

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, MARCH 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, Police Officer Chris Irvin, Justin Harmon with Wytheville Enterprise, Barbara Lambert, Susan Todd, Becky Grubb

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

RE: CONSENT AGENDA

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting of February 27, 2006, and the request of the Wytheville Clubhouse for waiver of fee for use of the Community Center on May 12, 2006, for an agency spring dance. 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 February 27, 2006, and the request of the Wytheville Clubhouse for waiver of fee for use of the Community Center on May 12, 2006, for an agency spring dance. 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 thanked everyone for attending the meeting and noted that no one had indicated on the sheet that they desired to speak to the Town Council. Mayor Crewe inquired if there are persons present who wish to address the Council during Citizens' Period. There being none, he proceeded with the agenda.

RE: OLD BUSINESS

Under Old Business, Town Manager Sutherland reported the following:

1. Two topics that were on the Council's agenda at the last meeting have been brought back up. The first would be to ask for additional review of the stop sign at 5th and Liberty Streets. If the Council recalls, at the last meeting, the request was that this intersection be made into a four-way stop situation, and the report at the last meeting declined to go along with that suggestion. Subsequently, the person has requested that it be reconsidered that the stop signs merely be reversed in that traffic on 5th Street would be stopped rather than on Liberty Street, and this way, it would not create a four-way stop situation. According to the person making the request, there are a lot of children in this neighborhood, and the real problem is not Liberty Street because there is relatively little traffic there, but the problem is the speed of traffic on 5th Street between Withers Road and Marshall Street. Thursday morning when this was discussed, it was determined that this matter may want to be placed back on the agenda at this meeting to consider reversing those stop signs at 5th and Liberty Streets. Mayor Crewe inquired as to the pleasure of Council and inquired if anyone wanted to make a motion or if the Council desired to continue to review the matter. Councilman Weisiger inquired as to what problems may be encountered by reversing the stop signs at intersections. Town Manager Sutherland noted that people are confused for awhile. Mayor Crewe indicated that people do not stop for awhile and are confused until they get used to it. He noted the problem he has is there are stop signs on the cross streets all the way through there, and this would be changing it for that one block. Mayor Crewe stated he thinks the Town will have people running the stop sign for the foreseeable future. Vice-Mayor King stated on the street that Mr. Bobby Woods lives on, there is a stop sign on that street, and it goes straight through to Marshall Street. She noted it is past Mr. Paul Harvey's house. Mayor Crewe indicated that he was thinking it was on a side street, and inquired if it is Lexington Street. Town Manager Sutherland inquired if it is 9th or 11th Street. Councilman Lambert advised that it is 9th Street. Councilman Jones noted that this street goes all the

way through. Vice-Mayor King pointed out that there is a stop sign right past the Harvey's house. Town Manager Sutherland indicated that the traffic stops on 9th Street in that direction. Mayor Crewe noted that there is not any other stop sign on 5th Street between Withers Road and Marshall Street. Vice-Mayor King stated that is correct, and it is straight through. Councilman Jones noted this is also correct for 7th Street. Councilman Jones noted that the Budget and Finance Committee discussed it, and they did not necessarily see a problem with it. He remarked that he thinks the same thing could happen on North Street, and it is going to take the motorists awhile to realize the stop sign is there. Mayor Crewe noted that the Town will have to install stop bars and "Stop Sign Ahead" signs, etc. A motion was made by Councilman Lambert and seconded by Vice-Mayor King to reverse the stop signs at 5th and Liberty Streets and for Town crews to install the appropriate stop markings. Mayor Crewe inquired if there is any discussion on the motion. He explained that if he is understanding correctly, this will take the stop signs off of Liberty Street and place them on 5th Street, and it would be reversed. Town Manager Sutherland stated that is correct and noted that he thinks Town crews will need to put up some signs that indicate, "New Traffic Pattern Ahead," etc. Mayor Crewe 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. Mayor Crewe advised that the signs will be switched as soon as Town staff can get them moved.

