

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, MAY 9, 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, Assistant Town Manager Elaine R. Holeyton, Town Clerk Sharon G. Corvin, Town Attorney Michelle Workman Clayton, Police Chief Joel Hash, Patrol Officer Chastity Russell, Richard Friest, Betty L. Friest, Mike Forrest, Chloe Armbrister, Norma Armbrister, Mike Neal, Carledean Neal, George Bailey, Riley Bailey, Elizabeth Fox, Madison Fox, Kevin Fox, Madelyn Snow, Mary Henderson, Danny Henderson, Emmy Wilner, Abby Wilner, Dan Wilner, Frances Moore, Gage Freeman, Lisa Kneer, Glenda Crockett-Eans, Others

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 April 25, 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 Vice-Mayor Pattison and seconded by Councilman Gillman to approve the consent agenda consisting of the minutes of the regular meeting of April 25, 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.

CITIZENS' PERIOD – GEORGE WYTHE HIGH SCHOOL INDOOR PERCUSSION ENSEMBLE RESOLUTION

Mayor Taylor advised that the next agenda item is the adoption and presentation of a resolution to the George Wythe High School Indoor Percussion Ensemble. Mayor Taylor inquired if there is a motion to adopt the resolution recognizing the George Wythe High School Indoor Percussion Ensemble. A motion was made by Councilman Bloomfield and seconded by Councilman Gillman to adopt a resolution recognizing the George Wythe High School Indoor Percussion Ensemble. 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.

Mayor Taylor invited the members of the ensemble to come forward for the presentation of the resolution and to have a photo taken. She noted that she would now read the resolution.

RESOLUTION

WHEREAS, this year, George Wythe High School restarted the Indoor Percussion Ensemble, which consists of marching band drums and sideline percussion instruments; and,

WHEREAS, the Indoor Percussion Ensemble placed first in every competition entered this year with their upbeat show called "CLAP!;" and,

WHEREAS, in March, the Indoor Percussion Ensemble competed in the State competition and was named the 2022 Percussion Scholastic A Class Champions at the CIPA (Connecting Individuals through Performing Arts) finals held in Johnson City, Tennessee; and,

WHEREAS, the Indoor Percussion Ensemble brought great recognition to George Wythe High School and the Town of Wytheville by earning this Scholastic A Class Championship; and,

WHEREAS, the George Wythe High School Indoor Percussion Ensemble members, Band Director Dan Wilner and Percussion Instructor Gage Freeman reflected great credit upon George Wythe High School and the Town of Wytheville by their exceptional display of musical ability and sportsmanship.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Wytheville, Virginia, officially commends the George Wythe High School Indoor Percussion Ensemble, Band Director Wilner, Percussion Instructor Freeman and other high school officials for the outstanding accomplishment of the Indoor Percussion Ensemble.

BE IT FURTHER RESOLVED that copies of this resolution be presented to the George Wythe High School Indoor Percussion Ensemble, Band Director Wilner, Percussion Instructor Freeman, school officials and the news media.

Mayor Taylor congratulated the ensemble on their resolution. She thanked them for attending the meeting, and she proceeded with the agenda.

CITIZENS' PERIOD

Mayor Taylor advised that the next agenda item is Citizens' Period. She noted that there are several citizens attending the meeting who stated on the sign in sheet that they wished to address the Council during Citizens' Period.

Mr. Mike Forrest was recognized, and he stated that he resides at 630 Withers Road in Wytheville. He noted that he has three items that he would like to request from the Council. Mr. Forrest stated that during the COVID-19 Pandemic, the Town of Wytheville's Council meetings were held live online, and he would like to request the Council begin doing this again because he does not get to attend all of the meetings, and he would love to see the meetings posted online. He remarked that he is not sure if this is possible, however, he would like for the Council to consider the idea. Mr. Forrest requested that a monthly financial statement be posted on the Town of Wytheville website so that all Town citizens have access to it. He noted that he assumes the Council receives a packet each month with this information in it, therefore, he would request all Town citizens have access to this information via the Town's website. Mr. Forrest stated that his third request concerns the special meeting held on May 4, 2022, involving the tax rates. He inquired of the Town Council as to what their position is on this. Mr. Forrest commented that most citizens have received their reassessments, and in his case, his reassessment has increased 45 percent. He

