

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL  
HELD IN THE COUNCIL CHAMBERS ON MONDAY, APRIL 26, 2010, 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 Treasurer Michael G. Stephens, Town Attorney Robert P. Kaase, Police Officer Tommy Lester, Wayne Quesenberry with *Wytheville Enterprise*, Jack Hunley, Tommy Hundley, Annessia Hundley, Louise Crockett, Bettye Campbell, Amy H. Wikham

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

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

**RE: CONSENT AGENDA**

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting of April 12, 2010. A motion was made by Vice-Mayor King and seconded by Councilman Lambert to approve the consent agenda consisting of the minutes of the regular meeting of April 12, 2010. 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 he did not have sign-up sheets to indicate that anyone would like to address the Town Council. Mayor Crewe advised that the Council is glad to have everyone attending the meeting and appreciates their attendance. Mayor Crewe inquired if there are persons present who wished to address the Council during Citizens' Period. There being none, he proceeded with the agenda.

**RE: OLD BUSINESS**

Under Old Business, Town Manager Sutherland reported the following:

1. The Public Works Committee will not meet this week, but the Budget and Finance Committee will meet on Thursday morning, as usual.
2. The Council is not prepared to take any action, but as a matter of information, the Town received a letter today from Shentel Cable Company who is giving notice that they have purchased JetBroadband of Virginia, LLC. Shentel Cable Company is seeking the Council's consideration of a resolution that would effect this sale. Town staff will have this information available for Committees next week, but, apparently, JetBroadband has been sold.
3. The Council found at their place, when they arrived, a memorandum from Town Treasurer Mike Stephens seeking Council to write off certain items that he carries on his books. The Council has had an opportunity to see this before, but Town Treasurer Stephens is attending the meeting if the Council has any questions. Town Treasurer Stephens is requesting Council action on this matter. Mayor Crewe inquired if anyone would like to make a motion that the Town write off \$395.22 in 1989 mowing assessments; \$1,966.83 in 2004 personal property/mobile home taxes; and, \$23,618.63 in 2000-2004 water and sewer bills. A motion was made by Councilman Jones to authorize Town Treasurer Stephens to write off \$395.22 in 1989 mowing assessments; \$1,966.83 in 2004 personal property/mobile home taxes; and, \$23,618.63 in 2000-2004 water and sewer bills. The motion was seconded by Vice-Mayor King. Mayor Crewe inquired of Town Treasurer Stephens if he is correct in his understanding that the large amount of the water bill is largely one or two places. Town Treasurer Stephens stated that it is one or two places that had leaks and ceased to operate and did not pay the bill. Mayor Crewe inquired if there is any discussion on the motion. Councilman Jones inquired if Town Treasurer Stephens will either place these as liens or tax setoffs. Town

Treasurer Stephens remarked that he tried that approximately four or five years ago. Mayor Crewe inquired if there is any further discussion. 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.

4. Mayor Crewe advised that an additional item of Old Business that he will share with the Council is that today, he received, and noted that probably Town Manager Sutherland received this as well or will receive it in the next day or two, a communication from Verizon indicating that they have been granted an order by the State Corporation Commission to change the assessed value of personal property. Mayor Crewe explained that he did not know if it is going to affect the Town or not and he cannot tell from the document, but it was an order that was entered that sets a hearing for next March 2011, and gives information. He stated he will make this information available and wanted to report to the Council that, today, he received this. Mayor Crewe advised that Town Manager Sutherland will be receiving his copy if he has not already received it.

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

Vice-Mayor King, reporting for the Budget and Finance Committee, reported that from time to time, the Recreation Commission imposes disciplinary actions on persons who have violated Department rules. She explained that disciplinary action imposed by the Recreation Director or the Recreation Commission can range from being as simple as a verbal warning to suspension from all recreational facilities. Vice-Mayor King stated that for some time, the Recreation Commission has had in place procedures to be followed in the event that someone wants to appeal disciplinary action taken against them. She noted that during some of the appeals to the Recreation Commission, the appellant has taken considerably more time than necessary to state their case. Vice-Mayor King advised that as such, the Recreation Commission has recommended to the Town Council that appeal meeting procedures be amended to read that "the appellant will be given 15 minutes to present his/her appeal unless, at the discretion of the Appeals Committee, additional time is deemed necessary for due cause." She stated that the Committee agrees with the recommendation from the Recreation Commission and would move that this language be added to the appeals procedure. A motion was made by Vice-Mayor King and seconded by Councilman Jones that the Recreation Department rules for appeals procedures be amended. 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.

