

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, MARCH 10, 2008, 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, Chief Deputy Clerk Sharon G. Corvin, Town Attorney Robert P. Kaase, Police Officer Chris Irvin, Police Sergeant John Claypool, Wayne Quesenberry with *Wytheville Enterprise*, L. Joe Moore, George Zuurbier, Madeline Zuurbier, Dick Northrop, Mia Northrop, Joyce Ryan, James S. Ryan, Jill Snider, Stephen Snider, Steven Ridenhour, Donald C. Nance

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 Lambert.

RE: CONSENT AGENDA

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting of February 25, 2008, and the request of the American Cancer Society's Relay for Life Teams for issuance of a raffle permit for 2008. A motion was made by Councilman Weisiger and seconded by Vice-Mayor King to approve the minutes of the regular meeting of February 25, 2008, and the request of the American Cancer Society's Relay for Life Teams for issuance of a raffle permit for 2008. 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 noted that in reviewing the sign up sheets, he thinks most everyone indicated they wanted to speak, and the Council is glad they are attending the meeting. Mayor Crewe noted that most had indicated they wanted to speak on the on-frame modular ordinance, which the Council will consider soon in the meeting. He stated since this topic is on the agenda, he would ask those wanting to speak on this topic to please wait on those comments. Mayor Crewe inquired if there are persons present who wished to address the Council during Citizens' Period on any other topic besides an agenda item. He thanked everyone for attending the meeting and invited them to please attend other Council meetings. There being no one who desired to address the Council during Citizens' Period, Mayor Crewe proceeded with the agenda.

RE: OLD BUSINESS

Under Old Business, Town Manager Sutherland reported the following:

1. The Public Works Committee will not meet tomorrow morning, but the Budget and Finance Committee will meet on Thursday morning, March 13, 2008.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Vice-Mayor King, reporting for the Budget and Finance Committee, reported that at the last meeting of the Recreation Commission, the Commission voted to recommend a revision to change the structure with regard to the committee that hears appeals for disciplinary matters involving recreational activities. She advised that the policy currently states that the committee will consist of two adult members and a student member. Vice-Mayor King noted that the Recreation Commission would recommend that the policy be amended to the extent that the Chairman of the Recreation Commission would serve on the committee and the student member would be removed from the Appeals Committee. She advised that the Budget and Finance Committee agrees with this recommendation of the Recreation Commission, and it would be the Committee's recommendation that this policy revision be approved. A motion was made by Vice-Mayor King and seconded by Councilman Jones to accept the recommendation of the Recreation Commission and that the policy revisions be approved. 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.

Vice-Mayor King also reported that the Town has received the Local Choice renewal for fiscal year 2008-2009. She stated the Local Choice Health Benefits Program is the health insurance provided to the Town's employees. Vice-Mayor King explained that the Town has been with the Local Choice Health Programs for a number of years, and it is administered by the Commonwealth of Virginia. She noted that the Committee was pleased to learn that there are no increases in the Town's premiums for the coming year. Vice-Mayor King advised that as a matter of fact, there are also some new features being added to the plans such as additional benefits for annual physicals, routine immunizations and certain pregnancy related procedures. She noted that the Committee is very pleased that the Town's loss ratio for this past year did not result in a rate increase. Vice-Mayor King pointed out that certainly, the Town's employees are to be commended in their efforts to control healthcare costs, and the Council would certainly encourage them to continue with these efforts. She stated it would be the recommendation of the Budget and Finance Committee that the Council authorize the Town Manager to execute the documents required for the renewal of the Local Choice Health Benefits Program and that the Council maintain the employer/employee contributions at the same levels they are currently. A motion was made by Vice-Mayor King and seconded by Councilman Jones that the Council authorize the Town Manager to execute the documents required for the renewal of the Local Choice Health Benefits Program and that the Council maintain the employer/employee contributions at the same levels they are currently. 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 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, reported that the Public Works Department shared with the Committee, this week, the schedule of proposed streets to be paved this spring. He advised that there is currently \$250,000 in the budget to be used toward asphalt paving, and the Town is anticipating that bids will be in the range of \$60 per ton in place. Councilman Weisiger advised that this would result in the ability to install approximately 4,166 tons. He stated the Committee will have a better handle on what streets will be included in the paving schedule and how much tonnage can be purchased once the bids have been received. Councilman Weisiger advised that the Committee will share this information with the Council as soon as the Town receives the bids.