2. The Town also received a request that the Council reconsider the decision from the last meeting with regard to the installation of a streetlight or lighting on Rockdale Road. This topic, likewise, was discussed Thursday morning at the Budget and Finance Committee meeting, and the recommendation from that meeting was not to install the lighting. This request is before the Council at this time, and it does not really require a motion. Mayor Crewe indicated that if anyone on Council desires to install a streetlight at this vicinity on Rockdale Road, now would be the time to make that motion. He inquired if there is any such motion. There being no motion, he advised that there was no action taken by the Council on this request, and the action taken earlier by the Town Council would still stand, which is no street lighting installation on Rockdale Road. Councilman Weisiger inquired if the person has a problem with getting a dusk/dawn light on their own. Town Manager Sutherland indicated that the person desired for the Town of Wytheville to pay for the installation of the light.
3. There will be no Public Works Committee meeting tomorrow morning, March 14, 2006, but the Budget and Finance Committee will meet on Thursday morning, March 16, 2006.
4. Tomorrow at 5:00 p.m., if the Council is available, the Recreation Commission is going to go through the new Community Center to tour it.
5. The New River Regional Water Authority will meet on Thursday morning, March 16, 2006.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Vice-Mayor King, reporting for the Budget and Finance Committee, reported that the Committee has now received information from the Local Choice Health Benefits Programs concerning the renewals for the health insurance provided to the Town's employees. She stated that the Local Choice Health Benefits Program is provided through the Commonwealth of Virginia and is administered by Anthem. Vice-Mayor King noted that the Health Benefits Program is reviewed annually by the insurance carrier, and the term of the insurance begins on July 1 of each year and ends on June 30 of the following year. She explained that the Town's employees are in a pool with other employees throughout the state, though the Town's individual premiums are based on the Town's previous year's experience. Vice-Mayor King stated that fortunately, during the past year, the Town's experience rating was relatively good resulting in renewals for the period of July 1, 2006, through June 30, 2007 that will reflect no increase in premiums or any changes to the services that are currently provided. She advised that, certainly, this was very welcome news, particularly since over the past few years, the rate increases have been in the 10-20 percent range. Vice-Mayor King stated that currently, the Town's employees have two programs available to them. She noted that one program is called the "Key Advantage Expanded" Program, and the other program is called the "Key Advantage 200" Program. Vice-Mayor King remarked that this year, the Town will also have the opportunity to offer yet an additional plan to its employees. She noted this new plan is called the "TLC High Deductible Health Plan." Vice-Mayor King explained that all of the benefits, deductible and out of pocket expenses for the two Key Advantage Programs will remain unchanged. She stated that the High Deductible Program has a smaller monthly premium, but has significantly higher deductibles and out of pocket expenses. Vice-Mayor King advised that the Town would expect that essentially all of the Town's employees would remain with one of the Key Advantage Programs,

but since the higher deductible program is available, the Committee thinks it is worthwhile to make it available. She noted that the Local Choice Health Benefits Program requires that the Town declare by April 1 its intent to renew the insurance programs. Vice-Mayor King noted that if the Council were to need additional time in reaching a decision on the renewal of the health insurance programs, notice must be given to the Town's insurance carrier by March 30 requesting additional review time. She remarked, however, unless there are other questions among the Council, it would be the recommendation of the Budget and Finance Committee that the Town give notice to the insurance carrier of the Town's intent to renew the two Key Advantage Programs and to include the High Deductible Health Plan as an alternative for employees. A motion was made by Vice-Mayor King and seconded by Councilman Jones that the Town give notice to the insurance carrier of the Town's intent to renew the two Key Advantage programs and to include the High Deductible Health Plan as an alternative for employees. Mayor Crewe noted that the motion is that the Town give notice of its intent to renew and to offer the high deductible health plan as a third alternative. 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 recently, a representative from the Clarendon National Insurance Company, the Town's insurance carrier for the Town's property, noted that the insurance company would request that the Town adopt a policy with regard to securing the Town's vehicles when not in use. She remarked that this request is the result of an incident last year where the Town's maintenance shop was broken into and vandalized. Vice-Mayor King explained that during this incident, several vehicles were damaged, and one vehicle was stolen. She noted that as such, the Committee is proposing a directive that will establish a policy regarding the Town of Wytheville's responsibility of ensuring that Town-owned, leased, and rental vehicles are secure and that the Town complies with applicable insurance requirements. Vice-Mayor King advised that the Committee would propose the following directive be adopted by the Council: "**DIRECTIVE**--*A public officer or employee of the Town of Wytheville will turn off the ignition, remove the keys, close all windows, and lock the doors and trunk of a Town-owned, leased, or rental vehicle whenever the vehicle is left unattended or when the vehicle is returned to the vehicle pool lot. This directive is not applicable to vehicles that are unoccupied but visible to the driver when performing a function of his/her job (i.e. police issuing tickets, fire personnel operating fire equipment, or Public Works Department making repairs or removing debris from rights of way, etc.).*" Vice-Mayor King stated it would be the recommendation of the Budget and Finance Committee that this directive be adopted and that its effective date be immediate. A motion was made by Vice-Mayor King and seconded by Councilman Jones to adopt the directive that establishes a policy regarding the Town of Wytheville's responsibility of ensuring that Town-owned, leased, and rental vehicles are secure and that the Town complies with applicable insurance requirements and that its effective date be immediate. Mayor Crewe inquired if there is any discussion on the motion. He inquired if this will be a directive that the Police Department and Fire Department will know about. Town Manager Sutherland stated that all Town employees will be notified in the very near future. Mayor Crewe inquired if the Police and Fire Departments know about this already, and do they know if there are any problems, etc. He stated that the Council does not want to cause any problems. Town Manager Sutherland indicated that he does not think there is going to be a problem, and this directive kind of exempts them in this policy. He stated he thinks this is an awareness, common sense type of thing. Mayor Crewe indicated that if there turns out to be a problem, the Council can address it when the problem arises. Town Manager Sutherland indicated that the Department Heads talked about this policy during the staff meeting. Mayor Crewe inquired if there were any issues raised during the staff meeting that this policy does not address. He advised that the exceptions in the policy should cover it. Mayor Crewe 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. 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 for many months, the Town has received complaints with regard to traffic congestion around Spiller Elementary School in the afternoons when children are being picked up from the school. He noted that children who do not ride the bus and are picked up by a parent in a personal vehicle are either picked up at the parking area along Tazewell Street or the parking area near the corner of North and Third Streets. Councilman Weisiger advised that one street that is particularly impacted is Pine Street between Third Street and Tazewell Streets. He explained that there is a tremendous volume of traffic around the school during this period of time, and vehicles that are proceeding west on Pine Street between Third Street and Tazewell Street attempting to turn left into the

