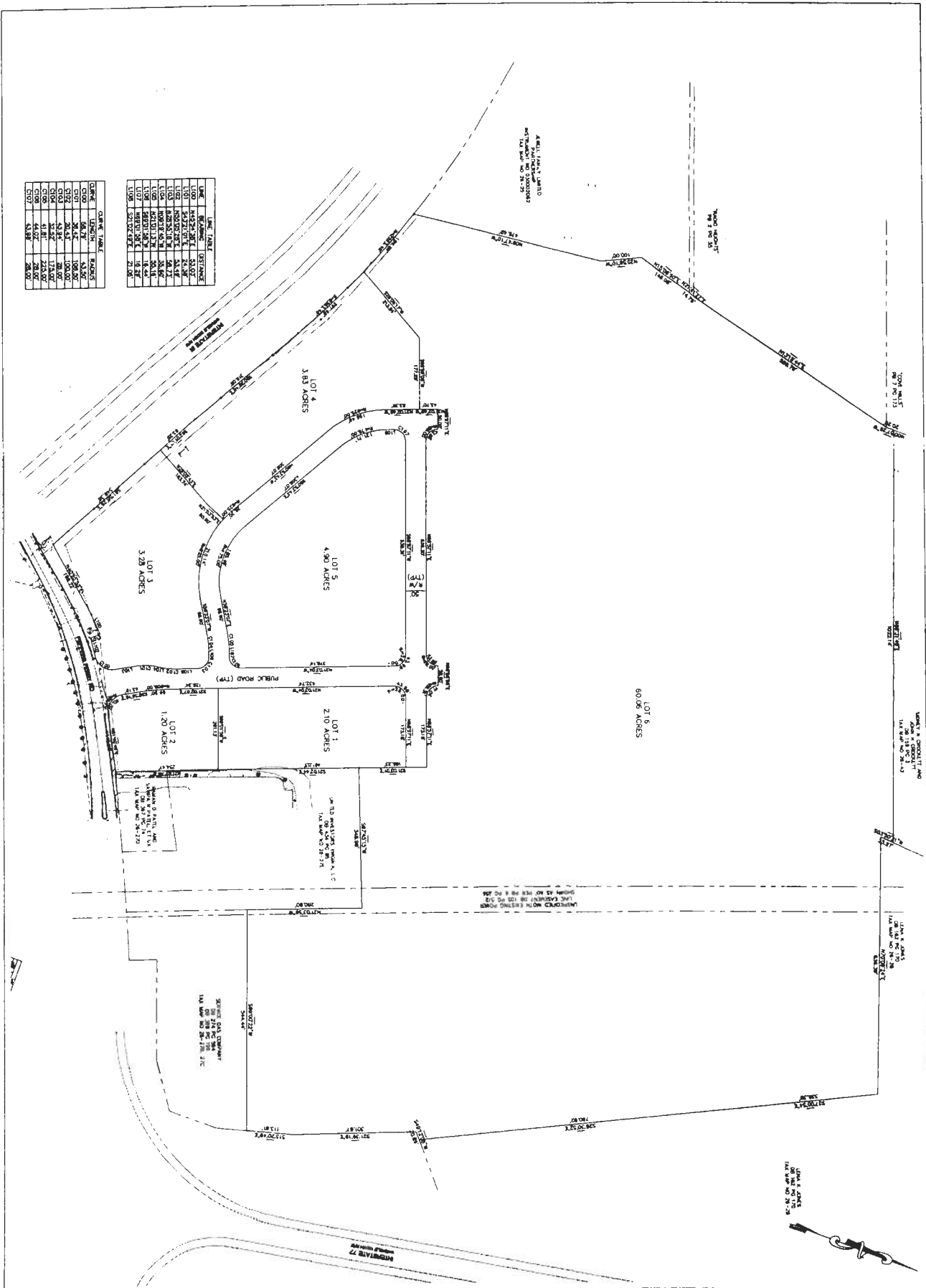
SIGNATURE OF APPLICANT/AGENT Prakash R. Patel

NOTE: I understand that the Planning Commission, as set forth in Section 6 of the Subdivision Ordinance, requires the submittal of a plat including the lot, street and utilities layout. The Planning Commission may, at its discretion, require additional information for clarification of the final plat which may include information concerning the correlation of abutting properties, rights of way, utilities, etc.

