

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, JULY 24, 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, Rob Kern, Tristan King, Dylan King

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 July 10, 2006; the request of the Southwest Virginia Solid Waste Management for waiver of fee for use of the Community Center on December 13, 2006, for a quarterly meeting; and, the request of the American Cancer Society for waiver of fee for use of the Community Center on September 14, 2006, for a Men's Health Night. 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 July 10, 2006; the request of the Southwest Virginia Solid Waste Management for waiver of fee for use of the Community Center on December 13, 2006, for a quarterly meeting; and, the request of the American Cancer Society for waiver of fee for use of the Community Center on September 14, 2006, for a Men's Health Night. 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 item on the agenda is Citizens' Period, and he recognized Mr. Rob Kern. Mr. Kern noted the reason he is attending the meeting is to talk about the traffic control at the intersection of Fisher Road and Mountain View Drive. He advised that when this was first proposed, he wrote and sent a letter or e-mail to all the Council members and voiced his concern that this might be setting a trap for people unfamiliar with the intersection. Mr. Kern indicated that he received a nice letter back stating the Council would study this for six months. He noted that after six months, from reading the last Council minutes, the report was that the sign is working very well, and it does, indeed, improve the safety at the intersection. Mr. Kern remarked that in the same minutes, it stated the only accident, in collective memory, in 30 years had occurred since the signs had gone up. He advised that he finds this disturbing. Mr. Kern indicated that in his work for a long time with the power company, he has investigated a lot of accidents. He remarked that he was chairman of several accident committees, and one thing they look for is the root cause for accidents. Mr. Kern stated what they have found in the few occasions when someone tried to do something to make things safer is it actually inadvertently set a trap for people. He noted they had people who put up barriers to keep people out of something, and that barrier tripped them or something like that. Mr. Kern advised that he thinks what everyone is seeing here is not that the stop signs are the problem, but it is the three-way sign that is the problem. He noted it gives the impression when a person comes to the "T" intersection that all of the traffic is going to stop, when in fact it is not. Mr. Kern remarked that the accident that occurred there was someone he knew, which is why he is attending this meeting. He noted this is his fifth Council meeting in 22 years living in Wytheville off and on. Mr. Kern explained that the thing he fears is that someone coming up on Mountain View Drive to the stop sign and seeing a 3-way sign will think that the traffic coming up the hill is going to stop, and they are not going to stop. He stated the individual in this case, apparently, pulled out and clipped another car. Mr. Kern indicated that if the car had been a little bit slower, this accident would have been a T-bone into that driver's door, which is going to hurt even at 25 MPH. He noted he does not doubt that the stop signs probably helped the intersection, but noted he thinks the 3-way sign is misleading, and this is the point he was trying to make earlier when he stated it was setting a trap. Mr. Kern explained that he thinks someone unfamiliar or even in a hurry at that intersection is going to see that, and the way they are offset, the person would think that all of the traffic is going to stop, when, actually, it is not. He noted that without the 3-way sign there, it is going to make someone treat it like a regular stop sign and sit and wait for the