Spiller School parking lot cause the entire street to be impassible. Councilman Weisiger noted that it also poses a problem for those residents on Pine Street who cannot enter or leave their own driveways. He indicated that after reviewing the matter, it would seem that the most practical approach would be to prohibit left turns into the front parking lot of Spiller School between the hours of 2:00 and 3:30 p.m. Councilman Weisiger advised that this prohibition on making left turns at this location would at least leave one travel lane open and would permit the residents on this street to enter and exit their property. He stated it would be the recommendation of the Public Works Committee that the Town erect the appropriate signs to prohibit this turning movement and that they be erected as soon as the signs can be manufactured. A motion was made by Councilman Weisiger and seconded by Councilman Lambert that the Town Council prohibit left turns into the front parking lot of Spiller School between the hours of 2:00 and 3:30 p.m. and that the Town erect the signs as soon as they can be manufactured. Mayor Crewe inquired if there is any discussion on the motion. Mayor Crewe indicated that he would guess that technically, the signs probably need to state Monday – Friday rather than including Saturday and Sunday and inquired if that is correct. He noted he did not know if that would be an extra signage problem or not. Town Manager Sutherland advised that this is a good point, and he thinks the Town could do that. Vice-Mayor King inquired about when the students have to go to school on Saturdays. Mayor Crewe stated he did not know. Councilman Jones noted that the sign could state “during school hours” or something to that effect. Town Manager Sutherland stated that is acceptable. Mayor Crewe remarked that he thinks everyone is in favor of the idea, but the Council wants to make sure they fine tune this to the problem and not create another problem. Mayor Crewe pointed out that usually when students go to school on Saturday, they do not go all day, and they are usually out by 2:00 p.m. Councilman Jones advised that parents still have to pick their children up on Saturdays. Town Manager Sutherland indicated that they will still be turning left. Mayor Crewe inquired if school is out at noon on Saturday, is the left turn prohibited at noon. Vice-Mayor King inquired of Town Manager Sutherland as to what the sign states on North Street when a parent is entering the parking lot where it states “Do Not Enter.” Mayor Crewe inquired if Vice-Mayor King is inquiring regarding the sign when a parent enters the parking lot. Vice-Mayor King stated she is talking about the sign where the buses go in. Councilman Jones noted that the sign states “School Buses Only.” Mayor Crewe noted he thinks the signs states “No Vehicles Allowed.” He noted there are hours listed on the sign, and he thinks this is what Vice-Mayor King is talking about. Vice-Mayor King stated that is correct. Councilman Jones noted he sees cars go in the parking lot anyway. Vice-Mayor King inquired if Councilman Jones is talking about cars going in the parking lot when school is in session. Councilman Jones indicated that is correct. Mayor Crewe advised that the Council could leave it as it is proposed and see what happens, and the sign will state from 2:00-3:30 p.m., and he reiterated that the Council can wait and see what happens. Councilman Lambert stated he thinks that is best because it does create a confusing situation, and on Saturday or Sunday, people will not be concerned anyway because they will not be turning. Mayor Crewe stated the Council would think that is true, but if someone receives a ticket, the Council could hear about it. Mayor Crewe stated the motion is that the Town erect the signs prohibiting left turns from 2:00-3:30 p.m. 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 Weisiger also reported that as a matter of information, the Committee would note that two public hearings were scheduled for this meeting to consider the rezoning of two separate parcels of property. He explained that as the Council knows, a rezoning procedure requires a public hearing by the Planning Commission, and, also, by the Town Council. He noted that the Planning Commission has previously conducted its public hearings on these two separate parcels of property, and the public hearings on these two zoning matters, and the matters were set by the Council for public hearings this evening. Councilman Weisiger stated that unfortunately, the Wytheville Enterprise failed to properly print the legal notices that the Town had sent to them, and, thus, the notice in the newspaper was incorrect. He advised that as an abundance of caution, the Town has readvertised these hearings, which are now set for the next meeting of Council. Councilman Weisiger indicated that the two hearings that were scheduled were the Patrick Umberger rezoning on West Lee Highway and the rezoning of properties owned by the Joint Industrial Development Authority in the Fairview Industrial Park. He stated the Town apologizes for any inconvenience this error has caused citizens, but did want to note that the error was made by the newspaper. Mayor Crewe inquired if this is the second or perhaps third time the Town has had a problem. He noted that Mr. Harmon may want to pass this along to the newspaper. Town Manager Sutherland indicated that Town staff has talked to the newspaper personnel in Bristol about this problem, and they have reassigned someone to handle the Town's account. Mayor Crewe stated that, hopefully, the problem will be corrected. He indicated that legal notices are very important, but there is nothing the Council can do but readvertise the public hearings. Town Manager Sutherland remarked that Town staff had a rather open discussion with the newspaper personnel about this, and, it is not just the

Town of Wytheville, but there are the attorneys, the Court, etc., and noted that there are lots of implications to erroneous legal ads. Mayor Crewe stated he hopes the problem is now corrected, but there was no other alternative in this case. A copy of the Public Works Committee Report is attached and made part of these minutes. ([Attachment](#)).