OFFICE USE ONLY:

Received by Sherry Corvin Date Received 9/5/06

Application Fee (2 lots)	\$	50.00
\$5 for each additional lot		<u>20.00</u>
Total Fee	\$	<u>70.00</u>



LINE	BEARING	DISTANCE
LINE 1	N 45° 32' 00" E	53.00'
LINE 2	S 45° 32' 00" E	53.00'
LINE 3	N 45° 32' 00" E	53.00'
LINE 4	S 45° 32' 00" E	53.00'
LINE 5	N 45° 32' 00" E	53.00'
LINE 6	S 45° 32' 00" E	53.00'
LINE 7	N 45° 32' 00" E	53.00'
LINE 8	S 45° 32' 00" E	53.00'
LINE 9	N 45° 32' 00" E	53.00'
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LINE 100	S 45° 32' 00" E	53.00'

C2

6013

DATE: 11-1-06

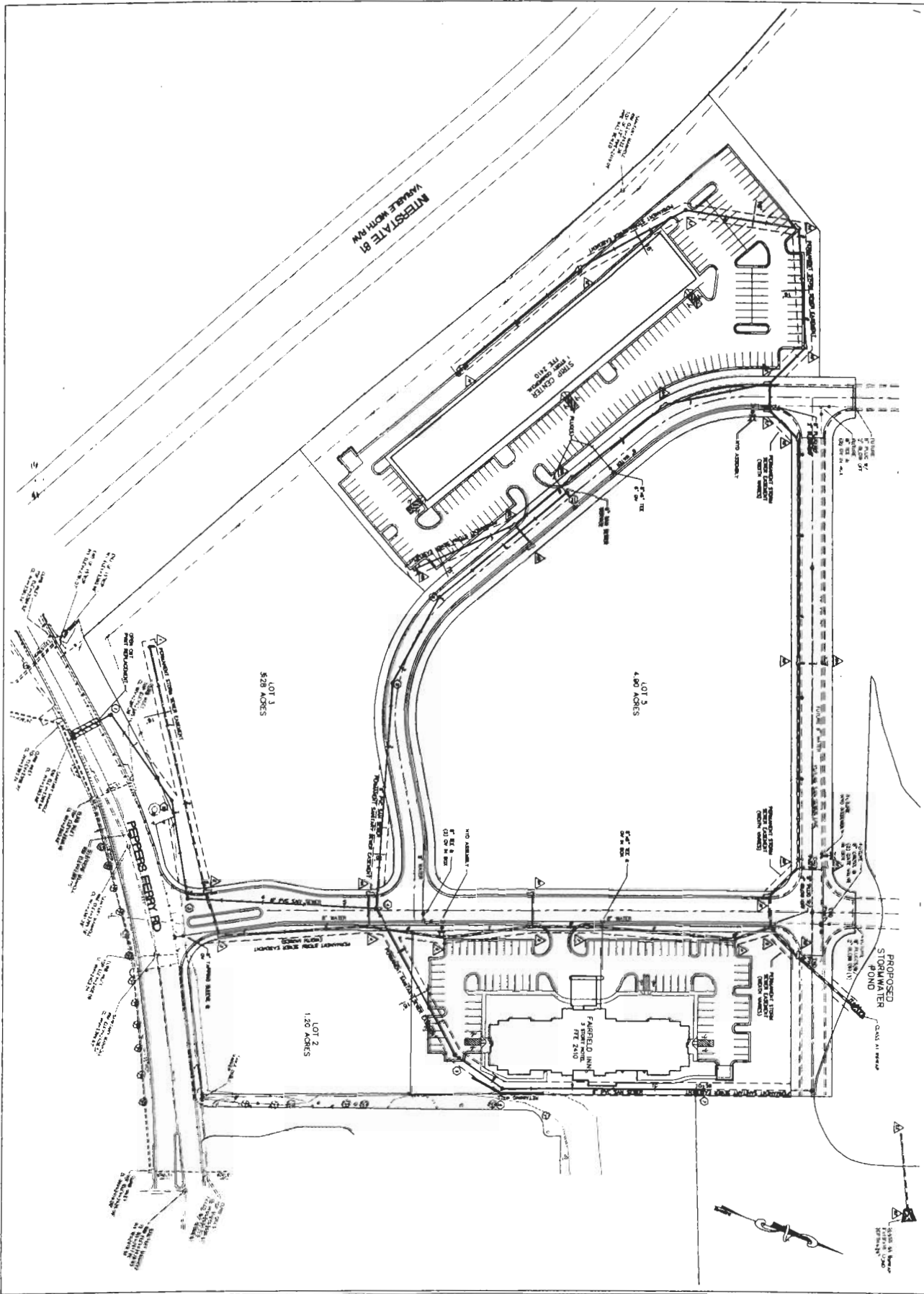
PEPPERS FERRY CROSSING
TOWN OF WYTHEVILLE
LOT LAYOUT

KOONTZ-BRYANT, P.C.
Site Solutions from Concept to Construction
8038 INTERNATIONAL DRIVE, SUITE 100
GREENSBORO, NORTH CAROLINA 27406
(336) 945-7900 FAX (336) 945-0710
http://www.koontz-bryant.com

