

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, JUNE 14, 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, Town Treasurer Michael G. Stephens, Town Engineer Trevor Hackler, David Dawson with Virginia Department of Health – Office of Drinking Water, Robert Krunich, Jessica Krunich, Uva Wright, Glenda Crockett-Eans, Kerry Eans, Millicent Rothrock with *The Wytheville Enterprise*, Officer Chastity Russell

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 Bloomfield.

RE: CONSENT AGENDA

Mayor Taylor presented the consent agenda consisting of the minutes of the regular meeting of May 24, 2021; the request of Downtown Wytheville, Incorporated to close Main Street and various other streets in the downtown area on a staggered schedule on Saturday, July 3, 2021, from 6:00 a.m. to 10:00 pm. to conduct the July 3 Celebration and Street Festival; and, the request from the Town of Wytheville Museums regarding the Take A Break from the Interstate Road Market Sale to be held July 23-25, 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 May 24, 2021; the request of Downtown Wytheville, Incorporated to close Main Street and various other streets in the downtown area on a staggered schedule on Saturday, July 3, 2021, from 6:00 a.m. to 10:00 pm. to conduct the July 3 Celebration and Street Festival; and, the request from the Town of Wytheville Museums regarding the Take A Break from the Interstate Road Market Sale to be held July 23-25, 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 – TOWN CHARTER AMENDMENT

Mayor Taylor advised that the meeting constituted a public hearing (due notice having been given) to consider an amendment to the Town Charter to establish a new town election date and to establish voting precincts and polling places. Mayor Taylor inquired if there were any citizens attending the meeting who wished to address the Council during this public hearing. She noted that this is due to a change by the General Assembly for all Town elections to be held on the first Tuesday in November in 2022 and every four years thereafter, with the terms commencing the first day of January the following year, and the creation of voting precincts. 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. She advised that she would reserve the

right to revisit this agenda item, if anyone arrives later during the meeting who wished to address the Council regarding the public hearing.

RE: PUBLIC HEARING – LEASE RENEWAL ON CHILD CARE CENTER

Mayor Taylor advised that the meeting constituted a public hearing (due notice having been given) to consider the renewal of a lease of Town property for a child care center that would provide for an additional five-year term with Lan-Le Holdings, Incorporated. She noted the lease would expire June 30, 2026, and can be renewed or canceled by mutual agreement of both parties. Mayor Taylor inquired if there were any citizens attending the meeting who wished to address the Council during this public hearing. Ms. Uva Wright was recognized and presented an overview of the child care center and their operations. There being no additional comments, Mayor Taylor declared the public hearing closed and proceeded with the agenda. She advised that she would reserve the right to revisit this agenda item, if anyone arrives later during the meeting who wished to address the Council regarding the public hearing.

RE: CITIZENS' PERIOD

Mayor Taylor advised that the next agenda item is Citizens' Period. Mr. David Dawson, Deputy Field Director with the Virginia Department of Health - Office of Drinking Water, was recognized and presented the 2020 Excellence in Waterworks Operations/Performance Award to the Town's Water Department, represented by Water Treatment Superintendent Robbie Krunich and Town Engineer Trevor Hackler. A photo was taken, and Mayor Taylor thanked Mr. Dawson for attending the meeting.

Mayor Taylor inquired if there are others attending the meeting who desired to address the Council during Citizens' Period. There being none, she stated if anyone arrives later during the meeting who wished to address the Council, she would reserve the right to reopen Citizens' Period.

RE: OLD BUSINESS

Town Manager Freeman advised that he did not have anything to report to the Council under Old Business.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Councilman Bloomfield reported for the Budget and Finance Committee. The Budget and Finance Committee report was entered into the record as follows:

As we are all aware, the COVID-19 Pandemic severely altered the way people interact and conduct business. Consequently, some of the Town's most important and traditionally stable revenue streams have been proven vulnerable. To continue providing the services and amenities our citizens have come to expect and to continue providing enhanced public safety services with our recently formed full-time Fire and Rescue Department, the proposed budget includes some tax increases. Among these is a four-cent real property tax increase, a ten-cent personal property tax increase, a five-cent machine and tools tax increase and a 25-cents per pack cigarette tax increase. The real property rate has only increased once in 40 years, and the personal property and machine and tools tax rates have remained unchanged over that period. The new rates, if approved, would continue to remain among the very lowest in the region. In

addition to these increases, refuse collection decals are proposed to increase from \$50 to \$75 for a 13-gallon container and from \$100 to \$150 for a 32-gallon container. It is important to note that despite these increases, balancing of the General Fund will require the use of approximately \$1.7 million in reserves.

