

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, JANUARY 23, 2012, AT 7:00 P.M.**

Members present: Trenton G. Crewe, Jr., Jacqueline K. King, H. Judson Lambert, Jack W. Hunley, Thomas F. Hundley

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, Wayne Quesenberry with *Wytheville Enterprise*, Kayla Umberger, Ryan Tazuell, Sarah Dye, George J. Kincer, Tim Reeves, Debbie Reeves, Richard Hall, Holly Fike

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 Vice-Mayor King.

RE: CONSENT AGENDA

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting of January 9, 2012, the request of the Wytheville Lions Club for waiver of business license fees and inspection fees for the annual charity carnival to be held July 9 through 14, 2012, and the request of the Bland High School After Prom for approval of a special exception facility use permit for their after prom activities. A motion was made by Councilman Hundley and seconded by Councilman Lambert to approve the consent agenda consisting of the minutes of the regular meeting of January 9, 2012, the request of the Wytheville Lions Club for waiver of business license fees and inspection fees for the annual charity carnival to be held July 9 through 14, 2012, and the request of the Bland High School After Prom for approval of a special exception facility use permit for their after prom activities. 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, H. Judson Lambert, Jack W. Hunley, Thomas F. Hundley. Against: None.

RE: CITIZENS' PERIOD

Mayor Crewe noted that the next agenda item is Citizens' Period. He stated the Council is always glad to have citizens attend the meetings, and he thanked everyone for their attendance.

Mr. Ryan Tazuell was recognized and stated he has a question regarding the final Request for Proposals that went out for the Child Development Center. He inquired as to when the final draft got distributed for public view. Mayor Crewe noted that it was distributed late Friday afternoon, and it was placed on the Town's web site. He stated he emailed it to as many people who had contacted him and asked about it. Mayor Crewe noted it is his understanding it went to the newspapers at the same time. Mr. Tazuell noted that the pre-proposal conference will be held on January 31, 2012, which is a Tuesday, so it gives about 10 days or so. Mayor Crewe noted that is correct. Mr. Tazuell inquired as far as the timeline, and noted he is just asking a question, if this will give time for someone to respond or for interested parties to respond or produce a proposal. Mayor Crewe explained that interested persons do not respond by the pre-proposal date. He noted the proposals are not due by the January 31 deadline. Mayor Crewe stated the deadline for the submittal of the proposals is February 16, and this is when the responses are due. He noted that this is almost a month, and advised that this is what the Council thinks is an appropriate time. Mr. Tazuell advised that the pre-conference meeting is to answer any questions or for people who had not seen the facility, and they can tour it or whatever they need to do. He remarked that it is for anyone who needs any additional information, and that is the purpose of the pre-proposal meeting. Mr. Tazuell noted that he understood. He stated a person does not need to have a proposal ready at that time. Mayor Crewe advised that is correct, and noted that he doubts anyone would have a proposal ready by that time because the deadline for proposals is 5:00 p.m. on February 16. Town Manager Sutherland noted that attendance at the pre-proposal conference is not mandatory. Mayor Crewe indicated that is correct, and stated the pre-proposal conference is not mandatory. He continued that it is just one more chance to offer any information so that everyone has the same information if someone had a question. Mr. Tazuell advised that he understands. Mr. Tazuell advised that this was the only clarification he had. He inquired if the Town has had any interest yet, and inquired if anyone or any parties have indicated that they are definitely interested. Mayor Crewe advised that the Town has not asked anyone that question. He noted that there have been a number of people who have stated they want to get the request to see it. Mayor Crewe pointed out that the Town sent it to

every daycare provider in the County. He noted that the Town has people who have called and asked some questions or made some suggestions, but he does not think there is anyone who is ready to commit because the Town is not that far in the process. Mr. Tauszell noted that these were all of the questions that he had. Mayor Crewe stated that, again, if he has misstated anything he would ask Assistant Town Manager Moore, Town Manager Sutherland, or anyone else to correct him. He stated he believes this is where the Council is at with this process, and they will wait to see who responds to the RFP. Mayor Crewe thanked Mr. Tauszell for his comments and for attending the meeting.

