

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, FEBRUARY 14, 2022, AT 6:00 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, Assistant Town Manager Elaine R. Holeyton, Planning Director John Woods, Police Chief Joel Hash, Mr. Dave Johnston, Ms. Mary Nichols, Mr. Anthony Stokes, Patrol Officer Daniel Cassell, Patrol Officer Blaine Grubb

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 Vice-Mayor Pattison.

RE: CONSENT AGENDA

Mayor Taylor presented the consent agenda consisting of the minutes of the regular meeting of January 24, 2022. 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 Gillman and seconded by Vice-Mayor Pattison to approve the consent agenda consisting of the minutes of the regular meeting of January 24, 2022, 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 HEARINGS – FENCING/SCREENING REGULATION AMENDMENTS

Mayor Taylor advised that the meeting constituted a public hearing (due notice having been given) to consider amending Ordinance No. 640, generally known as the Town of Wytheville Zoning Ordinance, to amend all Zoning Districts regarding fencing and screening regulations. Mayor Taylor advised that there were no citizens attending the meeting who stated on the sign in sheet that they wished to address the Council during this public hearing, however, if anyone has changed their mind and wishes to speak, now is the time to do so.

Mr. David Johnston was recognized and stated that he resides at 650 South 10th Street in Wytheville. He inquired of the Council as to what type of fencing regulations the Town is proposing. Mayor Taylor inquired if Planning Director Woods could explain the proposed regulations to Mr. Johnston. Planning Director Woods noted the different fencing/screening changes that were being proposed by the Town. Mr. Johnston inquired of Town staff regarding the fence near the old livestock market, which is near his residence. Town Manager Freeman advised that Town staff has discussed this fence with Mr. Johnston for many hours, and the Town does not have any interest in having the fence built again. He noted that the issue is between neighbors. Mr. Johnston remarked that the Virginia Code states that if a fence is built on a right of way to fence out cattle, it is not to be removed. Discussion continued regarding what purpose a fence would serve the Town located in the public alley in the vicinity of South 10th Street. Town Attorney Clayton requested Mr. Johnston to provide her with the Virginia Code section that he

was referring to earlier in the meeting. Mr. Johnston commented that it is located in the Bureau of Criminal Investigation (BCI). Town Attorney Clayton inquired if that is State law. Mr. Johnston remarked that it is State and Federal law.

Mayor Taylor thanked Mr. Johnston for his comments and noted that Town staff will check on this matter. She stated that she will contact Mr. Johnston regarding this issue. Mayor Taylor inquired if there were others who wished to address the Council during this public hearing. There being none, Mayor Taylor declared the public hearing closed and proceeded with the agenda.

RE: PUBLIC HEARINGS - BOARD OF ZONING APPEALS, VARIANCES AND APPEALS AMENDMENTS

Mayor Taylor advised that the meeting constituted a public hearing (due notice having been given) to consider amending Ordinance No. 640, generally known as the Town of Wytheville Zoning Ordinance, to include revisions to Article XVII – Provisions for Appeal, Sections 17-1 The Board of Zoning Appeals, 17-2 Powers of the Board of Zoning Appeals, 17-3 Rules and Regulations, 17-4 Appeal to the Board of Zoning Appeals, 17-5 Appeal Procedure, 17-6 Public Hearings, 17-7 Decision of Board of Zoning Appeals. She advised that there were no citizens attending the meeting who stated on the sign in sheet that they wished to address the Council during this public hearing, however, if anyone has changed their mind and wishes to speak, now is the time to do so. There being no one to address the Council during the public hearing, Mayor Taylor declared the public hearing closed and proceeded with the agenda.

RE: CITIZENS' PERIOD

Mayor Taylor advised that the next agenda item is Citizens' Period. She noted that there are no citizens attending the meeting who wished to address the Council during Citizens' Period, however, if anyone has changed their mind and wishes to speak, now is the time to do so. There being no one who wished to speak during Citizens' Period, Mayor Taylor proceeded with the agenda.

RE: STAFF REPORT

The Staff Report was entered into the record as follows:

- A. Thus far, revenues for the current Fiscal Year are slightly better than anticipated, and, if the current trend holds, they will outpace budget projections. Meals and Lodging taxes have reached, and in some cases exceeded, pre-pandemic levels. In addition, Real Estate and Personal Property tax collections appear to be normal, however, budgeted expenditures follow less predictable trends and, as such, are more difficult to project. It is important to note that Covid-19 related inflation and the rising costs of operations may not be fully realized for several more months. Many of our departments have operated much of the current budgetary cycle with reduced staff, and while this appears favorable on the expense side of the ledger, it is not a realistically sustainable way to operate as we move into the Fiscal Year 2022-23 cycle.

