

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL  
HELD IN THE COUNCIL CHAMBERS ON MONDAY, FEBRUARY 13, 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: Town Manager C. Wayne Sutherland, Jr., Assistant Town Manager Stephen A. Moore, Town Clerk Sharon P. Hackler, Town Attorney Robert P. Kaase, Police Officer Chris Irvin, Becky Grubb, Pat Snapp, Michael Webb, Agnes Eades, Francesca Lunsford, 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 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 January 23, 2006; the request of the American Cancer Society's Relay for Life Teams for issuance of a raffle permit for 2006; and the request of the New River Highlands Resource Conservation and Development Council for waiver of fee for use of the Bingo Room on March 23, 2006, for a board meeting. A motion was made by Councilman Weisiger and seconded by Councilman Lambert to approve the consent agenda consisting of the minutes of the regular meeting of January 23, 2006; the request of the American Cancer Society's Relay for Life Teams for issuance of a raffle permit for 2006; and the request of the New River Highlands Resource Conservation and Development Council for waiver of fee for use of the Bingo Room on March 23, 2006, for a board 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: CITIZENS' PERIOD**

Mayor Crewe stated the next agenda item is Citizens' Period. He welcomed the persons present at the meeting but noted that no one had indicated on the sheet that they desired to speak. He stated that if anyone would like to speak, the Council will be glad to hear from them. There being no one who desired to address the Council, he proceeded with the agenda.

**RE: OLD BUSINESS**

Under Old Business, Town Manager Sutherland reported the following:

1. The Crossroads Regional Industrial Facility Authority met this morning, Monday, February 13, 2006, but noted that there were not any significant occurrences that happened at the meeting.
2. The New River Regional Water Authority meets Thursday, February 16, 2006, at 9:00 A.M. It was noted that Town Manager Sutherland will be out of town and unable to attend this meeting. Councilman Lambert and Councilman Weisiger both stated that they would be able to attend the meeting.
3. The Public Works Committee will meet on Tuesday, February 14. The Budget and Finance Committee will be unable to meet Wednesday morning, and Town Manager Sutherland will not be back for a meeting on Friday. Matters before the Committee will be reviewed and the members will be called regarding the meeting, if necessary.
4. The Public Works Committee will need to meet Wednesday, February 22, 2006, instead of next Tuesday, February 21, 2006.
5. It was noted that Monday, February 20, 2006, will be a holiday for the Town and the Municipal Offices will be closed and municipal services will be curtailed.

## **RE: CURFEW ORDINANCE**

Mr. Frankie Scott inquired regarding the curfew ordinance and what had been decided. Mayor Crewe answered that the ordinance was in the works but nothing has been proposed. Town Manager Sutherland stated that he had informed the newspaper that this was not ready and would not be discussed at the meeting. Mayor Crewe inquired if Mr. Scott would like to make any additional comments regarding the matter. Mr. Scott stated that he had talked to other persons who had students who are employed in the area and they walk to and from work after hours, and since there is no one to represent these students, he wanted to be sure the Council took this into consideration that these people are walking from Point A to Point B after they get off work. Mayor Crewe stated that he believed there was an exception in the draft ordinance regarding going to and from work. Town Manager Sutherland stated that there are a couple of exceptions in the draft with work being one of them, on missions of a parent, missions of a medical nature, and several other exceptions. Mr. Scott stated that he was interested in reviewing the ordinance but since it was not ready yet, he would check later. Mayor Crewe stated that it may be discussed at the next Council meeting. Town Manager Sutherland stated that the reality of the curfew matter is this is happening at 3:00 A.M. in the morning when a minor is sitting in the Wal-Mart parking lot at 3:00 A.M. when they should probably reasonably be at home. Mr. Scott stated that he had a son who was not of age yet, but he wanted to make sure that this is covered and that he did not want to not know about this and not stand up for it to argue the point if he did not come and do anything about it now. He just wanted to check on how it was going to govern the children when they turn 16. Mayor Crewe stated that what the Town was trying to do is take pieces of language from several different areas that have ordinances and work with the Commonwealth Attorney's Office to make something that is workable. He continued that they are trying to cover any kind of legitimate reason for a child to have to be out so that would not be a violation, but just to be out to be out is a violation. He noted that is where they are trying to draw the line. Mr. Scott stated that he did not want the Town to handpick a certain child and pick on them, and he wanted to make sure that did not happen. Town Manager Sutherland stated that the Town would be happy to send Mr. Scott a copy when it is ready. Mr. Scott thanked him and said he would review it.