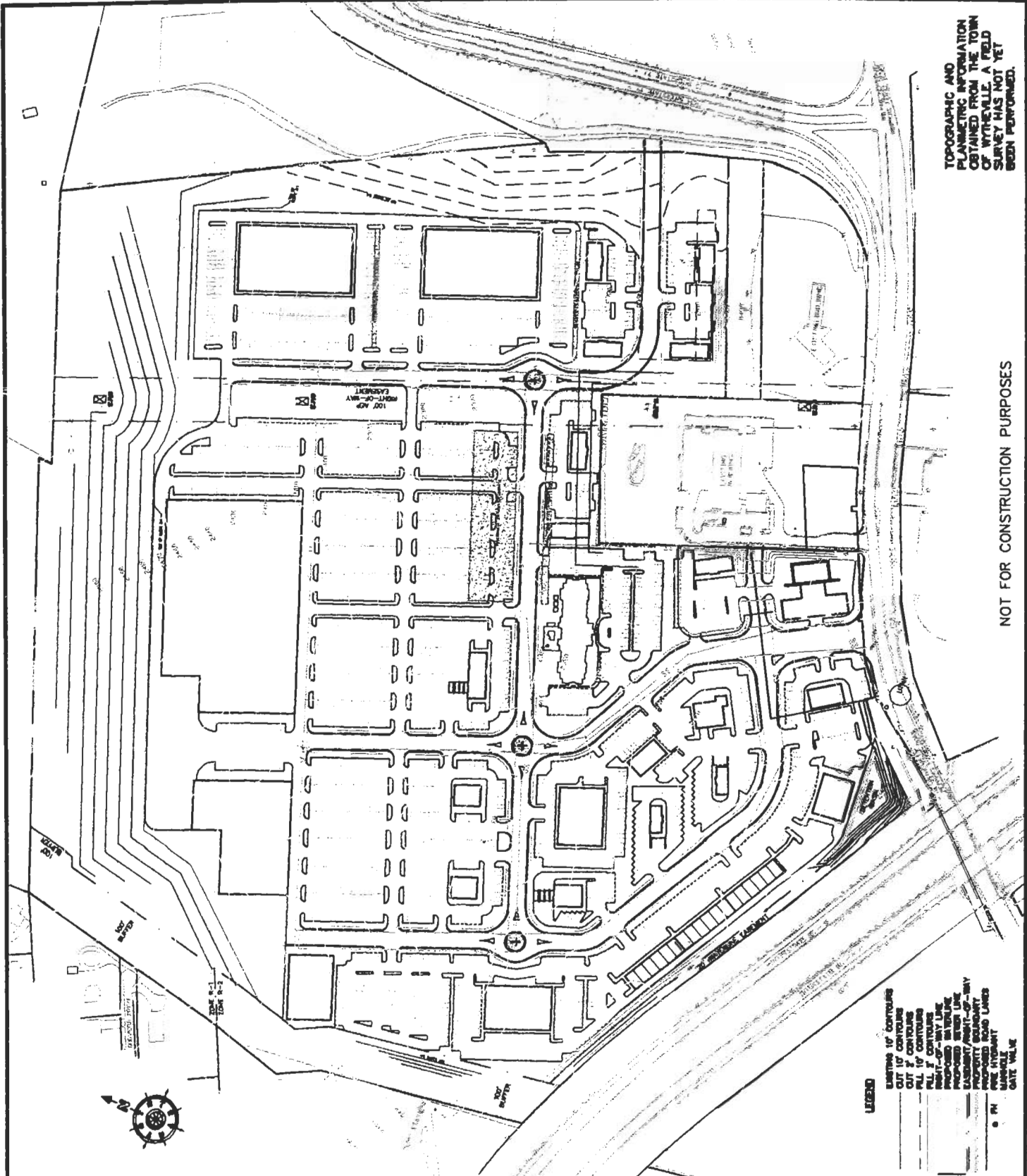
DESIGNED: MIM
DRAWN: LNC
CHECKED: MIM

REVISIONS:





C4	PEPPERS FERRY CROSSING	 KOONTZ-BRYANT, P.C. Site Solutions from Concept to Construction 6910 INTERMEDIATE RD., SUITE 100 GREENSBORO, NORTH CAROLINA 27409 (336) 845-0000 FAX (336) 845-0810 www.koontz-bryant.com	DESIGNED: MAM	REVISIONS:
	VIRGINIA TOWN OF WYTHEVILLE UTILITIES		DRAWN: DWT	CHECKED: MAM



TOPOGRAPHIC AND
PLANIMETRIC INFORMATION
OBTAINED FROM THE TOWN
OF WYTHEVILLE. A FIELD
SURVEY HAS NOT YET
BEEN PERFORMED.

NOT FOR CONSTRUCTION PURPOSES

- LEGEND**
- EXISTING 10' CONTOURS
 - OUT 10' CONTOURS
 - OUT 5' CONTOURS
 - ALL 5' CONTOURS
 - PROPOSED SIDEWALK
 - PROPOSED DRIVE LANE
 - PROPOSED 10' TRAIL
 - PROPERTY BOUNDARY
 - PROPOSED ROAD LINES
 - PROPOSED DRIVEWAY
 - MARKET
 - GATE WALK

PILLAR
ENGINEERING &
SURVEYING, P.C.
P.O. Box 609
Wytheville, VA 24382
Phone: 276.223.0500
Fax: 276.223.0300
www.pillareng.com

PRELIMINARY SITE LAYOUT

UMBERGER PROPERTY
PEPPERS FERRY ROAD, WYTHEVILLE, VA
DEVELOPER: PATEL

SCALE: 1"=300'
DATE: DEC., 2005
DRAWN BY: BAW
REVIEWED BY: MWB
REVISIONS:

F-1



JAY LAXMI, LLC FINAL SUBDIVISION APPROVAL REQUEST

Staff Report

The request of Jay Laxmi, LLC for final approval of the subdivision of property located on the north side of Peppers Ferry Road between I-77 and Cove Road, to be known as Peppers Ferry Crossing.

Background

Mr. Peter Patel, representing Jay Laxmi, LLC, and their engineer with Koontz-Bryant, PC, have met with Town staff several times over the last several weeks to review the potential to subdivide the property on Peppers Ferry Road. The subdivision will be named Peppers Ferry Crossing. The property was formerly owned by a partnership of Umberger, Perry, and Bryant, and had been considered for development a number of years ago when a majority of it was rezoned to B-2 Business. At that time, Wal-Mart and Lowe's were being considered as potential tenants in the development. Several months ago, Pillar Engineering developed a master plan for the development. This master plan is included in the meeting package. The new plan deviates from the master plan slightly and proposes dividing the Peppers Ferry frontage into five lots with the residual property of about 60 acres considered as Lot #6. A network of streets is proposed that serve the five lots. The development on Lot #1 is proposed to be a Marriott Courtyard Motel, and a strip mall is proposed for Lot #4.