RE: ORDINANCE NO. 1197 – PUBLIC URINATION AND DEFECATION AND CURFEW

Mayor Crewe presented Ordinance No. 1197, an ordinance amending and reenacting Chapter 9, Offenses—Miscellaneous, Article I. In General, Section 9-14.2, Public Urination and Defecation Prohibited, and Article II. Minors, Section 9-57. Curfew—Generally, of the Code of the Town of Wytheville, on second reading. He stated the Council will note that the Town has not had any adverse comments, or any comments at all, on the proposed ordinance. Mayor Crewe inquired if there is a motion to adopt the ordinance on second, but not final, reading, or final reading if the Council desired. A motion was made by Vice-Mayor King and seconded by Councilman Weisiger to suspend the rules and adopt Ordinance No. 1197, an ordinance amending and reenacting Chapter 9, Offenses—Miscellaneous, Article I. In General, Section 9-14.2, Public Urination and Defecation Prohibited, and Article II. Minors, Section 9-57. Curfew—Generally, of the Code of the Town of Wytheville, on second 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. 1197 was adopted on second and final reading. Mayor Crewe advised that the ordinance is effective immediately.

RE: RESOLUTION – SOUTHWEST VIRGINIA REGIONAL WATER/WASTEWATER GRANT PROGRAM

Mayor Crewe stated the next agenda item is the resolution supporting the Southwest Virginia Regional Water/Wastewater Grant Program. He advised that the Mount Rogers Planning District Commission has requested that this resolution be adopted. Mayor Crewe advised that this will help the argument to keep the Senate from cutting the funds. He remarked that the problem he has with this is they are still arguing over the budget, and it is not moot, but they have adjourned. Mayor Crewe pointed out that it cannot hurt anything to adopt the resolution. Mayor Crewe inquired if there is a motion to ask that the \$5 million presently funded in the present budget stay this way and not be cut. A motion was made by Councilman Lambert and seconded by Councilman Weisiger to adopt the resolution supporting the Southwest Virginia Regional Water/Wastewater Grant Program. 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 RECOMMENDATION – FRANK HARDEN SPECIAL EXCEPTION PERMIT

Mayor Crewe stated the next agenda item is to consider the recommendation of the Planning Commission regarding the request of Mr. Frank D. Harden for a special exception permit to locate a doublewide manufactured home at 895 South 14th Street, which is located on the west side of 14th Street between Jackson and Madison Streets, in an R-3 Residential District. He noted it will be necessary for the Town Council to set a public hearing to consider this request. Mayor Crewe noted that the Council has the recommendation from the Planning Commission, which is that the special exception permit be approved with the stipulation that the doublewide home have a pitched, shingle roof and vinyl siding. He reiterated that the Town Council will need to set their own public hearing, which could be advertised and held at the April 10, 2006, Council meeting. Mayor Crewe inquired if anyone has any problems with scheduling the public hearing for April 10. It was the consensus of the Council to schedule a public hearing for the April 10, 2006, meeting to consider the recommendation of the Planning Commission regarding the request of Mr. Frank D. Harden for a special exception permit to locate a doublewide manufactured home at 895 South 14th Street, which is located on the west side of 14th Street between Jackson and Madison Streets, in an R-3 Residential District.

RE: PLANNING COMMISSION RECOMMENDATION – ZONING ORDINANCE AMENDMENT

Mayor Crewe stated the next agenda item is to consider the recommendation from the Planning Commission regarding an amendment to the Town of Wytheville Zoning Ordinance to include Article XII-M, M-1M Industrial District regulations. He advised that this would permit wholesale sales only in the Fairview Industrial Park. Mayor Crewe remarked that since it is an amendment to the Zoning Ordinance, it would require a public hearing, which could, again, be advertised and held at the April 10, 2006, meeting. He inquired if anyone has any problems with conducting the public hearing at the April 10 meeting. There being none, it was the consensus of the Town Council to set a public hearing for the April 10, 2006, meeting to consider the recommendation from the Planning Commission regarding an amendment to the Town of Wytheville Zoning Ordinance to include Article XII-M, M-1M Industrial District regulations.