Councilman Weisiger also reported that at the last meeting of Council, they directed that the Town's Attorney prepare whatever type of document was needed to acknowledge that the Town had no interest or ownership in an alley running in a northwesterly direction from Spiller Street east of Fourth Street. He advised that Mr. Kaase researched this section and noted that the Code of Virginia provides that any locality may sell or otherwise dispose of its real property, provided that no such real property shall be disposed of until the governing body has held a public hearing concerning such disposal. Councilman Weisiger noted, therefore, it is the recommendation of the Town's Attorney that a public hearing be held with regard to this matter. He advised that in addition, Mr. Kaase has also prepared a quitclaim deed, which will be the subject of the public hearing. Councilman Weisiger stated it would be the recommendation of the Public Works Committee that a public hearing be set for April 14 to consider the quitclaim deed. A motion was made by Councilman Weisiger and seconded by Councilman Lambert to set a public hearing for the April 14 meeting of Council to consider a quitclaim deed regarding an alley running in a northwesterly direction from Spiller Street east of Fourth Street. Mayor Crewe inquired if there is any discussion on the motion. Town Attorney Kaase suggested that because there has been no research done by the Town on this, the Town send a letter of notification to each property owner that could be affected by this in the block so they are certain that they are aware of this. Mayor Crewe inquired if anyone on Council has any problems with sending this notice to the affected property owners. He noted there would be four or five property owners involved. Town Manager Sutherland advised that Town staff will send the notices to the abutting property owners. Town Attorney Kaase stated he knows that Mr. Chimer Durham is one of the property owners. Town Manager Sutherland advised that is correct and noted that Mr. Durham visited the office. Mayor Crewe noted he did not know if this is an amendment to the motion, but the motion is that the Council set the public hearing on April 14, and as a part of this, Town Council can instruct Town staff to notify the affected property owners, unless someone has a problem with this. He inquired if there is any further discussion on the motion to set the public hearing for April 14. 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 second part of this is if anyone has any problems with sending the letters to the affected property owners. There being no problems, Mayor Crewe noted the Town Council would ask Town Manager Sutherland to please take care of sending the letters to the affected property owners. A copy of the Public Works Committee report is attached and made part of these minutes. ([Attachment](#)).

RE: ORDINANCE NO. 1225 – ON-FRAME MODULARS

Mayor Crewe presented Ordinance No. 1225, an ordinance amending Ordinance No. 640, generally known as the Zoning Ordinance, to amend Article III – Definitions; and to amend the following Zoning Ordinance sections to restrict the use of on-frame industrialized building units (on-frame modulars): Article VI – Residential District R-1, Section 6-1.1; Article VI-A – Residential District R-1A, Section 6-1.1A; Article VI-M – Residential District R-1M, Section 6-2.1M; and, to amend the following Zoning Ordinance sections to allow the use of on-frame industrialized building units (on-frame modulars): Article VII – Residential District R-2, Section 7-1.1; Article VII-A – Residential District R-2FH, Section 7-1.1A; Article VIII – Residential District R-3, Section 8-1.1; Article VIII-A – Residential District R-3MH, Section 8-1.1A, on third reading. He stated this ordinance is the reason most people are attending the meeting. Mayor Crewe indicated that this is the ordinance amending certain sections of the Zoning Ordinance concerning industrialized building units (on-frame modulars). He explained that the ordinance has been read twice, and it is before the Council on third reading. A motion was made by Councilman Jones to adopt Ordinance No. 1225, an ordinance amending Ordinance No. 640, generally known as the Zoning Ordinance, to amend Article III – Definitions; and to amend the following Zoning Ordinance sections to restrict the use of on-frame industrialized building units (on-frame modulars): Article VI – Residential District R-1, Section 6-1.1; Article VI-A – Residential District R-1A, Section 6-1.1A; Article VI-M – Residential District R-1M, Section 6-2.1M; and, to amend the following Zoning Ordinance sections to allow the use of on-frame industrialized building units (on-frame modulars): Article VII – Residential District R-2, Section 7-1.1; Article VII-A – Residential District R-2FH, Section 7-1.1A; Article VIII – Residential District R-3, Section 8-1.1; Article VIII-A – Residential District R-3MH, Section 8-1.1A, on third and final reading with the amendment that any on-frame modular home that existed in R-1, R-1A, or R-1M Residential Districts prior to March 10, 2008, would be deemed compliant with the ordinance. Mayor Crewe explained that this amended language is in the ordinance in the Council's packet at this meeting. He noted there is a motion to pass the ordinance on third reading as amended. Mayor Crewe inquired if there is a second to the motion. The motion was seconded by Councilman Lambert. Mayor Crewe advised that the motion is properly on the floor. He noted he will go down the sign up sheets to recognize people to speak on this subject.

Mayor Crewe advised that Mr. and Mrs. George Zuurbier were the first ones on the list, and the Council will be glad to hear from them if they desired to address the Council. He stated that they do not have to speak if they do not desire. Mayor Crewe wished Mr. and Mrs. Zuurbier a happy 52nd wedding anniversary and congratulated them. Mr. Zuurbier thanked Mayor Crewe and noted he would defer to any other speakers at this time, and he signed up to speak in case he desired to address the Council. Mayor Crewe thanked Mr. and Mrs. Zuurbier for attending the meeting.

