

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL  
HELD IN THE COUNCIL CHAMBERS ON MONDAY, JUNE 12, 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, Town Treasurer Michael G. Stephens, Police Officers Jeff Hall and Tommy Lester, Danny Gordon with WYVE/WXBX, Justin Harmon with Wytheville Enterprise, Becky Dean, Deborah Keyser, Mary Cox, Roy Cox, Barbara Roberts, Archie Roberts, Barbara Spicer, Rebecca Gordon, Amanda Bentley, Brandon Bentley, Ruth Dunford, Ronald Dunford, Chad E. Dunford, Roger Marcum, Patti Campbell, Patti Bradshaw, Frankie Scott, Patty Thacker, L. Amburn, Ronnie Amburn, Ruth Bowman, Faye Browning, Debbie Repass, Betsy Wynn, Earl Wynn, J.J. McGee, Jimmy Repass, Rachelle Nelson, Donald R. Nelson, Tina Shumate, Brad Shumate, Linda Smith, Mary Lee Collins, Butch Collins, Lisa C. Cregger, Mitch Cregger, Dale Cregger, Tim Smith, Becky Grubb, Pat Snapp, Dan Perry, Yvonne McCoy Perry, Bernice Kirk, M. L. Smith, Elaine Smith, Vanessa Olson, Carver Olson, Lisa Cartwright, David Bickley, Frances Barton, Walter Barton, Mark Fontaine, Agnes Eades, C. Harris, Gary Jeffrey, Barbara Umberger, Brenda Childers, Butch Childers, Ronald Varney, Stan Scott, Trevor Hackler, Darren Smith, Frank Hackler, Marie B. Bishop, Andy Fowler, Maude Cox, Bill Smith

**RE: CALL TO ORDER, QUORUM, INVOCATION, PLEDGE**

Mayor Crewe called the meeting to order and established that a quorum of Council members was present. The invocation was given by Vice-Mayor King followed by the Pledge of Allegiance led by Councilman Jones.

**RE: FAIRVIEW INDUSTRIAL PARK REZONING**

Mayor Crewe remarked that unless someone objects, he is going to use the Chair's prerogative and skip on the agenda to Agenda Item J-2, which is the recommendation from the Planning Commission to consider rezoning certain properties located 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 M-1M Industrial. He stated the Council has in front of them the recommendation from the Planning Commission that the Town Council deny the request to rezone these properties. Mayor Crewe remarked that the Town Council has three choices, and noted the Council can schedule this matter for a public hearing to proceed, they can take no action, which means it dies at this point, or the Council can approve the recommendation of the Planning Commission and take action that would deny the request. A motion was made by Councilman Jones and seconded by Councilman Lambert to accept the recommendation of the Planning Commission and deny the request to rezone certain properties located 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 M-1M Industrial. Mayor Crewe noted the motion is properly before the Town Council for discussion. He stated the reason he skipped to this agenda item is because this is the item of interest for most of the audience. Mayor Crewe indicated that the Council is glad to have everyone attending, and he hopes everyone will stay for the meeting. He noted there are probably less exciting topics on the agenda than this one. He stated if the motion on the table passes, this is the end of the matter, and there would be no rezoning. Mayor Crewe indicated that if the Council was going to rezone the property, as he just stated, they would have to schedule another public hearing like the Planning Commission held. He stated he knows a number of persons in attendance at this meeting were at the Planning Commission meeting. Mayor Crewe explained that the Town Council could not take action to approve any rezoning unless and until the Town Council held a public hearing. He stated he is not suggesting anyone has to, but there were one or two people on the sign up sheet who indicated they wanted to speak. He noted the motion is to deny the rezoning and to accept the recommendation of the Planning Commission and not rezone the properties. Mayor Crewe advised that everyone's comments, although welcome, are probably not all that critical at this juncture because he thinks he knows where most of the Town Council members stand on the issue, if he understands things correctly. Mayor Crewe stated if anyone wants to speak, the Council will be glad to hear from them. He inquired if first, anyone on Council has any discussion on the motion to accept the recommendation from the Planning

Commission and deny the rezoning. There being no discussion, Mayor Crewe indicated that since he is kind of circumventing, he will ask if anyone who indicated on the sign up sheet that they wanted to speak would like to speak, and reiterated that they do not have to speak. He noted he will give those individuals an opportunity to speak. There being no one from the audience who desired to address the Town Council, and there being no further discussion on the motion, 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 stated the motion was approved, and the rezoning is denied.