Mayor Crewe inquired if there are others present who wished to speak during Citizens' Period. There being no one who wished to address the Council during Citizens' Period, he proceeded with the agenda.

RE: OLD BUSINESS

Under Old Business, Town Manager Sutherland reported the following:

1. The Budget and Finance Committee will meet this week for a joint committee meeting. There will be no Public Works Committee meeting tomorrow morning.
2. The Joint Governing Bodies meets next Monday evening at the Meeting Center at 7:00 p.m.
3. Since next week is a fifth week, there will be no Committee meetings. The week of February 6, the Committees will resume their regular meeting schedule.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Vice-Mayor King, reporting for the Budget and Finance Committee, reported that this week, both Committees have reviewed what the Committee considers to be the final draft of the Request for Proposals in the operation of the Child Care Center at the Community Center. She advised that as the Council will recall, this solicitation for proposals is the result of an announcement by Wytheville Community College that it would no longer provide child care services after June 30, 2012. Vice-Mayor King noted that because of obligations the Town had made in the receipt of a grant in the development of the child care services, it is important that the Council continues these operations by means of an independent contractor. She noted that the Council has received a number of comments from the Parents Advisory Board in regard to the specifications in the Request for Proposals. Vice-Mayor King advised that the Council has attempted to identify these suggestions but would note that any of the concepts that had been presented by the parents would be at the discretion of the successful provider. She stated it is very clear that the Town needs to keep operations of the Child Care Center at arm's length, or in other words, providing assurances that the Town is not in any way interfering with the day to day operations of the provider. Vice-Mayor King remarked that now that the document, Request for Proposals, has been finalized, the Town has distributed it to everyone who has expressed an interest, and the Town is advertising it in regional newspapers. She noted that the Town will have a pre-proposal conference on January 31, 2012, at the facility for potential vendors to view the facility and ask questions. Vice-Mayor King indicated that the Council also thinks it would be helpful to provide a copy of the Request for Proposals to all child care providers in Wythe County. She stated that the Council will review the proposals received and make a determination. Vice-Mayor King noted that the Council hopes that they can have a provider selected by mid March, which will allow the elected provider to commence the process of getting a state license by April 1. Mayor Crewe advised that as has been noted at this meeting, there is always a lot of interest in this matter, and the Town will wait to see what kind of responses are received.

Vice-Mayor King also reported that it is time to begin the process of formulating the information that will be used in the development of the budget for fiscal year 2012-2013. She advised that the Committee has already sent department heads current year financial information and have instructed them to tabulate their proposed budgets by reviewing each line item in their particular category. Vice-Mayor King noted that similar to prior years, these categorical areas are normal operations, capital outlay, and personnel expenses. She advised that next month, Council Committees will start reviewing the current funding levels of each department and also review the spending levels for the upcoming fiscal year. Vice-Mayor King remarked that the Committee would note that the Town has seen actions by the General Assembly that will impact the Town's finances over the next fiscal year. She indicated that the State has announced that the Town will have an increase in the Virginia Retirement System and Group Life insurance policy. Vice-Mayor King advised that the result of these increases is an approximate \$210,000 increase in these premiums for the upcoming year. She stated that, also, the Town has been notified by the State that the fees imposed on the Town under The Line of Duty Act for the upcoming two years

