

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, DECEMBER 13, 2021, AT 7:00 P.M.**

Members present: Beth A. Taylor, Cathy D. Pattison, Mark J. Bloomfield, Holly E. Atkins, Gary L. Gillman

Members absent: None

Others present: Town Manager T. Brian Freeman, Town Clerk Sharon G. Corvin, Town Attorney Michelle Workman Clayton, Chief Deputy Clerk Brandi N. Jones, Sam Crockett, Charlotte Naber, Melissa Crockett, Jake Crockett, Gale Lynn, Benny Lynn, Paul Morin, Richard Phillippi, Patrick Williams, Mike Thomas, Keith Burress, Harold Sexton, Betsy Gillman, Jim Underwood, Frankie Scott, John Johnson, Patricia Austin, Charles Phillips, Carolyn Phillips, Glenda Eans, Kerry Eans, Gayle Lanter, Millicent Rothrock with *The Wytheville Enterprise*, Patrol Sergeant Tommy Lester

RE: CALL TO ORDER, QUORUM, PLEDGE

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

RE: CONSENT AGENDA

Mayor Taylor presented the consent agenda consisting of the minutes of the regular meeting of November 22, 2021. She inquired if there was a motion to approve the consent agenda as presented or to somehow be amended. A motion was made by Councilman Bloomfield and seconded by Vice-Mayor Pattison to approve the consent agenda consisting of the minutes of the regular meeting of November 22, 2021, as presented. Mayor Taylor inquired if there was any discussion on the motion to approve the consent agenda as presented. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Beth A. Taylor, Cathy D. Pattison, Mark J. Bloomfield, Holly E. Atkins, Gary L. Gillman. Against: None.

RE: PUBLIC HEARING - CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF TAXICABS

Mayor Taylor advised that the next agenda item is to consider renewing the Certificate of Public Convenience and Necessity during 2022 for 276 Express, LLC for the operation of taxicabs. She continued to explain the two matters to be reviewed by the Council in the course of issuance of the certificate. Mayor Taylor inquired if there were any citizens attending the meeting who wished to address the Council during this public hearing. There being no one who wished to address the Council during the public hearing, Mayor Taylor declared the public hearing closed and proceeded with the agenda.

RE: JOINT PUBLIC HEARING – CROCKETT REZONING

Mayor Taylor advised that the next agenda item is a joint public hearing with the Wytheville Planning Commission to consider the request of James E. Crockett, III, to rezone property located on the south side of West Ridge Road, and adjacent to West Lee Highway, from A-1 Agricultural to R-3 Residential. She advised that she has the sign in sheet from the Wytheville Planning Commission's meeting that listed citizens who wished to speak regarding the rezoning, however,

she is not sure if they have already addressed the Planning Commission during their regular meeting. Mayor Taylor inquired if Mr. Jake Crockett or Mr. Benny Lynn would like to address the Town Council regarding the rezoning since they have already addressed the Planning Commission. Mr. Lynn inquired if the Council would like to hear the comments that he made to the Planning Commission. Mayor Taylor advised that it is Mr. Lynn's choice to reiterate his comments to the Council because following the joint public hearing, the Council will recess and the Planning Commission will discuss the rezoning request briefly and then they will make their recommendation to the Town Council. She remarked, therefore, the Council may want to hear Mr. Lynn's comments, but it is not necessary.

Mr. Benny Lynn was recognized and stated that he resides at 505 South Petunia Road in Wytheville. He noted that he is an adjoining property owner to the property that is proposed to be rezoned, and he purchased the property 25 years ago. Mr. Lynn advised that his main concern is the right of way to his property and that it will be closed due to the proposed entrance into the proposed subdivision. Mr. Lynn inquired if the Council may consider rezoning the property from R-3 Residential to R-2 Residential because of the large number of apartments that Mr. Crockett is asking to build. Mr. Lynn continued to discuss his concerns of the project with the Council and Planning Commission regarding the high traffic volume, water runoff, etc. He noted that he is not opposed to the rezoning, however, he would like for the Planning Commission and the Council to consider the west end of town before rezoning the property to R-3 Residential and allowing more apartments and duplexes to be built where nice homes could be built. Mr. Lynn inquired of the Planning Commission and Council as to where the R-1 Residential Zoning is located in town. He noted that there needs to be more R-1 Residential Zoning Districts for people who can afford to build homes there. Mr. Lynn thanked the Council and Planning Commission for allowing him to speak. Mayor Taylor thanked Mr. Lynn for his comments.

Mr. Jake Crockett was recognized and stated that he resides at 550 Great Oaks Road in Wytheville. He noted that he would like to address a few items. Mr. Crockett commented that the entrance into the subdivision can be moved to make everything work, if this is a concern to Mr. Lynn regarding the use of his right of way. He stated that he would like to address the traffic issue that was discussed by Mr. Lynn. Mr. Crockett explained that there will be multiple entrances and exits to help with the traffic concern. He noted that there will be entrances/exits on West Ridge Road, West Lee Highway and Petunia Road. Mr. Crockett advised that his purpose for this housing development is because when his family moved back to Wytheville six years ago, there was a need for housing because there was no where to rent or buy. He commented that he did lots of research on the people moving to this area who are making an average income, and they cannot afford to buy land and build a house. He noted that the property already has fiber optic going to it and all the utilities are already on the property. Mr. Crockett remarked that each unit will have a home office and will offer high speed internet because lots of people like to work from home. Mr. Crockett thanked the Council and Planning Commission for allowing him to speak. Mayor Taylor thanked Mr. Crockett for his comments.