noted that in his neighborhood, the increases have varied from 14-65 percent. Mr. Forrest inquired of the Council if they would consider a net zero rate where citizens will not see 30-50 percent increases in Town taxes. He continued to express his concerns regarding the reassessments. Mayor Taylor stated that she would comment regarding the virtual meetings, and she noted that during the Facebook live streaming, Town staff reviewed the comments, who was viewing the meetings, etc., and the feedback was that most of the comments, etc. came from individuals who were not citizens of the Town. She stated that at that time, it was the consensus of the Council not to continue streaming live, however, the Council will have further discussion at another meeting to see if this is something that the Council would like to do in the future. Mr. Forrest commented that he would request that Town citizens not be penalized because non-citizens are commenting. He noted that the comments could be turned off. Discussion continued regarding the issue. Town Manager Freeman commented that the reason for the special called meeting and there being such short notice was because Town staff received the reassessment information last week, and, obviously, when Town staff saw the numbers, it was a shock. He noted that the State Code requires a certain number of days to announce public hearings following a reassessment, and as Town staff read the requirements, it was to be a 30 day notice, however, it was actually a 14 day notice. He continued to explain the process for the notice, and noted if the reassessments are going to go up even one percent of what was collected the previous year, an advertisement must be published for citizens. Mr. Forrest thanked the Council for allowing him to speak. Mayor Taylor thanked Mr. Forrest for his comments.

Mr. Mike Neal was recognized and stated that he resides at 455 Century Court in Wytheville. He noted that he lives next door to a group home. Mr. Neal commented that he has contacted the police three times due to the group home located in his neighborhood. He explained that one time was due to a breaking and entering of his home, and, last week, it was due to an assault of his wife. Mr. Neal advised that he is attending the meeting to make sure that the Town Council is aware of the problem, and he wanted to ask the Council for some help. He inquired of the Council as to who regulates these types of homes or deals with them. Mr. Neal commented that it is his understanding that this group home is only temporarily closed. He noted that there are two other group homes like this located in Wytheville. He stated that there is another located in his neighborhood, but he is not sure where the third home is located. Mr. Neal advised that he has a police report if anyone would like to look at it. Mayor Taylor stated that she would like to review it, and noted that she would share the report with the other members of the Town Council. Town Manager Freeman stated that one of the items he is requesting from the Town is the name of the regulatory agency, which is something that Town staff will get for Mr. Neal. Discussion continued regarding the group homes. Mayor Taylor stated that the Council is aware of the neighborhood's concerns, and Town staff will research this more. She noted that in the past, local jurisdictions do not have control over these homes. Town Manager Freeman stated that Town staff will request the CAD reports from the E-911 Center regarding the calls to the group homes. Mr. Neal advised that he submitted a Freedom of Information Act (FOIA) request to the Police Department. He noted that he has the FOIA request that he submitted to the Wytheville Fire and Rescue Department, and he is still waiting for the request from the Wytheville Police Department. Town Manager Freeman stated that it should not be an issue in getting the information. He advised that the State Code protects these homes, and the Town has no legal authority through land use, zoning, etc. to regulate them. Mr. Neal inquired of Town Manager Freeman if the Town can regulate the homes through their business license. Town Manager Freeman stated that the Town has to treat the homes as a single-family residence. Mr. Neal commented that it is not a single-family residence, but, rather, a business. Town Manager Freeman stated that he understands Mr. Neal's argument, however, the homes have statutory protection that prohibits the Town from restricting them. He continued to explain the State regulations and that the Town has no authority to regulate them. Discussion ensued regarding the type of care the patients receive in the homes.

Mayor Taylor stated that the Town will continue to research the company to try to find some answers, and if Mr. Neal finds answers, she asked that he please contact the Town. Mr. Neal expressed his thanks to the Wytheville Police Department for always being responsive to his calls, etc. Mr. Neal thanked the Council for allowing him to speak. Mayor Taylor thanked Mr. Neal for his comments.

Mr. Danny Henderson was recognized and stated that he resides at 405 Century Court in Wytheville with his wife Mary Henderson. He noted that the only problem he has with the group home is that when he and his wife purchased their home 18 months ago, there was an incident with one of the patients, and then another incident where he called the police. Mr. Henderson explained that he is a retired State Police Officer, and fortunately, he knows how to handle patients like this, however, there are small children and lots of women who walk in the neighborhood who would not be able to handle the particular patient that he and Mr. Neal have encountered. He noted that he also wants to point out that people are allowed to carry firearms now, and he is afraid that someone is going to hurt this person, or he is going to hurt them. He continued to express his concerns regarding the group home and the safety concerns involved. Mayor Taylor thanked Mr. Henderson for his comments.