Mayor Crewe thanked everyone for taking the time to attend the Council meeting. He stated he hopes everyone will attend another Council meeting. Mayor Crewe advised that the Town Council meets the second and fourth Monday of each month, and whether or not there is this rezoning on the agenda, there is usually something of interest, and everyone is welcome to stay at the meeting. He noted he understands a lot of people probably do not want to stay for the remainder of the agenda, and indicated that everyone is welcome to stay or they are welcome to leave as they would see fit. Mayor Crewe remarked that at least, this issue is now taken care of on the Town Council's agenda. He thanked everyone for attending the meeting.

#### **RE: CONSENT AGENDA**

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting of May 22, 2006. A motion was made by Councilman Lambert and seconded by Councilman Weisiger to approve the consent agenda consisting of the minutes of the regular meeting of May 22, 2006. 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.

Mayor Crewe indicated that no one has signed up to speak on the sign up sheet. He inquired if the Council desired to go ahead and consider the College Park subdivision or if they want to go back and consider the items as written on the agenda. It was the consensus of the Council to proceed with the agenda as it was written.

#### **RE: OLD BUSINESS**

Under Old Business, Town Manager Sutherland reported the following:

1. This week, there is no Public Works Committee meeting tomorrow morning, June 13, 2006, but the Budget and Finance Committee will meet on Thursday morning, June 15, 2006.
2. Next week, the Public Works Committee will meet on Tuesday, June 20, 2006, and the Budget and Finance Committee will meet on Wednesday, June 21, 2006.

#### **RE: CITIZENS' PERIOD**

Mayor Crewe noted that everyone on the sign up sheets who indicated they wanted to speak noted it was in regard to the rezoning, and this is the action the Council just took. He stated he did not see anyone else who indicated that they wanted to speak to Town Council, but noted if there is someone who desired to address the Town Council during Citizens' Period, the Council would be glad to hear from them. Mayor Crewe stated that Citizens' Period is always on the Council's agenda for anyone who wants to address the Town Council. He inquired if there are persons present who wished to address Town Council during Citizens' Period. There being none, he proceeded with the agenda.

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

Councilman Jones, reporting for the Budget and Finance Committee, reported that later in the meeting, the Council will consider, on the third and final reading, the proposed budget for fiscal year 2006-2007. He stated the total proposed budget for the coming year is \$21,314,000. Councilman Jones advised that this number represents both the revenues and appropriations for the General Fund and the Water and Sewer Fund. Councilman Jones explained that the Committee would note, however, that there has been one slight revision in the appropriations, shifting approximately \$3,000 in health care expenses from the Treasurer's Office to the Clerk's Office. He noted that, otherwise, the total remained the same. Councilman Jones remarked that as the Council has noted before, there are no increases proposed within the budget, and the budget maintains all current tax rates and user fees. He advised that the Committee would note

that on June 26, the Council will have its final meeting prior to the completion of fiscal year 2005-2006. Councilman Jones indicated that there are a number of line items within the budget that necessarily need to be amended to reflect activities from the prior year. He pointed out that most significant is the inclusion of approximately \$2.1 million that was used to construct a new water line to the Gatorade facility. Councilman Jones stated that as in past years, there are a number of other line items that will need to be amended, and the Committee will have a full schedule of these line items prior to the next meeting. He noted that because the budget will be revised more than one percent, it is necessary for the Council to hold a public hearing to consider these budget amendments. Councilman Jones stated, therefore, it would be the recommendation of the Budget and Finance Committee that the public hearing be scheduled for the June 26 meeting of Council to consider budget revisions for the fiscal year 2005-2006. Mayor Crewe inquired if any member of Council has any objections to scheduling a public hearing for the June 26 meeting to consider these amendments. There being no objections, it was the consensus of the Town Council to schedule a public hearing for the June 26, 2006, meeting to consider the budget amendments for fiscal year 2005-2006.