To cover the increasing costs of providing water, the proposed budget calls for a user rate increase. For reference, the total monthly increase for those using 5,000 gallons per month is about \$3.00, and the total monthly increase for those using 10,000 gallons per month is about \$4.50. The water fund will balance with the use of \$85,000 in reserves, and the proposed increase is set to take effect on January 1, 2022. Later this evening, the Council will consider, on third reading, the adoption of the budget for fiscal year 2021-22.

The Code of the Town of Wytheville provides a real estate tax exemption for qualifying elderly or handicapped individuals. Citizens who are interested in this program must first apply and qualify under Wythe County's tax exemption program, after which they are automatically included in the Town's program. The tax exemption program currently relieves up to \$75 in real property taxes each qualifying year. In order to increase this exemption from \$75 to \$100, the Council will need to set a public hearing to consider an amendment to the Town Code. It is the recommendation of the Budget and Finance Committee that the Council set a public hearing to consider this change at the Monday, July 12, 2021, Town Council meeting. A motion was made by Councilman Bloomfield and seconded by Councilwoman Atkins to set a public hearing for the July 12, 2021, Town Council meeting to consider an amendment to the Town Code to increase the real estate tax exemption from \$75 to \$100 for qualifying elderly or handicapped individuals. Mayor Taylor inquired if there was any discussion on the motion to set the public hearing for July 12, 2021. Mayor Taylor inquired if there was any further discussion. 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. The Budget and Finance Committee report is attached and made part of these minutes.

RE: PUBLIC WORKS COMMITTEE REPORT

Vice-Mayor Pattison reported for the Public Works Committee. The Public Works Committee report was entered into the record as follows:

The State of Virginia has enacted new laws mandating that municipalities move local elections from May to November to coincide with state and federal elections. Traditionally, Wytheville's local elections have been held in a single voting precinct, but that will no longer be the case. Beginning in November of 2022, Wytheville's local elections will be held in two voting precincts. Later in the meeting, the Council will consider two new ordinances that establish the East and West Wytheville precincts for local elections and that change the Town election date. It is the recommendation of the Public Works Committee that the ordinances be adopted on first and final reading.

State Code requires localities to conduct a public hearing any time the expenditures in a budget year will exceed one percent of appropriations. CARES Act Funding and the Small Business Recovery Assistance Grants that the Town received have caused expenditures to exceed this one percent threshold. Therefore, it is the recommendation of the Public Works Committee that the Council set a public hearing for the Monday, June 28, 2021, Town Council meeting to consider these budget revisions. A motion was made by Vice-Mayor Pattison and seconded by

Councilman Gillman to set a public hearing for the June 28, 2021, Town Council meeting to consider these budget revisions. Mayor Taylor inquired if there was any further discussion. 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. The Public Works Committee report is attached and made part of these minutes.

RE: NEW BUSINESS

Under New Business, Town Manager Freeman reported the following:

1. The Board of Zoning Appeals will meet on Thursday, June 17, 2021, at 11:00 a.m. in the Council Chambers of the Municipal Building.
2. The New River Regional Water Authority will meet on Thursday, June 17, 2021, at 10:00 a.m. at the Water Plant in Austinville, Virginia.
3. The next Council Work Session will be held on Tuesday, June 22, 2021, at 7:00 a.m. in the Council Conference Room of the Municipal Building.
4. The Joint Industrial Development Authority of Wythe County will meet on Thursday, June 24, 2021, at 3:00 p.m. in the Council Chambers of the Municipal Building.
5. The Town of Wytheville Municipal Offices will be closed and all services curtailed on Friday, June 18, 2021, in observance of the Juneteenth Day holiday.
6. Town Council needs to appoint a Zoning Administrator at this meeting and, historically, this has always been the Town Manager.