Vice-Mayor King also reported that later in the meeting, the Council will have a budget work session and review revenues that are anticipated for fiscal year 2010-11. She advised that time permitting, the Council will also spend some time looking at appropriations that have been requested by the various department heads. Vice-Mayor King stated that at this time, there are no proposed tax increases included in the budget. She noted that the Committees will continue to review the budget development over the next several weeks and will consider the budget document on first reading at the May 10 meeting of Council. Vice-Mayor King noted that the public hearing on the proposed budget will be held at the May 24 meeting of Council. Mayor Crewe indicated that the Council will consider the budget momentarily during the budget work session. A copy of the Budget and Finance Committee report is attached and made part of these minutes. [C:\ra&@ ^} dE](#)

#### **RE: PUBLIC WORKS COMMITTEE REPORT**

Councilman Lambert, reporting for the Public Works Committee, reported that the Town received a communication from the Virginia Department of Transportation advising that they are continuing the preliminary engineering work on the I-81 Corridor improvements. He stated that this is the Tier 2 Study for the I-77/I-81 overlap area situated in Wytheville and Wythe County. Councilman Lambert noted that property owners along this corridor should have, likewise, received notice from the Department of Transportation that certain field testing, surveying, etc. would be conducted in this work area. He remarked that the corridor that is described by the Virginia Department of Transportation would be the relocation of Interstate 81 to a location just north of the existing corridor between Exit 72 and Exit 81. Councilman Lambert noted that this route is a route that has been discussed on a number of occasions and, apparently, is one of the remaining corridors to be studied. He advised that this study is, of course, a component of a statewide study that was commenced a number of years ago that would improve Interstate 81 the entire length of Virginia. Councilman Lambert indicated that since that time, everyone knows that budget constraints have limited the activity on this project. He stated that even though the studies continue, the Council does not foresee that any construction activities could begin any

time in the foreseeable future. Councilman Lambert advised that no action is required by the Council, but the Committee did want to make everyone aware that the Interstate Corridor Study is still ongoing.

Councilman Lambert reported that the Town has received a letter from HOPE, Incorporated advising that the Virginia Housing Development Authority has agreed to be a sponsor for this year's seventh annual Big Walker Century Ride, which is scheduled to be held on Saturday, June 19, as part of the Chautauqua activities. He stated that the Big Walker Century Ride is a 100 mile bicycle ride. Councilman Lambert advised that the specific request is that Main Street between Church Street and First Street be closed as the location where the ride would commence. He stated that the conclusion of the ride would be in the parking area near the McWane Swimming Pool. Councilman Lambert noted that the Committee believes this is a reasonable request and would recommend to the Council that they authorize the street closure for these purposes. He explained that in addition, the Committee would stipulate that HOPE, Incorporated would coordinate all of these activities with the Town's Police and Public Works Departments. Councilman Lambert stated that as such, it would be the Committee recommendation that the Council authorize this request. Mayor Crewe indicated that this is a motion from the Committee that the Council approve the request in connection with the Big Walker Century Ride. He inquired if there is any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., H. Judson Lambert. Against: None. A copy of the Public Works Committee report is attached and made part of these minutes. [Click here to view the report](#)