RE: TOWN PROPERTY AT 270 SOUTH FOURTH STREET

Mayor Crewe stated the next agenda item is the discussion regarding Town-owned property at 270 South Fourth Street adjacent to the Community Center. He explained that this is the yellow house next door to the Community Center. Mayor Crewe noted that whoever desired to open the discussion is more than welcome. Councilman Lambert advised that since he requested that it be placed on the agenda, he will open the discussion. He stated it has been a concern of his for some time that the Town has let this property continue to stand and deteriorate from year to year. Councilman Lambert indicated that the Council has not made a decision on whether they want to go ahead and try to renovate it in some fashion or take it down. He noted he would like to see the Council have a good, open, honest discussion as to how the Council feels about it, and if there are any suggestions as to how the Council can follow up on this, he would like to hear those also. Mayor Crewe inquired if anyone would like to comment. Councilman Weisiger inquired if the Town may run into trouble if they decide to tear it down. Mayor Crewe advised that the Council will run into trouble if they decide to tear it down or not decide to tear it down, he would wager. Town Manager Sutherland indicated that the one issue the Council needs to be aware of if they are going to be renovating or demolishing the house, is in any event, the asbestos has to be abated. Councilman Weisiger pointed out that there is no way the Town can get around that unless someone wants to purchase it. Town Manager Sutherland stated that is correct. Councilman Jones advised that he thought the Town had someone who was interested in purchasing the property. Mayor Crewe noted there was someone interested in buying the property at one point. He remarked that his recollection is the estimates the Town received on the asbestos was for the house, but the asbestos abatement the Town approved did not include doing it in the house. Town Manager Sutherland stated that is correct and advised that the house is secured and boarded, and no one is in the house. He noted that he cannot recall because he has not looked, but he thinks it was in the \$10,000 range. Mayor Crewe indicated that he was thinking it was a large sum of money, also. He noted to tear it down would cost the amount of the demolition plus \$10,000 to take the asbestos out, and, if the Town sold it, whoever had it had a \$10,000 asbestos abatement bill. Councilman Weisiger pointed that if the house is renovated, there will be the renovation costs plus the \$10,000 asbestos abatement bill, and inquired if that is correct. Town Manager Sutherland stated that is correct. Councilman Weisiger advised that the asbestos has to be abated no matter what action is taken. Town Manager Sutherland advised that is correct. Vice-Mayor King noted that every year, when it is time for the Chautauqua Festival, the Town worries about the porch, the inside, and the Town also has to do some kind of repairs to the water in the house for the bathroom. Mayor Crewe remarked that his recollection is when the Town had the gentleman ask about the property, the Council was trying to put some numbers together to see what could be done, how many feet could be used, where the Town could save the park, etc., and noted he did not think the Town got very far with those discussions, if he remembers correctly. Mayor Crewe inquired if the Council carved out the lot the house sits on and sold it, what it would do to the remainder of the park, the parking lot, and what restrictions the Town would want to place on it, etc. He stated that the Council talked about it, but he does not think they got very far with it. Mayor Crewe inquired if the Council members recall anything similar to this when the Committees were reviewing the matter. Town Manager Sutherland noted that Assistant Town Manager Moore may be the best discussor of this topic. Assistant Town Manager Moore explained that what he thinks was stated is the Town was interested in selling the property, and Town staff could carve out the lot so it would conform to the Subdivision Ordinance and look at what easements the Council may want to place on the property and advertise it for someone to purchase with the condition that they refurbish it according to an agreement with Town staff. Councilman Jones noted the person who purchases the property will have to take care of the asbestos. Town Manager Sutherland remarked that if the Council desired, they could sell or convey the structure in some way, and it is just sitting on leased property for some period of time, 50 or 100 years, etc. Vice-Mayor King inquired if a person would like to do that. Mayor Crewe answered that it would depend on the tax credits, and this is what was driving it the last time. He explained that if a buyer can get the tax credits to make it financially doable, it is more attractive. Mayor Crewe

