MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, SEPTEMBER 22, 2014, AT 7:00 P.M.

Members present: Trenton G. Crewe, Jr., Jacqueline K. King, H. Judson Lambert, Thomas F. Hundley, Jack W. Hunley


RE: CALL TO ORDER, QUORUM, PLEDGE

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

RE: CONSENT AGENDA

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting of September 8, 2014, and the request of the March of Dimes to conduct their annual walk on October 11, 2014. He inquired of the Council if there is a motion to approve both of the items together or as separate items. A motion was made by Vice-Mayor King and seconded by Councilman Hundley to approve the minutes of the regular meeting of September 8, 2014, and the request of the March of Dimes to conduct their annual walk on October 11, 2014. Mayor Crewe 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: Trenton G. Crewe, Jr., Jacqueline K. King, H. Judson Lambert, Jack W. Hunley, Thomas F. Hundley. Against: None.

RE: CITIZENS’ PERIOD

Mayor Crewe stated the next agenda item is Citizens’ Period. He thanked everyone for attending the meeting. Mayor Crewe noted that in looking at the signup sheet, there are several citizens who desire to talk about the trees on West Main Street. He advised that he will allow each citizen to speak in the order they are listed on the signup sheet. He commented that the Town Council will be glad to hear what the citizens have to state. Mayor Crewe noted that the Town Council members are welcome to ask questions during this period, and, hopefully, the Town Council will be able to address the issues being brought before Town Council. Mayor Crewe reminded the attendees to please speak into the microphone so the minutes can be recorded properly.

Mayor Crewe advised that Mr. David Richert is listed on the signup sheet to speak first. Mr. David Richert stated that he resides at 270 Echo Valley Road, is a citizen of the Town of Wytheville and is the Vice-Chairman of the Town of Wytheville Tree Advisory Committee. Mr. Richert stated that his comments will be brief but are in relation to the proposed project that has commenced regarding the tree removal and the anticipated curb and gutter project. Mr. Richert noted that he wished to express to everyone in attendance that the Town of Wytheville Tree Advisory Committee is a new organization within the Town, and he wanted to thank the members of Town Council for making the position possible for him and the other members serving on the Committee. Mr. Richert reiterated that the organization is a fairly new organization, therefore, the relationship with the Town has only been approximately three years, at this point. He remarked that the Committee wished to work with the Town Council to develop, improve and sustain what the Town has in terms of its green resources and the green infrastructure that is established within the town. He stated that the Committee understands the balance between the green infrastructure of the trees and the grey infrastructure of curbs and gutters, streets, utility, public safety, etc. Mr. Richert noted that in respect to the Tree Committee’s recommendation that was made and is written and recorded in the minutes of the August 14, 2014, meeting of the Tree Advisory Committee, the Tree Committee is a technical and scientific group in providing advice on that front. Mr. Richert remarked that the obvious interest at this meeting shows that political decisions may not, necessarily, be the Tree Committee’s forte. He stated the Tree Committee does reflect in their minutes, and he would like to bring notice to, that in addition to the removal of these trees, the Tree Committee noted that if the project is moving forward, they would recommend, and would continue to recommend, anything they can do to inform and involve the public through a master planning process or a
collaborative effort. Mr. Richert reiterated that it is not the Tree Advisory Committee’s forte to make the best political decisions on these types of matters. He expressed that the Tree Committee appreciates the relationship it has with the Town Council and, possibly, moving forward on any decisions to take trees down or not to take trees down, the Tree Committee look for opportunities to have a master plan in process. Mr. Richert declared that this was all of the comments he had for the Town Council, but he would be glad to answer any questions from the Town Council. Mayor Crewe thanked Mr. Richert for his comments and for his service on the Tree Advisory Committee. He inquired if any of the Council members had any questions for Mr. Richert. Councilman Hundley asked about the trees that are in question. He remarked that there is one tree that has been taken down and that it, apparently, was decayed and rotten. He inquired of Mr. Richert how much longer it would be before the remaining trees are in the same condition. Mr. Richert advised that this is a very difficult thing for him to state. He commented that he re-inspected the four trees in question the previous day, and there are at least two that could be maintained. He noted, again, the question is if the Town proceeds with the paving and milling project, this further interferes with the trees’ root systems and this would, possibly, shorten the lifespan of the trees. He pointed out that as the trees are right now, if nothing else was ever done, there are things such as pollarding or other types of arbor, cultural treatments that could prolong the lives of the trees for 10 to 20 years or perhaps longer. Mr. Richert noted that there are two trees that are prime specimens at this point. Councilman Hundley inquired with the trimming that is occurring or has occurred, and he apologized that he had not seen the work performed today, if this will impact the life span of the tree. He asked if this will change it, as well. Town Manager Sutherland explained that he feels like Councilman Hundley is trying to state that Appalachian Power Company is going to “top” the trees in question regardless of what actions the Town Council takes. Mr. Richert answered that the “topping” process goes into the term pollarding, which for the record refers to an annual topping. He stated that if those trees were “topped” annually, and noted he cannot speak as to whether Appalachian Power would or would not pay for it, but if this were to be done annually, it would serve to keep the tree in almost a static position where it would not grow any further. He commented that many trees all over Europe and even California, every year, the trees grow just enough new growth to compensate for the growth that they lost the year before, which allows the tree to maintain a fairly static position. Mr. Richert stated Councilman Hundley’s question was if the “topping” that Appalachian Power Company did would shorten the lifespan. He noted that this would, maybe or maybe not, shorten the lifespan and that it is very hard to determine. Councilman Hundley thanked Mr. Richert for his comments. Mayor Crewe inquired if there were any further questions for Mr. Richert. There being none, Mayor Crewe thanked Mr. Richert for attending the meeting.