will nearly double. Vice-Mayor King advised that in any event, it is important that the Council considers all line items carefully as they develop the budget. She stated it is somewhat preliminary to develop an adoption schedule. Vice-Mayor King stated the Committee will be addressing that in a future meeting. 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 as most folks in Wytheville are aware, the birthplace of First Lady Edith Bolling Wilson was in Wytheville. He noted that the building in which she was born and subsequently raised is located on Main Street and now serves as a museum honoring the First Lady's legacy. Councilman Lambert stated that the Edith Bolling Wilson Birthday Foundation was founded by William J. and Farron W. Smith on October 15, 2005. He explained that the date of October 15, 2012, marks the 140th anniversary of the birth of Edith Bolling, the 35th First Lady of the United States and wife of President Woodrow Wilson. Councilman Lambert noted that the Edith Bolling Wilson Foundation has requested the General Assembly to designate this date, and in each succeeding year, as the First Lady Edith Bolling Wilson Day. He advised that the Committee thinks this is an honorable request and believes that the Council should endorse the adoption of the resolution by the General Assembly. Councilman Lambert advised that, therefore, it would be the recommendation of the Public Works Committee that the Council advise its members of the General Assembly that the Town of Wytheville supports the adoption of the resolution regarding First Lady Edith Bolling Wilson. A motion was made by Councilman Lambert and seconded by Councilman Hundley that the Council advise its members of the General Assembly that the Town of Wytheville supports the adoption of the resolution regarding First Lady Edith Bolling Wilson. 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, H. Judson Lambert, Jack W. Hunley, Thomas F. Hundley. Against: None.

Councilman Lambert also reported that their Committee and other members of the Council continue to receive citizen complaints about the advertising papers that are being distributed by the *Wytheville Enterprise*. He pointed out that these advertisements are distributed by the *Enterprise* on a weekly basis and are thrown in residential driveways throughout town. Councilman Lambert advised that on two previous occasions, the Town has addressed this topic and was advised by management of the *Enterprise* that anyone who did not want these advertisements placed in their driveway would be removed from the distribution list. He stated the Town continues to have citizens complain, noting that they have taken all the steps that were suggested by the *Enterprise*. Councilman Lambert remarked that in addition, the Town continues to find many of these advertisements in the Town's right of way. He stated the Committee believes that it is time for this littering to end. Councilman Lambert noted that as such, it would be the recommendation of the Public Works Committee that the Council direct Town Attorney Kaase to review the Town's Code to amend or add language that would prohibit distribution of these advertising papers throughout the town. He stated the Committee would like these recommendations at the next meeting of Council in order for the Town to proceed with the adoption of the appropriate ordinances. A motion was made by Councilman Lambert and seconded by Councilman Hundley that the Council direct Town Attorney Kaase to review the Town's Code to amend or add language that would prohibit distribution of these advertising papers throughout the town and to present his recommendations at the next meeting of Council. Mayor Crewe inquired if there is any discussion on the motion. Town Manager Sutherland advised that Mr. Maxwell, the representative from the *Enterprise* will be at the Wythe County Board of Supervisors meeting tomorrow, and inquired if that is correct. Mayor Crewe noted that is correct, and that Mr. Maxwell is on their agenda. Mayor Crewe inquired if there is any other 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, H. Judson Lambert, Jack W. Hunley, Thomas F. Hundley. Against: None. A copy of the Public Works Committee report is attached and made part of these minutes. ([Attachment](#)).

RE: APPOINTMENT – WALL OF HONOR

Mayor Crewe stated the next agenda item is to consider an appointment to the Wall of Honor Committee to fill the expiring term of Mr. Don Lawson whose term expires February 1, 2012. He noted the Council has before them the recommendation from the Wall of Honor Committee to appoint Mr. Harold D. Kirk. He noted the Council made the one appointment at the last meeting. Mayor Crewe stated the Wall of Honor Committee's recommendation is that Mr. Harold D. Kirk be appointed to the Committee. A motion was made by Vice-Mayor King and seconded by Councilman Hunley to appoint Mr. Harold D. Kirk to the Wall of Honor Committee. 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, H. Judson Lambert, Jack W. Hunley, Thomas F. Hundley. Against: None.