Mr. Richard Phillippi was recognized and stated that he resides at 1440 West Ridge Road in Wytheville. He inquired of the Council if the housing development will be subsidized housing. Mr. Crockett stated that it will not be subsidized housing.

Mr. Frankie Scott was recognized and stated that he resides at 395 Arrow Lane in Wytheville. He remarked that his main concern is the added traffic count to the area, which will be approximately 160 cars per day. Mr. Scott continued to express his concerns regarding the large amount of traffic already in that area with Forest Medical Center and West End Cemetery. Mr. Scott thanked

the Council and the Planning Commission for allowing him to speak. Mayor Taylor thanked Mr. Scott for his comments.

Mayor Taylor inquired if there were any other citizens attending the meeting who wished to address the Council and Planning Commission during the joint public hearing. There being none, Mayor Taylor declared the public hearing closed and proceeded with the agenda.

RE: RECESS

Mayor Taylor advised that it would be necessary for the Wytheville Town Council to recess while the Wytheville Planning Commission discusses the rezoning and prepares to make its recommendation to the Town Council. She inquired if there is a motion to recess. A motion was made by Councilman Bloomfield and seconded by Councilman Gillman to take a recess and then reconvene for the Wytheville Planning Commission's recommendation regarding the Crockett rezoning. Mayor Taylor inquired if there was any discussion on the motion to recess. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Beth A. Taylor, Cathy D. Pattison, Mark J. Bloomfield, Holly E. Atkins, Gary L. Gillman. Against: None. (7:21 p.m.)

RE: RECONVENE

It was the consensus of the Town Council to reconvene the Council meeting. (7:44 p.m.)

RE: CITIZENS' PERIOD – PRESENTATION OF PROCLAMATION

Mayor Taylor advised that the next agenda item is the presentation of a proclamation to Mr. John M. Johnson. Mayor Taylor presented a proclamation to Mr. John M. Johnson to commend him for his research and work in preserving the history of the Town of Wytheville and Wythe County.

RE: CITIZENS' PERIOD

Mayor Taylor advised that the next agenda item is Citizens' Period. She stated that there are no citizens listed on the sign in sheet who wished to address the Council during Citizens' Period, therefore, she would proceed with the agenda.

RE: STAFF REPORTS

Town Manager Freeman presented the Staff Reports, and they were entered into the record as follows:

- A. Each year, many State drinking water programs and professional associations related to the drinking water industry have quality award programs and many water works operations strive to qualify for these awards. Earning these awards represents a high level of operator care and accomplishment. For the third consecutive year, the Town of Wytheville has received the Water Fluoridation Quality Award from the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention (CDC). This award recognizes a dedication in providing consumers with the high-quality fluoridated water necessary to maintain optimal oral health and commends the exemplary operation of the Town of Wytheville Water Treatment Plant for its consistent and professional adjustment of water fluoride levels for 12 consecutive months. We are very pleased to

have received this award and would like to commend our Water Treatment Plant Operators for their continued efforts to provide exemplary service to our citizens.

- B. We would like to remind citizens of the upcoming brush collection dates and encourage the disposal of Christmas trees during these regularly scheduled brush collection periods. Brush will be collected December 27, 2021, through December 31, 2021, and, again, between January 24, 2022, through January 28, 2022. Brush pick up for your area will, generally, occur on the same day as your normal trash collection. Public Works crews will continue collecting discarded Christmas trees throughout the month of January, but we encourage citizens to place their trees out in conjunction with the established brush collection schedule. Trees placed for pick up outside of the provided schedule will take longer to collect. Residents can assist the Town with the efficient delivery of this service by placing their trees at the street in front of their property, but out of the street right of way and by following all other brush collection guidelines. A complete copy of the guidelines can be found on the Town's website at www.wytheville.org. Should you have any other questions, please call Director of Public Works Christopher Peebles at (276) 223-3357.

RE: NEW BUSINESS

Under New Business, Town Manager Freeman reported the following:

1. The Town of Wytheville Municipal Offices will be closed and all services curtailed beginning on Thursday, December 23, 2021, through Friday, December 24, 2021, in observance of the Christmas holiday.
2. The next Council Work Session will be held on Monday, January 10, 2022, at 4:30 p.m., in the Council Conference Room followed by the Council meeting at 7:00 p.m., in the Council Chambers.
3. The Wytheville Planning Commission will meet on Thursday, January 13, 2022, at 6:00 p.m., in the Council Chambers.