Ms. Patti Pizerger was recognized and stated that she and her husband live at 525 West Main Street and they own and operate the Trinkle Mansion Bed and Breakfast. She advised that she has prepared her comments because she is very emotional about this issue. She noted that she would need to read them because she is afraid she may misspeak or omit something. Mayor Crewe stated that this would be acceptable. Ms. Pizerger commented that she, also, brought the Town Council a copy of her notes for the record. She stated that she first wanted to expand on the value of mature trees. She noted that everyone would agree a tall, mature shade tree that has been growing for almost 100 years is beautiful. She commented that they provide shade and with this shade comes the cooling effect under and around the tree, especially around concrete and pavement. Ms. Pizerger stated that this goes beyond having mature trees. She continued that the trees provide privacy, screen out unpleasant views, provide background to complement their homes and buildings, absorb street noise, and block out the glaring lights during the nighttime. She noted that, obviously, more benefit is derived from a mature tree than a young replacement tree. Ms. Pizerger informed the Council members that one of the reasons she and her husband fell in love with Wytheville, and decided to move here, was the beauty with the wide streets, the trees, and the quaintness of the town. She reiterated that the trees are a large part of their reason for moving to Wytheville. Ms. Pizerger stated that their home has the largest, most scenic nature of any tree that is in front of 525 West Main Street, which adds to the beauty and the reason why we own the home. She noted that she thinks the trees really enhance the home. Ms. Pizerger advised that she knows that if the Council was planting these trees today, they would not choose the current type of trees that are there because some have already been taken down, but the fact remains that the trees are there. She noted that these trees have taken all these years to grow, and to replace them with smaller trees does not provide anywhere close to the same effect of those large, mature trees. Ms. Pizerger remarked that she would like to tell the Council what has happened over this past week. She explained that on Monday, they received a letter signed by the Town Manager stating that the trees in front of their house would be taken down as this paving project commenced. Ms. Pizerger advised that on Thursday, three days later, they saw orange cones out front, and they walked out to see that the cones were placed from 12th Street all the way to most of 8th Street. She noted that they thought that this cannot be happening this quickly. Ms. Pizerger noted that the next morning, they looked out and there came the Asplundh employees with their equipment and their trucks arriving there so, obviously, that meant they were there to remove the trees. She commented that this happened in four days. Ms. Pizerger
advised that she and her husband felt very strongly about not just their trees but the other trees, as well, so they had planned to attend this meeting to see if there was anything they could work out to save any of those trees, especially their trees, but any of the trees. She stated that on Friday morning, when they saw the crews arrive, they immediately came to the Town Office and asked to speak with anyone about the trees. Ms. Pizinger advised that Town Engineer Trevor Hackler was in the office, and they explained their concerns to him. She explained that Mr. Hackler advised that he totally agreed with them, but it was out of his department’s control, and the Tree Advisory Committee decided to remove these trees. Ms. Pizinger noted that she could not believe this, and inquired as to why the Tree Advisory Committee would make this decision. She advised that Mr. Hackler took them and showed them the minutes from the Tree Advisory Committee meeting. Ms. Pizinger noted they quickly looked at the minutes, and Mr. Hackler pointed out the motion where the Tree Advisory Committee had decided to remove the trees, if this project went forward, what would happen to those trees. She commented that needlessly stated, she was told that the Tree Advisory Committee had decided this because that is what people told her is that the Tree Advisory Committee decided to take out these trees. Ms. Pizinger remarked that she was also told that she needed to understand that when this project is completed and the new curbing is installed, the trees were going to be so damaged that they would die, and, then, a dead tree could fall on a person or property and cause injury or damage. She stated that she understands this, and that was not the issue. Ms. Pizinger explained that the issue was if they can do anything to stop the removal of these trees until such time as they can put forth a plan to see if there was anything they could do to save the trees. She advised that she inquired as what they could do right then. Ms. Pizinger remarked that Mr. Hackler noted that he would suggest they go see the Town Manager. She indicated that they walked over to the Town Manager’s office, and Mr. Sutherland was not in. Ms. Pizinger advised that they drove to Councilman Hundley’s office to see if they could talk to him to see if they could get a voice in this issue, and Councilman Hundley was not in. She remarked that they immediately went to Mayor Crewe’s office, and they were told Mayor Crewe was out until Tuesday. Ms. Pizinger noted that they came back to the work crew and asked the Asplundh supervisor what was going to happen, and he noted that he was to take out all of the trees. She advised that she inquired of the supervisor if there was anything they could do to save the trees, and he noted there was nothing that could be done, they were all coming down, and all the trees would be down on the ground by the end of the day. Ms. Pizinger remarked that Director of Public Works Tommy Seagle was parked down the street, and she went down to his vehicle and asked him if there was anything they could do to stop the removal of the trees until they could talk to the Town about it. She noted that Mr. Seagle advised her that it was out of his control and that the project was moving forward with the paving, and the Tree Advisory Committee had decided to take out the trees. Ms. Pizinger noted that, at this point, she felt all was lost, and remarked that she is emotional about this issue. Mayor Crewe advised that he understands that Ms. Pizinger is emotional. Ms. Pizinger remarked that she did not think she could stand to be there and hear the ripping of the trees and see them come to the ground, so they left. She noted that they left and were gone all day because she just could not be there. Ms. Pizinger explained that when they came back, they saw that some of the trees were still standing and that only five had been taken out, and she noted that she thought maybe all is not lost. She commented that she thought if she could get in touch with anyone to see if they can get a stay on this issue to buy some time to see if they can work out any plan. Ms. Pizinger commented that they went downtown because the festival was going on, and they found Councilman Hundley. She noted they expressed their concerns to him, and he, too, said it was a unanimous decision, and the Tree Advisory Committee decided that these trees had to be taken out. Ms. Pizinger stated that Councilman Hundley advised that with everything in process, he could not stop the removal, and it was a unanimous decision. She noted that Councilman Hundley stated he agreed with her, and it was a sad loss of the trees, but the Tree Advisory Committee stated they had to be removed, and there was nothing he could do about it. Ms. Pizinger remarked that she called Vice-Mayor Jackie King and related basically the same thing to her, and she inquired what she could do to stop the tree removal until they can get some plans in place. She stated that she and Vice-Mayor King discussed this issue, and Ms. Pizinger advised that she inquired of the Tree Advisory Committee’s minutes. Ms. Pizinger explained that when they came back, they saw that some of the trees were going to be so damaged that they would die, and, then, a dead tree could fall on a person or property and cause injury or damage. She stated that she understands that when this project is completed and the new curbing is installed, the trees were going to be so damaged that they would die, and, then, a dead tree could fall on a person or property and cause injury or damage. She remarked that she did not think she could stand to be there and hear the ripping of the trees and see them come to the ground, so they left. She noted that they left and were gone all day because she just could not be there. Ms. Pizinger explained that when they came back, they saw that some of the trees were still standing and that only five had been taken out, and she noted that she thought maybe all is not lost. She commented that she thought if she could get in touch with anyone to see if they can get a stay on this issue to buy some time to see if they can work out any plan. Ms. Pizinger commented that they went downtown because the festival was going on, and they found Councilman Hundley. 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kind curbing project, and installing the linear curbs like the Town is proposing, they are going to come to the edge of the tree, etc., and the Town will destroy the tree root system. Ms. Pizinger noted the Committee advised that trees will be killed, and they will die. She commented that the Committee noted that if the Town goes forward with this project, the trees will have to come down. Ms. Pizinger noted that when this information was provided to the Town Council, and to everyone, she does not understand why that was not a red flag and the Council would not be upset that these mature trees will be coming down, and would note that they could not let this happen. She stated that she cannot understand why one person did not state to see if there was something they could do to save any of the trees. Ms. Pizinger noted that, apparently, this did not happen, and it was decided that the project would move forward without any citizen input. She stated that they were told on Monday, and by Friday, most of the trees were down, and the rest of them came down today, except for a few. She stated that she went out and labeled three trees and inquired of Ms. Pizinger if she is talking about some type of island. Ms. Pizinger noted that she talked to Ms. Pizinger asked him to cut other trees and wait until she could have a voice. She commented that they came down and talked to Town Manager Sutherland who put the temporary stay on the trees until they could work out some kind of arrangement. Ms. Pizinger remarked that the trees in front of their property are historical, and noted that they are over 100 years old. She advised that the trees were planted by Mr. Trinkle. Ms. Pizinger advised that the trees relate to the historical value of their property. She noted that the value of their property impacts the downtown. She remarked that they know they are not always going to be there. Ms. Pizinger indicated that she is, obviously, a champion of the trees for themselves, but, also, for generations and people when they no longer own the home but someone else owns it. She stated that she does not know how to do this, but advised that there has to be ways that they can save some of these trees. Ms. Pizinger remarked that they have looked at simple things like bumping out the curbing. She noted that there is angle parking there right now, and in her rough estimation, there is 12 feet of angle parking. Ms. Pizinger noted that there could be approximately 8 feet of parallel parking to the best of her judgment. She stated that if the Town extended the parallel parking, which is down on the end of 12th Street in that area, and there was a little bump out, they could gain maybe 4 feet and possibly do something to save these trees. Ms. Pizinger noted that maybe they could also save some of the trees on the other side of the street. She remarked that what she would like to ask the Council to do is put a stay on anymore removal of the trees until they can at least consider this and give them a voice in what is going to happen to these trees. Ms. Pizinger indicated that these trees are beautiful. She acknowledged that some of the trees are diseased and noted that one of their trees is diseased, and they know it has to come down. Ms. Pizinger advised that they have no problem with that. She noted that some of the trees are not diseased, and asked the Council to look at some of the stumps. Ms. Pizinger noted that some of the trees were quite beautiful and functional in the area. She advised that she hoped some of the trees could have been saved, but those are gone, and they cannot do anything about those. Ms. Pizinger noted that for the three trees in front of their house and the trees on the other side of the street, she strongly appeals to the Town Council to try to work out something to save at least some of these trees. She stated that as she understands, for the improvements on Main Street, which in her estimation would include beautification of the downtown area, this should include that trees be a major part of this. Ms. Pizinger remarked that they still have some trees. She noted that there were lots of trees, and they still have some trees, and noted that this should be part of the consideration of this improvement project so that it relates to the downtown. Ms. Pizinger advised that she cannot tell the Council how many people stay at the bed and breakfast who state it is amazing that they are correct, and possibly, a little bump out could be installed. She commented that she is aware there are issues that go along with that, and those will have to be addressed such as water drainage. She stated there could be bump outs, little islands, or just areas that could be
extended out into the street if the Town did parallel parking instead if angled. Ms. Pizinger noted that for their trees that would be one thought without having any real expertise in that area. She noted that some different streetscapes would help. Vice-Mayor King inquired of Ms. Pizinger how the water would go around the curb. Ms. Pizinger stated that she does not know and cannot answer that, and she does not know. She stated that it would have to be looked at to see if something like that could happen. She reiterated that she did not know and she is only stating to please look at some of these and see if this could work to save some of the trees. She stated if it would be inconvenient and more expensive, but at the expense of mature trees, she hoped the Council will give it some consideration. Councilman Hunley inquired of Town Manager Sutherland what the consequences are of having a deteriorated curb and guttering or if there are any consequences. Town Manager Sutherland stated that first of all, the Town would never be able to pave up to the existing curb and guttering because it is in such a bad state of repair. He commented that the Town could not do parallel parking lanes, but soon the next, for drainage purposes, the curb and gutter is going to have to be replaced wherever it is. Ms. Pizinger stated that she understands that paving needs to happen, and she understands that the street is a mess after the waterline project. She noted that she knows these things of types have to happen, but requested the Council to think of some innovative ways to accomplish this so mature trees do not have to be destroyed. Mayor Crewe inquired if there were any further questions for Ms. Pizinger. Councilman Hunley noted that Ms. Pizinger referenced speaking to the Tree Advisory Committee about the Committee making the decision to do this. He commented that Committees do not make decisions for the Council, but they do make recommendations, and, if there is any conflict with these decisions, it should come before the Town Council. Ms. Pizinger stated that she understands that, but that is not what she was told. She commented that Councilman Hunley and Mr. Hackler did not state this, and noted that Vice-Mayor King stated that she could not do anything about it, but she did give her a means to try and put a stay on this. Ms. Pizinger reiterated that this is what she is stating is when she was told the Tree Committee had made this decision, she was so upset with the Tree Committee and one of the key members of the Committee is her son-in-law, and she was very upset with him. She noted, however, once she thought through this, the Tree Committee cannot propose projects. Town Manager Sutherland stated that he would like to follow up on those comments. He stated that the Town did not mean to imply that it was the fault of the members of the Tree Committee. Mayor Crewe noted that for the people in attendance who do not know, he is sure that Mr. Richert has been blamed the most for this due to his making a decision for the Committee. He declared that the Town Council made the decision, however, no one on Town Council could stop the process including Town Manager Sutherland. He noted that this morning after Ms. Pizinger’s communication with Town Manager Sutherland, he happened to be in the Municipal Building addressing another issue and found out about this discussion. He commented that Councilman Hunley and Vice-Mayor King had been in contact with Town Manager Sutherland and an email was sent out with the majority of Town Council stating that if Asplundh can be stopped to do so. Mayor Crewe stated that, furthermore, the Town did not hire Asplundh, so they are not under any duty to take instructions from the Town. He commented that Asplundh works for Appalachian Power Company. Ms. Pizinger commented that she understood. Mayor Crewe stated that the Town saved those trees because the majority of Town Council asked if Asplundh would consider waiting. He commented that he will find out how long the Town can wait. He advised that was how the three trees in front of Ms. Pizinger’s property did not get cut down earlier today. Ms. Pizinger thanked Mayor Crewe. Mayor Crewe noted that Asplundh had the chainsaws ready to perform the work. Ms. Pizinger, again, thanked Mayor Crewe. Mayor Crewe stated that a brief time had been granted. He commented that, currently, that is all the Town has is a brief time. He noted that he is not sure how long this time will be. Mayor Crewe stated that it is a big process, and there are a lot of components that must fit together. Ms. Pizinger stated that she agreed, and noted that she does not understand all of the process. She noted that she spoke with the supervisor overseeing the project for Asplundh earlier today who told her the trees can be “topped,” therefore, they would not interfere with the power lines. She remarked that these trees are big, beautiful and worth saving. She stated that the Town did not mean to imply that these trees could be replaced. She commented that she understood the tree had damage to it, and that, over a period of time, those trees will have to be replaced. Ms. Pizinger inquired if the three remaining trees could be replaced over a period of time so there are no bare spots left. She suggested replacing one tree and letting it grow for some time and then replacing another, all of which would be in a planned rotation. Mayor Crewe verified that what Ms. Pizinger is stating, at the last moment, is what the Town has been working on for four years. He advised that what the Town has been working on in the past four years has been done so very publicly and loudly in the newspaper and on the radio. He commented that the discussion has been reflected in the minutes of various meetings. He noted that, also, the Town has inquired of professionals in this area and relied on their expertise. Mayor Crewe stated that the Town has discussed this considerably and asked what options there were to save the trees, and, thus far, the Town has not found any. He noted that in addition to saving the tree, and noted the Town could leave the tree standing, but they will not be able to install curb and gutter, which the Town must do. Mayor Crewe commented that it may not have to be done today, but if the Town does not put in the curb and gutter, the road cannot
be paved and, therefore, the citizens of the Town of Wytheville will be upset for a longer period of time because Main Street is in such a bad state of repair. Mayor Crewe commented that the drainage portion may be handled differently. He reminded Ms. Pizinger that Main Street is part of Route 11, therefore, the Virginia Department of Transportation controls what goes on within Main Street, as well. He notified Ms. Pizinger that the Virginia Department of Transportation has a say over the paving schedule because they are offering the Town 50 percent in grant funding. He reiterated that the Town of Wytheville is not the only decision maker, plus Appalachian Power Company’s requirements must be factored in. Mayor Crewe noted that it is not only the trees in front of Ms. Pizinger’s property that are under discussion, it is all of the trees up and down Main Street, including the ones that are to be decorated with Christmas lighting that will be cut down, also. He noted that, currently, the focus is on the trees in front if Ms. Pizinger’s property, however, it will be the same issue all the way down Main Street. He expressed that if the trees are not cut down, then Main Street and guttering cannot be done, the Town cannot put in new curb and guttering, the street cannot be paved. Mayor Crewe explained that if paving cannot occur, drainage issues cannot be resolved, and if this cannot be completed, the Town cannot receive the Virginia Department of Transportation funding and cannot meet the master plan. Mayor Crewe stated that he realizes that Ms. Pizinger recently received the letter from the Town advising her of the Town’s intentions. He informed Ms. Pizinger that the Town did not have to send the letter, and it was toward the end of the process because the Town had to wait for Appalachian Power Company to award their contract to know when AEP would begin cutting. Mayor Crewe indicated that as soon as the Town knew when AEP would begin cutting, they sent out, basically, a last announcement noting that the Town has been talking about this for more than three years, and really fine tuning this project for more than a year. He noted that the letter was to let people know that the tree in front of their property is on Town property and it is the Town’s tree and not the property owner’s tree. Ms. Pizinger pointed out that she knows they are not her trees. Mayor Crewe commented that the Town does not want to cut down the trees for several reasons, including that the Council does not want to cut any trees. He noted that, secondly, the Council does not want to pay the money to have to cut trees. Mayor Crewe advised that, thirdly, the Council does not want to do anything that is going to disturb any of the natural beauty that the Town has been working so hard to manufacture and to maintain. He commented that the Council does not see, at least so far, that there is a better option, and reiterated that the Council has not found a better option. Mayor Crewe pointed out that he is only speaking for himself, and noted he is only 20 percent of the Council. He noted that for everything Ms. Pizinger has addressed, the Council has discussed multiple times trying to find another way around cutting the trees. Mayor Crewe remarked that the Council has to look at the entire issue of how the paving works with the curb and gutter, and how these work with AEP’s topping of the trees, which works with the grant requirements the Town has in the Route 11 requirements that the Town has to have for Main Street. He explained that when all of these issues are considered, he sees no other option. Mayor Crewe remarked that the only option he sees is if the Town cuts the trees down now or later, or if the Town does nothing and waits for the trees to die so they can install the curb and guttering. He advised that all of these options have expenses to the Town and to the taxpayers. Mayor Crewe noted that they would love to see what Ms. Pizinger just suggested, which was Wytheville having underground utilities. He advised that the last estimate the Town had for putting underground utilities on Fourth Street when the Town did that project was over $1 million to bury the Appalachian Power lines. Mayor Crewe stated that it is extremely expensive to do that, and the Council did not think they had enough money, or it was not a wise expenditure of taxpayer money, to do this. He remarked that for every option that Ms. Pizinger has talked about, the Council has discussed this. Mayor Crewe noted that Councilman Hunley is correct in noting that the Tree Advisory Committee cannot make any decisions, and they can only make recommendations. He stated that the Committee has a lot more expertise than the Council does regarding trees, so the Council relied on their recommendations, along with the Town staff, Engineering staff, and the Town horticulturist. Mayor Crewe advised that the five Council members are not tree experts, and noted he hoped he is not offending anyone and if he is to please let him know. He stated the Council members are not paving experts nor engineering. Mayor Crewe recalled the opinions that the Councilmen had, that the Councilmen they needed from the people who did have this expertise to try and put all of these components together. He noted that he thinks he can speak for Council when he states the Council will listen to any option that there is, and they would love to save the trees. Mayor Crewe reiterated that the Council has not been able to come up with an option that saves the trees. He noted that if someone has such an option, the Council would be glad to hear it, but advised his concern is it is too late because the Town has progressed so far with this project. Mayor Crewe advised that he is glad the property owners are concerned enough to attend the Council meeting and to address these concerns. He noted he really appreciates the way the citizens are doing this, and noted he can perfectly understand the emotional part. Mayor Crewe pointed out that these trees are a valuable asset simply because of their age, if nothing else. He commented that his understanding is that these trees are not in such great shape, and noted that the trees are going to be in worse shape if the Town puts in curb and guttering, and probably will not live. Mayor Crewe advised that he did not know that anyone can state definitively, one way or the other, but, certainly, putting in new curb and guttering and cutting out the tree roots does not help the trees
any. He stated he understands that there has been one limb, and noted he does not know if it fell off of the tree that was cut down today or not, but there was a limb that fell off of one of those somewhere. Mayor Crewe noted that he has been told that the trees are not the healthiest trees. He remarked that he went by today and looked at them, too, and he saw the messages on them, and he saw the trees. Mayor Crewe indicated that he had looked at them before, and advised that he thought all of the Council members had looked at the trees multiple times and to look at every tree that the Town was proposing to cut down. He stated that none of the Council members want to cut down trees, but reiterated that they did not see any other option. Mayor Crewe noted that he is just trying to tell everyone the components that the Council put together for them to make the decision that they made. He stated that the Council does not have 100 percent control because AEP is involved and VDOT is involved. Mayor Crewe explained that there are laws about if the Town installs a “bump” as has been suggested. He noted that if the Town goes in and then that has something in it and cuts something, the trees in front of the church are probably the biggest and oldest trees on Main Street. Mayor Crewe stated that, possibly, the tree in front of the church is close to these trees, the trees in front of the Pizingers’ property are probably the biggest and oldest trees on Main Street, this causes a water flow problem, and there is then a drainage issue. Mayor Crewe noted that this is another complicated factor that the Council has to consider. He reiterated that when the Council considered all of these issues, this was the answer they came up with. Mayor Crewe noted that the Council thought it was the best answer, but if someone has a better solution, suggestion, or idea, the Council would be glad to listen to it. Ms. Pizinger noted that the tree in front of the Lutheran Church has been exempted. Vice-Mayor King noted that is not correct. Mayor Crewe stated that he does not believe that tree has been exempted. Vice-Mayor King advised that this tree has not been exempted because she and the pastor talked about it on Sunday. She noted that the roots of the trees at the rectory are overgrown. Ms. Pizinger noted that the gentleman from Asplundh told them that this tree was exempt and that they were not to touch this tree. Town Manager Sutherland stated he did not know who told them this. Vice-Mayor King advised that she did not know who told them this either because the church received the letter and they were talking about it on Sunday. Mayor Crewe advised that this is just his personal experience, but about four years ago an Asplundh worker showed up in his yard, and he asked him who he was because he had no idea who he was or why he was there. He noted that the gentleman told him he was there to cut trees out of the power line. Mayor Crewe stated the gentleman showed him where they wanted to cut the trees. He noted that there were three particular trees, not in the power line and not to be cut, so he asked the gentleman if he could mark those, and the gentleman marked them. He noted that two days later, he came home and those were the first three trees they cut. Mayor Crewe pointed out that there is a lack of communication somewhere. He advised that he was calling AEP telling them that the workers cut down trees stating they were not going to cut, but the workers who cut down the trees was not the person he talked to. He explained that the gentleman with Asplundh he spoke to had not talked to AEP. He noted the woman he spoke to at AEP does not know anything about who is on the crew. Mayor Crewe pointed out that there is this long chain of command, and the problem the Town was having today was in trying to stop this, and who the Town should contact because the gentleman with the chainsaw standing at 525 West Main Street is not in direct contact with the headquarters of AEP or Asplundh. He advised that, fortunately, Town Manager Sutherland was able, with the Council’s support, to get to the correct person and get the cutting stopped. Mayor Crewe remarked that he would suspect that this is what is going on with the tree in front of the church. He advised that the root system in that tree has pushed up the sidewalk and caused some issues, and that is another problem. Vice-Mayor King noted that the root system has also pushed up the curb. Mayor Crewe noted that a problem is that with some of these trees, the root structure is such that it has damaged the water lines, the sewer lines, sidewalks, curb and guttering, and the street. He stated he did not know who stated the tree in front of the church does not come down, but on the list the Town has, they think this tree will come down. He noted that this may be something to be addressed. Ms. Pizinger advised that she was going to ask if this tree could be exempted, could their trees could be exempted, as well. She stated if the tree at the church is coming down, she understands. Mayor Crewe stated he will answer Ms. Pizinger’s question this way and noted that he thinks that any tree that is scheduled to be cut down that has not yet been cut, and not just today, if they are at any tree, he expects it not to be cut or not cut down. He noted that he thinks this is legally possible, but it is a question that this process has started and how to get it stopped and why it is being stopped. He commented that is the part that he is having a hard time with. Mayor Crewe noted that everything that Ms. Pizinger has stated about the trees being beautiful, old, valuable, provide shade and cooling, assets to be preserved, etc., are all true, but, these things, in his opinion, and the reason he voted to cut the trees down did not outweigh the other costs, inconveniences, engineering, and all of the rest of the components of this that the Council could save those trees. He noted that the trees in front of the Pizingers’ property are probably the biggest and oldest trees on Main Street. Mayor Crewe stated that, possibly, the tree in front of the church is close to these trees, but most of the other trees that are being cut are a lot smaller and can be replaced with a different species of tree that the Town understands will not have the kinds of problems that these trees have caused, but they have got to be cut down. He remarked that everyone has had lots of discussions, and he reiterated that none of Council wanted to cut any tree. He stated that when this project started, the Council received a list and looked at them. He noted that he