Zoning

The property is zoned B-2 Business with the exception of a small strip adjacent to Dogwood Lane and Cove Hills Lane that is zoned R-2 Residential.

Traffic Issues

As the development is presently proposed, it does not appear that the traffic volumes would be adequate to pose any problems. Future development of the site may require a traffic study and necessitate an upgrade of the intersection to signalization.

Stormwater Management

The acting Town Engineer has reviewed the stormwater management plan and feels that it is an acceptable plan. The stormwater is being channeled to the east and detained in a basin and released at the predevelopment rate according to the Town's ordinance. The

plan is logical and pragmatic and uses the lower rear lot areas for the detention. Future development may require changing some of the detention to underground. Approval should be subject to final technical compliance.

Erosion and Sediment Control

Erosion and sediment control plans are complete and have been reviewed by certified Town staff and forwarded to the Virginia Department of Conservation and Recreation (VDCR). Final approval and permitting from VDCR will be a requirement of final technical compliance.

Utilities

Water and sewer should be readily available from existing lines and would need to be extended into the site. Town staff had a question about the depth of the sewer line (over 20 feet deep) in some locations to be able to service the future lots in the rear without a pump station. While this is desirable, it does leave concerns about servicing a 20 foot deep sewer line. Town staff recommended moving the sewer line to within the right of way to provide more accessibility. The developer's engineers have indicated that they will move the line to the right of way and will provide manholes at intervals that will facilitate serving the line in the future. The water service location shown appears to be acceptable. The stormwater structure at the entrance drive should be relocated and not removed as noted. The developer's engineers have indicated that this will be revised on the plans.

Parking

The parking requirements would need to be established as each individual property is developed. The amount of impervious surface will impact the stormwater management and the amount of storage required. Parking lot landscaping requirements will also apply to these sites requiring 8 foot setbacks from the right of way line to parking areas and 4 foot setbacks from adjacent property lines to parking areas. The two sites that are shown to be developed initially appear to comply with the parking and landscaping requirements.

Summary

The Planning Commission should carefully study the proposed plan and the issues relative to this development to be sure that potential problems in the ultimate development of this property are appropriately addressed by the developer in his plans. The Planning Commission may want to give approval with the two noted corrections:

1. The relocation of the stormwater structure at the entrance drive instead of its removal.
2. The relocation of the sewer line to within the right of way and decreasing the line

runs between the manholes. (Discussed also was increasing the manhole diameters to allow ease of pipe work in the event of a failure.)

3. Subject to final technical compliance with the Town's ordinances.

Town staff would commend the owners/developers and engineers for a very thorough set of plans in a very small time frame.

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, SEPTEMBER 11, 2006, 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: Assistant Town Manager Stephen A. Moore, Town Clerk Sharon P. Hackler, Town Attorney Robert P. Kaase, Patrol Officer Chris Irvin, Becky Grubb, Mrs. Edgar L. Grubb, Margaret Spraker, Claude Spraker, Pat Snapp, Agnes Eades

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 Lambert followed by the Pledge of Allegiance led by Councilman Weisiger.

RE: CONSENT AGENDA

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting of August 28, 2006, and the request of the New River Highlands Resource Conservation and Development for waiver of fees for use of the Community Center on September 28, 2006, for a meeting. He advised that the Council found the request of the New River Highlands RC&D at their seats when they arrived at the meeting. A motion was made by Vice-Mayor King and seconded by Councilman Weisiger to approve the consent agenda consisting of the minutes of the regular meeting of August 28, 2006, and the request of the New River Highlands Resource Conservation and Development for waiver of fees for use of the Community Center on September 28, 2006, for a meeting. 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: PUBLIC HEARING – BOUNDARY ADJUSTMENT