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

Vice-Mayor King, reporting for the Budget and Finance Committee, reported that the Town of Wytheville has received a request from the HOPE, Inc. Board requesting reimbursement for the real estate property tax paid on their office facility located at 680 West Main Street. She noted that HOPE, Inc. occupies the office space formerly owned by Appalachian Power Company, and it is currently owned by Mr. and Mrs. George Keck of Ceres, Virginia. She stated that Mr. and Mrs. Keck provide this office space to HOPE, Inc. rent free, and HOPE, Inc. is responsible for day-to-day operational expenses including property taxes. Vice-Mayor King explained that the HOPE, Inc. office complex houses eight different non-profit human service agencies. She noted that the total value of the request made by HOPE, Inc. is \$500.80. She explained that the property taxes in question actually involve two parcels, one being the parcel of land on which the actual office building is located, which has a tax assessment of \$352.48, and immediately adjacent to the office building is a vacant parcel of land which has a tax assessment of \$148.32. She noted that last year the reimbursement to HOPE, Inc. was merely for the value for the building and land on which the office building is situated. She noted that the vacant parcel of land has a separate title and could reasonably be sold for some other purposes. She stated that it is the recommendation of the Budget and Finance Committee that the Town make a donation of \$500.80 to HOPE, Inc. provided that, if at any time, during the upcoming year the vacant parcel of land is sold, the tax assessment of \$148.32 on this vacant parcel of land will be reimbursed to the Town. A motion was made by Vice-Mayor King and seconded by Councilman Jones to make a \$500.80 donation with the stipulation that if they sell the vacant parcel of land that \$148.32 comes back to the Town. Mayor Crewe inquired if there was 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 reported that over the last several months, the Town has been making certain improvements to the West End Cemetery. She explained that the initial project began with the removal of the row of hemlock trees that were situated on the border between the West End Cemetery and the West Lee Highway. She continued that all of the hemlock trees were diseased and many of these trees had already died. She stated that subsequently all the trees and stumps were removed along the boundary. Vice-Mayor King stated that next the Town has constructed new columns and wing walls at the entrance to the cemetery greatly enhancing the entrance. She noted that these columns and walls were constructed with granite blocks. She stated that this past week at the Committee meetings, the members reviewed plans for landscaping along the boundary where the hemlock trees were removed, and the plan involves

the planting of trees and shrubberies in a clumped fashion rather than continuously along the border. Vice-Mayor King stated that the Committee has reviewed a variety of trees that would be attractive throughout all four seasons and add beauty to the cemetery, and it is believed that landscaping in these clumped areas will be far more attractive than the previous row of hemlocks. She noted that, hopefully, within the next few weeks the Town will finalize the landscaping plans and proceed with purchasing landscape materials such that it can be planted when the spring season begins. She noted that these improvements will be funded from the Cemetery Maintenance Trust Fund. She stated that there is no action required by the Council at this time, but the Committee did want to make everyone aware that the enhancements to West End Cemetery would continue. Town Manager Sutherland informed the Public Works Committee that they would view this information in the next meeting. 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, stated that the Public Works Committee has received a request to provide additional street lighting along Rockdale Road. He stated that Rockdale Road serves as the northern boundary of the Town's corporate limits and lies between Cove Road and Fairview Road. He explained that currently there is street lighting at Rockdale Road's intersection with Cove and Fairview Roads, and there are no other streetlights provided elsewhere along this section of roadway. Councilman Weisiger stated that the Committee has reviewed this request, and they do not believe that additional lighting along this section of roadway is warranted. He explained that there are relatively few dwellings along this section of roadway and providing street lighting would be expensive to install and to maintain and would serve very few citizens. He said that, therefore, it would be the recommendation of the Public Works Committee that the Town does not provide additional street lighting along Rockdale Road. Mayor Crewe stated that if anyone disagreed, it would take a motion to install the lighting; otherwise, doing nothing would require no action.

