

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL  
HELD IN THE COUNCIL CHAMBERS ON TUESDAY, MAY 27, 2008, AT 7:00 P.M.**

Members present: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., H. Judson Lambert

Members absent: William B. Weisiger

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 John Humphrey, Danny Gordon with WYVE/WXBX, Wayne Quesenberry with *Wytheville Enterprise*, Jim Willis, Marjorie Willis, 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 Vice-Mayor King followed by the Pledge of Allegiance led by Councilman Jones.

**RE: CONSENT AGENDA**

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting and the work session of May 12, 2008. A motion was made by Councilman Lambert and seconded by Vice-Mayor King to accept the consent agenda consisting of the minutes of the regular meeting and the work session of May 12, 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., H. Judson Lambert. Against: None.

**RE: CITIZENS' PERIOD**

Mayor Crewe stated the next agenda item is Citizens' Period. He noted that Mr. Jim Willis had signed up to speak, and noted the Council will be glad to hear from him at this time, or he can wait to speak when the Council discusses the Meadows of Pine Ridge detention ponds. Mr. Willis advised that he will wait. Mayor Crewe inquired if there are other persons present who wished to address the Town 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. Both Council Committees will not meet this week, but will meet at their regularly scheduled time next week.

**RE: BUDGET AND FINANCE COMMITTEE REPORT**

Vice-Mayor King, reporting for the Budget and Finance Committee, reported that later in the meeting, the Council will consider on first reading the proposed budget for fiscal year 2008-2009. She stated it was noted at the last meeting that the Committee has revised budget requests to the extent that revenues equal the amounts to be appropriated for general operations and personnel. Vice-Mayor King advised that the General Fund appropriations total \$12,170,000, and the appropriations for the Water and Sewer Fund total \$6,864,000 for a combined total budget of \$19,034,000. She explained that of the total budget, approximately \$3,617,615 is the use of reserve funds for specified capital outlay projects. Vice-Mayor King noted that there are no tax or user fee increases imposed in the budget with the exception that a revision to water charges be implemented on January 1, 2009, for large users who consume more than 3.5 million gallons of water per period. She stated that the budget will be considered on second reading at the next meeting of Council, and a public hearing will be, likewise, held that evening to receive citizen comments on the proposed budget. Vice-Mayor King indicated that the budget will be heard on third and final reading at the June 23 meeting of Council. She stated that the Committee would remind the Council that the budget can be amended at any time during this adoption process. Vice-Mayor King noted that when the ordinance adopting the budget is presented later in the meeting, it would be the recommendation of the Budget and Finance Committee that the proposed budget for fiscal year 2008-2009 be adopted on first reading.

Vice-Mayor King also reported that this past fall, the Town was able to acquire two buses from the District Three Governmental Cooperative. She stated it was intended that these buses would be used in conjunction with activities and meetings at the new Community Center. Vice-Mayor King remarked that since that time, the Town has had a number of requests for the use of the Town's buses for activities that are not associated with the Community Center. She stated that over the next couple of weeks, the Committee will be developing specific guidelines for the use of the buses, but the Committee has agreed upon several broad regulations that they think need to be included in the policy. Vice-Mayor King noted that first, the Committee thinks that any use of the buses should be related to Town functions, governmental functions, or functions of non-profit or charitable organizations. She advised that this would preclude the use of the buses by individuals. Vice-Mayor King noted that the Committee believes the policy should exclude any travel outside of Wythe County, and the use of the buses should require reservation, and the policy should include stipulations about the use of the buses depending upon the availability with conflicting functions. She remarked that in addition, there will be imposed hourly fees for the use of the buses that will cover personnel and operating expenses. Vice-Mayor King noted that if any member of Council has other thoughts about general guidelines, please advise the Committee in order that they can incorporate them into the policy that they are developing. Mayor Crewe remarked that if any Council member has any thoughts, they will share them with the Committee. 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, reported that recently, the Town was contacted by the developers of the Meadows of Pine Ridge who noted that the corporation that developed this property will cease to exist, and there are two stormwater detention basins on the property that will need to be maintained. He advised that the Committee has discussed this matter on several occasions and believes that it is important to maintain these basins and has noted the Town's willingness to accept them and maintain them. Councilman Lambert indicated that first, the ponds and drainage structures should be in a good state of repair before the conveyance to the Town. He stated that secondly, the Committee believes that the conveyance of these basins to the Town should be unconditional in that the Town has the ability to do whatever it feels appropriate with this land. Councilman Lambert explained that the Committee does not think it is advisable to accept these basins with conditions that could impede the Town's use of the property in the future. He noted that having said that, it would be the Committee's recommendation that Town Attorney Kaase prepare a deed conveying the property to the Town without conditions and that the deed only be accepted by the Town once any needed maintenance activities are performed by the developer. Mayor Crewe noted he would consider this as a motion from the Committee that has a second that authorizes the Town Attorney to prepare the deed without conditions and that the Town accept the deed when the needed maintenance activities are performed by the developer. He stated that the motion is on the floor, and now it can be discussed. Mayor Crewe requested Mr. Jim Willis to please provide the Council with his thoughts.