noted he thinks the gist of the Council's discussions they have been holding for a couple of years is that either the Council will fix up the house or the Council will tear it down. Councilman Lambert stated that is correct. Mayor Crewe indicated that the third option was selling the house and letting someone else fix the house up or tear it down. Vice-Mayor King remarked that at one time, the Council talked about somebody moving it, but they could not move it because it was too tall to get under the power lines. Councilman Lambert advised that it would be very difficult to move this house. Councilman Weisiger stated he agreed. Mayor Crewe noted that he thinks the Council needs to know the cost of renovating the house, the cost of tearing it down, and whether or not there is a possible market to sell it, if the Council wants to sell it, and under what terms the Council would want to sell it. Councilman Lambert indicated that the Council could find out if there is any organization in town that would like to take this on as a project as a public service. Mayor Crewe remarked he guesses what the Council is groping for is how they get beyond that and get all the numbers, etc. He noted the Council should be able to get an estimate on tearing the house down fairly simply. Mayor Crewe stated he did not know if the Town could get an estimate on repairing it, but the Town does not want to spend \$1,000 to save 50 cents. He remarked that if the Council can figure out what the demolition costs will be and a reasonable estimate of what the repair costs would be, and then gauge some interest if anyone is interested in taking on either of those options, either under a purchase or under a lease, he inquired if the Council would have all of the numbers and facts they need to make a decision. Town Manager Sutherland indicated that he has another question. He inquired if a private owner would be under the same building code standards as the Town would regarding handicap accessibility, etc. Assistant Town Manager Moore answered that he thinks a private owner would be under the same building code standards as the Town. Mayor Crewe noted that is correct if it is publicly accessible. Assistant Town Manager Moore stated that is correct, but if it was a private residence, it would not be under the same standards. Mayor Crewe indicated that if the Town used it as a private residence, it would be under different code sections than if it was a publicly accessible building, and inquired if that is correct. Assistant Town Manager Moore answered that as long as the house was used for single-family housing that is correct, but when it becomes multiple-family housing, it would fall under the accessibility requirements. Mayor Crewe indicated that this would be true whether the Town owned it or whether some private individual owned it. Assistant Town Manager Moore stated that is correct. Mayor Crewe remarked that he thinks the building code would apply the same way, but it is just the purpose for which the property is being used that would determine which building code the house would fall under. Councilman Lambert remarked that another question is if the Town would decide to renovate the house, what use would the Town make of the house. He stated that the Town would probably need exterior steps and all of those things that apply for disabilities and fire safety requirements, and probably end up with a rather ugly structure at best. Mayor Crewe indicated that he does not want to put more work on Assistant Town Manager Moore than is necessary, but noted if Mr. Moore just gave a ballpark figure idea of what it would take to make that building code compliant for public use if this would be something that would take a great deal of effort on his part. Assistant Town Manager Moore answered that it would be considerably easier if the Council had a use in mind for the building because it would fall under different code sections depending on the use, and it would be a little hard to predict without knowing a use, such as if it was office space. Mayor Crewe indicated that he did not think the Town would be in the private residence business, and noted that possibly Council feels differently, but remarked he did not think the Council will be building a private residence, but possibly some type of office space. Assistant Town Manager Moore inquired if this would be office space to lease to a tenant. Mayor Crewe inquired as to what the Council thought about this, and noted that the Town will be pulling out of the old recreation center, which is another issue the Council has not really addressed yet. He stated if the Town has no presence in the old recreation center, the Town, obviously, does not need that house as bad, but the Town may desire to lease the entire property including the recreation center and the house. Mayor Crewe noted that somehow this house has to be made habitable for an office space, whether the Town does it or someone else does it. He stated the Council is talking about \$100,000 easily to fix it. Councilman Lambert stated that is correct. Assistant Town Manager Moore stated he agreed. Town Manager Sutherland indicated that he does not know if \$100,000 will even be close to enough to fix it. Mayor Crewe remarked that he is trying to get some handle on the amount of money, so the Council is probably talking about \$200,000. He noted that to him, this makes it a pretty easy decision he thinks. He advised he does not know if this is a realistic number or not, and if it is, the Council has the number. Mayor Crewe inquired as to what the Council thinks and how they want to proceed. Councilman Lambert answered that he thinks the Council should go ahead and try to get a ballpark figure on renovating the house. Mayor Crewe inquired if Councilman Lambert is referring to renovating it for office space. Councilman Lambert stated he will state for office space because he does not think the Council is interested in renovating it for residential purposes. Mayor Crewe stated he could not imagine what the Town would use it for other than some type of office space. Councilman Jones remarked that the Town does not want the house for a private residence. Mayor Crewe stated he would not think the Town would want it for a private residence. Councilman Jones noted if the Town is going to use it for a private