RE: DRAINAGE PROBLEM

Mayor Crewe noted that he had already gone through Citizens' Period before Mr. Richard Hall and Ms. Holly Fike arrived at the meeting. He stated now that he has the signup sheet, he will recognize Mr. Richard Hall, and noted the Council will be glad to hear from him since he is on the list first. He requested Mr. Hall to please come forward to the podium so the Council can hear him, and the minutes will be properly recorded. Mayor Crewe thanked Mr. Hall for attending, and noted the Council will be glad to hear from him. Mr. Hall advised that he appreciated the Council letting him speak again. He noted they were before the Council about a month ago about the drainage off of College Park Drive onto their property. He stated they are still getting the drainage, and it seems like nothing has been done. Mr. Hall explained that they have even tried to find out who owns College Park Drive, and no one seems to know who owns it. He noted he does not think it is fair that they keep getting the drainage water. Mr. Hall explained that it is ruining their yard and it is against the building and their house. Mayor Crewe inquired as to Mr. Hall's address. Mr. Hall stated that his address is 395 Pleasant View Drive. Town Manager Sutherland stated he will explain what he knows about this. He noted that Mr. Trevor Hackler was supposed to contact Mr. Hall. Mr. Hall noted that Mr. Trevor Hackler did call him. Town Manager Sutherland explained that the property and the drainage facilities are owned by Smith Enterprises. He stated that Mr. Bill Smith assured Mr. Trevor Hackler that he was going to have this repaired, but, obviously, that has not happened. Mr. Hall noted that is correct and advised that he took pictures on Saturday when there was the steady rain, and it did not rain hard, but it did flood their yard out. He stated that he is always worrying about the water problem there. Mr. Hall noted that he thought if he had to take this to court or whatever he has to do, he wants it stopped. Town Manager Sutherland advised that he understands. Mayor Crewe advised that all the Town can do is talk to the developer again, which the Town had thought they had covered the first time. He noted that the Town can contact Mr. Smith again. Mr. Hall advised that Mr. Hackler stated something about a bond that Smith Enterprises has that the Town is holding that Mr. Smith wants released. He advised that Mr. Hackler noted the reason he is not going to release it now is because of this drainage problem. Mr. Hall inquired as to what the bond is for. Mayor Crewe noted he is not 100 percent sure in this project what the bond is for, but a developer has an option of either putting in curb and gutter, for example, for the sediment and erosion control measures that are needed. He explained that the developer can either put those in at the time the project is started or put up a bond to have the cost of those improvements covered in case they do not put the improvements in. Mayor Crewe commented that what he is gathering from what Mr. Hall is stating, and noted that he knows parts of this because it was done in phases, but he thinks it is correct that Mr. Smith did not put all the improvements in, and noted he thinks there is a bond for those improvements. Mayor Crewe commented that, typically, the bond would not be released unless and until all of those improvements are finished. Town Manager Sutherland advised that, in addition, he might note that for stormwater management facilities, soil erosion and control measures, and all of those kinds of drainage issues, the developer is required to post a bond for two reasons. He noted the first reason is to make sure the developers constructed the improvements, and, secondly, to make sure the improvements work. Town Manager Sutherland advised that, obviously, the Town is still holding Mr. Smith's bond. He explained that when the Town holds someone's bond, it gets their attention because if the Town would recall their bond, it is a financial hit for the developer, so he thinks the Town can get the attention of the developer. Mr. Hall stated he appreciated all of the Council's assistance. Town Manager Sutherland stated the Town will check on this tomorrow. Mr. Hall thanked the Council for permitting him to speak. Mayor Crewe thanked Mr. Hall for his comments and for attending the meeting.

Mayor Crewe inquired if Mr. Hall also spoke for Ms. Holly Fike and inquired if Ms. Fike needs to add to his comments. He stated that Ms. Fike has the opportunity to speak, and the Council will be glad to hear from her. Ms. Fike declined to speak.