Mr. Jim Willis inquired if he understood that the maintenance of the ponds is to be performed by the developer. Councilman Lambert stated that is not correct. Mayor Crewe advised that the Town does not know if there is maintenance needed or not. He explained that there are a couple of the pipes that the Town staff thinks are clogged and need to be cleaned. Town Manager Sutherland stated that this report is suggesting that the developers give the ponds to the Town in a good state of repair instead of a bad state of repair. Mr. Willis noted that he thought the ponds were in a good state of repair, quite frankly, and indicated that they have no problems. Town Manager Sutherland pointed out that the ponds will need to be inspected. Mr. Willis advised that this is acceptable, and reiterated that the developers have no problems with deeding the property to the Town without any conditions with it. Mr. Willis advised that he did not understand because he did not hear who was going to maintain the ponds. Mayor Crewe indicated that there has been a preliminary inspection, but not a final inspection. He inquired if the Engineering Department went and inspected the ponds. Mayor Crewe advised that there is a question about whether one of the pipes is open or closed. He inquired regarding the name of the object on top of the ponds. Mayor Crewe stated that there are two issues that he remembers, and one thing is that something is bent and may need to be replaced or straightened to match the draining, but nothing major the Town is aware of. Town Manager Sutherland indicated that he believes Acting Town Engineer Hackler had a question about one of the risers and inquired of Assistant Town Manager Moore if that is correct. Assistant Town Manager Moore indicated that he was unsure regarding this matter. Town Manager Sutherland summarized that Town staff will go out to inspect the property with Mr. Willis. Mr. Willis noted that is acceptable. Mayor Crewe commented that the Town does not anticipate anything major wrong with the ponds, but the Town also wants to ensure that the ponds are in good working order when the Town accepts them. Town Attorney Kaase inquired of Mr. Willis if there is a

good description of the property that he could provide to him. Mr. Willis noted that he could provide Town Attorney Kaase with a plat. Mayor Crewe stated the plat would be very helpful. Mr. Willis remarked that he could provide more information to Town Attorney Kaase if necessary. Mayor Crewe inquired if the two lots marked in blue on the map are where the ponds are located. Mr. Willis answered that is correct. Mayor Crewe noted that what the Council is talking about when they state accepting the property with no restrictions or no conditions is that if technology changes and the Town no longer needs the lots, they could sell them for building lots. Mr. Willis advised that he wished the Town luck on selling the lots for building lots. Mayor Crewe stated he agreed. Town Attorney Kaase inquired if the plat that Mr. Willis furnished him is recorded. Mr. Willis stated the original plat was recorded when they got it approved. He remarked that Mr. Tom Hodges has a generic deed that he has used for most of the lots. Mr. Willis reiterated that as far as the developers know, there are no problems with the ponds. He noted that deeding the ponds to the Town is the only logical thing they could think to do with the ponds, and there were no "strings" attached to it when they developed it, and when they found out they had ponds, they were a little bit surprised. Mayor Crewe inquired if based on this discussion, if anyone on Council has any other questions, comments, or discussion. He stated he is taking Mr. Willis' comments to mean that the developers find this acceptable. 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., H. Judson Lambert. Against: None. Mayor Crewe thanked Mr. Willis for attending the meeting.

Councilman Lambert also reported that in recent weeks, the Committee has received inquiries from citizens in two locations seeking four-way stop sign configurations. He noted that first, citizens in the vicinity of Liberty and Fifth Streets have requested four-way stop signs because of the large number of children in the neighborhood. Councilman Lambert remarked that obviously, the creation of a four-way stop sign situation does not encourage the use of the street for children playing, but would result in a slowed traffic environment. He noted that secondly, the Town has received an inquiry from citizens in the vicinity of Washington and Fifth Streets who have requested a four-way stop configuration in an effort to slow traffic on Washington Street. Councilman Lambert advised that the Town has viewed both of these intersections and agree that installation of the four-way stop signs would be beneficial. He stated it would be the recommendation of the Public Works Committee that the Town direct the Public Works Department to erect these signs and other related signs at these intersections creating four-way stop configurations. Mayor Crewe stated he would take this as a recommendation from the Committee that has a second. He inquired if there is any discussion on the motion to direct the Public Works Department to install two four-way stop configurations at these two intersections. 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., H. Judson Lambert. Against: None. A copy of the Public Works Committee report is attached and made part of these minutes. ([Attachment](#)).

