

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, SEPTEMBER 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, Charles Herring, Detective Darren Umberger

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 Atkins.

RE: CONSENT AGENDA

Mayor Taylor presented the consent agenda consisting of the minutes of the regular meeting of August 23, 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 Vice-Mayor Pattison and seconded by Councilman Bloomfield to approve the consent agenda consisting of the minutes of the regular meeting of August 23, 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 – PROPOSED MONUMENT FOUNDATION DEPTH CHANGE

Mayor Taylor advised that the meeting constituted a public hearing (due notice having been given) to consider amending and reenacting the Code of the Town of Wytheville, Chapter 5, Cemeteries, Section 5-6. Monument Work and Markers, regarding the foundation depth requirement for monuments and markers. 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. She advised that she would reserve the right to revisit this agenda item, if anyone arrived 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. She noted that there is one citizen attending the meeting. She inquired of Mr. Herring if he wished to address the Council during Citizens' Period. Mr. Charles Herring declined to speak, therefore, Mayor Taylor proceeded with the agenda.

RE: STAFF REPORTS

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

- A. The Town of Wytheville's Franchise Agreement with Atmos Energy will expire on October 14, 2021. Therefore, it will be necessary for the Town of Wytheville to accept bids from any companies that may be interested in providing natural gas in the town. The Town will receive bids for the natural gas franchise until 7:00 p.m. on September 27, 2021. Later in the meeting, the Council will consider Ordinance No. 1402, to accept the highest bid and establish criteria, procedures, and standards by which the Town will grant and enforce a natural gas franchise. This will be the first, but not final, reading of the ordinance.
- B. At the request of the Tree Advisory Committee, we have applied for a grant from the Virginia Department of Forestry (VDOT) to complete a Street Tree Planting Project. If awarded, the project will replace trees that were removed due to disease or powerline conflicts along two sections of Main Street, between 5th and 11th Streets, and between 6th and 26th Streets. These areas were prioritized because of their relationship to the Downtown Revitalization Project, high visibility to tourist traffic and the impact on several Residential Revitalization Areas designated in the Comprehensive Plan. The grant request is for \$5,805.00. This will cover the cost of trees and supplies, and the Town will provide labor and maintenance for the required in-kind match. The total estimated value of the project, including the Town's in-kind match, is \$12,815.00.
- C. As we reported at our August 23, 2021, Town Council meeting, the Town received sealed bids for its annual milling and paving program on August 12, 2021. The low bidder was W-L Construction & Paving, Inc. with a total bid of \$618,299. Town Staff has completed the required documentation and awarded the bid to W-L Construction & Paving, Inc., and a contract has been finalized. This project will begin in the coming weeks and is set for completion by October 15, 2021.
- D. Recently, the Town's cellular services contract with US Cellular expired and converted to a month-to-month contract. While there have not been complaints about the service, this provided the Town the opportunity to explore the possibility of getting an alternative service provider and, potentially, procuring services through the Virginia Information Technology Agency (VITA) statewide contract. Ultimately, we determined that staying with US Cellular was preferable because US Cellular has no plans to phase out 3G/CDMA lines like their competitors, they have offered a credit for over \$25,000 worth of equipment and expanded service and we have been pleased with the service we have received. This contract will be up for renewal again in two years. The Staff Reports are 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, September 16, 2021, at 10:00 a.m., at the Water Plant in Austinville.
2. The next Council Work Session will be held on Monday, September 27, 2021, at 4:30 p.m., in the Council Conference Room.

APPOINTMENTS – AIR POLLUTION CONTROL OFFICER

Mayor Taylor advised that the next agenda item is the appointment of a Town Air Pollution Control Officer. She explained that the Town Code addresses the Town Council appointing an Air

Pollution Control Officer, and, currently, this appointment has not been made. She stated that the Town Code notes that Town Manager Freeman may be appointed to serve as the Air Pollution Control Officer and, she inquired if there is a motion to appoint Town Manager Freeman at this time. Councilwoman Atkins inquired of Mayor Taylor if the term “or his designee” would be included in the language of the motion. Town Manager Freeman advised that in his opinion, he thinks it would be a good idea to include “or his designee” in the language of the motion. A motion was made by Councilman Gillman and seconded by Vice-Mayor Pattison to appoint Town Manager T. Brian Freeman, or his designee, as the Town Air Pollution Control Officer. Mayor Taylor inquired if there was any discussion on the motion to appoint Town Manager Freeman or his designee, as the Air Pollution Control Officer. 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. 1401

Mayor Taylor presented Ordinance No. 1401, an ordinance amending and reenacting Chapter 5, Cemeteries, Section 5-6. Monument Work and Markers, of the Code of the Town of Wytheville, Virginia, on first reading. Councilman Bloomfield inquired if the ordinance could be adopted on the first and final reading. Mayor Taylor advised that is correct. A motion was made by Councilman Bloomfield and seconded by Vice-Mayor Pattison to adopt Ordinance No. 1401, an ordinance amending and reenacting Chapter 5, Cemeteries, Section 5-6. Monument Work and Markers, 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 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

Ordinance No. 1401 was adopted on first and final reading.

RE: ORDINANCE NO. 1402

Mayor Taylor presented Ordinance No. 1402, an ordinance of the Council of the Town of Wytheville, Virginia, to accept the highest bid and establish criteria, procedures and standards by which the Town will grant and enforce a natural gas franchise, on first reading. A motion was made by Councilman Gillman and seconded by Vice-Mayor Pattison to adopt Ordinance No. 1402, an ordinance of the Council of the Town of Wytheville, Virginia, to accept the highest bid and establish criteria, procedures and standards by which the Town will grant and enforce a natural gas franchise, on first, but not final, reading. Mayor Taylor inquired if there was any discussion on the motion to adopt the ordinance on first, but not final, reading. Councilman Bloomfield inquired of Town Staff if the September 27, 2021, bid opening date gives recipients enough time to submit bids to the Town. Town Manager Freeman continued to explain to Councilman Bloomfield the reason why the September 27, 2021, due date for bids is acceptable. Councilman Bloomfield inquired if the Council could adopt the ordinance on first and final reading. Town Staff explained that due to specific franchise regulations, there are certain requirements that must be followed and one of those requirements include accepting bids. Mayor Taylor

inquired if there was any further discussion on the motion to approve the ordinance on first, but not final, reading. 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

Ordinance No. 1402 was approved on first, but not final, reading.

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (7:12 p.m.).

Beth A. Taylor, Mayor

Sharon G. Corvin, CMC, Town Clerk