residence, they would have to give the person living in the home some type of backyard, and when this is done, there will be no parking and taking away from the park. He continued that every time there is a function in the park, there will be people in the backyard, etc. Councilman Lambert indicated that he thinks using the house for a private residence is out of the question. Vice-Mayor King inquired if the Town rents it for office space, where people would park. Mayor Crewe answered that it depends on how many offices were in the building and how many parking spaces are required. He noted that theoretically, the Town could use the lot beside the house. He noted there is on-street parking plus the lot beside it. Town Manager Sutherland advised that he did not know if this house is in the downtown district or not, and advised it is going to be close. Assistant Town Manager Moore pointed out that the house is probably on the downtown district line. Town Manager Sutherland stated if the house is in the downtown district, as the Council knows, for the parking requirements, there can be an exemption in the downtown area, but reiterated that this house is close to the downtown district. Mayor Crewe advised that the other thing the Council has talked around over the years is this structure is old, but it is not a contributing structure to the historic district. Assistant Town Manager Moore advised that this house is a contributing structure to the historic district, and if the Town sold this property to a private entity, it gives them the eligibility for tax credits, which in his opinion, is the biggest incentive to purchasing the property. Mayor Crewe stated where he is headed, and advised that he will speak only for himself, is if it is going to cost the Town \$100,000+ to fix the house, he cannot see spending this kind of money. He indicated if it is going to cost the Town \$10,000 for asbestos abatement, plus demolition costs, and noted he does not know how much this is but it has to be \$20,000 or \$30,000 to take it down, the only other option is if there is someone else out there who would be willing to buy it or lease it with the stipulation that it be built to code, the asbestos be removed, etc. Mayor Crewe stated the Town could ask people if they are interested, and if they are to let the Town know, but the Town has to have some kind of framework. He advised that he would guess the Town could place an ad in the newspaper asking people if they are interested to call the Town, but he does not know if people will be interested in purchasing the property, leasing the property, or what. Vice-Mayor King indicated that she does not remember any ornate woodwork or anything like that. Councilman Lambert noted that the house does not have any truly outstanding potential architectural characteristics to preserve, and if someone wanted to come in, if the Town was to demolish the building, the Town could give people time to come in and look at it, and if there were things such as the mantle pieces, etc. that they wanted, they could go ahead and remove them, or the Town could sell it to them or whatever. Mayor Crewe inquired how the Council is going to logistically move forward on this, and if the Council is going to get the options on a piece of paper and state "A, B, C, let us pick one," how the Council does this. He pointed out that he thinks the Town has a ballpark figure on renovation costs, and the Council should be able to get a pretty good figure on demolition costs, but the piece the Council does not have is whether someone out there has any interest in rehabilitating the house either on a lease or a purchase. Councilman Weisiger noted that earlier, someone stated it would be nice if an organization would work on it. Mayor Crewe inquired regarding if Town staff worked on a Request for Proposals and possibly someone would come forward and state they would do something with the structure. He explained that the Town could let people tell them if there is any interest in doing this. Vice-Mayor King inquired if the Council thought some organization would have that much money to spend on the house. Councilman Lambert stated he doubted it. Vice-Mayor King stated she agreed. Councilman Weisiger indicated that he just stated it would be nice if an organization could do it, he did not state it would happen. Mayor Crewe advised that on the other hand, the Council may get someone who is interested in the opportunity. He stated the Town could send out a proposal and give 60 days for someone to respond to the proposal, and if anyone responds, the Town will answer the response, but if no one shows up, then the Town will know there is no interest. Vice-Mayor King indicated that possibly this is something the Council should continue in the Committee meetings. Councilman Lambert remarked that the Council could do this, but he thought this was a good time for all five of the Council members to get together and discuss it. Vice-Mayor King stated she agreed. Mayor Crewe requested the Council members to be thinking about some mechanism by which the Town has a way of measuring the interest by some private, charitable corporation or entity to approach the Town to state they can do something with the building. He reiterated that to him, this is the information the Town really does not have. Mayor Crewe reiterated that he would request the Council members to be thinking about this, and noted the Committees can review it. He advised that he would appreciate Assistant Town Manager Moore's input on both Committees because he has more expertise than most of the Council members. Mayor Crewe noted that it sounds to him like a Request for Proposals would get the Council over this hurdle. Councilman Lambert stated that possibly the newspaper will write an article about this discussion.

RE: INDUSTRIAL PARK ARTICLE

Councilman Weisiger inquired if the Council members read the newspaper article in the *Roanoke Times* about the industrial park. Mayor Crewe stated he read the article. Vice-Mayor

King advised she heard about it. Mayor Crewe noted everyone is looking at this seven years later, but the Town was pretty lucky in this one, and the Town and County looked at this long and hard.

RE: SCOOTERS

Vice-Mayor King noted that she brought this topic to Town Manager Sutherland's attention on Thursday at the Budget and Finance Committee meeting regarding electric scooters, and inquired if that is what they are called. Mayor Crewe pointed out that there are gasoline and electric scooters, and a person does not need a driver's license for them. Vice-Mayor King remarked that Saturday afternoon, as she was going by Dairy Queen on Main Street, this lady was coming out of the lower part of the Dairy Queen driveway. She noted the Council knows how much traffic is in that area, and there was traffic coming off of Cassell Road, and the traffic goes every way. Vice-Mayor King remarked that the lady was not wearing a helmet, which Mayor Crewe has stated is not required. She advised that she guesses the lady had been shopping, and she had bags fastened all over the scooter. Vice-Mayor King inquired if someone had hit her whose fault it would be. Mayor Crewe answered that if it is the proper sized scooter, up to 49 cubic centimeters, the person does not need tags, a license, a helmet, lights, etc. Mayor Crewe stated that a person has to be over 16 to be on one. Vice-Mayor King inquired of Police Officer Irvin if he has seen the lady on the scooter. Police Officer Irvin advised he does not think he has seen the woman. Vice-Mayor King stated that the scooter looked brand new, and it was bright blue. She noted someone told her that children were riding the scooters on Liberty Street, and they fly on them. Mayor Crewe advised that they are not riding the scooters when the police are there to catch them. Councilman Weisiger noted that the Town cannot make people be careful. Mayor Crewe stated that is the bottom line, and negligence is negligence, no matter what age, but a person has to be 16 to legally operate one of the scooters. He noted that a person is supposed to stop for stop signs. Vice-Mayor King noted that this woman was over 16. Mayor Crewe stated that some of the children on the scooters may not be over 16. She advised that the person told her that some of the children are smaller and that some of the scooters will go 35-45 miles per hour. Mayor Crewe stated he is sure some of the scooters are capable of going this fast.

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting (7:40 p.m.).