#### **RE: ORDINANCE NO. 1229 – BUDGET ORDINANCE**

Mayor Crewe presented Ordinance No. 1229, the budget ordinance for fiscal year beginning July 1, 2008, and ending June 30, 2009, on first reading. He stated the recommendation and the motion from the Budget and Finance Committee is that the Council adopt and appropriate the departmental budget on first, but not yet final, reading. A motion was made by Vice-Mayor King and seconded by Councilman Jones to adopt and appropriate the departmental budget on first, but not yet final, reading. Mayor Crewe inquired if there is any discussion on the motion. He advised that the Council has been through the numbers and reviewed them, and the total budget is \$19,034,000. There being no 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., H. Judson Lambert

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1229 was adopted on first, but not yet final, reading. He advised that this ordinance will be considered on second reading at the June 9 meeting, and if it goes as scheduled, it will be considered on third and final reading at the June 23 meeting.

#### **RE: APPOINTMENT – PLANNING COMMISSION**

Mayor Crewe stated the next agenda item is to consider the appointment of a member to the Wytheville Planning Commission to fill the expired term of Mr. Richard Martel whose term

expired March 2, 2008. He noted the Council has the applications in their packet. A motion was made by Vice-Mayor King to appoint Ms. Maxine Manuel since she has previously served as a Planning Commissioner. Mayor Crewe pointed out that Ms. Manuel has also already been certified. Vice-Mayor King stated that is correct. The motion was seconded by Councilman Jones. 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., H. Judson Lambert. Against: None.

#### **RE: WALL OF HONOR MEMORIAL DAY SERVICE**

Vice-Mayor King stated the Memorial Day Service was very nice. Mayor Crewe indicated that he has received numerous comments about it being a great service. Vice-Mayor King pointed out that there was a nice crowd, and the afternoon was wonderful. Mayor Crewe indicated that the speaker was outstanding. Vice-Mayor King noted that the speaker was more than outstanding.

#### **RE: RUN FOR THE WALL**

Mayor Crewe remarked that he can also share with the Council, when there is more time, multiple stories of how pleased the Run For The Wall riders were with what Wytheville did for them while they were in town. Vice-Mayor King noted that is great.

#### **RE: TOWN SECTION MEETING**

Mayor Crewe stated he did not know how many of the Council were going to attend the Town Section meeting scheduled to be held in Wytheville on Thursday. Town Manager Sutherland remarked that he believes the meeting begins at 11:00 a.m. Mayor Crewe stated he believed that time is correct. He indicated that he received an e-mail today that there are 50+ people registered for this meeting. Mayor Crewe stated he was asked to do a welcome speech for the meeting, and he will be doing the welcome. He noted it should be an interesting meeting for the Town.

#### **RE: MEADOWS OF PINE RIDGE DEED**

Town Attorney Kaase stated that according to Section 15.2-1803, it provides that "no such deed shall be valid unless accepted by the locality, which acceptance shall appear on the face thereof and shall be executed by a person authorized to act on behalf of the locality." He inquired if Mayor Crewe would invite the Council to authorize someone, such as the Mayor, to accept the Meadows of Pine Ridge deed. Mayor Crewe inquired as to the pleasure of Council and if they want to authorize him to accept the deed when it is ready and it comes back before the Council and take another action to approve and accept the deed. Town Attorney Kaase stated he thought the Council was going to take all the actions at one time. Mayor Crewe inquired if the Council wants to take the action all at one time. Vice-Mayor King noted that the Council could go ahead and authorize the Mayor to accept the deed. Mayor Crewe stated the Council could authorize himself and the Town Manager, and then whoever is available could accept it. A motion was made by Vice-Mayor King and seconded by Councilman Jones to authorize the Mayor and the Town Manager to accept, on behalf of the Town, the deed for the Meadows of Pine Ridge detention ponds once the deed is prepared by Town Attorney Kaase. 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., H. Judson Lambert. Against: None.

Mayor Crewe thanked Town Attorney Kaase for the clarification on the acceptance of the deed.

#### **RE: PAVING**

Councilman Lambert advised that he has one question and a comment. He inquired if it would be possible to expand the Town's paving contract at this time with the paving contractor that is in town. Town Manager Sutherland answered that there are probably two parts to this answer. He explained that depending on how much the Town wants to expand the contract, he thinks the contractor would expand it. He noted that part two of the answer is regarding how the additional paving would be funded. Councilman Lambert stated the funding is what concerns him. He noted if the Town is going to pave in the first half of the coming fiscal year, with the price of asphalt increasing as it is, it would probably be wise to go ahead and see if the Town could accelerate this and get the paving done as soon as possible because it is probably going to be less dollars spent in the long run. Mayor Crewe indicated that this matter is worth reviewing. Town Manager Sutherland inquired if Councilman Lambert has some specific streets in mind. Councilman Lambert stated that Ridge Road is breaking up rather badly, and he would

also suggest East Washington Street. He noted he is sure it would not take long to come up with a decent paving schedule. Councilman Lambert indicated that the Town has several needs he would suspect. Vice-Mayor King asked Councilman Lambert to please figure where the Council would get the money to pay for the paving. Councilman Lambert stated he will figure where the money will come from. Vice-Mayor King advised that the Town has a lot of streets that need paving. Mayor Crewe stated that is correct and asphalt has almost doubled in price. Town Manager Sutherland indicated that asphalt increased by about \$20 per ton. Mayor Crewe noted that asphalt used to cost \$30+ ton.