traffic to clear, and then they will have to watch for the other car coming up the hill to stop regardless of whether the one from the other side stops. Mayor Crewe stated this is why the Town put up the 3-way sign so people would figure it was a 3-way stop and not a 4-way stop. Town Manager Sutherland inquired if it states "3-way" on the sign. Mayor Crewe noted that the sign states "3-way." Mr. Kern explained that if it was a cross intersection, it might work, but it is the way they are offset. He stated he read about the accident, and it was not a surprise, and this was just the thing he was thinking in the back of his mind, and thought he would sit back and see if something happens. Mr. Kern remarked that he would not want someone to get hurt, and advised that a person almost did get hurt. Mayor Crewe requested the Council to refresh his recollection, and advised when they looked at it, there was someone coming over the hill who did not have a stop sign, and the car pulled out of Mountain View Drive. He noted he guesses this is what Mr. Kern is stating, and the person did not run the stop sign, but they did not see the car coming over the hill, and inquired if this is what happened with this accident and inquired if he is thinking correctly. Vice-Mayor King advised that this is not correct and explained that it was since the stop signs have been put up. Mayor Crewe noted that is correct. Mr. Kern stated from what he understood, it was someone on Mountain View Drive at the stop sign, and the other car was coming up the hill where there is no stop sign on Fisher Road. Mayor Crewe inquired if the car was coming up the hill and not down the hill. Councilman Jones stated that is correct. Mr. Kern noted that is apparently correct from what he read, and advised that the cars coming up the hill do not stop. Mayor Crewe noted that is correct. Mr. Kern stated this person pulled out, and explained that they pulled up and saw a 3-way stop, and as he has stated, if a person is not familiar or in a hurry, they would think this would mean that a person has to stop, and these other two cars are going to stop, so he/she should be able to pull out. He pointed out that this is not the case at this intersection. Mr. Kern indicated that if the 3-way stop sign is taken down, it means for someone to stop, and the person would have to wait for the traffic to clear, and it does not give a person a false sense of security. He noted one thing they always tell people is that signs do not stop cars, but drivers stop cars, so a person should wait anyway, but advised that not everyone does this. Mayor Crewe noted they could ask the Public Works Committee to take another look at this intersection and see about it. He advised that the Public Works Committee consists of Councilmen Weisiger and Lambert. Councilman Jones inquired as to Mr. Kern's suggestion. Mr. Kern noted his suggestion would be to take the "3-way" off the stop signs so the signs state "STOP." Councilman Jones advised that he understands. Mayor Crewe advised that this would take away the false sense of security, and everyone is going to stop. Councilman Jones remarked that there was another accident there, and noted he knew the lady that got hit, and whoever it was ran the stop sign, T-boned her, and then took off and never stopped. He advised that the police never did catch whoever it was that ran the stop sign and hit this person. Mr. Kern inquired if this was Ms. Goins. Vice-Mayor King and Councilman Jones noted that is correct. Mr. Kern stated this is also the accident that he is talking about. He advised that this is what he is stating, and this person might have thought Ms. Goins was going to stop because the sign states 3-way stop, so they pulled out after they had completed their stop, and Ms. Goins did not stop because she did not have to stop. Councilman Jones stated he understands. Mr. Kern reiterated that if the 3-way sign was taken off the signs, this may not happen. Councilman Jones advised that he took it, from talking with Ms. Goins, that the person just ran the stop sign and never stopped, but noted he did not know, but this was what he understood. Mayor Crewe remarked that this is what he was asking because the only accident he knew about was that one. Vice-Mayor King advised that the person did not stop after they hit Ms. Goins, and the driver kept going. Councilman Jones stated that is correct. Mayor Crewe remarked that the person who hit Ms. Goins apparently did not stop before they hit her, and after they hit her, the car glanced off and the driver continued to keep going. Councilman Lambert inquired if Ms. Goins was familiar with that intersection. Vice-Mayor King noted that Ms. Goins drives this way every day. Mr. Kern remarked that normally, he would be home watching television right now, and this is the fourth or fifth Council meeting he has attended in 20+ years, but this is important to him. Mayor Crewe stated the Council appreciates Mr. Kern attending the meeting. He noted that usually, there are a few more citizens, and advised that it is not a great big crowd, but usually Mr. Kern would not be attending the meeting as the only citizen. Mayor Crewe thanked Mr. Kern for attending the meeting and for his comments.

RE: OLD BUSINESS

Under Old Business, Town Manager Sutherland reported the following:

1. The Public Works Committee will not meet tomorrow morning, July 25, 2006, but the Budget and Finance Committee will meet on Thursday morning, July 27, 2006.
2. Next week is the fifth week of the month, and there will not be any Committee meetings held.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Vice-Mayor King, reporting for the Budget and Finance Committee, reported that recently, the Town received a notice from Delegate Anne B. Crockett-Stark advising that the Speaker of the House of the Virginia General Assembly is conducting a work session on July 27 in Richmond with members of the House of Delegates to look at issues and alternatives that will be addressed by the full General Assembly regarding transportation funding in Virginia. She stated the transportation funding was a very controversial topic during the last session of the General Assembly with the net result being that no solutions were developed that would address Virginia's growing transportation crisis. Vice-Mayor King advised that throughout Virginia, there are many unfunded projects that are critical to various areas. She stated that increased construction expenses combined with declining State funds and declining Federal funds mean that identified projects cannot be constructed in the foreseeable future. Vice-Mayor King remarked that as a matter of fact, Virginia is facing financial problems in all areas of transportation, not just in the construction of highways. She stated the Committee thinks it is important that the Town note to Delegate Crockett-Stark the importance of the State finding a solution to these transportation issues by establishing funding for these projects that is not taken from the State's General Fund. Vice-Mayor King indicated that using monies from the State's General Fund to pay for transportation improvements merely erodes the availability of funding to all other statewide projects including education. She noted that the Committee has attached, for the Council's review, a resolution they would recommend that the Council adopt noting the need for solutions for transportation funding. Vice-Mayor King stated if the Council adopts this resolution, they would suggest that it be sent immediately to Delegate Crockett-Stark so that she can share it with other members attending the work session. A motion was made by Vice-Mayor King and seconded by Councilman Jones that the Council adopt the resolution regarding the comprehensive long-term funding for transportation. Mayor Crewe inquired if there is any discussion on the motion. He inquired if the Town has told the County that the Town is going to adopt this resolution, and, afterwards, if the Town can tell the County that they adopted the resolution. Town Manager Sutherland advised that the Town can send the County a copy of the resolution. Mayor Crewe inquired if there is any further 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 Lambert, reporting for the Public Works Committee, stated that as the Council knows, the Town has recently purchased right-of-way and constructed a roadway from Peppers Ferry Road southeastwardly to the new community center building. He advised that in the future, this roadway will continue beyond the new community center crossing the community college property and then proceeding eastwardly to connect with Lithia Road. Councilman Lambert stated that this roadway was scheduled to be under construction this year, but because of budgetary constraints by the Department of Transportation, as reported by the Budget and Finance Committee, construction of the remaining portion of this roadway has been delayed. He advised that in any event, this roadway will, at some point in the future, connect Peppers Ferry Road with Lithia Road. Councilman Lambert remarked that until now, this roadway has merely been named "connector" road, but now that the community center and hotels are being constructed along this portion of newly constructed roadway, it is important that the Council establish a name and address for the Town's facility and the other facilities that are being constructed. He advised when considering the name for this new roadway, it became apparent that a number of community facilities, that is the community/meeting center and the community college, would abut this roadway, and that it was reasonable that the name of the roadway have the word "community" in it. Councilman Lambert advised that this new roadway, when constructed all the way through, will be an attractive section of roadway with sidewalks and bike paths. He noted that as such, the Committee has determined that the name "Community Boulevard" would be appropriate. Councilman Lambert stated that the Committee asked the Town's Engineering Department to establish the street address of the community center building, and they determined that it would be an odd number in the 300 block range. He advised that under the Town's system of numbering, structures situated on the west side of the roadway would necessarily have an odd number. Councilman Lambert noted that after discussing this, the Committee has determined that the best street address for the new community center would be 333. He stated it would be the recommendation of the Public Works Committee that this newly constructed section of roadway serving the Town's community center be named Community Boulevard and that the Council establish the street address for the new community center as 333. Councilman Lambert advised that stated differently, the Committee would recommend that the address for the new community center be 333 Community Boulevard. A motion was made by Councilman Lambert and seconded by Councilman Weisiger

that the new connector road be named Community Boulevard, and the street address for the new community center be 333 Community Boulevard. 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. A copy of the Public Works Committee report is attached and made part of these minutes. ([Attachment](#)).

RE: APPOINTMENTS – BUILDING CODE APPEALS BOARD, BOARD OF ZONING APPEALS

Mayor Crewe stated the next agenda items are the appointment to the Building Code Appeals Board to fill the expiring term of Mr. Phil Tobelmann whose term expires July 26, 2006, and the notification of an appointment to the Board of Zoning Appeals to fill the expiring term of Mr. Steve Irvin whose term expires September 10, 2006. He advised that no applications have been received, and the two present office holders will continue to serve until their replacements are named. He advised that the Board of Zoning Appeals position has to be reported to the Circuit Court. Mayor Crewe inquired if anyone wants to do anything differently. Councilman Weisiger inquired if anyone has asked Mr. Tobelmann if he would serve again. Mayor Crewe advised that Mr. Tobelmann is ineligible to serve again. Councilman Weisiger noted that the code sets forth that if there are no other qualified candidates, the individual can be reappointed for another term. Town Clerk Hackler explained that this is what the code states, if the Town does not receive any other applications. Vice-Mayor King inquired if Building Official Stan Massie may have any suggestions and inquired if Town staff would ask him if he has any suggestions. She inquired if Building Official Massie has anything to do with the Board of Zoning Appeals. Mayor Crewe answered that Building Official Massie does not normally have anything to do with the Board of Zoning Appeals. Town Manager Sutherland noted that Building Official Massie attends the Board of Zoning Appeals hearings, but remarked that he thinks this is something the Council may want to consider on their own. Vice-Mayor King inquired if Town staff can ask Building Official Massie about suggestions for the Building Code Appeals Board. Town Manager Sutherland advised that Town staff can ask Mr. Massie regarding suggestions for the Building Code Appeals Board. Mayor Crewe noted that these positions are not vacant, and the present people will continue to serve until their successors are appointed. Vice-Mayor King remarked that the Town never got anyone to serve on the Wytheville Industrial Development Authority. Town Clerk Hackler remarked that the members are still serving. Town Manager Sutherland advised that the Wytheville Industrial Development Authority will not meet again until next January. Vice-Mayor King stated that is correct. Mayor Crewe indicated that hearing no motions, the Council will continue this matter, and if someone does apply, the nominations can be considered later.