knows the Tree Committee also went and looked and inventoried what trees had to be saved, could be saved, or had to be cut down. Mayor Crewe advised that this was not a hasty decision, and he can assure the citizens of this. He noted it was not something the Council did lightly. Mayor Crewe reiterated that he has not been able to see any option that he thought was a better decision as much as he does not want to cut them down. He stated that there are very few, and noted that there are some healthy trees that the Town has had to cut down or planned to cut down. Mayor Crewe explained that most of the trees the Town planned to cut down have some kind of disease in them. He noted that some of the trees are way beyond saving and some of them are not. Mayor Crewe indicated that some of the trees might be salvageable, but if the Town saves the trees, they give up curb and gutting and the paving. He noted that there are also the stormwater drainage issues to be considered. Mayor Crewe noted that he feels that is where the situation is, however, he is only 20 percent of Town Council. Ms. Pizinger inquired that what the Town stood is that what Mayor Crewe has to say, and the rest is where the situation is. Mayor Crewe advised that his answer to that is that the decision has already been made to cut the trees down, but the Town will be making a decision as to whether the trees will be cut down. Mayor Crewe stated that the purpose is to cut the trees down. Mayor Crewe advised that his answer is that the decision has already been made to cut the trees down, but the Town has to find out how long the stay that was granted today will last and what options are available before it expires. He reiterated that Appalachian Power Company is in charge of this. He noted that they will take advice from the Town, but they do not have to. Ms. Pizinger stated that it is interesting that Appalachian Power Company notified them specifically this spring, that the trees in front and back of their property would be trimmed. She noted that she was given a name of a gentleman in Max Meadows if she had any questions. She advised that she did call the gentleman to have him come look and discuss each tree on the front and back of their property. Ms. Pizinger stated that the man came and stated that the Pizingers could cut the trees in a straight cut, which she stated means the tree will grow one way and not the other. She commented that on the back side of the property, the gentleman advised that it can be done as well. She noted that she was told that the tree would not be as pretty as it, currently, is but it will still stand there. Ms. Pizinger stated that this was the representative of Appalachian Power Company’s decision. She apologized that she cannot remember the gentleman’s name, however, she did know that he was from Max Meadows. She commented that the people working at her residence now are with Asplundh, who is working for Appalachian Power Company. Mayor Crewe noted that is correct. Ms. Pizinger stated that this gentleman ventured the opinion that he could do the same cutting that has always been done at this location, and it would not interfere with the power lines. Mayor Crewe stated that he did not doubt that, and again, he stated that he did not know from point A to point B, but apparently, it goes through a number of steps. He commented that he does not know what those steps are or who it is, however, it is an Appalachian Power Company decision. Mayor Crewe stated that, possibly, in that part of the decision Appalachian Power Company is not taking into consideration the damage to the root structure that will take place with the new curb and gutter. He advised that is where the Virginia Department of Transportation comes in and states what has got to be done, how wide and deep it should be, and what has to be done for drainage control. Ms. Pizinger noted that it was a mute issue. She stated that as she hears what Mayor Crewe is stating, she understands that the trees may have a short period left, and as far as Mayor Crewe is concerned, the trees will be cut down. Mayor Crewe stated that is what he is stating now, but right now he does not know. He commented that the reason he does not know is that the Town Council needs to look at what has taken place today, what was told, and who is in charge. Ms. Pizinger stated that the cutting of the trees, today, was stopped because Town Manager Sutherland gave a stay until the Council at their next meeting. Mayor Crewe stated that that is true, up to a point. He advised that Town Manager Sutherland did not do it but that the Town Council did, however, Appalachian Power Company approved the stay because they were the ones who hired Asplundh. Mayor Crewe stated that somewhere between the Town Council making a decision and finding out who Town Manager Sutherland spoke to and when the trees will be cut, along with what Appalachian Power Company is stating, will be the answer to when these trees get cut down. Ms. Pizinger commented that it was not a matter of if, it was a matter of when. Mayor Crewe stated that he did not know that. He commented that up until today, it was a matter of when. He noted that they should have been cut down today because as Ms. Pizinger can see, a lot of trees were cut down today. He noted that they were cutting on Town right-of-way with the Town’s permission. Mayor Crewe advised that the trees in front of Ms. Pizinger’s property are on that list. Vice-Mayor King stated that what Ms. Pizinger wants to know is what the next step is in this situation. She asked if the Town is contacting Appalachian Power Company. Mayor Crewe stated that is Town Council’s decision, and there are a few more speakers who wish to speak and several more citizens who are in attendance to
hear about the trees. He suggested that the Town Council listen to everyone who desires to speak and then the Town Council can speak. He remarked that it is the Town Council’s decision on what is done. He noted that the Council may not be able to stop Appalachian Power Company. He advised that the decision the Town Council has made is to cut the trees down, and if the Council wishes to change that decision, he believes the Council has the authority to change the decision and hopes that the Council has the time to change it and then figure out a method to changing the decision. Mayor Crewe stated his suggestion is to hear from everyone who would like to speak to Town Council, and if anyone has changed their mind and would wish to speak, the Town Council will be glad to hear from them. He stated that the Town Council is in the same dilemma as the attendees. He noted that he does not think that the Town Council has been told anything differently from what has been discussed for a long time other than the fact that it is happening today. He advised that everyone knew this day was coming. He commented that it was received an email on Thursday, September 18, 2014, from Asplundh indicating they were going to commence cutting the trees on the next day. He advised that was when he knew Asplundh was going to start cutting the trees, but up until that point, the Town did not know when. He remarked that the trees were going to be cut down because the Town Council had already decided that. Mayor Crewe indicated that if the Town Council wished to change this, they can, certainly, try to change it. Councilman Hundley inquired if there is any type of compromise that can be made because, obviously, the paving project is very important to the Town. He inquired if there is any type of compromise. Mayor Crewe stated that his answer would be maybe there is a compromise based on a previous discussion he had with Town Manager Sutherland. Councilman Hundley noted that, hopefully, the Town can navigate around the root system of the trees. He commented that he did not know and he was not a tree expert. Mayor Crewe stated that he asked this question and Town Manager Sutherland can answer it since he has the engineering background, but if the Town decides not to pave the block, it does not have to be done now. He commented that it will need to be done, but, perhaps not now. He stated that if the Town does not put in new curb and gutter and does not pave that portion of Main Street, then nothing changes and the trees do not have to change. Councilman Hundley inquired if there was any way to take out the curb and guttering in that area without damaging the root system of the trees, or if that is not possible. Town Manager Sutherland stated that he did not think that was possible. He commented that the problem is once the Town takes out the curb and gutter, over digging will be required to be able to set a form in the area. He noted that the ditch will be made wider because a form will need to be set up to create the curb and gutter. Town Manager Sutherland explained that there are options and even in the paving schedule that is coming up on October 1, 2014, the only portions getting paved in that area are the travel lanes and not the parking lanes. He advised that it is not all getting paved this year because there is no curb to pave the road up to it. Town Manager Sutherland stated that paving would occur after the curb and gutter is constructed. He remarked that Appalachian Power Company, by franchise, has the right to remove foliage from anything that is obstructing their lines. He commented that they are, routinely, more than willing to take a tree to the ground because they do not have to deal with that tree later in later years. Ms. Pizinger commented that it is easy for them. Town Manager Sutherland stated that in regard to Ms. Pizinger’s three trees, they are going to prune them. He asked if there was any compulsion for AEP to cut the tree down. He stated that the answer is no. He advised that the trees will get trimmed and the reason that these trees were on the list to be cut is because, upon evaluation, it appeared that all four trees in front of the Pizinger’s property are diseased. Ms. Pizinger agreed that one tree is severely diseased and needs to be cut down, however, three have some disease but still have life. Town Manager Sutherland stated that is correct, and that was in the evaluation. Mayor Crewe interjected that this was a portion of the criteria that the Town Council used. Town Manager Sutherland stated that if it appears that all of them are diseased, then the question would be why not cut them all down. He commented that he understood Ms. Pizinger’s point of view. He indicated that this was the evolution of how the decision was made. Councilman Hundley inquired if Mr. Richert or Mr. Morris had any suggestions as to a possible compromise. Mayor Crewe noted that Mr. Richert or Mr. Morris can refuse to answer. Mayor Crewe reiterated that the Council is not placing the blame on the Tree Advisory Committee, and if the Council wishes to change the Town Council’s decision, however, the Council would be glad to hear their input and expertise. Mr. Wythe Morris stated that the essence of it is that it is not when as much as what the time schedule is. He noted that the topping of the trees can occur now and that will stop it for this year and this method will continue to work for the next few years, however, if the new curb and gutter project is performed there will be some, substantially, large pieces of the root system removed. Mr. Morris advised that this removal of the root system will probably put the tree in a more stressful condition than it is now. He noted that topping is a stressful condition, as well. He commented that this will be adding double stress to the trees. He stated that with this being said, if another couple of years of extreme heat during the summer or extreme cold during the winter continues, he honestly feels that it is only a matter of time before those trees die on their own. Ms. Pizinger commented that is exactly what she just stated, and this is her position on the trees. She reiterated that her request was to make some type of consideration where the Town did not have to dig into the roots with the curbing, along with some type of consideration that would allow those trees, even though they are topped, to not have to go through the trauma of
the root destruction. Ms. Pizinger expressed that this is her request. Town Manager Sutherland noted that if he understands correctly what are in the minutes of the Tree Advisory Committee, the minutes reflect that the "Trinkle Mansion has four Sycamore trees located in the front with significant rotting of the hardwood, and are underneath the power lines and makes these trees subject. These trees are not interfering with the curb." He commented that it sounds to him like the curb could be replaced without interfering with the trees. Mr. Morris stated that he feels there is enough strip located at the trees. Town Manager Sutherland continued to note that the minutes stated that "the heart is a major consideration." Mr. Morris stated that is correct. He noted that this is a result of topping the trees where you open up and create horizontal branching and not vertical. He commented this is when you create places that catch extra water. He noted that the water sits there, and the next thing is that soft rot has developed. Mr. Morris stated that the soft rot continues down into the trunk of the tree. He advised that, technically, these trees were not interfering with the curb. He commented that if the Council puts in curb and guttering, they may not for another 10 or 20 years, however, at some point and time, the end will come. He noted, however, the amount of new growth that can be achieved on a new tree, has to be considered. He stated that a new tree can be planted of a substantial size. Mr. Morris stated that it is merely a question. He noted that his property is full of trees and that he likes them, but if he sees issues with trees, sometime actions need to be taken. He stated that there are many factors that have to be taken into consideration. Ms. Pizinger stated that she felt they had. She noted that Mr. Morris commented that the trees may have 10, 20, or 30 years left, and asked if on a rotation basis over a planned period of time if the Town could replace one tree and allow it to add growth, and then replace another tree, and so on. Ms. Pizinger commented that it will not be such a stark, horrible change. Mr. Morris stated that if the Town wishes to postpone the curb and gutter project for 20 years, it is possible. Mayor Crewe stated that is the answer to accomplish what Ms. Pizinger is asking, the Town would have to not curb and gutter that portion of Main Street. Town Manager Sutherland advised Mr. Morris that this was the nature of his question because Mr. Morris stated that the trees were not interfering with the curb. He questioned if new curb and gutter could be poured in the area and would not impact these trees. Mr. Richert stated that the trees were inspected, again, the previous day and the trunk of the trees is between 18 to 23 inches at the existing curb and the root structure. He commented that when they state the tree is not interfering with the curb, that is to mean that it is not buckling the curb or currently causing any existing conflict. Mayor Crewe inquired if there are probably 8 inches behind that to put the form in. Town Manager Sutherland answered that this is hard to determine. Mayor Crewe inquired if it would require 8 inches to 12 inches. Town Manager Sutherland noted that it will not need to be this much space, but it would be a form with some stakes. Councilman Hundley inquired if these trees have a large root system. Mr. Richert stated that is correct. Mayor Crewe commented that this is another part of the issue. He noted that the Council is not receiving any information they have not had except the exact distance from the curb to these trees, but noted that the Council has considered this issue. Mayor Crewe stated that what the Council heard is that these are diseased trees that are not going to make it, and the trees were not interfering with the curb. He commented that the trees were definitely not going to make it once the Town put in curb and guttering. He noted that the Town was going ahead with the curb and guttering, and AEP was coming to top the trees and would take the trees down at no cost, and this is how the Council looked at this matter. Mayor Crewe stated that, again, and noted he is only speaking for himself, and the Council can speak for themselves, but the Town did not want to lose the trees, but the Council thought they were going to die anyway. He noted that, certainly, the Town would be hastening the death of the trees by putting in the curb and guttering. Mayor Crewe advised that the way he is hearing this, and noted the Council can decide what they want to do, but the only way not to hasten the death of these trees is to do something other than curb and guttering in this area. He commented that if the Council does not do the curb and guttering, they cannot pave the parking lanes. Mayor Crewe explained that the Council can pave as they were planning to in the travel lanes of the street, and he does not think this is an issue. He inquired if he is correct and noted that this would not affect anything, and the Council can pave the travel lanes. Town Manager Sutherland noted that is correct. He commented that to go from the travel lane to the curb, they either put in curb or guttering, and that these are options. Mr. Morris stated that he feels there are two options the Council has at this time. Town Manager Sutherland noted that is correct. Vice-Mayor King indicated that she is confused because she thought that with 21 or 23 inches, this would be from the curb and inquired if that is correct. Ms. Pizinger noted there are these inches from the tree trunk out to the beginning of the curb and are what they went out and measured tonight. Mr. Pizinger noted he has pictures to present. Mayor Crewe noted that Mr. Pizinger is next to speak and advised that he has pictures because he saw them. He stated that the measurements will help a little, but he does not think they will determine any of this. Mayor Crewe explained that if the Council puts in curb and guttering, what he understands the Tree Advisory Committee to have reported, and what he understands Mr. Morris to have just stated, is that installing curb and guttering will damage the trees no matter what the Town does. Vice-Mayor King stated she understands. Mayor Crewe stated that this is not addressing the root problems, the distance, etc. He commented that installing the curb and guttering harms these trees and hastens their death is the way he is taking it. Mayor Crewe stated that the question is if the Council hastens the death of the trees by installing the curb and guttering or not. He stated
that he thinks that is where the Council is unless he is missing something. He commented that he is open to any suggestions or comments that anyone may have. Ms. Pizinger stated that, pure and simple, she is asking for consideration to alter the plan for the curbing in front of her house to accommodate those three trees. Mayor Crewe stated that he would like to address that comment. He noted that altering the plan is possible. He noted, again, that this was an engineering decision that the Town Council has talked about. He declared that the Town cannot change the design of the curb because it changes where the water flows. Mayor Crewe noted, again, he is only speaking for himself, but the curb has to be a straight line and there cannot be any type of bumps as Ms. Pizinger was describing because of the way the water drains. He stated that if he is wrong somebody can correct him and all of this can be reexamined. Mayor Crewe remarked that he did not think a different placement of curb and guttering is possible because of the water issues. He stated that the question to him is if the Town does it now or later because if they have harmed the trees and then the Town does it later, they have expedited the shortened, but if the Town does not do it now, paving cannot occur because there is no curb to pave to. Mayor Crewe remarked how long will the Town delay this, and at what length the Town will delay the whole block or one section of the curb and guttering. He commented that there are options potentially there to discuss. He stated that, in his opinion, the Town either does it or does not do it, or delays doing it. He summarized that he thinks that is where they are. He noted there is a cost of having to delay it because, if the Town does not do it now, there will no longer be VDOT funds available, and it will be more expensive. Vice-Mayor King stated that Ms. Pizinger knows that putting curb and guttering in and keeping it in a straight line could damage some of the roots of those trees. She asked if Ms. Pizinger is willing to accept the fact that by taking some of the roots off, it may damage the trees. Vice-Mayor King inquired if she was asking this correctly. Ms. Pizinger stated that she is willing to take the risk of putting in the curb and gutter and leaving the trees and their root system. Mayor Crewe stated that he does not feel that Ms. Pizinger can take that risk because the trees are on Town property and it is not Mr. Pizinger’s risk. He advised that he would defer it to the Town Attorney, but if the Town owns the trees, the Town takes the risk. Town Attorney Kaase stated that is correct. Ms. Pizinger stated the only other question she has, at this point, is it was stated it would cause a drainage issue, and she understands that it would. She inquired if there can be some type of consideration given to some type of rain gardens, etc., that would somewhat help that situation. Mayor Crewe stated that he would answer that, and, noted that, again, the Town Council members can speak, and this has been considered. He noted what he thinks Ms. Pizinger is talking about is referred to as the passive water retention systems, and it is a permeated surface. He remarked that the Town has done this in other places, and it does not work at this location because of the volume of water coming down the curb and the roots on the tree. Mayor Crewe stated that his recollection when Town staff looked at this was there was no passive water retention system that works in this particular location. Ms. Pizinger noted that she would end her comments by stating that she has heard everything the Town Council has had to state and she is really saddened and disheartened by it all, but she is still going to ask the Town Council to please consider doing anything they can to save those trees and any other trees that can be saved. She reiterated that this is her request. Mayor Crewe thanked Ms. Pizinger and apologized for interrupting her and taking a portion of her time, but he was trying to give her information. Ms. Pizinger stated that she appreciated the Council. Mayor Crewe remarked that everyone is in this together and no one is operating at cross purposes. Councilman Hundley inquired if Ms. Pizinger answered Vice-Mayor King’s question. Mayor Crewe noted that he answered by stating that Ms. Pizinger cannot undertake the risk. Councilman Hundley asked if Ms. Pizinger had an opinion on that because, obviously, she cannot make the decision, but does she have an opinion on what Vice-Mayor King offered as a potential solution. Ms. Pizinger stated that her opinion is if the trees can live two or three more years, and then take out one tree and put in a new one and give it time to grow, and then when the other trees are really diseased and showing severe sickness take them out, this would by them a little time. Vice-Mayor King inquired of Ms. Pizinger if she is talking about taking one tree out now. Ms. Pizinger stated she is referring to taking one tree out and replanting the tree when the time comes, this would be her opinion. Councilman Hundley noted Vice-Mayor King’s desire. Councilman Hundley told Ms. Pizinger that she is only speaking for herself, and he stated if he was wrong for Vice-Mayor King to tell him so, that the Town proceed with the project, leave the trees standing, and then see the results thereafter. Ms. Pizinger stated that she would love for that to happen. Vice-Mayor King declared that some of the roots from the trees would have to go. Ms. Pizinger stated that she knew some of the roots would have to go and it will cause stress on the tree. She reiterated that she gets all of that. She commented, however, if the Town could do that, she would even agree to cutting one of the trees and planting a new one so it could gather some growth before the other ones get to the point that they have to come out. She exclaimed that she would love for that to happen. Ms. Pizinger asked the Council to do anything that could save some of the mature trees, not just her trees, but any of the mature trees in the town. She told the Council members anything that they would consider to do, she would appreciate. Ms. Pizinger stated this was her heartfelt request to the Town Council. Mayor Crewe thanked Ms. Pizinger for taking the time to speak with Council. He stated that he was sure that it was difficult. Councilman Hunley inquired of Mr. Morris and Mr. Richert regarding the trees that will be replacing the existing trees as to what is the average
growth of those trees per year. Mr. Morris stated that it depended on the size of the trees when they were planted. He commented that the type of tree that would be considered would have a two to three inch in diameter trunk, or maybe even larger. He noted that, possibly, if the Town used large equipment, the trees could even be larger than two to three inches in diameter. He commented that it would take a big piece of equipment to put in a ten inch tree. Mr. Morris reported that on average, a tree will get two to three feet of growth each year. Councilman Hunley stated that was his question of how fast a tree would grow. Mr. Morris advised that once the Tree Advisory Committee received an engineering plan, they would really look at this and give recommendations for trees that regular topping would not have to be done and that would not interfere with the power lines. He commented that the Committee would like to use the knowledge and skills that they have acquired over the years rather than making the same mistake over. Councilman Hunley thanked Mr. Morris for his comments. Mr. Morris noted that years ago, there were American Elms being planted. However, now there is only one single American Elm tree because of disease. He stated that what the Town has now, and he noted he stated this in the Tree Committee meeting, is that the Town has a third generation of downtown trees. He noted that it is a transition time which can be stressful, however, everyone needs to look toward the future. He advised that everyone wants to have things for their children and they do not want these things hanging around, and the citizens should see new things coming on. Councilman Hundley and Mayor Crewe thanked Mr. Morris for his comments.