RE: SPEEDING

Vice-Mayor King inquired if Mr. George Kincer is going to speak. Mayor Crewe noted that Mr. Kincer is welcome to speak if he would like to address the Council. Mr. George Kincer stated he will reserve the opportunity to address the Council in the future. He stated he wants to get some facts and figures and also wants to speak to some of his neighbors. Mr. Kincer stated he will address the Council in the future. Mayor Crewe noted he would explain this matter so anyone who is listening will know what is going on, and he asked Mr. Kincer to correct him if he is wrong. He stated that late yesterday evening, he became aware that there is an issue with the intersection of 3rd and Valley Streets. He noted that there have been some accidents at this location, and there was a request made to look at installing stop signs. Mayor Crewe indicated

that where this would normally go is it would go to the Public Works Committee, and they are not going to be meeting this week except as part of the Budget and Finance Committee on Thursday morning. He stated the Council will start it through the process to look into this matter. Mayor Crewe commented that tonight he saw that Town staff had sent the email further. He noted the Town has received the numbers of accidents over the last several years. Mayor Crewe pointed out that there are a couple of issues with the engineering and layout of that intersection, and advised that the Council has looked at this a time or two before, but the Council will take another look at it. Vice-Mayor King noted that she thinks Mr. Kincer has had two County police cars in accidents there. Mr. Kincer advised that he has had two County vehicles and four personal vehicles over the years in accidents. Mayor Crewe inquired if it is just people driving too fast. Mr. Kincer answered that this is part of it. Mayor Crewe noted that he is relying on Mr. Kincer's police background as well as being the person who parked the car that was in an accident. Mr. Kincer noted that some of it is inattention. He explained that by the time the motorist gets to his residence, after turning onto Fisher Road, it is a good section of road that the motorist has already covered. Mr. Kincer remarked that he has spoken to several neighbors and it is a concern. Mr. Kincer pointed out that he was not prepared to speak at this meeting, but noted he does want to get some figures and also to see if this latest vehicle is going to be totaled that belongs to the County, and advised that he does not know this yet. He remarked that he had to get some estimates today. Mayor Crewe noted that all of the accidents that Mr. Kincer has experienced have been with parked vehicles. Mr. Kincer stated that is correct. Mayor Crewe remarked that there was no reason for them to have been hit if someone was driving properly regardless of the lay of the land or the layout of that intersection. Mr. Kincer commented that it is a wide street and noted that of the Council members at this meeting, he has seen many of them on Valley Street. He pointed out that he has lived there his entire life. Mr. Kincer reiterated that it is a wide street, and there is no reason for it. Mayor Crewe commented that it did not make sense. Councilman Hundley commented that Mr. Kincer had brought to his attention that there was a child hit on that street, also. Mayor Crewe noted he was aware of that, and this was in broad daylight if he remembers correctly. Mr. Kincer noted that is correct and stated it was approximately eight years ago. He stated that although he does not believe speed was an issue, and the child had very minor injuries, but if there had been a 4-way stop sign at that intersection, he believes the driver of the vehicle would have been stopped, and he would have probably seen the child that shot through the stop sign. Mayor Crewe remarked that this is assuming that everyone stops at a stop sign, which might not work either. Mr. Kincer advised that is correct. He stated that as Mayor Crewe related to a few minutes ago, if people do not stop, then this is one thing he can do something about. Mayor Crewe noted that the Council will review this matter further, and he thanked Mr. Kincer for attending the meeting. He indicated that he is glad that Mr. Kincer did not get hurt.

Councilman Hundley stated that along this same thing, Mr. Ralph Krunich brought this to his attention last year, and noted he thinks the Council did some analysis of it, and it seems to be an ongoing problem. Mayor Crewe commented that there are several intersections in town that are ongoing problems because people just do not drive very well and will not pay attention to speed limits, stop signs, red lights, etc. He stated that the Council will add this to the Public Works Committee's items to review to see if they can figure out a solution.

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting (7:22 p.m.).