Mayor Crewe stated the meeting constituted a public hearing (due notice having been given) to consider the proposed Boundary Line Adjustment Agreement between the County of Wythe and the Town of Wytheville incorporating a parcel of land containing approximately 160.734 acres. He advised that no one indicated on the sign up sheet that they wished to speak. Mayor Crewe indicated that it is 160.734 acres bounded by Old Stage Road and Reed Creek. He remarked that later in the Council meeting, the Council will take action on this matter or at least it is on the Council agenda for action to be taken on it. He inquired if there are persons present who wished to address the Council during the public hearing for the boundary line adjustment. There being no one present who desired to speak, Mayor Crewe advised that if someone arrived later at the meeting and wished to speak, he will give them the opportunity to do so. He declared the public hearing closed and proceeded with the agenda.

RE: CITIZENS' PERIOD

Mayor Crewe stated the next item on the agenda is Citizens' Period. He noted that the Council was glad to have everyone present at the meeting. Mayor Crewe inquired if there are persons present who wished to address the Council during Citizens' Period. He advised that the sign up sheets indicated that no one desired to speak. There being no one who desired to speak during Citizens' Period, Mayor Crewe thanked everyone for attending the meeting and proceeded with the agenda.

RE: OLD BUSINESS

Under Old Business, Assistant Town Manager Moore reported the following:

1. The Public Works Committee and the Budget and Finance Committee will not be meeting this week.
2. Councilman Jones noted that trimming the trees at R.P. Johnson & Sons makes a big sight difference for motorists.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Vice-Mayor King, reporting for the Budget and Finance Committee, noted that as the Committee reported at the last meeting, they have determined it is now necessary to develop guidelines with regard to the installation of banners across Main Street. She stated that as previously noted, the Town erected two poles on either side of Main Street near Second Street for the purpose of erecting banners across the street that would promote community events. Vice-Mayor King remarked that the installation of banners across Main Street has now become so popular, it has warranted the creation of certain guidelines. She noted that the Committee has attached, for the Council's review, guidelines that the Committee has proposed to be adopted. Vice-Mayor King advised that the guidelines provide for the time periods in which applications will be received for the installation of a banner as well as other regulations governing the type of materials from which the banner must be constructed, etc. She stated the new guidelines would also impose a fee of \$25 per week for the installation of banners across Main Street. Vice-Mayor King noted that generally speaking, it costs the Town approximately \$150 to install and take down banners across Main Street, and the Committee believes the fee established under these new regulations is modest and warranted. She remarked that if the Council approves these new regulations, the Committee would suggest that they become effective January 1, 2007, and that the Clerk give notice of these new regulations to all of the organizations that have previously installed banners across Main Street. A motion was made by Vice-Mayor King and seconded by Councilman Jones that the Council approve the new regulations regarding the installation of banners across Main Street to become effective January 1, 2007, and that the Clerk give notice to all of the organizations that have previously installed banners across Main Street. Mayor Crewe explained that there are three parts to the motion which include that the Council approve the regulations, which both Committees have reviewed; that the regulations be effective January 1, 2007; and, that the Clerk give notice regarding the regulations to everyone who has previously placed a banner across Main Street. 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.