Mr. Bernie Pizinger was recognized and stated that he lived at 525 West Main Street with his wife, Patti Pizinger. He noted that, basically, what he was going to read has been covered. He advised it was discussed how much stress the tree was caused by topping them, however, these trees in question had been topped three times since they had lived at the residence. Mr. Pizinger stated that a “V” is cut in the tree so it goes around the power lines and the trees seem to survive. He commented that this was not a new thing that would be done for the first time to these trees. He reiterated that this process has been done numerous times. Mayor Crewe commented that there cannot be an oddball block. He noted that the block has to all be parallel parking, however, it was changed to angle parking approximately 10 years ago. Mr. Pizinger exclaimed that the parking in front of the church is parallel parking. Vice-Mayor King commented there is not parallel parking in front of the church and that it is angle parking. Mr. Pizinger stated that if there are any cars in front of their house, they are mainly there to go across the street to get their oxygen tanks refilled. He stated that he would understand and not interfere with the power lines. He commented that they had to save the root of their trees. Mayor Crewe stated that he thinks the angled parking goes to the end of the block and that he does not think it goes past Tenth Street, if he remembers correctly. Vice-Mayor King remarked that angle parking does go in front of Petunia Christian Church. Mayor Crewe exclaimed there cannot be an oddball block. He noted that the block has to all be the same way. He remarked that Council reviewed and discussed the block and did not think parallel parking would work. Mr. Pizinger commented that he understands what Mayor Crewe is stating. He reiterated that across the street, parking is not utilized very often either, and inquired why could the Town not make that one block parallel parking. Mayor Crewe reiterated that the Town has one block parking on one side and another block parking on the other side. Mr. Pizinger inquired of Mayor Crewe why it is not allowed. Mayor Crewe stated it is not allowed because Main Street is a Route 11 Virginia Highway. Councilman Lambert inquired of Mayor Crewe if the Town has definitive ruling on this from anybody. Mayor Crewe explained that the Town has received this ruling in years past, and noted that the Council has discussed the issue. Mr. Pizinger exclaimed that the parking in front of the church is parallel parking. Vice-Mayor King commented there is not parallel parking in front of the church and that it is angle parking. She stated that she parks there every Sunday. Mayor Crewe stated that he thinks the reason Mr. Pizinger is thinking it is parallel parking is because when there is a funeral held there, the funeral directors will park those in attendance parallel. Vice-Mayor King commented that it used to be parallel parking, however, it was changed to angle parking approximately 10 years ago. Mayor Crewe noted that the answer to Mr. Pizinger’s inquiry is that Council did consider this, but came up with a different answer. He remarked that Council will reexamine the issue because they are at liberty to do what they so choose to do, however, VDOT has to approve changing the street signs and the parking because Main Street is Route 11, which is a Virginia Highway.
Mayor Crewe commented that there are different constraints on different streets but Route 11 has certain constraints on it, however, the Town Council will reexamine it. He noted that Council has studied the street, and he stated that for everything Mr. Pizinger is stating the Council has considered and debated on. Mayor Crewe remarked that Council has requested the opinions of the tree experts. He advised that what disturbs him about this situation is that the Town has been considering and debating the tree removal for at least three years, but probably longer than that, and it has been done very loudly and publically. Mayor Crewe stated that the Town has not heard anything until the chainsaws arrived. He remarked that he does not understand this. Mayor Crewe noted that Town staff mailed letters at the eleventh hour because the Town was waiting on AEP and Asplundh’s timing to mail the letters. He commented, however, all of the things being discussed at this meeting have been under examination by the Town, as loudly and as long as the Town knows how to do. Mayor Crewe advised that Mr. Pizinger and the other citizens that have not already been dismissed by the Town would they go the extra mile to see what could be done to save the trees in front of their house. Mr. Pizinger stated that would be all the comments that he would like to make. Mayor Crewe thanked Mr. Pizinger for attending the meeting.