Mayor Crewe recognized Mr. and Mrs. Dick Northrop, and they declined to speak.

Mayor Crewe then recognized Mr. Stephen Snider and noted he had a question mark beside his name. Mr. Snider declined to speak.

Mayor Crewe recognized Reverend Steven Ridenour, and he declined to speak.

Mayor Crewe recognized Mr. Donald Nance, and he declined to speak.

Mayor Crewe inquired if there were others present who wished to address the Town Council regarding the proposed Zoning Ordinance changes. There being none, he inquired if there is anyone on Council who has any discussions, comments, or questions. There being no further discussion, 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

Mayor Crewe advised that Ordinance No. 1225 was adopted on third and final reading as amended. He noted this ordinance is effective immediately, and it would prohibit the on-frame modulars in R-1, R-1A, and R-1M Residential Districts.

RE: RESOLUTION – WYTHEVILLE HERITAGE WALK PROJECT

Mayor Crewe stated the next agenda item is to consider a resolution authorizing the Town Manager to execute an agreement with the Commonwealth of Virginia Department of Transportation regarding the Wytheville Heritage Walk Project. He noted this resolution would authorize the Town Manager to execute the necessary documents to comply with the Virginia Department of Transportation Administrative Agreement in order to move along with the enhancement grants funds for the Heritage Walk Project. A motion was made by Councilman Jones and seconded by Vice-Mayor King to adopt the resolution authorizing the Town Manager to execute an agreement with the Commonwealth of Virginia Department of Transportation regarding the Wytheville Heritage Walk Project. 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 stated the resolution is adopted, and the Town Manager can now sign the agreement. Vice-Mayor King advised that she just noticed that the showcase in the foyer has all the information regarding the Heritage Walk Project displayed in it. Mayor Crewe advised that is correct.

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting (7:11 p.m.).

Trenton G. Crewe, Jr., Mayor

Sharon G. Corvin, Chief Deputy Clerk

BUDGET AND FINANCE COMMITTEE REPORT

MARCH 10, 2008

1. At the last meeting of the Recreation Commission, the Commission voted to recommend a revision to change the structure with regard to the committee that hears appeals for disciplinary matters involving recreational activities. The policy currently states that the committee will consist of two adult members and a student member. The Recreation Commission would recommend that the policy be amended to the extent that the Chairman of the Recreation Commission would serve on the committee and the student member would be removed from the Appeals Committee. Our Committee agrees with this recommendation of the Recreation Commission, and it would be our recommendation that this policy revision be approved.

2. We have received the Local Choice renewal for fiscal year 2008-2009. The Local Choice Health Benefits Program is the health insurance provided to the Town's employees. We have been with the Local Choice Health Programs for a number of years, and it is administered by the Commonwealth of Virginia. We were pleased to learn that there are no increases in our premiums for the coming year. As a matter of fact, there are also some new features being added to the plans such as additional benefits for annual physicals, routine immunizations and certain pregnancy related procedures. We are very pleased that our loss ratio for this past year did not result in a rate increase. Certainly, our employees are to be commended in their efforts to control healthcare costs, and we certainly would

encourage them to continue with these efforts. It would be the recommendation of the Budget and Finance Committee that we authorize the Town Manager to execute the documents required for the renewal of the Local Choice Health Benefits Program and that we maintain the employer/employee contributions at the same levels they are currently.

Jacqueline K. King

John W. Jones, Jr.

PUBLIC WORKS COMMITTEE REPORT

MARCH 10, 2008

1. The Public Works Department shared with our Committee, this week, the schedule of proposed streets to be paved this spring. There is currently \$250,000 in the budget to be used toward asphalt paving, and we are anticipating that bids will be in the range of \$60 per ton in place. That would result in the ability to install approximately 4,166 tons. The Committee will have a better handle on what streets will be included in the paving schedule and how much tonnage can be purchased once the bids have been received. We will share this information with the Council as soon as we receive the bids.
2. At the last meeting of Council, we directed that the Town's Attorney prepare whatever type of document was needed to acknowledge that the Town had no interest or ownership in an alley running in a northwesterly direction from Spiller Street east of Fourth Street. Mr. Kaase researched this section and noted that the Code of Virginia provides that any locality may sell or otherwise dispose of its real property, provided that no such real property shall be disposed of until the governing body has held a public hearing concerning such disposal. Therefore, it is the recommendation of the Town's Attorney that a public hearing be held with regard to this matter. In addition, Mr. Kaase has also prepared a quitclaim deed, which will be the subject of the public hearing. It would be the recommendation of the Public Works

Committee that a public hearing be set for April 14 to consider the quitclaim deed.

William B. Weisiger

H. Judson Lambert

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