#### **RE: ORDINANCE NO. 1247 – MEALS TAX AMENDMENT**

Mayor Crewe presented Ordinance No. 1247, an ordinance amending and reenacting Chapter 14, Taxation, Article V. Meals Tax, Section 14-76, Definitions, and Section 14-90, Exemptions, of the Code of the Town of Wytheville, Virginia, on first reading. He noted that this ordinance amends the meals tax to make it clear that the meals tax would be imposed on an alcoholic beverage whether consumed with, or independent of, a meal. Mayor Crewe advised that it is before the Council, and it would only be on first reading. A motion was made by Vice-Mayor King and seconded by Councilman Jones to approve Ordinance No. 1247, an ordinance amending and reenacting Chapter 14, Taxation, Article V. Meals Tax, Section 14-76, Definitions, and Section 14-90, Exemptions, of the Code of the Town of Wytheville, Virginia, on first, but not final, reading. Mayor Crewe inquired if there is any discussion on the motion to approve Ordinance No. 1247, on first, but not yet final, reading. 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

ABSTENTIONS: None

Ordinance No. 1247 was approved on first, but not final, reading.

#### **RE: ORDINANCE NO. 1248 – BUSINESS LICENSE AMENDMENT**

Mayor Crewe presented Ordinance No. 1248, an ordinance amending and reenacting Chapter 7, Licenses and Business Regulations, Article II. Business, Professional and Occupation Licenses, Section 7-21, When Tax Due and Payable, of the Code of the Town of Wytheville, Virginia, on first reading. He advised that this ordinance amends the Town Code regarding the purchase of a business license so as to add a requirement that an applicant for a business license produce satisfactory evidence that all delinquent business license, personal property, meals, and transient occupancy taxes owed to the Town by the applicant and properly assessed have been paid before the applicant can get a business license. Mayor Crewe stated that, again, it would be before the Council ordinarily on first, but not yet final, reading. A motion was made by Vice-Mayor King and seconded by Councilman Jones to approve Ordinance No. 1248, an ordinance amending and reenacting Chapter 7, Licenses and Business Regulations, Article II. Business, Professional and Occupation Licenses, Section 7-21, When Tax Due and Payable, of the Code of the Town of Wytheville, Virginia, on first, but not 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., H. Judson Lambert

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1248 was approved on first, but not final, reading.

**RE: REVITALIZATION AREA**

Mayor Crewe stated the next agenda item is to consider a recommendation from the Planning Commission regarding the designation of revitalization areas as follows: (a) The area bounded by Calhoun Street, South 4<sup>th</sup> Street and the Norfolk Southern Railway with a one half block extension to the east along South 4<sup>th</sup> Street; (b) The area bounded by West Marshall Street, South 1<sup>st</sup> Street and the Norfolk Southern Railway with a one half block extension to the north along West Marshall Street except where it intersects South 1<sup>st</sup> Street where it extends to the line of East Lexington Street; (c) The block bounded by West Railroad Avenue, South 4½ Street, West Madison Street, and South 4<sup>th</sup> Street. He noted the recommendation from the Planning Commission is that this be approved, but the Town Council would need to hold a public comment session. Mayor Crewe advised that the Council can meet the necessary advertising requirements if it was scheduled for May 10, 2010, at 7:00 p.m. Mayor Crewe inquired if there is any objection to scheduling the public comment session for May 10, 2010, at 7:00 p.m. Vice-Mayor King and Councilman Jones advised that there is no objection. It was the consensus of the Town Council to schedule a public comment session for May 10, 2010, at 7:00 p.m. to consider a recommendation from the Planning Commission regarding the designation of revitalization areas as follows: (a) The area bounded by Calhoun Street, South 4<sup>th</sup> Street and the Norfolk Southern Railway with a one half block extension to the east along South 4<sup>th</sup> Street; (b) The area bounded by West Marshall Street, South 1<sup>st</sup> Street and the Norfolk Southern Railway with a one half block extension to the north along West Marshall Street except where it intersects South 1<sup>st</sup> Street where it extends to the line of East Lexington Street; (c) The block bounded by West Railroad Avenue, South 4½ Street, West Madison Street, and South 4<sup>th</sup> Street.

**RE: ADJOURNMENT**

There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting (7:15 p.m.).