Councilman Jones also reported that both the Budget and Finance Committee and the Public Works Committee reviewed, this week, certain information concerning user fees at the new community center. He stated the meetings this past week were with Director of Parks and Recreation Rick Showalter to discuss the various levels of services that will be available in the new building. Councilman Jones advised that next week, the Committee will meet with Director of Information and Tourism Rosa Jude to discuss fees, policies, and regulations associated with the spaces within the meeting center. Councilman Jones advised that he thinks the meeting with Ms. Jude will be held this week and inquired if that is correct. Town Manager Sutherland answered that is correct. Councilman Jones noted it is anticipated that the new building will be completed by early in 2007, and the Committee thinks it is important to establish fees and policies as soon as possible. Councilman Jones remarked that the Committee would anticipate that Town staff will finalize their recommendations to the Council, and all of this information may be on the Council's agenda for consideration within the next meeting or two. He advised that there is no action required of the Council at this point, but the Committee did want to note to the public that fees, policies, and regulations are under consideration and should be an agenda topic very shortly. 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 as the Committee reported at the last meeting of Council, a group of property owners known as Country Club Heights, LLC has requested that a 160 acre parcel of land situated on the west side of Petunia Road be brought into the corporate limits of Wytheville. He noted the procedure to make this boundary adjustment is governed by State law. Councilman Weisiger advised that it necessarily requires an agreement between the Town and the Wythe County Board of Supervisors. He advised that the Board of Supervisors has previously indicated its support for this boundary revision. Councilman Weisiger remarked that the Town has retained the legal services of Mr. Carter Glass with Troutman Sanders, LLP of Richmond to perform the necessary legal work. He stated that Mr. Glass has now submitted these documents to both governing bodies for their review. Councilman Weisiger advised that the first step in this process requires a public hearing to receive citizens' comments on the proposed boundary adjustment. He noted that since there are no residents within the proposed area, the Town does not anticipate opposition to the proposal. Councilman Weisiger advised, therefore, it would be the recommendation of the Public Works Committee that the Council conduct a public hearing at its meeting on July 24 to receive citizens' comments on the request for the 160 acre parcel of land situated on the west side of Petunia Road to be brought into the corporate limits of Wytheville. Mayor Crewe inquired if any member of Council has any objections to scheduling this public hearing on July 24. There being no objections, it was the consensus of the Town Council to schedule a public hearing for the July 24, 2006, meeting to receive citizens' comments on the request for the 160 acre parcel of land situated on the west side of Petunia Road to be brought into the corporate limits of Wytheville.

Councilman Weisiger also reported that the Wythe County Board of Supervisors, at its May 9 meeting, requested that the Towns of Wytheville and Rural Retreat participate in a joint study to look at eliminating the vehicle sticker and to work with the Division of Motor Vehicles to collect the local license fee. He advised that the County appointed Board Members Danny McDaniel and Martha Umberger as well as County Treasurer Sam Crockett, Commissioner of Revenue Mary Cassell, and County Administrator Cellell Dalton. Councilman Weisiger noted that the Town of Rural Retreat has appointed Council Member Ed Schaack, Clerk Laurie Guynn, and Town Manager Ray Matney to the Committee. He stated it would be the suggestion of the Public Works Committee that Council Member Judson Lambert from the Public Works

Committee, Town Treasurer Mike Stephens, and Town Manager Wayne Sutherland be appointed to the Committee. Councilman Weisiger remarked that Town Treasurer Mike Stephens has been appointed to the committee created by the Department of Motor Vehicles in reviewing this statewide concept. He stated that there are a number of issues involved with the elimination of vehicle stickers such as the fees that will be charged for providing these services as well as mechanisms to ensure that personal property taxes are collected on these vehicles. Councilman Weisiger indicated that in any event, the Committee believes it is worthwhile to investigate this concept and would recommend the appointments. Mayor Crewe inquired if anyone has any problems with appointing Councilman Lambert, Town Treasurer Stephens, and Town Manager Sutherland to serve as the Town's three representatives on the joint committee. There being no objections, it was the consensus of the Council to appoint Councilman Lambert, Town Treasurer Stephens, and Town Manager Sutherland to the joint committee to study the elimination of the vehicle sticker and to work with the Division of Motor Vehicles to collect the local license fee. A copy of the Public Works Committee report is attached and made part of these minutes. ([Attachment](#)).