Mayor Crewe noted that the sign-in sheet first indicated that Ms. Bobbi Dirks wished to speak, however, it was scratched out. He noted that the Council would be happy to hear from Ms. Dirks, if she would like to speak. Ms. Dirks indicated that she would like to speak. Mayor Crewe thanked Ms. Dirks for attending the meeting. Ms. Dirks stated that she lives at 660 West Washington Street. She noted that she would like to make a couple of suggestions. She suggested that, possibly, a blast email could be sent to citizens with the minutes of Town Council meetings contained in the email. She advised that she did not get the Wytheville Enterprise nor did she read the Wytheville Enterprise. She commented that she was not aware of this project, and she is sure that she is not the only one. Ms. Dirks stated that her other suggestion is that any town or city that she has visited has cable TV at the Town Council meetings and the meetings are televised. She noted, therefore, the citizens could see what is going on and not have to attend the meeting. Ms. Dirks stated that these are suggestions that could rectify the problem in the beginning before things get out of hand. Mayor Crewe stated that he would answer both of those suggestions because neither suggestion is possible. He commented that a discussion is held with Shentel Cable every time renewal is complete. Mayor Crewe noted that Shentel Cable will not offer the Town local coverage, plus, he is not 100 percent sure that the Town Council would accept it, if it was offered. He reiterated, however, it is not a possibility in this franchise. He reiterated that Shentel would not/could not do it, and it is not an option. Mayor Crewe stated in regard to a blast email, right now, there is no mechanism for the Town to do that. He advised that there is no computer program that the Town has or that he has even heard of, because this has been researched in connection with 911 and several other areas that Wythe County has now incorporated. Mayor Crewe stated Town Council has no way of sending a blast email. He noted the best the Town can do for now is to have citizens sign up for the alert system called Nixle to receive notifications regarding Town Council actions. Mayor Crewe stated the Town would then have the proper information on file and the ability to send an email over the Nixle network. He advised that even this is not a blast system, and it has been done very loudly and publically. Mayor Crewe stated that the Town Council really studying this project, and his question to Town Council is if the members lived where he did, would they go the extra mile to see what could be done to save the trees in front of their house. Mayor Crewe commented that a discussion is held with Shentel Cable every time renewal is complete. Mayor Crewe noted that Council did not do this precipitately or quickly. Mayor Crewe advised that the Council felt that this was a major change to the town. Mr. Pizinger reiterated that he was no expert on this, however, he and his wife did not realize that when they replaced the curbing that it could probably damage the tree. He reiterated that he and his wife did not know that. He advised that his thinking is, and he hears what Mayor Crewe is stating about the Town Council really studying this project, and his question to Town Council is if the members lived where he did, would they go the extra mile to see what could be done to save the trees in front of their house. Mr. Pizinger stated that would be all the comments that he would like to make. Mayor Crewe thanked Mr. Pizinger for attending the meeting.