Councilman Weisiger also reported that the Committee has received inquiries concerning turning restrictions at two intersections in the downtown area. He explained that the first inquiry involves the prohibition of left turns on Main Street for traffic heading in either direction at the intersections of Church and Tazewell Streets. He noted that this is the only intersection remaining on Main Street that has left turn restrictions. He said that when the left turn restrictions were implemented on Main Street, the volumes of traffic were so heavy that left turns caused congestion. Councilman Weisiger stated that the Committee does not think that is the case any longer and would agree that the restriction of left turns at this intersection is no longer needed. He continued that with regard to this intersection, the Committee would recommend that the restrictions be removed and that left turns be permitted. He continued, secondly, both approaches of Tazewell Street to Monroe Street prohibit right turn on red movements. He noted that the Committee has reviewed this intersection and finds that the site distances from both approaches on Tazewell Street onto Monroe Street are adequate and that right turns on red could be made safely. He explained that by eliminating this restriction, traffic on Tazewell Street seeking to make a right turn can proceed and thus eliminate the backing up of traffic along these two sections. He noted that with regard to this intersection, it is the recommendation of the Public Works Committee that the no-right turn on red restriction be removed, thereby, permitting these right turn movements. A motion was made by Councilman Weisiger and seconded by Councilman Lambert to accept the recommendation of the Public Works Committee to remove the restrictions of prohibiting left turns from Main Street for traffic heading onto Church Street and Tazewell Street, and right turns on red at Tazewell Street onto Monroe Street. Mayor Crewe inquired if there was any discussion on the motion. Councilman Jones clarified that the right turn on red is only being removed from Tazewell Street onto Monroe Street and not from Monroe Street onto Tazewell Street as the site distance prohibits this movement. 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: APPOINTMENT – BOARD OF ARCHITECTURAL REVIEW**

Mayor Crewe stated the next agenda item is the consideration of an appointment to the Board of Architectural Review to fill Theresa Burris's seat since she resigned due to relocating. He advised that the Council has an application from Mr. George W. Hamm, Jr. to fill this term. A motion was made by Councilman Lambert and seconded by Councilman Weisiger to appoint Mr. George W. Hamm, Jr. to the Board of Architectural Review with the term to expire February 28, 2009. Mayor Crewe inquired if there was 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: APPOINTMENTS – PLANNING COMMISSION**

Mayor Crewe stated the next agenda item is the consideration of appointments to the Planning Commission for the terms of Messrs. Dave Bush and Scot Farthing with terms expiring March 2, 2006. He noted that they are both eligible to serve and have indicated their willingness to be reappointed with both of them having completed the Certified Planning process. A motion was made by Councilman Lambert and seconded by Vice-Mayor King to reappoint Messrs. Dave Bush and Scot Farthing to the Planning Commission. 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: PLANNING COMMISSION RECOMMENDATIONS – REZONINGS**

Mayor Crewe stated the next agenda item is to consider the recommendations of the Planning Commission regarding the request of the Joint Industrial Development Authority of Wythe County, Wytheville, and Rural Retreat for the rezoning of Parcels A, B, and C in the Fairview Industrial Park, which is located on the north side of North Fourth Street between Stafford Umberger Drive and Tremough Drive, from M-1 Industrial to R-3 Residential; and, the request of Mr. Patrick D. Umberger for the rezoning of a portion of property located on the south side of West Lee Highway between West End Cemetery and Petunia Road (former Smith property) from R-1 Residential to B-2 Business. Mayor Crewe noted that the Council members have in their packet the minutes and the recommendations from the Planning Commission, both of which indicate that these requests be granted with certain stipulations. He noted that it requires the Town Council to set public hearings for these two requests, which could be set for March 13, 2006. Mayor Crewe inquired if there were any comments regarding the scheduling of the public hearings for this date. It was the consensus of Council to schedule both of these public hearings for Monday, March 13, 2006, at 7:00 P.M.

**RE: ADJOURNMENT**

There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting (7:20 p.m.).