RE: APPOINTMENTS – ZONING ADMINISTRATOR

Mayor Taylor advised that the next agenda item is the appointment of Town Manager T. Brian Freeman as the Zoning Administrator. A motion was made by Vice-Mayor Pattison and seconded by Councilman Gillman to appoint Town Manager T. Brian Freeman as the Zoning Administrator. Mayor Taylor inquired if there was any discussion on the motion to appoint Town Manager. Freeman as the Zoning Administrator. 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 – DISTRICT III GOVERNMENTAL COOPERATIVE

Mayor Taylor advised that the next agenda item is the appointment/reappointment of a Town Council member and alternate member to the District III Governmental Cooperative, and she explained that the current terms expire June 30, 2021. She noted that these appointment/reappointment terms would be for one year and would expire June 30, 2022. A motion was made by Councilman Bloomfield and seconded by Councilman Gillman to reappoint Councilwoman Atkins as the member and Councilman Gillman as the alternate member to the District III Governmental Cooperative with their terms expiring June 30, 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.

RE: ORDINANCE NO. 1395

Mayor Taylor presented Ordinance No. 1395, the Budget Ordinance for Fiscal Year 2021-22, on third and final reading. She explained that the budget is balanced and totals \$24,101,221. A motion was made by Councilman Gillman and seconded by Vice-Mayor Pattison to adopt Ordinance No. 1395, the Budget Ordinance for Fiscal Year 2021-22, on third and final reading. Mayor Taylor inquired if there was any discussion on the motion to adopt the ordinance on third 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, Gary L. Gillman

AGAINST: Holly E. Atkins

ABSTENTIONS: None

Ordinance No. 1395 was adopted on third and final reading.

Councilwoman Atkins inquired if it could be noted that not all Council members voted for the ordinance. Mayor Taylor stated that it is the consensus of Council that the budget has passed with one negative vote, and Councilwoman Atkins's vote could be listed as the negative vote.

RE: ORDINANCE NO. 1397 – CIGARETTE TAX INCREASE

Mayor Taylor presented Ordinance No. 1397, an ordinance amending and reenacting Chapter 14, Taxation, Article IV. Cigarette Tax, Section 14-52, Levied; Amount, of the Town Code, on first reading. She stated that this ordinance sets the tax rate at 40 cents for each package of cigarettes containing 25 or less. A motion was made by Councilman Gillman and seconded by Vice-Mayor Pattison to adopt Ordinance No. 1397, an ordinance amending and reenacting Chapter 14, Taxation, Article IV. Cigarette Tax, Section 14-52, Levied; Amount, of the Town Code, 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. Mayor Taylor stated a letter has been received from Mr. Thomas Bryant, an advocate for the National Association of Tobacco Outlets, requesting the cigarette tax to not be raised. There being no further discussion, 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

Ordinance No. 1397 was adopted on first and final reading.

RE: ORDINANCE NO. 1398 – TOWN CHARTER AMENDMENT – TOWN ELECTIONS

Mayor Taylor presented Ordinance No. 1398, an ordinance amending and reenacting Part 1. Charter, Section 2. Council Generally, of the Code of the Town of Wytheville, Virginia, on first reading. She explained that this will amend the Town Charter to establish the new town election date as the first Tuesday in November for all elections held after January 1, 2022, and every

four years thereafter, and to amend the date for the commence of terms for elected individuals. Mayor Taylor commented that this ordinance was the subject of a public hearing held earlier and is before the Council on first and final reading. A motion was made by Vice-Mayor Pattison and seconded by Councilman Gillman to adopt Ordinance No. 1398, an ordinance amending and reenacting Part 1. Charter, Section 2. Council Generally, of the Code of the Town of Wytheville, Virginia, 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 no discussion, 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

Ordinance No. 1398 was adopted on first and final reading.

RE: ORDINANCE NO. 1399 – ESTABLISHMENT OF VOTING PRECINCTS

Mayor Taylor presented Ordinance No. 1399, an ordinance establishing the East Wytheville and the West Wytheville Precincts and Polling Places. She noted that the West Wytheville polling location would be established as George Wythe High School, and the East Wytheville polling location would be established as the Fourth Street Civic Center. Mayor Taylor remarked that this ordinance was the subject of a public hearing held earlier and is before the Council on first and final reading. A motion was made by Vice-Mayor Pattison and seconded by Councilman Gillman to adopt Ordinance No. 1399, an ordinance establishing the East Wytheville and the West Wytheville Precincts and Polling Places, 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 no discussion, 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

Ordinance No. 1399 was adopted on first and final reading.