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Mayor Crewe remarked because AEP will not do so for less than $1 million dollars. Ms. Dirks stated that it is to AEP's benefit to do so. Mayor Crewe noted that the Town tried to argue that, because the Town examined Fourth Street when the Town was relighting and improving that street. He explained that the Town inquired of AEP regarding having the lines buried. Mayor Crewe commented that his recollection is, and noted he will stand corrected if he is wrong, that it was going to be more than $1 million dollars, of the Town's money to have the lines buried. He remarked that AEP did not care and was happy to have the lines aboveground. Ms. Dirks stated that is sad to hear because it would save AEP money in the long run. Ms. Dirks thanked the Town Council. Mayor Crewe thanked Ms. Dirks for attending the meeting and addressing Council.

Mayor Crewe advised that Ms. Toni Reece had noted that she wished to address the Town Council. Ms. Reece declined to address the Council. Mayor Crewe thanked Ms. Reece for attending.

Mayor Crewe advised that the next person listed to speak is Ms. Susie Richert. Ms. Susie Richert was recognized and stated that she lives at 270 Echo Valley Road in Wytheville. She noted that as everyone is aware, her parents own the Trinkle Mansion Bed and Breakfast. Ms. Richert commented that she is speaking on behalf of the trees in front of their property, but, also, on behalf of the entire planning process and all of the trees in the town. She remarked there is some new information that she has heard, at this meeting, regarding things such as the bump outs, engineering items like parallel parking, and different designs that would not result in a construction method that would severely damage the roots of the trees to the point that the proposed curb and gutter project would result in the loss of the trees because of their death. Ms. Richert inquired of the Council if there are other designs or other things that can be done in that area in order to save the trees in front of the Trinkle Mansion, and potentially some other trees in the area. She stated if other designs, etc. have been discussed, then she would like to know where it is documented or where those discussions can be found. Ms. Richert commented that part of her job as an environmental scientist includes Federal projects that are put out for review. She remarked that she sees these type of projects a lot where there are storm water mitigation plans, etc. Ms. Richert commented that she is not an expert, and noted that she is not an engineer either, but she does see there are different methods and innovative designs such as the permeable soils and different things that could at least be evaluated. She remarked that maybe they have been evaluated, but that she is not aware that they were evaluated. Ms. Richert stated that, again, maybe this is part of a public planning process that she would have liked to have seen the public involved a little more. She advised that it would be nice for Council to have the public's opinions, and noted that would have been something that she would have researched more and inquired of the Council if there were other methods. Ms. Richert commented that, at that point, Council could have presented an engineering study where parallel parking, storm water, and different design alternatives were researched, instead of straight curb and gutter. She noted then Council could have advised that because of different reasons, those are not feasible, and, therefore, the Council has made this decision based on all of that information. Ms. Richert remarked that from her perspective, all she has seen is that a notice has gone out, the trees are starting to be cut, and that there is a curb and gutter project proposed. She explained that she did not know the history of what has been evaluated, therefore, that is why she wanted to come to this meeting to ask if there could be this stay for an evaluation of different alternatives of methods so the trees can be saved. Mayor Crewe stated that he would try to answer Ms. Richert's remarks. He noted that he is glad citizens attended this meeting, and that he is sorry this is the first time they have attended a Council meeting regarding this matter. Mayor Crewe commented that as he noted before, Council has tried to be very loud and vocal about this process, and he understands citizens do not want to get involved until the guy with the chainsaw shows up to cut down the tree in front of their property. He remarked that is a fact of life, but it is a fact of life the Town has to deal with, too. Mayor Crewe stated, in the other part is, and noted he would stand corrected by Council or staff if he is wrong, the Town has not advertised for requests for proposals to have an engineering study performed. He noted that is too expensive and too time consuming for what the Town has been doing. Mayor Crewe commented that Council has reviewed the situation with the Town's professional staff and VDOT as to what can be accomplished. He explained that Council did consider alternatives, but did not have a formal diagram or engineering schematic. Mayor Crewe remarked the Town did not go that far. He reiterated that he is glad the citizens are attending this meeting, and, if there is any suggestion from any quarter, Council will take it and evaluate it. Mayor Crewe stated that Council had reviewed the items they knew how to review, inquired of professionals to review the project, and that is how Council came to this conclusion. He inquired if Council could change their decision regarding the tree project. Mayor Crewe noted that is correct. He stated that he is not sure Council will change their conclusion. Mayor Crewe commented that he will know the answer to that soon because he suspects there will be a discussion regarding the issue. He remarked that he cannot show the citizens a schematic that "XYZ Engineering Company" stated will/will not work in the Town of Wytheville. Mayor Crewe
stated that he will let the citizens know that Council has asked staff and other professional engineers what would work best because the problem at that location is it is downhill and the water is going in a certain direction. Ms. Richert stated that she does understand what Mayor Crewe is explaining but that there are things she has in her mind, and noted that she is not an engineer, and her ideas will not work because of various reasons, but that she would like to be told that. Mayor Crewe commented that he would be glad to know what they are, but that he will not know until there is a discussion held by the Council. He noted that he is unsure of the time Council has to make a decision. Mayor Crewe reiterated that to him the issue is what other alternatives are there that have not already been considered, if Council reconsiders something that has already been discussed, and how long Council has to make that decision with AEP’s timeline. Ms. Richert stated that she understands that it is late in this process, but noted that it is, also, where it would have been good for the Town to give citizens notice that this was a potential that would have been good for citizens, who are being affected, to receive notification of the project. Mayor Crewe explained that the Town has already notified citizens, in the past, regarding this topic. He stated the Town did so through the Downtown Committee because a lot of the property owners are located in that location, and noted that he knows Mr. and Mrs. Pizinger are located in the downtown area. Mayor Crewe commented that the Town has notified property owners through several discussions on the radio shows where different staff and Council members have been interviewed. He noted that when the Town was installing the 20” waterline on Main Street, two years ago, the Town notified the citizens that curb and guttering was going to be installed, and that the trees would have to be removed. He noted that the citizens did not hear it. He advised that the minutes of the Tree Advisory Committee had been included in the Town Council’s reports. He commented that it is all on the Town’s website, however, a person has to look for it. Mayor Crewe advised that the Town tried to report everything in a very timely fashion. He understands that citizens did not get the message the Town was sending, but the Town was sending it. Mayor Crewe stated that he is unsure how the Town could do any better. He noted that the Town can certainly investigate ways to do this. Ms. Richert noted that she understands this. Mayor Crewe noted that every meeting the Town Council has is a public meeting. He commented that there are no closed sessions. He noted that if there is reason that would allow for a closed session, the Town Council can have one, however, it has been several years since the Town Council has had a closed session. Mayor Crewe stated that as most people may be aware, it is listed on the Town’s website that the Council holds Work Sessions on Tuesday mornings at 7:00 a.m., and, of course, the Town Council meets on every 2nd and 4th Monday of each month at 7:00 p.m. He reiterated that everything is open to the public. Vice-Mayor King noted that she is aware that a lot of people do not listen to WYVE, however, all they would have to do is listen at 7:00 a.m. each morning to Mr. Gordon because he updates the community on all of what is taking place. She commented also that citizens could read the Wytheville Enterprise. She noted that Mr. Quesenberry always writes up the Town Council’s meetings. She advised that these are the town’s local forms of communication, and if citizens do not listen to the radio or read the newspaper, the Town Council is made to blame for citizens not being aware of what is going on. Ms. Richert noted that she does read the Wytheville Enterprise, however, she did remember seeing that the curb and gutter was moving forward and that has no contention with this project. She stated that she did not realize that because curb and gutter was moving forward all of the trees were going to be removed. Vice-Mayor King commented that she believes that it has been in the paper several times. Ms. Richert inquired if the newspaper reported that all of the trees were going to be cut down. Vice-Mayor King stated she was sure it was reported. Mayor Crewe advised that he was not sure it stated exactly which trees. Ms. Richert inquired why the Town Council would go to the Tree Committee to ask. Vice-Mayor King interjected that this is where the evaluation came from. Mayor Crewe noted that Town Council asked the Tree Committee to evaluate the trees. Ms. Richert inquired about what had been published since the Tree Committee’s August 14, 2014, meeting. Vice-Mayor King stated that the Tree Committee has been formed for a long time. Mayor Crewe noted that it had been meeting since 2012. Ms. Richert asked if this was when the Tree Committee was asked if the trees needed to be cut down. Mayor Crewe noted not at that time. Mr. Quesenberry stated that at the meeting on August 14, 2014, is when the Tree Committee considered it. Ms. Richert stated that it is her understanding, and noted she may be speaking out of turn because her husband serves on the Tree Committee, that the Tree Committee has recommended that, at some point, all of the trees on Main Street do need to be cut down for various reasons. Mayor Crewe advised that he is not sure if it will be every single tree on Main Street, but the ones that will be replaced with a different species that do not cause a problem. Ms. Richert stated that she knew about this. She stated what bothered her the most was the fact that when the curb and gutter project came to the point that it would be moving forward, the Council went to the Tree Advisory Committee and inquired of them what will happen to the trees. Ms. Richert commented then the Tree Advisory Committee explained to the Town that if they commit to the curb and gutter project, it will kill the trees, therefore, the trees will need to be removed because it is clearly a liability issue. She noted that she does not think anybody argues with that, and that is correct the trees do need to be removed if the Town continues with the project. Ms. Richert remarked that, at that point, when the Town knew the trees were going to have to be removed, she stated that she never
saw any notification regarding that. She commented that she reads the newspaper and listens to Danny Gordon on WYVE-AM, and noted that she does not listen every morning to the radio, but many mornings. Ms. Richert reiterated that she does not recall hearing anything that stated the Town would be moving forward with the project, and the Town will be cutting all the trees down. She noted that it just did not seem, to her, like there was public input, but noted that she could be wrong. Mayor Crewe commented that he wanted to answer by stating there was very little public input and that there has been lots of discussions with the Downtown Wytheville Committee because they have known that the trees in front of their businesses are coming down and noted that he knows Mr. and Mrs. Pizinger have been involved in some of that. He stated that as to notifying a property owner that their particular front door tree is going to be removed, this did not happen until last week when the Town received the “go ahead” from AEP. He commented that the timeline has been that Main Street is going under construction and that the trees would be removed. Mayor Crewe noted that he does not think the Council assumed that every tree is going to be removed. He noted there are one or two exceptions, but there are very few exceptions, therefore, the Town did not state to the property owners that each tree would be removed, but the letter just noted that all trees would be removed in the designated area. Mayor Crewe reiterated that the Town has been making this known for a while. He stated that he thinks the inquiry Council had of the Tree Advisory Committee was if the curb and guttering is installed, what effect does this have on the trees, and, what options are there to go back and look again. Ms. Richert remarked that to expand on her thoughts is that she does understand that it is the Tree Advisory Committee’s professional opinion that all of the trees, at some point, do need to come down, however, if the Town did not construct curb and gutter, she does not think the Tree Advisory Committee, and noted that she hopes she is not speaking out of turn, would have advised the Town to remove all of the trees immediately at one time. Mayor Crewe expressed that he thinks she is correct, however, Ms. Richert is missing another point, and that point is that the curb and guttering project is, in a large part, being driven by the paving, and the paving is being driven by the grant cycle at VDOT, which is now or never at 50 percent. He noted that VDOT has never offered that percentage before. Mayor Crewe commented that is why when Council reports on the paving schedule during the Public Works Committee Report, everyone will see that the two projects are connected. He advised that this is the recommendation and the early plans the Council has made so far, and inquired of the Council to correct him if he is incorrect, but this is the biggest paving schedule the Town of Wytheville has ever completed in history. Mayor Crewe reiterated that the reasons for that is because of the grant from VDOT. He stated that if the Town does not complete the paving project with the VDOT grant, there will be an increase in the cost for the Town to pave Main Street in the future. Mayor Crewe advised that he thinks that is where the Council’s discussion needs to be and that is what the cost of delaying the project would be. Ms. Richert expressed to the Council that does help her understand the timing of the project, but that she still is requesting a delay. She reiterated that, again, she understands it is late in the process, and that she knows what it takes to get an engineer to review the project area and then to figure out a different design. Mayor Crewe commented that it is not quick. Ms. Richert remarked that is correct, and noted that it is not inexpensive. She reiterated that she is aware of that, but being who she is, she would still request that either parallel parking or some other design method could be explored. Ms. Richert commented that maybe that would result in the same outcome, but she is not sure. Mayor Crewe thanked Ms. Richert for speaking. Ms. Richert stated that she did want to go on the record noting that she does not have an issue with the way the Town communicates because she thinks the newspaper and WYVE-AM are fine. She noted that she does subscribe to the newspaper and listens to WYVE-AM. Mayor Crewe noted that the Town does try to communicate with the citizens.

Mayor Crewe advised that the sign-in sheets do not indicate that anyone else wished to address the Council, however, if there are others who wish to speak, the Council would be glad to hear from them.

Mr. Mark Bloomfield was recognized and stated that he lives at 205 Cove Hills Drive in Wytheville. He commented that he may be under the wrong impression, but when significant decisions are about to be made with the town, he is always looking for notices of public hearings in the newspaper. Mr. Bloomfield explained that he does not listen to the radio, and noted he means no offense to Mr. Gordon. He inquired of the Council if he is mistaken by stating that the newspaper and radio are the typical way the Town communicates “serious” issues to the public. Mayor Crewe stated that he would answer Mr. Bloomfield’s inquiry by noting that is not correct with the exception that it depends on how a person would define a “serious” issue. He advised that the Town has processes that require public hearings. Mayor Crewe stated that, for example, zoning changes, ordinance changes, etc., but this process does not require a public hearing. He noted that this is a very serious issue, however, a public hearing is not required for this in the Town’s process. Mr. Bloomfield remarked that he would have to change his way of looking at this process. He advised that he researched the members of the Town Council earlier in the day. He noted that Mayor Crewe has served on Council for 30 years, Vice-Mayor King has served for 22 years, and that some of the other members have served 10 or more years,
ated that if Council thinks that the Town “has not communicated with the citizens.” Mayor Crewe advised that he thinks it is the citizens’ fault they did not find out because the information was sent out. Mr. Bloomfield stated that he agrees. Mayor Crewe commented that he would like to close that communication gap. Mr. Bloomfield noted that he does not think he does not think that he does not think that he does not think that people can stand in front of the trees at the Trinkle Mansion. He explained that what he means is that people can take the Town to court if they want to. Mayor Crewe noted that he thinks that is where the Town started was to cut down as few trees as possible, but that is, generally, where the Town starts and that is to cut down as few trees as possible. He reiterated that the Town does not remove a tree unless it is required. Mr. Bloomfield stated that people are always getting older and when a person gets sick, nobody is going to cut that person down. He remarked that he is not trying to be obnoxious, but that he thinks Council can stop the project if they want to. Mr. Bloomfield remarked that if Council denies the project again, then really they did not want to stop it to begin with. He stated that they really did not want to stop it to begin with. He stated that they really did not want to stop it to begin with. He stated that they really did not want to stop it to begin with. He stated that they really did not want to stop it to begin with.