Trenton G. Crewe, Jr., Mayor

Sharon P. Hackler, MMC, Clerk of Council

BUDGET AND FINANCE COMMITTEE REPORT

MARCH 13, 2006

1. Our Committee has now received information from the Local Choice Health Benefits Program concerning the renewals for the health insurance provided to the Town's employees. The Local Choice Health Benefits Program is provided through the Commonwealth of Virginia and is administered by Anthem. The Health Benefits Program is reviewed annually by the insurance carrier, and the term of the insurance begins on July 1 of each year and ends on June 30 of the following year. The Town's employees are in a pool with other employees throughout the state, though our individual premiums are based on our previous year's experience. Fortunately, during the past year, our experience rating was relatively good resulting in renewals for the period of July 1, 2006, through June 30, 2007 that will reflect no increase in premiums nor any changes to the services that are currently provided. Certainly, this was very welcome news, particularly since over the past few years the rate increases have been in the 10-20 percent range.

Currently, the Town's employees have two programs available to them. One program is called the "Key Advantage Expanded" Program, and the other program is called the "Key Advantage 200" Program. This year, the Town will also have the opportunity to offer yet an additional plan to our employees. This new plan is called the "TLC High Deductible Health Plan." All of the benefits, deductible and out of pocket expenses for the two Key Advantage Programs will remain unchanged. The

new High Deductible Program has a smaller monthly premium, but has significantly higher deductibles and out of pocket expenses. We would expect that essentially all of the Town's employees would remain with one of the Key Advantage Programs, but since the higher deductible program is available, we think it is worthwhile to make it available.

The Local Choice Health Benefits Program requires that the Town declare by April 1 its intent to renew the insurance programs. If the Council were to need additional time in reaching a decision on the renewal of the health insurance programs, notice must be given to our insurance carrier by March 30 requesting additional review time. However, unless there are other questions among the Council, it would be the recommendation of the Budget and Finance Committee that we give notice to the insurance carrier of our intent to renew the two Key Advantage programs and to include the High Deductible Health Plan as an alternative for employees.

2. Recently, a representative from the Clarendon National Insurance Company, our insurance carrier for the Town's property, noted that the insurance company would request that the Town adopt a policy with regard to securing the Town's vehicles when not in use. This request is the result of an incident last year where the Town's maintenance shop was broken into and vandalized. During this incident, several vehicles were damaged, and one vehicle was stolen. As such, we are proposing a directive that will establish a policy regarding the Town of Wytheville's responsibility of ensuring that Town-owned, leased and rental vehicles are secure and that the

Town complies with applicable insurance requirements. We would propose the following directive be adopted by the Council.

DIRECTIVE

A public officer or employee of the Town of Wytheville will turn off the ignition, remove the keys, close all windows, and lock the doors and trunk of a Town-owned, leased, or rental vehicle whenever the vehicle is left unattended or when the vehicle is returned to the vehicle pool lot. This directive is not applicable to vehicles that are unoccupied but visible to the driver when performing a function of his/her job (i.e. police issuing tickets, fire personnel operating fire equipment, or Public Works Department making repairs or removing debris from rights of way, etc.).

It would be the recommendation of the Budget and Finance Committee that this directive be adopted and that its effective date be immediate.

Jacqueline K. King

John W. Jones, Jr.

PUBLIC WORKS COMMITTEE REPORT

MARCH 13, 2006

1. For many months, we have received complaints with regard to traffic congestion around Spiller Elementary School in the afternoons when children are being picked up from the school. Children who do not ride the bus and are picked up by a parent in a personal vehicle are either picked up at the parking area along Tazewell Street or the parking area near the corner of North and Third Streets. One street that is particularly impacted is Pine Street between Third Street and Tazewell Streets. There is a tremendous volume of traffic around the school during this period of time, and vehicles that are proceeding west on Pine Street between Third Street and Tazewell Street attempting to turn left into the Spiller School parking lot cause the entire street to be impassible. It also poses a problem for those residents on Pine Street who cannot enter or leave their own driveways. After reviewing the matter, it would seem that the most practical approach would be to prohibit left turns into the front parking lot of the Spiller School between the hours of 2:00 and 3:30 p.m. This prohibition on making left turns at this location would at least leave one travel lane open and would permit the residents on this street to enter and exit their property. It would be the recommendation of the Public Works Committee that we erect the appropriate signs to prohibit this turning movement and that they be erected as soon as the signs can be manufactured.

2. As a matter of information, we would note that two public hearings were scheduled this evening to consider the rezoning of two separate parcels of property. As you know, a rezoning procedure requires a public hearing by the Planning Commission and, also, by the Town Council. The Planning Commission has previously conducted its public hearings on these two zoning matters, and the matters were set by the Council for public hearings this evening. Unfortunately, the Wytheville Enterprise failed to properly print the legal notices that we had sent to them, and, thus, the notice in the newspaper was incorrect. As an abundance of caution, we have re-advertised these hearings, which are now set for our next meeting of Council. The two hearings that were scheduled were the Patrick Umberger rezoning on West Lee Highway and the rezoning of properties owned by the Joint Industrial Development Authority in the Fairview Industrial Park. We apologize for any inconvenience this error has caused citizens, but did want to note that the error was made by the newspaper.

William B. Weisiger

H. Judson Lambert