RE: ORDINANCE NO. 1403

Mayor Taylor presented Ordinance No. 1403, an ordinance amending and reenacting Ordinance No. 640, generally known as the Zoning Ordinance, to rezone from A-1 Agricultural to R-3 Residential, parcels of property owned by Paul Morin, Tax Map #040A-001-0000-0049 and #040A-001-0000-0001, which are located on the south side of West Ridge Road, and adjacent to West Lee Highway, on first reading. A motion was made by Councilman Bloomfield and seconded by Vice-Mayor Pattison to adopt Ordinance No. 1403, an ordinance amending and reenacting Ordinance No. 640, generally known as the Zoning Ordinance, to rezone from A-1 Agricultural to R-3 Residential, parcels of property owned by Paul Morin, Tax Map #040A-001-0000-0049 and #040A-001-0000-0001, which are located on the south side of West Ridge Road, and adjacent to West Lee Highway, on first and final reading. Mayor Taylor inquired if there was any discussion on the motion to adopt the ordinance on first and final reading. There being none, the motion was approved with the following voting results:

FOR: Beth A. Taylor, Cathy D. Pattison, Mark J. Bloomfield

AGAINST: None

ABSTENTIONS: Holly E. Atkins, Gary L. Gillman

Ordinance No. 1403 was adopted on first and final reading.

RE: RESOLUTION – DHCD APPLICATION FOR COMMUNITY IMPROVEMENTS

Mayor Taylor advised that the next agenda item is to consider adopting a resolution supporting the application to the Department of Housing and Community Development for potential funding for the Lots Gap Water Tank Project. A motion was made by Vice-Mayor Pattison and seconded by Councilman Gillman to adopt a resolution supporting the application to the Department of Housing and Community Development for potential funding for the Lots Gap Water Tank Project. Mayor Taylor inquired if there was any discussion on the motion to adopt the resolution. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Beth A. Taylor, Cathy D. Pattison, Mark J. Bloomfield, Holly E. Atkins, Gary L. Gillman. Against: None.

RE: ISSUANCE OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Mayor Taylor advised that the next agenda item is to consider renewing the Certificate of Public Convenience and Necessity during 2022 for 276 Express, LLC for the operation of taxicabs. Mayor Taylor inquired if there is a motion to renew the Certificate of Public Convenience and Necessity for 276 Express, LLC for the operation of taxicabs during 2022. A motion was made by Councilman Gillman and seconded by Councilwoman Atkins to renew the Certificate of Public Convenience and Necessity during 2022 for 276 Express, LLC for the operation of taxicabs. Mayor Taylor inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Beth A. Taylor, Cathy D. Pattison, Mark J. Bloomfield, Holly E. Atkins, Gary L. Gillman. Against: None.

RE: PROPOSED CHANGE IN TOWN COUNCIL MEETING TIME

Mayor Taylor advised that the next agenda item is to set a public hearing to consider amending Chapter 2, Administration, Article II. Council, Division 1. Generally, Section 2-21. When and Where Regular Meetings Held, of the Code of the Town of Wytheville, Virginia. A motion was made by Councilman Gillman and seconded by Vice-Mayor Pattison to set a public hearing for the Monday, January 10, 2022, Town Council meeting to consider amending Chapter 2, Administration, Article II. Council, Division 1. Generally, Section 2-21. When and Where Regular Meetings Held, of the Code of the Town of Wytheville, Virginia. Mayor Taylor inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Beth A. Taylor, Cathy D. Pattison, Mark J. Bloomfield, Holly E. Atkins, Gary L. Gillman. Against: None.

RE: PLANNING COMMISSION RECOMMENDATION – PLANNED UNIT DEVELOPMENT

Mayor Taylor advised that the next agenda item is to consider a recommendation from the Wytheville Planning Commission regarding the request of James E. Crockett, III, for preliminary approval of a planned unit development on property located on the south side of West Ridge Road, and adjacent to West Lee Highway. Planning Director John Woods addressed the Council regarding the Planning Commission's recommendation for the planned unit development (PUD). He noted that they discussed several stipulations, which is not unheard of for this type of development. Planning Director Woods advised that the recommendation from the Wytheville Planning Commission is to approve the request of Mr. James E. Crockett, III, for preliminary

approval of a planned unit development on property located on the south side of West Ridge Road, and adjacent to West Lee Highway per the site plan with two stipulations: 1.) The entrance will be off US Route 11; and, 2.) There will be a deceleration lane off US Route 11.

Mayor Taylor inquired if there is a motion to approve the Wytheville Planning Commission's recommendation. A motion was made by Councilman Bloomfield and seconded by Vice-Mayor Pattison to approve the request of Mr. James E. Crockett, III, for preliminary approval of a planned unit development on property located on the south side of West Ridge Road, and adjacent to West Lee Highway per the site plan with two stipulations: 1.) The entrance will be off US Route 11; and, 2.) There will be a deceleration lane off US Route 11. Mayor Taylor inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting results:

FOR: Beth A. Taylor, Cathy D. Pattison, Mark J. Bloomfield

AGAINST: None

ABSTENTIONS: Holly E. Atkins, Gary L. Gillman

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (8:02 p.m.).

Beth A. Taylor, Mayor

Sharon G. Corvin, CMC, Town Clerk