In the coming weeks, Department Heads will submit their proposed Operating Budgets for FY 2022-23. The Town Treasurer and I will work with staff and the Budget and Finance Committee to prepare a balanced budget for the Council's consideration. As we work to develop the budget, it is important that we establish a schedule for its adoption. I propose that we hear the first reading of the budget on Monday, May 9, 2022; have the second

reading of the budget and conduct a public hearing on Monday, May 23, 2022; and, have the final reading and budget adoption on Monday, June 13, 2022. If the Council concurs, we will publish this calendar as the Fiscal Year 2022-23 Budget adoption schedule. A motion was made by Councilman Bloomfield and seconded by Councilman Gillman to adopt the 2022-23 Fiscal Year Budget schedule at the following Town Council meetings: first reading of the budget on May 9, 2022; conduct the public hearing and second reading of the budget on May 23, 2022; and, third reading of the budget on June 13, 2022. 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.

- B. I am pleased to report that the Town of Wytheville Police Department has been awarded an \$11,000 grant from the Department of Criminal Justice Services (DCJS) as a Coronavirus Emergency Supplement. The stated purpose for this grant is to support a broad range of activities to prevent, prepare for and respond to the Coronavirus. This funding can be used by the Department in a variety of ways, and it is valid through December 31, 2022. We appreciate the efforts of the Wytheville Police Department in securing these funds.

- C. The Town of Wytheville has earned recognition as a 2021 Tree City USA. This is an award established in 1976 by the Arbor Day Foundation. To qualify as a Tree City USA community, you must meet four standards established by the Arbor Day Foundation and the National Association of State Foresters. These standards were established to ensure that every qualifying community would have a viable tree management program and that no community would be excluded because of size.
 - 1. A tree board or department
 - 2. A tree care ordinance
 - 3. A community forestry program with an annual budget of at least \$2 per capita
 - 4. An Arbor Day observance and proclamation

We want to thank all the people who make this recognition possible including the members and volunteers of the Wytheville Tree Advisory Committee, our capable and dedicated Town Horticulture Staff, Town Administrative Staff who work with the Tree Advisory Committee and to the citizens of Wytheville who take pride in the care and benefits of our beautiful trees. The Staff Report is attached and made part of these minutes.

RE: NEW BUSINESS

Under New Business, Town Manager Freeman reported the following:

- 1. The New River Regional Water Authority will meet on Thursday, February 17, 2022, at 10:00 a.m., in Austinville.

- 2. The Town of Wytheville Municipal Offices will be closed and all services curtailed on Monday, February 21, 2022, in observance of the Presidents' Day holiday.

- 3. The Joint Industrial Development Authority will meet on Thursday, February 24, 2022, at 3:00 p.m., in the Council Chambers.

4. The next Council Work Session will be held on Monday, February 28, 2022, at 4:00 p.m., in the Council Conference Room followed by the Council meeting at 6:00 p.m., in the Council Chambers.

RE: APPOINTMENTS – WYTHEVILLE PLANNING COMMISSION

Mayor Taylor advised that the next agenda item is the appointment of a member to the Wytheville Planning Commission to fill the expiring term of Mr. Kevin Varney (term expires March 2, 2022). Mayor Taylor stated that Mr. Varney is not eligible for reappointment and noted that an application is enclosed from Ms. Lisa Anderson to be considered for appointment to the Planning Commission for a four year term. A motion was made by Vice-Mayor Pattison and seconded by Councilman Gillman to appoint Ms. Lisa Anderson to the Wytheville Planning Commission for a four year term, which expires March 2, 2026. Mayor Taylor inquired if there was any discussion on the motion to appoint Ms. Anderson. 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: APPOINTMENTS – MOUNT ROGERS PLANNING DISTRICT COMMISSION
TRANSPORTATION RURAL TECHNICAL COMMITTEE**

Mayor Taylor advised that the next agenda item is the appointment of a member to the Mount Rogers Planning District Commission Transportation Rural Technical Committee. Mayor Taylor noted that in the Council package, there is a request enclosed from the Mount Rogers Planning District Commission for the Town to appoint someone to serve on their Transportation Rural Technical Committee. A motion was made by Vice-Mayor Pattison and seconded by Councilman Bloomfield to appoint Director of Planning John Woods as the member and Assistant Town Manager Elaine Holey as the alternate member to the Mount Rogers Planning District Commission Transportation Rural Technical Committee for the Town of Wytheville. Mayor Taylor inquired if there was any discussion on the motion. Councilman Bloomfield inquired if the Council should consider appointing by job title instead of individual name. Mayor Taylor inquired if Vice-Mayor Pattison would like to amend her motion. Vice-Mayor Pattison and Councilman Bloomfield amended the motion to appoint the Director of Planning as the member and the Assistant Town Manager as the alternate member to the Mount Rogers Planning District Commission Transportation Rural Technical Committee for the Town of Wytheville. Mayor Taylor inquired if there was any further 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: ORDINANCE NO. 1405