**RE: ORDINANCE NO. 1203 – BUDGET ORDINANCE**

Mayor Crewe presented Ordinance No. 1203, the budget ordinance for fiscal year 2006-2007, on third and final reading. He noted if it is the Council's pleasure, they would need to adopt and appropriate the departmental budget as set forth. He indicated that the ordinance is the same as it has been with the exception of one line item that has been switched from one category to another category, but the total remained the same. A motion was made by Councilman Jones and seconded by Vice-Mayor King to adopt and appropriate the departmental budget and adopt Ordinance No. 1203, the budget ordinance for fiscal year 2006-2007, on third 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. 1203 was adopted on third and final reading. Mayor Crewe noted that the Budget Ordinance is adopted on third and final reading to become effective July 1, 2006.

**RE: SUBDIVISION – VANDELAY INDUSTRIES, LLC**

Mayor Crewe stated the next agenda item is to consider the recommendation of the Planning Commission regarding the request of Vandelay Industries, LLC for approval of the subdivision of property to be known as College Park, which is located on the west side of Pleasant View Drive between Cassell Road and Longview Drive. He noted the Council has before them the recommendation of the Planning Commission from their meeting held on Thursday night. Mayor Crewe explained that the proposal is to subdivide it into 15 lots for single family, single story patio homes. He remarked that the recommendation from the Planning Commission, which was not in the packet, was at the Council members' seats when they arrived at the meeting and is the result of the Thursday night meeting. Mayor Crewe stated the recommendation is that the Council approve the request for the subdivision pending final technical compliance. He explained that the technical compliance would be specifically requiring the Town Subdivision Ordinance approval of the 30-foot right of way, and 22-foot pavement width by VDOT. Mayor Crewe indicated that VDOT has to accept lesser pavement than is ordinarily the case in order for it to be approved. He advised that there is also the waiver of curb and guttering. He inquired as to the pleasure of the Council and if he heard any motion regarding the recommendation of the Planning Commission. A motion was made by Councilman Jones and seconded by Councilman Lambert to accept the recommendation from the Planning Commission and approve the request of Vandelay Industries, LLC for approval of the subdivision of property to be known as College Park, which is located on the west side of Pleasant View Drive between Cassell Road and Longview Drive, pending final technical compliance with the Town Subdivision Ordinance. Mayor Crewe inquired if there is any discussion on the motion to accept the recommendation and approve the subdivision. He advised he did not see anyone on the sign up sheets who is interested in this topic. Mayor Crewe inquired if he is missing anyone, and noted that Mr. Bill Smith is attending the meeting. He noted if anyone desired to speak, the Council would be glad to hear from them. Mayor Crewe inquired if there is any other discussion on the motion by the Council. 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: TOWN ENGINEER ROBERT HUDDLE**

Mayor Crewe inquired if anyone has heard anything lately about Mr. Robert Huddle and inquired if Town staff has heard anything in the last day or two. Town Manager Sutherland noted that he heard from Mr. Huddle the middle of last week, and he is still in rehabilitation and noted he thinks Mr. Huddle is going to be there for awhile. Mayor Crewe advised that the Council wishes him well.

**RE: RUN FOR THE WALL**

Mayor Crewe inquired of Town Treasurer Stephens if the Town has gotten everything taken care of with the gasoline purchase, etc. for Run for the Wall. Town Treasurer Stephens stated the Town is close to getting everything taken care of. Mayor Crewe noted that he guesses he and Town Treasurer Stephens need to visit and figure out what went wrong, and if there is something the Town has not received yet. Town Treasurer Stephens indicated that he and the Mayor can meet on this.