Ms. Lisa Kneer was recognized and stated that she resides at 875 West Spiller Street in Wytheville. She stated that she has a lot of health issues, and she enjoys walking her dogs to relieve some of her pain, etc. Ms. Kneer commented that she does a lot of walking in Withers Park and Elizabeth Brown Memorial Park because they are safe places to walk. She noted that she would like to bring it to the Council's attention that there is not one sign in either park stating that a person must keep their dog on a leash. Ms. Kneer remarked that this is a tourist town, therefore, tourists do not know that they are required to have their dog on a leash. She noted that she encountered a man from Maryland in the park the other day, and she asked him to put his dog on a leash, however, he refused to do so. She stated that she called the Police Department, but they were on another call and could not respond, and she gave up and left. Ms. Kneer continued to express her concerns regarding dogs not being on a leash throughout town. She inquired if the Town Council could please have signs installed throughout the town, at least in the parks, letting everyone know, especially out of town guests, that there is a leash law in the Town of Wytheville. Ms. Kneer thanked the Council for allowing her to speak. Mayor Taylor thanked Ms. Kneer for her comments.

Mayor Taylor inquired if there were others who wished to address the Council during Citizens' Period. There being none, she proceeded with the agenda.

RE: STAFF REPORT

The Staff Report was entered into the record as follows:

A. Due to the timing of the real property reassessments and its potential budgetary implications, it is necessary to revise the previously proposed 2022-23 Fiscal Year Budget Calendar as follows:

- **Monday, May 23, 2022**
 - First reading of the budget

- **Monday, June 13, 2022**
 - Second reading of the budget
 - Tax reassessment and tax rate public hearing

- Regular Fiscal Year 2022-23 Budget public hearing
- **Monday, June 27, 2022**
 - Final reading of the budget and adoption

The annual budget represents the Town’s financial plan for the upcoming year and provides for the vast array of quality services and initiatives the community demands. These include, but are not limited to, the operation and maintenance of community infrastructure and assets, community development programs, parks and recreation opportunities, engineering and planning, historic preservation, tourism support services and our region leading public safety programs, which include 24/7 police, fire and emergency medical service operations. Our staff is sincere in its convictions that it is our duty to provide the community with efficient, cost-effective service delivery, and we encourage your input as the budget development process moves forward.



- C. The Commonwealth Transportation Board (CTB) will conduct a public meeting in our area to give citizens the opportunity to provide comments on projects and programs to be included in the Fiscal Year 2023-2028 Six-Year Improvement Program (FY 2023-2028 SYIP), including highway, rail and public transportation initiatives. These projects and programs represent important improvements to address safety, congestion and preservation of Virginia’s transportation network. The public meeting for citizens in our region will start at 4:00 p.m., on Wednesday, May 11, 2022, at the Southwest Virginia Higher Education Center in Abingdon. Formal public comments on projects proposed to be included in the draft will be accepted at the meeting. Written comments may also be submitted during the meeting, or they may be mailed or e-mailed afterwards and will be accepted until Monday, May 23, 2022.

If you cannot attend the meeting, you may send your comments to, Infrastructure Investment Director at 1401 East Broad Street, Richmond, Virginia 23219 or email them to Six-YearProgram@vdot.virginia.gov. For transit and public transportation, you may send your comments to DRPTPR@drpt.virginia.gov, Public Information Office, Virginia Department of Rail and Public Transportation, 600 East Main Street, Suite 2102, Richmond, Virginia 23219. Comments on the Draft SYIP and candidate projects will be accepted until Monday, May 23, 2022. For more information regarding the meeting, please visit the following website: <http://www.ctb.virginia.gov/planning/springmeetings2022/default.asp>.

RE: NEW BUSINESS

Under New Business, Town Manager Freeman reported the following:

1. The Tree Advisory Committee will meet on Thursday, May 12, 2022, at 8:30 a.m., in Conference Room A of the Municipal Building.
2. The Wytheville Planning Commission will meet on Thursday, May 12, 2022, at 6:00 p.m., in the Council Chambers.
3. Downtown Wytheville, Inc. will meet on Monday, May 16, 2022, at 5:30 p.m., at the DTW office.
4. The Wytheville Industrial Development Authority will meet on Wednesday, May 18, 2022, at 9:00 a.m., in the Council Chambers.
5. The Wytheville Redevelopment and Housing Authority will meet on Wednesday, May 18, 2022, at 12:00 p.m., at the Housing Authority office.
6. The New River Regional Water Authority will meet on Thursday, May 19, 2022, at 10:00 a.m., in Austinville.
7. The District III Governmental Board will meet on Thursday, May 19, 2022, at 7:00 p.m., in Marion.
8. The next Council Work Session will be held on Monday, May 23, 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: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (6:44 p.m.).

Beth A. Taylor, Mayor

Sharon G. Corvin, CMC, Town Clerk