Mayor Taylor advised that the next agenda item is to consider Ordinance No. 1405, an ordinance amending and reenacting Ordinance No. 640, generally known as the Town of Wytheville Zoning Ordinance, to amend all Zoning Districts regarding fencing and screening regulations, on first reading. Mayor Taylor stated that the recommendation from the Planning Commission is that the amendments be approved. She inquired if there is a motion to adopt the ordinance. A motion was made by Councilman Gillman and seconded by Vice-Mayor Pattison to adopt Ordinance No. 1405, an ordinance amending and reenacting Ordinance No. 640, generally known as the Town of Wytheville Zoning Ordinance, to amend all Zoning Districts regarding fencing and screening regulations on first and final reading. Mayor Taylor 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: Beth A. Taylor, Cathy D. Pattison, Mark J. Bloomfield, Holly E. Atkins, Gary L. Gillman

AGAINST: None

ABSTENTIONS: None

Mayor Taylor advised that the Ordinance No. 1405 was adopted on first and final reading.

RE: ORDINANCE NO. 1406

Mayor Taylor advised that the next agenda item is to consider Ordinance No. 1406, an ordinance amending and reenacting Ordinance No. 640, generally known as the Town of Wytheville Zoning Ordinance, to include revisions to amend Article XVII - Provisions for Appeal, Sections 17-1 The Board of Zoning Appeals, 17-2 Powers of the Board of Zoning Appeals, 17-3 Rules and Regulations, 17-4 Appeal to the Board of Zoning Appeals, 17-5 Appeal Procedure, 17-6 Public Hearings, 17-7 Decision of Board of Zoning Appeals, on first reading. Mayor Taylor stated that the recommendation from the Planning Commission is that this section of the Zoning Ordinance be amended. She inquired if there is a motion to adopt the ordinance. A motion was made by Vice-Mayor Pattison and seconded by Councilman Gillman to adopt Ordinance No. 1406, an ordinance amending and reenacting Ordinance No. 640, generally known as the Town of Wytheville Zoning Ordinance, to include revisions to amend Article XVII - Provisions for Appeal, Sections 17-1 The Board of Zoning Appeals, 17-2 Powers of the Board of Zoning Appeals, 17-3 Rules and Regulations, 17-4 Appeal to the Board of Zoning Appeals, 17-5 Appeal Procedure, 17-6 Public Hearings, 17-7 Decision of Board of Zoning Appeals, on first reading and final reading. Mayor Taylor 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: Beth A. Taylor, Cathy D. Pattison, Mark J. Bloomfield, Holly E. Atkins, Gary L. Gillman

AGAINST: None

ABSTENTIONS: None

Mayor Taylor advised that Ordinance No. 1406 was adopted on first and final reading.

RE: RESOLUTION – REQUEST TO VDOT FOR ACCEPTANCE OF STREETS

Mayor Taylor advised that the next agenda item is to consider a resolution petitioning the Virginia Department of Transportation for maintenance payments on certain streets in the Urban Maintenance Inventory System. A motion was made by Councilman Bloomfield and seconded by Councilman Gillman to adopt a resolution petitioning the Virginia Department of Transportation (VDOT) for maintenance payments on certain streets in the Urban Maintenance Inventory System. 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: RESOLUTION – AUTHORIZATION TO ACCEPT THE CONVEYANCE OF PROPERTY

Mayor Taylor advised that the next agenda item is to consider a resolution authorizing certain Town Officials to execute the acceptance of conveyance of real property. A motion was made by Councilman Gillman and seconded by Councilman Bloomfield to adopt a resolution authorizing certain Town Officials to execute the acceptance of conveyance of real property. 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: ELECTRONIC PARTICIPATION POLICY

Mayor Taylor advised that the next agenda item is to consider amendments to the Electronic Participation Policy for meetings. A motion was made by Councilman Gillman and seconded by Vice-Mayor Pattison to amend the Electronic Participation Policy for meetings. 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: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (6:29 p.m.).

Beth A. Taylor, Mayor

Sharon G. Corvin, CMC, Town Clerk