RE: PLANNING COMMISSION ANNUAL REPORT

Mayor Crewe stated the next agenda item is to consider the annual report of the Wytheville Planning Commission, which is also in the Council package, unless Councilman Jones wants to give a report on it. He noted it is in the Council package for the Council members' reading. Councilman Weisiger inquired if Councilman Jones would like to highlight anything in the report. Councilman Jones advised that if the Council desires, he can highlight items in the report. He noted that he will not highlight anything unless the Council would like for him to do so. Councilman Weisiger advised that this is acceptable. Mayor Crewe noted it would suffice to state that the Planning Commission members are very busy. Town Manager Sutherland remarked that there was a lot of activity from the Planning Commission. Mayor Crewe indicated that it has been a busy year.

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting (7:12 p.m.).

Trenton G. Crewe, Jr., Mayor

Sharon P. Hackler, MMC, Clerk of Council

BUDGET AND FINANCE COMMITTEE REPORT

JULY 24, 2006

1. Recently, we received a notice from Delegate Anne B. Crockett-Stark advising that the Speaker of the House of the Virginia General Assembly is conducting a work session on July 27 in Richmond with members of the House of Delegates to look at issues and alternatives that will be addressed by the full General Assembly regarding transportation funding in Virginia. Transportation funding was a very controversial topic during the last session of the General Assembly with the net result being that no solutions were developed that would address Virginia's growing transportation crisis. Throughout Virginia, there are many unfunded projects that are critical to various areas. Increased construction expenses combined with declining State funds and declining Federal funds mean that identified projects cannot be constructed in the foreseeable future. As a matter of fact, Virginia is facing financial problems in all areas of transportation, not just in the construction of highways. We think it is important that the Town note to Delegate Crockett-Stark the importance of the State finding a solution to these transportation issues by establishing funding for these projects that is not taken from the State's General Fund. Using monies from the State's General Fund to pay for transportation improvements merely erodes the availability of funding to all other statewide projects including education. We have attached, for your review, a resolution that we would recommend that the Council adopt noting the need for solutions

for transportation funding. If the Council adopts this resolution, we would suggest that it be sent immediately to Delegate Crockett-Stark so that she can share it with other members attending the work session.

Jacqueline K. King

John W. Jones, Jr.

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PUBLIC WORKS COMMITTEE REPORT

JULY 24, 2006

1. As the Council knows, the Town has recently purchased right-of-way and constructed a roadway from Peppers Ferry Road southeastwardly to the new community center building. In the future, this roadway will continue beyond the new community center crossing the community college property and then proceeding eastwardly to connect with Lithia Road. This roadway was scheduled to be under construction this year, but because of budgetary constraints by the Department of Transportation, as reported by the Budget and Finance Committee, construction of the remaining portion of this roadway has been delayed. In any event, this roadway will, at some point in the future, connect Peppers Ferry Road with Lithia Road. Until now, this roadway has merely been named "connector" road, but now that the community center and hotels are being constructed along this portion of newly constructed roadway, it is important that we establish a name and address for our facility and the other facilities that are being constructed. When considering the name for this new roadway, it became apparent that a number of community facilities, that is the community/meeting center and the community college, would abut this roadway, and that it was reasonable that the name of the roadway have the word "community" in it. This new roadway, when constructed all the way through, will be an attractive section of roadway with sidewalks and bike paths. As such, we have determined that the name "Community Boulevard" would be appropriate. We asked our Engineering Department to establish the street address of the new community center building, and they determined that it would be an odd

number in the 300 block range. Under our system of numbering, structures situated on the west side of the roadway would necessarily have an odd number. After discussing this, we have determined that the best street address for the new community center would be 333. It would be the recommendation of the Public Works Committee that this newly constructed section of roadway serving our community center be named Community Boulevard and that we establish the street address for the new community center as 333. Stated differently, we would recommend that the address for the new community center be 333 Community Boulevard.

William B. Weisiger

H. Judson Lambert