Trenton G. Crewe, Jr., Mayor

Sharon G. Corvin, Chief Deputy Clerk

BUDGET AND FINANCE COMMITTEE REPORT

JANUARY 23, 2012

1. This week, both Committees have reviewed what we consider to be the final draft of the Request for Proposals in the operation of the Child Care Center at the Community Center. As you will recall, this solicitation for proposals is the result of an announcement by Wytheville Community College that it would no longer provide child care services after June 30, 2012. Because of obligations the Town had made in the receipt of a grant in the development of the child care services, it is important that we continue these operations by means of an independent contractor. We have received a number of comments from the Parents Advisory Board in regard to the specifications in the Request for Proposals. We have attempted to identify these suggestions but would note that any of the concepts that had been presented by the parents would be at the discretion of the successful provider. It is very clear that the Town needs to keep operations of the Child Care Center at arm's length, or in other words, providing assurances that we are not in any way interfering with the day to day operations of the provider. Now that the document, Request for Proposals, has been finalized, we have distributed it to everyone who has expressed an interest, and we are advertising it in regional newspapers. We will have a pre-proposal conference on January 31, 2012, at the facility for potential vendors to view the facility and ask questions. We also think it would be helpful to provide a copy of the Request for Proposals to all child care providers in Wythe County. The Council will review the

proposals received and make a determination. We hope that we can have a provider selected by mid March, which will allow the elected provider to commence the process of getting a state license by April 1.

2. It is time to begin the process of formulating the information that will be used in the development of the budget for fiscal year 2012-2013. We have already sent department heads current year financial information and have instructed them to tabulate their proposed budgets by reviewing each line item in their particular category. Similar to prior years, these categorical areas are normal operations, capital outlay, and personnel expenses. Next month, Council Committees will start reviewing the current funding levels of each department and also review the spending levels for the upcoming fiscal year. We would note that we have seen actions by the General Assembly that will impact our finances over the next fiscal year. The State has announced that the Town will have an increase in the Virginia Retirement System and Group Life insurance policy. The result of these increases is an approximate \$210,000 increase in these premiums for the upcoming year. Also, we have been notified by the State that the fees imposed on the Town under The Line of Duty Act for the upcoming two years will nearly double. In any event, it is important that we consider all line items carefully as we develop the budget. It is somewhat preliminary to develop an adoption schedule. We will be addressing that in a future meeting.

Jacqueline K. King

Jack W. Hunley

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PUBLIC WORKS COMMITTEE REPORT

JANUARY 23, 2012

1. As most folks in Wytheville are aware, the birthplace of First Lady Edith Bolling Wilson was in Wytheville. The building in which she was born and subsequently raised is located on Main Street and now serves as a museum honoring the First Lady's legacy. The Edith Bolling Wilson Birthday Foundation was founded by William J. and Farron W. Smith on October 15, 2005. The date of October 15, 2012, marks the 140th anniversary of the birth of Edith Bolling, the 35th First Lady of the United States and wife of President Woodrow Wilson. The Edith Bolling Wilson Foundation has requested the General Assembly to designate this date, and in each succeeding year, as the First Lady Edith Bolling Wilson Day. We think this is an honorable request and believe that the Council should endorse the adoption of the resolution by the General Assembly. Therefore, it would be the recommendation of the Public Works Committee that we advise our members of the General Assembly that the Town of Wytheville supports the adoption of the resolution regarding First Lady Edith Bolling Wilson.
2. Our Committee and other members of the Council continue to receive citizen complaints about the advertising papers that are being distributed by the *Wytheville Enterprise*. These advertisements are distributed by the *Enterprise* on a weekly basis and are thrown in residential driveways throughout town. On two previous

occasions the Town has addressed this topic and was advised by management of the *Enterprise* that anyone who did not want these advertisements placed in their driveway would be removed from the distribution list. We continue to have citizens complain, noting that they have taken all the steps that were suggested by the *Enterprise*. In addition, we continue to find many of these advertisements in the Town's right of way. We believe that it is time for this littering to end. As such, it would be the recommendation of the Public Works Committee that the Council direct Town Attorney Kaase to review the Town's Code to amend or add language that would prohibit distribution of these advertising papers throughout the town. We would like these recommendations at the next meeting of Council in order for the Town to proceed with the adoption of the appropriate ordinances.

H. Judson Lambert

Thomas F. Hundley