**RE: ADJOURNMENT**

Mayor Crewe thanked everyone for attending the meeting. There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting (7:18 p.m.).

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Trenton G. Crewe, Jr., Mayor

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Sharon G. Corvin, Chief Deputy Clerk

## **BUDGET AND FINANCE COMMITTEE REPORT**

**MAY 27, 2008**

1. Later this evening, the Council will consider on first reading the proposed budget for fiscal year 2008-2009. It was noted at our last meeting, we have revised budget requests to the extent that revenues equal the amounts to be appropriated for general operations and personnel. The General Fund appropriations total \$12,170,000, and the appropriations for the Water and Sewer Fund total \$6,864,000 for a combined total budget of \$19,034,000. Of the total budget, approximately \$3,617,615 is the use of reserve funds for specified capital outlay projects. There are no tax or user fee increases imposed in the budget with the exception that a revision to water charges be implemented on January 1, 2009, for large users who consume more than 3.5 million gallons of water per period. The budget will be considered on second reading at the next meeting of Council, and a public hearing will be, likewise, held that evening to receive citizen comments on the proposed budget. The budget will be heard on third and final reading at the June 23 meeting of Council. We would remind the Council that the budget can be amended at any time during this adoption process. When the ordinance adopting the budget is presented later this evening, it would be the recommendation of the Budget and Finance Committee that the proposed budget for fiscal year 2008-2009 be adopted on first reading.
2. This past fall, the Town was able to acquire two buses from the District Three

Governmental Cooperative. It was intended that these buses would be used in conjunction with activities and meetings at the new Community Center. Since that time, we have had a number of requests for the use of the Town's buses for activities that are not associated with the Community Center. Over the next couple of weeks, we will be developing specific guidelines for the use of the buses, but we have agreed upon several broad regulations that we think need to be included in the policy. First, we think that any use of the buses should be related to Town functions, governmental functions, or functions of non-profit or charitable organizations. This would preclude the use of the buses by individuals. We believe the policy should exclude any travel outside of Wythe County, and the use of the buses should require reservation, and the policy should include stipulations about the use of the buses depending upon the availability with conflicting functions. In addition, there will be imposed hourly fees for the use of the buses that will cover personnel and operating expenses. If any member of Council has other thoughts about general guidelines, please advise us in order that we can incorporate them into the policy that we are developing.

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Jacqueline K. King

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John W. Jones, Jr.

## **PUBLIC WORKS COMMITTEE REPORT**

**MAY 27, 2008**

1. Recently, we were contacted by the developers of the Meadows of Pine Ridge who noted that the corporation that developed this property will cease to exist, and there are two stormwater detention basins on the property that will need to be maintained. We have discussed this matter on several occasions and believe that it is important to maintain these basins and have noted our willingness to accept them and maintain them. We believe that prior to acceptance we should agree on a couple of points with the developers. First, the ponds and drainage structures should be in a good state of repair before the conveyance to the Town. Secondly, we believe that the conveyance of these basins to the Town should be unconditional in that the Town has the ability to do whatever it feels appropriate with this land. We do not think it is advisable to accept these basins with conditions that could impede our use of the property in the future. Having said that, it would be our recommendation that Town Attorney Kaase prepare a deed conveying the property to the Town without conditions and that the deed only be accepted by the Town once any needed maintenance activities are performed by the developer.
2. In recent weeks, our Committee has received inquiries from citizens in two locations seeking four-way stop sign configurations. First, citizens in the vicinity of Liberty and Fifth Streets have requested four-way stop signs

because of the large number of children in the neighborhood. Obviously, the creation of a four-way stop sign situation does not encourage the use of the street for children playing, but would result in a slowed traffic environment. Secondly, we have received an inquiry from citizens in the vicinity of Washington and Fifth Streets who have requested a four-way stop configuration in an effort to slow traffic on Washington Street. We have viewed both of these intersections and agree that installation of the four-way stop signs would be beneficial. It would be the recommendation of the Public Works Committee that we direct the Public Works Department to erect these signs and other related signs at these intersections creating four-way stop configurations.

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William B. Weisiger

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H. Judson Lambert