Vice-Mayor King also reported that Mr. Steve Irvin, with Bankers Insurance, LLC, was present at the Committee meeting on Thursday morning and gave them an overview of the insurance renewals for the period of September 1, 2006, through September 1, 2007. She advised that earlier this year, the Council authorized Bankers Insurance, LLC, to act as the Town's brokers in the bidding of insurances to various insurance companies. Vice-Mayor King noted that Mr. Irvin gave the Committee a tabulation of the various bids that had been received and noted the coverages that have been placed into effect as a result of those bids. She stated that the Town's insurance coverage is quite extensive and covers property, inland marine, crime, general liability, public officials, employment practices, law enforcement, automobiles, and an overlying umbrella policy. Vice-Mayor King remarked that the annual premium for the coverage in 2005 was \$123,400, and the renewal premiums for this year are \$123,528. She noted that the Committee believes that Bankers Insurance has provided the Town a very thorough and comprehensive insurance program. She stated that these coverages were bound as of September 1, 2006. Vice-Mayor King indicated that there is no action required of the Council, but the Committee did want to report that insurance coverages had been bid and that the Town continues to have a comprehensive program at a price equivalent to prior years. 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, stated the Committee received a request from the developers of the High Meadows residential development, which is situated on the north side of East Main Street and east of the K-Mart shopping plaza. He stated that the subdivision, when completed, will have a main roadway into the complex with two smaller roads leading to other portions of the housing development. Councilman Lambert advised that the developers have requested that the main roadway into the development be named Meadows Lane and the remaining two sections of roadway be named Brookfield Lane and Meadowbrook Lane respectively. He remarked that the Committee thinks these names are acceptable, and it would be the recommendation of the Public Works Committee that the Council approve these names for the High Meadows residential development. A motion was made by Councilman Lambert and seconded by Councilman Weisiger to approve the street names for the High Meadows development with the main roadway into the development being named Meadows Lane and the remaining two sections of roadway being named Brookfield Lane and Meadowbrook Lane respectively. Mayor Crewe inquired if there is any discussion on the motion. Councilman Jones inquired if it has been checked as far as there being no other streets with a similar name. Mayor Crewe pointed out that there is a Meadowlark Drive but not a

Meadowbrook Lane. 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.

Councilman Lambert also reported that the Committee has received a request from the St. Mary's Catholic Church seeking the closing of Fifth Street on Saturday, October 7, between the hours of 6:30 a.m. and 4:30 p.m. He explained that each year, the Catholic Church has a fall festival, and it has been the Town's practice in past years to accommodate the request to close the street for the church. Councilman Lambert noted that the Committee has contacted the Police Department, and the Committee does not anticipate any problems with the closing of Fifth Street for this period of time. He stated, therefore, it is the recommendation of the Public Works Committee that the Council honor the request of St. Mary's Catholic Church to close Fifth Street between Main and Monroe Streets on Saturday, October 7, between the hours of 6:30 a.m. and 4:30 p.m. A motion was made by Councilman Lambert and seconded by Councilman Weisiger that the Council approve the request of St. Mary's Catholic Church to close Fifth Street between Main and Monroe Streets on Saturday, October 7, between the hours of 6:30 a.m. and 4:30 p.m. Mayor Crewe inquired if there is any discussion on the motion to close Fifth Street between Monroe and Main Streets on Saturday, October 7, 2006, between 6:30 a.m. and 4:30 p.m. Vice-Mayor King pointed out that the Town has never had a problem when this street was previously closed and inquired if that is correct. Mayor Crewe answered that he does not think there has ever been a problem. Mayor Crewe inquired if there is any further discussion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., William B. Weisiger, H. Judson Lambert. Against: None. A copy of the Public Works Committee report is attached and made part of these minutes. ([Attachment](#)).

RE: RESOLUTION – BOUNDARY LINE ADJUSTMENT

Mayor Crewe stated the next agenda item is the resolution approving an agreement to relocate the Town boundary line and authorizing the filing of a joint petition pursuant to Section 15.2-3108 of the Code of Virginia (1950), as amended, to approve the agreement. He noted he thinks, if he understands correctly, that the County has held its public hearing, and no one made any comments, and no one appeared before the Council at this meeting during the public hearing. Mayor Crewe advised that the Council has the resolution before them that will have to be adopted by the Town and Wythe County, and then the agreement that would, basically, allow 160.734 acres to be made a part of the town limits. He noted that, apparently, on the plat, it is developed as either Country Club Heights or Cedarview Section I, and this would be the Section II. Mayor Crewe inquired if there is a motion that this resolution be adopted or some other action be taken concerning this matter. A motion was made by Councilman Jones and seconded by Councilman Lambert to approve the resolution approving an agreement to relocate the Town boundary line and authorizing the filing of a joint petition pursuant to Section 15.2-3108 of the Code of Virginia (1950), as amended, to approve the Boundary Line Adjustment Agreement between the County of Wythe and the Town of Wytheville incorporating a parcel of land containing approximately 160.734 acres. Mayor Crewe explained that the Council will note that the way it is set up, next to the last numbered paragraph, and noted that, of course, it has to be approved by the County of Wythe and then go to the Circuit Court of Wythe County, and if the County has approved it, it would be effective December 31, 2006, at midnight. He noted that if not, it would become effective June 30, or December 31, whichever is the first date after the court order starts, either the end of the fiscal year or the end of the calendar year. Mayor Crewe noted that with a resolution, it would just require a voice vote. The motion to approve the resolution 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. He advised that the resolution is adopted, and the Town will move forward with signing it. Mayor Crewe remarked that he believes the resolution is on Wythe County's agenda for their meeting tomorrow, if he remembers correctly, for them to take action on it.