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Trenton G. Crewe, Jr., Mayor

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Sharon G. Corvin, Chief Deputy Clerk

**MINUTES OF THE WORK SESSION OF THE WYTHEVILLE TOWN COUNCIL  
HELD IN THE COUNCIL CHAMBERS ON MONDAY, APRIL 26, 2010, AT 7:15 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, Town Treasurer Michael G. Stephens, Police Officer Tommy Lester, Jack Hunley, Tommy Hundley, Annessia Hundley, Louise Crockett, Bettye Campbell

**RE: 2010-11 BUDGET WORK SESSION**

Mayor Crewe called the work session to order. He stated the purpose of the meeting is to discuss the revenues and appropriations in the proposed budget for the Town of Wytheville for fiscal year 2010-11. Mayor Crewe requested Town Manager Sutherland and Town Treasurer Michael Stephens to review the proposed revenues and appropriations. There was no action taken in regard to the proposed budget.

**RE: ADJOURNMENT**

There being no further business, the work session was adjourned (7:45 P.M.).

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Trenton G. Crewe, Jr., Mayor

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C. Wayne Sutherland, Jr., Town Manager

## **BUDGET AND FINANCE COMMITTEE REPORT**

**APRIL 26, 2010**

1. From time to time, the Recreation Commission imposes disciplinary actions on persons who have violated Department rules. Disciplinary action imposed by the Recreation Director or the Recreation Commission can range from being as simple as a verbal warning to suspension from all recreational facilities. For some time, the Recreation Commission has had in place procedures to be followed in the event that someone wants to appeal disciplinary action taken against them. During some of the appeals to the Recreation Commission, the appellant has taken considerably more time than necessary to state their case. As such, the Recreation Commission has recommended to the Town Council that appeal meeting procedures be amended to read that “the appellant will be given 15 minutes to present his/her appeal unless, at the discretion of the Appeals Committee, additional time is deemed necessary for due cause.” Our Committee agrees with the recommendation from the Recreation Commission and would move that this language be added to the appeals procedures.
2. Later this evening, the Council will have a budget work session and review revenues that are anticipated for fiscal year 2010-11. Time permitting, we will also spend some time looking at appropriations that have been requested by the various department heads. At this time, there are no proposed tax

increases included in the budget. The Committees will continue to review the budget development over the next several weeks and will consider the budget document on first reading at the May 10 meeting of Council. The public hearing on the proposed budget will be held at the May 24 meeting of Council.

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Jacqueline K. King

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John W. Jones, Jr.

## **PUBLIC WORKS COMMITTEE REPORT**

**APRIL 26, 2010**

1. We have received a communication from the Virginia Department of Transportation advising that they are continuing the preliminary engineering work on the I-81 Corridor improvements. This is the Tier 2 Study for the I-77/I-81 overlap area situated in Wytheville and Wythe County. Property owners along this corridor should have, likewise, received notice from the Department of Transportation that certain field testing, surveying, etc. would be conducted in this work area. The corridor that is described by the Virginia Department of Transportation would be the relocation of Interstate 81 to a location just north of the existing corridor between Exit 72 and Exit 81. This route is a route that has been discussed on a number of occasions and, apparently, is one of the remaining corridors to be studied.

This study is, of course, a component of the statewide study that was commenced a number of years ago that would improve Interstate 81 the entire length of Virginia. Since that time, we all know that budget constraints have limited the activity on this project. Even though the studies continue, we do not foresee that any construction activities could begin any time in the foreseeable future. No action is required by the Council, but we did want to make everyone aware that the Interstate Corridor Study is still ongoing.

2. We have received a letter from HOPE, Incorporated advising that the Virginia Housing Development Authority has agreed to be a sponsor for this year's seventh annual Big Walker Century Ride, which is scheduled to be held on Saturday, June 19, as a part of the Chautauqua activities. The Big Walker Century Ride is a 100 mile bicycle ride. The specific request is that Main Street between Church Street and First Street be closed as the location where the ride would commence. The conclusion of the ride would be in the parking area near the McWane Swimming Pool. Our Committee believes this is a reasonable request and would recommend to the Council that we authorize the street closure for these purposes. In addition, we would stipulate that HOPE, Incorporated would coordinate all of these activities with the Town's Police and Public Works Departments. As such, it would be our recommendation that we authorize this request.

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William B. Weisiger

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H. Judson Lambert