RE: RENEWAL OF CHILD CARE CENTER LEASE

Mayor Taylor stated the next item is to consider the renewal of a lease of Town property for a child care center that would provide for an additional five-year term, which expires June 30, 2026. She stated at this meeting, the Council was presented with the most recent version of the lease with Lan-Le Holdings, Incorporated, and noted that Town Attorney Clayton would review any changes with the Council. Town Attorney Clayton stated she and Town Manager Freeman met with Mrs. Wright to review clarifications with the initial lease for the day care. Town Attorney Clayton briefly reviewed the various sections of the lease and noted that the original equipment was no longer serviceable and would be returned to the Town, and any equipment that Mrs.

Wright has purchased will remain in her ownership. She advised that the inspection of the facilities would be once a year. She stated that the term of the lease is for five years and would end on June 30, 2026. Town Attorney Clayton advised that the rent is now \$1,000 a month. She noted that the Department of Social Services will no longer be the licensing body, and it will now be the Department of Education, along with the Health Department and the Wytheville Fire Department beginning July 1. Town Attorney Clayton reviewed the portion of the lease regarding the hours of operation and the tuition free weeks. She noted that there is a holdover provision allowing the lease to go month-to-month if there are any issues with renewal in five years. A motion was made by Councilman Gillman and seconded by Councilwoman Atkins to approve the renewal of a lease of Town property for a child care center that would provide for an additional five-year term. Mayor Taylor inquired if there was any discussion on the motion. There being no discussion, 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

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (7:41 p.m.).

Beth A. Taylor, Mayor

Sharon G. Corvin, CMC, Town Clerk

BUDGET AND FINANCE COMMITTEE REPORT

JUNE 14, 2021

1. As we are all aware, the COVID-19 Pandemic severely altered the way people interact and conduct business. Consequently, some of the Town's most important and traditionally stable revenue streams have been proven vulnerable. To continue providing the services and amenities our citizens have come to expect and to continue providing enhanced public safety services with our recently formed full-time Fire and Rescue Department, the proposed budget includes some tax increases. Among these is a four-cent real property tax increase, a ten-cent personal property tax increase, a five-cent machine and tools tax increase and a 25-cents per pack cigarette tax increase. The real property rate has only increased once in 40 years, and the personal property and machine and tools tax rates have remained unchanged over that period. The new rates, if approved, would continue to remain among the very lowest in the region. In addition to these increases, refuse collection decals are proposed to increase from \$50 to \$75 for a 13-gallon container and from \$100 to \$150 for a 32-gallon container. It is important to note that despite these increases, balancing of the General Fund will require the use of approximately \$1.7 million in reserves.

To cover the increasing costs of providing water, the proposed budget calls for a user rate increase. For reference, the total monthly increase for those using 5,000 gallons per month is about \$3.00, and the total monthly increase for those using 10,000 gallons per month is about \$4.50. The water fund will balance with

the use of \$85,000 in reserves, and the proposed increase is set to take effect on January 1, 2022. Later this evening, the Council will consider, on third reading, the adoption of the budget for fiscal year 2021-22.

2. The Code of the Town of Wytheville provides a real estate tax exemption for qualifying elderly or handicapped individuals. Citizens who are interested in this program must first apply and qualify under Wythe County's tax exemption program, after which they are automatically included in the Town's program. The tax exemption program currently relieves up to \$75 in real property taxes each qualifying year. In order to increase this exemption from \$75 to \$100, the Council will need to set a public hearing to consider an amendment to the Town Code. It is the recommendation of the Budget and Finance Committee that the Council set a public hearing to consider this change at the Monday, July 12, 2021, Town Council meeting.

Mark J. Bloomfield

Holly E. Atkins

PUBLIC WORKS COMMITTEE REPORT

JUNE 14, 2021

1. The State of Virginia has enacted new laws mandating that municipalities move local elections from May to November to coincide with state and federal elections. Traditionally, Wytheville's local elections have been held in a single voting precinct, but that will no longer be the case. Beginning in November of 2022, Wytheville's local elections will be held in two voting precincts. Later in the meeting, the Council will consider two new ordinances that establish the East and West Wytheville precincts for local elections and that change the Town election date. It is the recommendation of the Public Works Committee that the ordinances be adopted on first and final reading.
2. State Code requires localities to conduct a public hearing any time the expenditures in a budget year will exceed one percent of appropriations. CARES Act Funding and the Small Business Recovery Assistance Grants that the Town received have caused expenditures to exceed this one percent threshold. Therefore, it is the recommendation of the Public Works Committee that the Council set a public hearing for the Monday, June 28, 2021, Town Council meeting to consider these budget revisions.

Cathy D. Pattison

Gary L. Gillman