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting (7:10 p.m.).

Trenton G. Crewe, Jr., Mayor

Sharon P. Hackler, MMC, Clerk of Council

BUDGET AND FINANCE COMMITTEE REPORT

SEPTEMBER 11, 2006

1. As we reported at the last meeting, we have determined that it is now necessary to develop guidelines with regard to the installation of banners across Main Street. As previously noted, the Town erected two poles on either side of Main Street near Second Street for the purpose of erecting banners across the street that would promote community events. Installation of banners across Main Street has now become so popular, it has warranted the creation of certain guidelines. We have attached, for your review, guidelines that we have proposed to be adopted. The guidelines provide for the time periods in which applications will be received for the installation of a banner as well as other regulations governing the type of materials from which the banner must be constructed, etc. The new guidelines would also impose a fee of \$25 per week for the installation of banners across Main Street. Generally speaking, it costs the Town approximately \$150 to install and take down banners across Main Street, and we believe the fee established under these new regulations is modest and warranted. If the Council approves these new regulations, we would suggest that they become effective January 1, 2007, and that the Clerk give notice of these new regulations to all of the organizations that have previously installed banners across Main Street.

2. Mr. Steve Irvin, with Bankers Insurance, LLC, was present at our Committee meeting on Thursday morning and gave us an overview of the insurance renewals for the period of September 1, 2006, through September 1, 2007. Earlier this year, the Council authorized Bankers Insurance, LLC, to act as our brokers in the bidding of insurances to various insurance companies. Mr. Irvin gave our Committee a tabulation of the various bids that had been received and noted the coverages that have been placed into effect as a result of those bids. The Town's insurance coverage is quite extensive and covers property, inland marine, crime, general liability, public officials, employment practices, law enforcement, automobiles, and an overlying umbrella policy. The annual premium for the coverage in 2005 was \$123,400, and the renewal premiums for this year are \$123,528. We believe that Bankers Insurance has provided us a very thorough and comprehensive insurance program. These coverages were bound as of September 1, 2006. There is no action required of the Council, but we did want to report that insurance coverages had been bid and that we continue to have a comprehensive program at a price equivalent to prior years.

Jacqueline K. King

John W. Jones, Jr.

PUBLIC WORKS COMMITTEE REPORT

SEPTEMBER 11, 2006

1. Our Committee has received a request from the developers of the High Meadows residential development, which is situated on the north side of East Main Street and east of the K-Mart shopping plaza. The subdivision, when completed, will have a main roadway into the complex with two smaller roads leading to other portions of the housing development. The developers have requested that the main roadway into the development be named Meadows Lane and the remaining two sections of roadway be named Brookfield Lane and Meadowbrook Lane respectively. We think these names are acceptable, and it would be the recommendation of the Public Works Committee that the Council approve these names for the High Meadows residential development.
2. Our Committee has received a request from the St. Mary's Catholic Church seeking the closing of Fifth Street on Saturday, October 7, between the hours of 6:30 a.m. and 4:30 p.m. Each year the Catholic Church has a fall festival, and it has been our practice in past years to accommodate the request to close the street for the church. We have contacted the Police Department, and we do not anticipate any problems with the closing of Fifth Street for this period of time. Therefore, it is the recommendation of the Public Works Committee that we honor the request of St. Mary's Catholic Church to close

Fifth Street between Main and Monroe Streets on Saturday, October 7,
between the hours of 6:30 a.m. and 4:30 p.m.

William B. Weisiger

H. Judson Lambert

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