He noted that he feels like Council should do what they have to do with the curb and gutter project on Main Street and see what happens with the trees. Mr. Bloomfield commented that experts have said that the life of the trees is going to be shortened. He inquired of the Council what that means, and he noted that nobody knows what that means. Mr. Bloomfield stated that one fourth of those roots could be removed and maybe nothing would happen, other than the fact that a few limbs from the street trees would eventually have to be trimmed back by the Town or AEP. He commented that he does not think the Town should just remove the trees because something “might” happen to them 10-30 years from now. Mr. Bloomfield noted that he thinks the Council has the ability to change their minds on that aspect. He inquired of Mayor Crewe if he understood him to state that AEP has the right to come in and remove any tree they would like. Mayor Crewe advised that he would answer that inquiry two ways. He noted that is correct and AEP does have the right to remove a tree, but they will normally remove the top of a tree to a sufficient distance between the power line and the tree that serves their purposes. Mayor Crewe commented that AEP might not completely remove the tree, however, they will remove the top of the tree. He reiterated that AEP does have the right to remove any tree that is underneath their power line. Mr. Bloomfield inquired of Mayor Crewe as to what can be done about that because that is not right. Mayor Crewe stated there is nothing anyone can do about that because that is State law and within their franchise fees, and the State Corporation Commission has granted them that authority. Mr. Bloomfield inquired of the Council, since there is going to be a beautification afterwards, if all of the tree stumps will be removed. Mayor Crewe stated that is correct. He noted that again he will defer to staff, but that some of the stumps may not be able to be removed and it depends on where a tree has to be replaced. Town Manager Sutherland stated that the stumps need to be removed. Mayor Crewe commented that if Mr. Bloomfield would like an example then he could take a look at the Town Municipal Building parking lot. He noted that Town staff removed the trees and stumps from the parking lot, and then replanted trees. Mr. Bloomfield remarked that the only other thing that he would like to comment regarding this is that Town Council can stop this project. He noted that Mayor Crewe stated that Council is not sure if the Town can stop the project quickly enough. Mr. Bloomfield expressed that he is sure there are enough people on Facebook and in this town that can stop this project. Mayor Crewe remarked that he is not trying to be obnoxious, but rather what can they do to save the trees. Mayor Crewe advised that he is not trying to be obnoxious, but rather what can they do to save the trees. Mayor Crewe thanked the Council for allowing him to address them. Mayor Crewe thanked Mr. Bloomfield for speaking.

Mayor Crewe inquired if anyone else wished to address the Council regarding the trees. Ms. Becky Absher was recognized and stated that she lives on Fairway Lane in Wytheville. She noted that her residence is not located near the Trinkle Mansion. Ms. Absher remarked that she has sat at this meeting and listened to all sides. She noted that she appreciates all sides
because this is not her first time attending a Town Council meeting, therefore, she knows how difficult it is for everyone involved because the Council cannot please everybody. Ms. Absher commented that she would like to do something different at this meeting, and that is to concentrate on something positive. She inquired why not just say the trees are gone. Ms. Absher inquired as to how concerned are the citizens of the aesthetics of the downtown area, in general. She stated that, sadly, recently, her church has been through a tiny project and she has watched that generally, some people do not notice anything. Ms. Absher expressed that she truly believes that the average person does not pay that much attention to the aesthetics of an area. She noted that she and her husband are both tree lovers. Ms. Absher remarked to Mr. Bloomfield that he is right, the citizens of Wytheville do take it for granted, and noted its safety, cleanliness, etc. She commented that she would like to concentrate, now, and state if all of the trees are removed because of what she has heard at this meeting, it is because it is financially prudent. Ms. Absher stated that what citizens need to think about is what if the Town removes the trees and then continues with the curb and gutter project, and then the trees die. She inquired then who is going to pay to have the dead trees removed. She stated that she realizes that this is another expense. She inquired about the plans and what the Town Council’s focus was on aesthetically for improving the downtown. Ms. Absher inquired that instead of coming in and paving, what is the long term plan. She commented that if a person were to see a doctor about his/her heart, this doctor would concentrate on one thing, the heart, and not the liver per se. She asked if the Town was concentrating on just paving and not worrying about what will take place in the downtown. Mayor Crewe stated that the Council is of the opinion that they are taking in the entire picture. Ms. Absher noted that the entire picture will be the beautification project. Mayor Crewe stated that is correct. He noted that is why the Town Council is discussing what kind of trees to replant so these would not have to be cut down 50 years from now, and not doing the heart of the downtown until the repairs to the infrastructure are made. He noted that the traffic lanes will be paved where they are in such a bad state of repair now, therefore, the traffic will be improved. Mayor Crewe advised that the parking area will not be disturbed until the digging is complete. He reiterated that the Town’s goal is, basically, not to pave and then have to dig it up. He noted that in going from 4th Street to 12th Street, and out from the interstate to 5th Street, everything would be paved the parking and travel lanes. Ms. Absher inquired of Mayor Crewe regarding the $700,000 grant funding and if it is to only be used toward paving. She asked if this was a separate grant. Mayor Crewe stated that is correct and the $700,000 grant was separate from the paving grant. He noted that the $850,000 Virginia Department of Transportation grant is for paving, however, both need to be handled together. Ms. Absher noted that she does feel sorry for Mr. and Mrs. Pizinger for the possibility of losing the trees. She commented that she wished they did not have to be cut down, but she stated that she hopes that the focus, in the future, is on the aesthetics. She remarked that, hopefully, by beautifying the downtown, the loss of some trees will not be as obvious as being so utilitarian about it. Ms. Absher thanked the Town Council for letting her speak. Mayor Crewe thanked Ms. Absher for attending the meeting.

Mr. David Richert stated that he would like to summarize that the request is if any time could be bought. He noted that if, possibly, Mr. and Mrs. Pizinger could start, today, for example, with planting a couple of new trees, perhaps on their own private property on the other side of the sidewalk. Mr. Richert commented that based on the information he obtained in the meeting regarding the stormwater and the engineering, a tree could be allowed to grow as quickly as possible. Mr. Richert stated he hoped that with the remaining trees, they could be allowed to grow while they take their chances with the project. Mayor Crewe thanked Mr. Richert for addressing the Council.

Mr. Mark Harmon noted that he lived at 920 West Spiller Street. He stated that it is pretty clear to leave Ms. Pizinger’s trees alone and if they die, they die, but just do not cut them down. He noted that, secondly, if the Town has a $700,000 grant funding, the electric service needs to be buried all the way down Main Street. He commented that he buried the electric service on his property and did not have to worry about it today or tomorrow. Mr. Harmon noted that he does not have to worry about anyone coming in and trimming his trees or anything else. He stated that he planned ahead. He commented that if the Town is going to fix Main Street, it should be done right the first time, therefore, not a lot of money nor time is wasted by having to go back and dig it up again. Mr. Harmon noted that Main Street is a mess and that it looks very bad and has looked bad for a long time. He advised that the Town Council has the opportunity to do something with it. He stated that he encourages the Town Council to take the grant funding and spend it wisely and make Main Street look like a Main Street again. He noted that is all he wanted to tell the Council. Mayor Crewe thanked Mr. Harmon for his comments. He stated that he would like to make Mr. Harmon aware that the grant funding cannot be used for burying utilities. He noted that the grants are very specific in what they can be used for. He remarked that the one grant for downtown improvements can be used for façade improvements, infrastructure, and drainage, but not burying existing utilities. Mayor Crewe stated that the Virginia Department of Transportation’s grant funds may only be used for paving. Mr. Harmon commented that he is in various areas throughout town, but tonight was the first he had heard
anything regarding the removal of the trees. He noted they are not his trees, but he stated that the Town should leave the trees alone. Mayor Crewe reiterated that the trees in front of Mr. and Mrs. Pizinger are not their trees, and they belong to the Town. He commented that right now they are stressed and diseased. Mr. Harmon reiterated that they are not dead. Mayor Crewe commented that they are not dead, but they are diseased. He stated if a limb falls from the trees and hits a car, then the Town is responsible. Mayor Crewe inquired of Mr. Harmon if he is willing to pay for this expense as a taxpayer. Mr. Harmon noted that he pays for everything as a taxpayer. Mayor Crewe inquired if he is willing to pay for that liability as a taxpayer. He noted that the Town can avoid that liability by taking down the tree for free. Vice-Mayor King noted that she had previously explained to Ms. Pizinger about a tree that fell on a car at another residence. She commented that the car looked like it had been in a crash. Mr. Harmon noted that if the Council removes the trees, they remove the town's personality. Mayor Crewe stated this is the first time Mr. Harmon has had the discussion. The Town Council has had the discussion and he understands Mr. Harmon's concern. He advised that he appreciated Mr. Harmon coming and sharing his thoughts regarding the trees. He noted that he hopes that people will come to every Town Council meeting that is held because the Council members would be happy to listen to anybody. He commented that Citizen's Period is on every agenda for anytime anyone wishes to come and address the Council about anything. Mayor Crewe noted the Council is happy to hear anyone's comments and, hopefully, respond. He advised that people should not be blindsided by stating that it is great to save a pretty tree, but if the Town does not cut it down, the Town will have to pay to have the tree removed, and it is free now. He noted, also, depending on what the Town has to do with the curbing and paving, if it is delayed, this expense may increase within the next year or 10 years. He reiterated that if the tree is not cut down and a tree limb falls and someone is hurt or property is damaged, the Town will, probably, end up paying the expense associated with this because the Town knew the tree was not healthy to begin with. Mayor Crewe advised that all of these things have to be factored in. He noted that the trees could be trimmed, however, they cannot be trimmed in such a way to extend their life expectancy or to beautify them. He advised that the Town Council plans to replace them. Ms. Bishop commented that the trees are the Christmas lights hang in. Mayor Crewe stated that they would be cut down, as well. Ms. Bishop asked why the Town planted these trees all those years ago. Mayor Crewe noted that the trees have not withstood the winter ice storms like they should have. Ms. Bishop inquired if the trees can be trimmed. Mayor Crewe stated that the trees could be trimmed, however, they cannot be trimmed in such a way to extend their life expectancy or to beautify them. He advised that the Town Council plans to replace them. Ms. Bishop commented that if a vote was taken years ago, she does not see why it has to be undone now, and noted that she thinks it is a waste of the Town's money. Mayor Crewe thanked Ms. Bishop for attending the Council meeting.

Ms. Maggie Bishop stated that she had received some incorrect information regarding some of the trees, therefore, she wanted to inquire of the Town Council. She asked if the trees on Main Street that were so diligently planted several years ago will be cut down also. She noted those are the trees that the Christmas lights hang in. Mayor Crewe stated that they would be cut down, as well. Ms. Bishop asked why the Town planted these trees all those years ago. Mayor Crewe noted that the trees have not withstood the winter ice storms like they should have. Ms. Bishop inquired if the trees can be trimmed. Mayor Crewe stated that the trees could be trimmed, however, they cannot be trimmed in such a way to extend their life expectancy or to beautify them. He advised that the Town Council plans to replace them. Ms. Bishop commented that when a vote was taken years ago, she does not see why it has to be undone now, and noted that she thinks it is a waste of the Town’s money. Mayor Crewe thanked Ms. Bishop for speaking.

Mr. Pizinger was recognized and stated that if Mayor Crewe’s statement regarding the trees in front of his home is correct and the trees are diseased, then they do not know how long they are going to last, and anything could happen to one of them and one could fall on a vehicle, however, what about all of the other Town trees within the town that are probably in worse shape than the trees in front of the Trinkle Mansion that the Town is not removing. He noted nothing is going to happen to those trees. Mayor Crewe remarked that what Mr. Pizinger is stating is exactly right, but the Town is trying to remove every tree that is owned by the Town that is in some sort of disease, damage, or liability causing situation. He noted that the Town is removing those trees, therefore, the trees in front of Mr. Pizinger's house is not the only trees that the Town is not removing, and Mr. Harmon is advised for the Town to be careful about gifts from the Federal government because they may end up really costing the Town. Mayor Crewe stated that this comment is true, and the Town has turned down free money in the past due to not being able to afford free money. Mr. Harmon reiterated that the Council should keep this in mind. Mayor Crewe thanked Mr. Harmon for attending the Council meeting.