**RE: ADJOURNMENT**

There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting (7:16 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**

**JUNE 12, 2006**

1. Later this evening, the Council will consider, on the third and final reading, the proposed budget for fiscal year 2006-2007. The total proposed budget for the coming year is \$21,314,000. This number represents both the revenues and the appropriations for the General Fund and the Water and Sewer Fund. We would note, however, that there has been one slight revision in the appropriations, shifting approximately \$3,000 in health care expenses from the Treasurer's Office to the Clerk's Office. Otherwise, the totals remain the same. As we have noted before, there are no increases proposed within the budget, and the budget maintains all current tax rates and user fees.

We would note that on June 26, the Council will have its final meeting prior to the completion of fiscal year 2005-2006. There are a number of line items within the budget that necessarily need to be amended to reflect activities from the prior year. Most significant is the inclusion of approximately \$2.1 million that was used to construct a new water line to the Gatorade facility. As in past years, there are a number of other line items that will need to be amended, and we will have a full schedule of these line items prior to the next meeting. Because the budget will be revised more than one percent, it is necessary for the Council to hold a public hearing to consider these budget amendments. Therefore, it would be the recommendation of the Budget and Finance Committee that the public hearing be

scheduled for the June 26 meeting of Council to consider budget revisions for the fiscal year 2005-2006.

2. Both our Committee and the Public Works Committee reviewed, this week, certain information concerning user fees at the new community center. The meetings this past week were with Director of Parks and Recreation Rick Showalter to discuss the various levels of services that will be available in the new building. Next week, our Committee will meet with Director of Information and Tourism Rosa Jude to discuss fees, policies, and regulations associated with the spaces within the meeting center. It is anticipated that the new building will be completed by early in 2007, and we think it is important to establish fees and policies as soon as possible. We would anticipate that Town staff will finalize their recommendations to the Council, and all of this information may be on the Council's agenda for consideration within the next meeting or two. There is no action that is required of the Council at this point, but we did want to note to the public that fees, policies, and regulations are under consideration and should be an agenda topic very shortly.

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Jacqueline K. King

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John W. Jones, Jr.

## **PUBLIC WORKS COMMITTEE REPORT**

**JUNE 12, 2006**

1. As was reported at the last meeting of Council, a group of property owners known as Country Club Heights, LLC has requested that a 160 acre parcel of land situated on the west side of Petunia Road be brought into the corporate limits of Wytheville. The procedure to make this boundary adjustment is governed by State law. It necessarily requires an agreement between the Town and the Wythe County Board of Supervisors. The Board of Supervisors has previously indicated its support for this boundary revision. The Town has retained the legal services of Mr. Carter Glass with Troutman Sanders, LLP of Richmond to perform the necessary legal work. Mr. Glass has now submitted these documents to both governing bodies for their review. The first step in this process requires a public hearing to receive citizens' comments on the proposed boundary adjustment. Since there are no residents within the proposed area, we do not anticipate opposition to the proposal. Therefore, it would be the recommendation of the Public Works Committee that the Council conduct a public hearing at its meeting on July 24 to receive citizens' comments on the request for the 160 acre parcel of land situated on the west side of Petunia Road to be brought into the corporate limits of Wytheville.
2. The Wythe County Board of Supervisors, at its May 9 meeting, requested the Towns of Wytheville and Rural Retreat to participate in a joint study to look at eliminating the vehicle sticker and to work with the Division of Motor Vehicles to collect the local license fee. The County appointed Board Members Danny McDaniel and Martha

Umberger as well as County Treasurer Sam Crockett, Commissioner of Revenue Mary Cassell, and County Administrator Cellell Dalton. The Town of Rural Retreat has appointed Council Member Ed Schaack, Clerk Laurie Guynn, and Town Manager Ray Matney to the Committee. It would be the suggestion of the Public Works Committee that Council Member Judson Lambert from our Committee, Town Treasurer Mike Stephens, and Town Manager Wayne Sutherland be appointed to the Committee.

Town Treasurer Mike Stephens has been appointed to the committee created by the Department of Motor Vehicles in reviewing this statewide concept. There are a number of issues involved with the elimination of vehicle stickers such as the fees that will be charged for providing these services as well as mechanisms to ensure that personal property taxes are collected on these vehicles. In any event, we believe that it is worthwhile to investigate this concept and would recommend the appointments.

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William B. Weisiger

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H. Judson Lambert