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Trenton G. Crewe, Jr., Mayor

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Sharon P. Hackler, MMC, Clerk of Council

## **BUDGET AND FINANCE COMMITTEE REPORT**

**FEBRUARY 13, 2006**

1. We have received a request from the HOPE, Incorporated Board requesting reimbursement for the real estate property tax paid on their office facility located at 680 West Main Street. HOPE, Incorporated occupies the office space formerly owned by Appalachian Power Company, and it is currently owned by Mr. and Mrs. George Keck of Ceres, Virginia. Mr. and Mrs. Keck provide this office space to HOPE, Incorporated rent free, and HOPE, Incorporated is responsible for day to day operational expenses, including property taxes. The HOPE, Incorporated office complex houses eight different non-profit/human service agencies. The total value of the request made by HOPE, Incorporated is \$500.80. The property taxes in question actually involve two parcels, one being the parcel of land on which the actual office building is located, which has a tax assessment of \$352.48. Immediately adjacent to the office building is a vacant parcel of land which has a tax assessment of \$148.32. Last year, the reimbursement to HOPE, Incorporated was merely for the value of the building and land on which the office building is situated. The vacant parcel of land has a separate title and could reasonably be sold for some other purposes. It is the recommendation of the Budget and Finance Committee that the Town make a donation of \$500.80 to Hope, Incorporated provided that if, at any time during the upcoming year, the vacant parcel of land is sold, the tax assessment of \$148.32 on this vacant parcel of land will be reimbursed to the Town.

2. Over the past several months, the Town has been making certain improvements to the West End Cemetery. The initial project began with the removal of the row of hemlock trees that were situated on the border between the West End Cemetery and West Lee Highway. All of the hemlock trees were diseased, and many of these trees had already died. Subsequently, all of the trees and stumps were removed along the boundary. Next, we have constructed new columns and wing walls at the entrance to the cemetery, greatly enhancing the entrance. These columns and walls were constructed with granite blocks. This past week, at our Committee meeting, we reviewed plans for landscaping along the boundary where the hemlock trees were removed. The plan involves the planting of trees and shrubberies in a clumped fashion rather than continuously along the border. We have looked at a variety of trees that will be attractive throughout all four seasons and add beauty to the cemetery. We believe that landscaping in these “clumped” areas will be far more attractive than the previous row of hemlocks. Hopefully, within the next few weeks, we will finalize our landscape plans and proceed with purchasing the landscape material such that it can be planted when the spring season begins. These improvements will be funded from the Cemetery Maintenance Trust Fund. There is no action required by the Council at this time, but we did want to make everyone aware that our enhancements to West End Cemetery would continue.

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Jacqueline K. King

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John W. Jones, Jr.

## **PUBLIC WORKS COMMITTEE REPORT**

**FEBRUARY 13, 2006**

1. Our Committee received a request to provide additional street lighting along Rockdale Road. Rockdale Road serves as the northern boundary of the Town's corporate limits and lies between Cove Road and Fairview Road. Currently, there is street lighting at Rockdale Road's intersection with Cove and Fairview Roads. There are no other streetlights provided elsewhere along this section of roadway. We have reviewed this request and do not believe that additional lighting along this section of roadway is warranted. There are relatively few dwellings along this section of roadway, and providing street lighting would be expensive to install and to maintain and would serve very few citizens. Therefore, it would be the recommendation of the Public Works Committee that we not provide additional street lighting along Rockdale Road.
2. We have received inquiries concerning turning restrictions at two intersections in the downtown area. The first inquiry involves the prohibition of left turns from Main Street, for traffic heading in either direction, at the intersection of Church and Tazewell Streets. This is the only intersection remaining on Main Street that has left turn restrictions. When the left turn restrictions were implemented on Main Street, the volumes of traffic were so heavy that left turns caused congestion. We do not think that is the case any longer and would agree that the restriction of left turns at this location is no longer needed. With regard to this intersection, we would recommend that the restrictions be removed and that left

turns be permitted. Secondly, both approaches of Tazewell Street to Monroe Street prohibit right turn on red movements. We have reviewed this intersection and find that the sight distance from both approaches on Tazewell Street onto Monroe Street is adequate and that right turns on red could be made safely. By eliminating this restriction, traffic on Tazewell Street seeking to make a right turn can proceed and, thus, eliminate the backing up of traffic along these two sections. With regard to this intersection, it is the recommendation of the Public Works Committee that the “No Right Turn On Red” restrictions be removed, thereby permitting these right turn movements.

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William B. Weisiger

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H. Judson Lambert