Mr. Pizinger reiterated that the trees in front of the Trinkle Mansion could outlive everyone. Mayor Crewe stated that is another reason the Tree Advisory Committee has done a complete inventory of every tree the Town owns. He noted that the Town is trying to keep up with everything the Town owns. Mayor Crewe remarked that the Town does not know every tree that has problems, but the Town is trying to keep up with those types of things. Mr. Pizinger reiterated that the trees in front of the Trinkle Mansion could outlive everyone. Mayor Crewe stated that is correct, and that is a possibility. Mr. Pizinger commented that it is a very strong possibility. He remarked that he cannot state that in two years the trees are going to fall down, and that the Town Council cannot state that either. Mr. Pizinger advised that he cannot state that the trees are going to be here in 20 or 25 years. He apologized for making this statement but noted that as he looks at the Town Council at this meeting, it is like their minds are made up and everything has been determined, and that no matter what the citizens comments are, the Council is just going to go in their Chambers or take two minutes to inquire of one another what each thinks and they will deny their request and continue on. Mr. Pizinger commented that he does not think the Council members are really listening to the citizens. He remarked that
Council gives the citizens the impression that they really care and are going to do the best they can, but as soon as the citizens leave, the Council members are just going to vote to cut the trees down anyway without any additional constructive discussions. Mayor Crewe advised that he would answer Mr. Pizinger by stating that he has responded and given the Council a chance to respond to each comment given by the citizens, therefore, he cannot accept Mr. Pizinger’s statement in stating that the Council will just appease the citizens, because that is simply not the case. He remarked that in response to Mr. Pizinger’s other statement, as he has stated three or four times, it is the Council’s decision and he, as Mayor, does not make the decision, but he expects and hopes that Council will have some discussion while the citizens remain at this meeting. Mayor Crewe commented that the citizens have the right to stay or leave the meeting, but he is sure the Council will take this topic up, again, in a few minutes, after this discussion. He reiterated that the decision regarding the trees is the Council’s prerogative. Mayor Crewe stated that the decision has been made and voted on by the Council months ago. He noted that the decision has been made, and the project has started, but, it is at this meeting that the Council is being asked not to complete the project. Mayor Crewe remarked that, now, the Council has to review the comments at this meeting and decide to proceed with the project or stop the project. He commented that in regard to Mr. Pizinger’s comments, there has been a decision made by the Council regarding the trees, however, the decision was not the decision that the citizens wanted, but he thinks the decision can be reversed by the Council. Mayor Crewe noted that he is not sure the Council will choose to reverse the decision, however, he hopes to find out in a few minutes. He remarked that he can assure Mr. Pizinger that whatever decision is made will be made during this Council meeting and not in a private conversation that is illegal. Mayor Crewe stated that as of right now, this project is going forward, however, the Town stopped the progress today, by vote of Council, and instructed the Town Manager do so. He noted that, somehow, the project was stopped, but that he is unsure of the mechanism of how that happened. Mayor Crewe commented that he needed to find out now how that happened. He remarked that he does not know what other alternatives there are, nor if the Council wishes to explore any alternatives. Mayor Crewe reiterated that the citizens will know the answer at the same time he knows the answer of the Council regarding this project. Town Attorney Kaase stated that Mayor Crewe cannot bring this vote on, and that it takes the Council members to do so. Mr. Pizinger remarked that he did not mean that the Mayor is going to make the decision, but that he was only making a general statement. Mayor Crewe stated that the posture of the issue at this meeting is that the Council must decide if they are going to change the decision that has already been made because there has already been a vote by the Council. Mr. Pizinger inquired of the Council when and if they lose the trees in front of their house, what type of timeframe are they thinking of replacing the old trees with new trees. He inquired if the Town is going to replace them in two, three, four, or more years from now. Mayor Crewe stated that the timeframe the Town is projecting is a matter of weeks, once the stumps have been removed. He noted it would take a while to dig the stumps out, but the program that is in place now is immediately. Mayor Crewe reiterated that the trees are immediately being removed and immediately being replanted. He commented that the Town has looked at waiting until the spring to replant the trees because trees are healthier and it is better to replant in the spring. Mayor Crewe remarked that is the issue the Town is weighing and trying to decide what to do, but the plan that has been approved by the Council states that the Town is going to immediately replace the trees. Mr. Pizinger inquired if the size of the trees that will replace the old trees have been discussed. Mayor Crewe stated that is correct. He noted that the type, species and the size have all been discussed. Mayor Crewe remarked that what has been decided is that as large and as old a tree that can be planted by the Town, and he noted as Mr. Morris alluded to, is what will be planted. He noted that not every single tree will be a tree like he just described, but that the Town will try to replace a big tree where a big tree is removed. Mayor Crewe commented that some of the trees located between Fourth and Fifth Streets are not very large trees, but some of the other trees are quite large. Mr. Pizinger stated that he guessed what he is hearing Mayor Crewe state is that when the Town goes to replace the large trees, and noted that the trees in front of the Trinkle Mansion are large trees, the Town is going to plant a lot larger tree that has a lot larger root system than any of the trees. Mayor Crewe stated that is correct and is the plan. He noted that having stated that, the Town will remove a tree that is possibly two and half feet in diameter and will replace that tree with a tree that is anywhere from six to ten inches, depending on when and what trees the Town can purchase. Mr. Pizinger reiterated that, again, what he is hearing is that Mayor Crewe is admitting that the Trinkle Mansion trees are quite large, probably the largest trees on Main Street, and the Town is going to try to replace those trees with the largest trees the Town can purchase. Mayor Crewe commented that is correct, however, the Town is not replacing the Trinkle Mansion’s trees, but rather, replacing the Town of Wytheville’s trees. He noted that he understands they are located in front of the Pizinger’s property, but they actually belong to the Town. Mayor Crewe remarked that the Town is only trying to replace the trees that are being removed of the Town’s own trees, and noted that the Town is not capable of putting back a 100 year old tree, however, the Town can put back an eight to twelve year old tree, depending on what species they are and how big they grow. Councilman Hundley stated that he would like to make a comment. He noted that the Town Council represents the entire Town of Wytheville,
which is 8,211 other citizens, therefore, he would encourage Mr. Pizinger to think of that, also. Councilman Hundley remarked that he would appreciate it if Mr. Pizinger would stop putting in place what the Council’s decisions are, before the decisions are made. Councilman Hunley advised that he would like to make a comment with reference to Mr. Pizinger’s comments regarding the Council members already having made their decisions with the tree project. He remarked that he speaks for himself and that he hopes the rest of the Council members feel the same as he does, in that the Council heard and listened to the citizens, and noted that he feels like that the Council always listens to the citizens. Councilman Hunley advised that the Council is not just going to make a decision without hearing and appreciating the citizens’ comments, and that this is not a cut and dry matter, nor is any other matter, until the Council gets an input from the citizens each Council member represents. Mayor Crewe thanked Mr. Pizinger for his comments and noted he appreciates his candor. Mr. Pizinger reiterated that he still wonders that if the Council members were in his situation, then would they not want to do everything they could to replace their trees with the largest trees they could or do anything that they could possibly do to save their own trees. Mayor Crewe stated that is correct and that the Council has because this is not a new process to the Council. He noted that it is new to Mr. Pizinger but that it is not new to the Council members because they have been dealing with this for a long time. Mayor Crewe reiterated that like Councilman Hunley stated, he is not overlooking any comments, etc., and that is why the Council has listened and responded to the citizens’ comments for over two hours at this meeting. He commented that Council is taking this to heart and assumes the Council is going to hold a discussion, in a few minutes, if he knows this Council. Mayor Crewe reiterated that, again, he cannot make a motion or do anything without the Council taking action. He stated that he can assure Mr. Pizinger that he has been heard, and the Council has listened. Mayor Crewe reiterated that he is unsure what the decision of the Council will be, but that everyone will know in a few minutes. Mr. Pizinger thanked the Council for allowing him to speak.

Ms. Bobbi Dirks was recognized and stated that she did notice, when she entered the Town parking lot, that the Town had removed the trees in the Municipal Building parking lot. She inquired of the Council if the parking lot will be paved, etc. Mayor Crewe advised that there was root damage with those trees, and that they were damaging the infrastructure, curb and guttering of the islands in the parking lot. Town Manager Sutherland stated that, also, the Town had a serious bird infestation issue with the Bradford pear trees. He noted the bird droppings were a significant problem, therefore, the trees were removed. Ms. Dirks remarked that is what trees are for is to house birds. Mayor Crewe thanked Ms. Dirks for speaking.

Ms. Becky Absher was recognized and stated that in the Council Chambers is a really small group of citizens that she has come to know in her 62 years of living in Wytheville. She noted that everyone tells her that it depends who is being affected and that if it is somebody living across town that has no mind for aesthetics, then that person will not notice or care about what is happening, therefore, it is really about aesthetics and money. Ms. Absher remarked that this is really what is being discussed at this meeting. Mayor Crewe thanked Ms. Absber for speaking.

Mayor Crewe inquired if there is anyone else who wished to address the Council during Citizens’ Period. He noted that he did not want to leave anyone out. Councilman Lambert inquired of the citizens how many of those attending this meeting stayed up last night and could not sleep because they were concerned about how much money the Town has in its bank account. Councilman Hundley commented that he was not concerned over money in the bank account, but that he was concerned and did not sleep over four trees. Councilman Lambert noted that the comments made regarding the power lines concern him from a long term standpoint, and that he is afraid the Town is going to spend a lot of money and run the risk of finishing up with a less attractive town than everyone currently has. He remarked that he would, at least, like the Town Council to consider burying the utility lines on West Main Street. Councilman Lambert commented that he is aware that it going to cost money, and reiterated that he is aware of that, but that he is not going to lay awake at night worrying about if the Town has $15-18 million dollars in the bank, however, he will be concerned regarding what the Town of Wytheville is going to look like. The citizens applauded Councilman Lambert. Councilman Lambert stated that if the Town does not pay some attention to that and be willing to venture out with some of the reserve funds, then he feels like some of the other money that the Town will be spending is going to be for naught. He commented that he is going to push for the underground utilities, as the other Council members can understand. Mayor Crewe advised that he thinks that is a wise suggestion, and noted that is not the first time for that suggestion but the Town has not got an actual cost for the underground utilities. He remarked that arrangements can be made to get an actual cost for that project. A citizen inquired where the underground utility lines would be installed if the project were to move forward. Mayor Crewe noted that they would be required to be installed in a Town right of way, but that it all depends on the street, curb and guttering, etc. because they have to be on the Town right of way. Town Manager Sutherland stated that, normally, the lines are installed in the grass strip between the curb and gutter and the sidewalk.
A citizen commented that this would eliminate the trees. Town Manager Sutherland noted that this is not necessarily a requirement, but that is the normal place where the lines are installed. Mayor Crewe remarked that there are spacing requirements that include that the lines cannot be so close to water lines, sewer lines, etc., but that is correct in stating that the lines have to be buried on the Town right of way. A citizen inquired of Mayor Crewe if there is a feasibility issue in context of what might happen to the trees, in addition to money. Mayor Crewe stated that is correct in the times the Town has reviewed underground utilities before, but noted that he is not an engineer. Mayor Crewe inquired if there are any further questions or comments for the Council during Citizens' Period. There being none, Mayor Crewe declared Citizens’ Period closed.

RE: REMOVAL OF TREES ON MAIN STREET

Mayor Crewe stated that he is going to make a suggestion, and noted that the Council can proceed as they wish. He noted that there were other topics on the agenda to cover. He advised that the citizens present are interested in only one topic. Mayor Crewe stated that, at present, the Town Council has made a decision to remove all of the trees, and not only the three that were discussed in front of 525 West Main Street. He noted that if he understands correctly, the Town Council has a request or a suggestion that, somehow, the Town Council save the three trees still standing in front of 525 West Main Street. He commented that in order to do this, the Town Council will have to change the decision that has already been made because the Town Council has already made a decision and given instructions to start removing these trees. Mayor Crewe asked if any Council members wished to change that decision and to possibly inquire about saving these trees, and if so, to speak now, therefore, some type of discussion or motion can take place. He stated that if none of the Council members are going to change their mind, then no action will be required, however, after the comments received at the meeting, if one of the Council members thought they have taken a different path, they would like to be made aware of that. Vice-Mayor King stated that she would like to think that the Town Council will save the three trees, therefore, having to do what is needed to be done to the root system, continue with the curb and guttering and leave the trees. Councilman Hundley inquired of Mayor Crewe if this request needed to be in the form of a motion. Mayor Crewe stated, currently, not at this point because he is trying to get to a topic on the agenda. He noted that he is looking for an agenda item. He commented if there are no changes to be made then the Council does not need an agenda item. Mayor Crewe advised that according to what he just heard from Vice-Mayor King, a suggestion has been made for the Town Council to think about proceeding with the paving, however, not cutting down these trees. Vice-Mayor King noted that is correct. Mayor Crewe stated that he would take this suggestion and put an agenda item between Citizens' Period and Old Business called Removal of Trees on Main Street, therefore, the Town Council will have an agenda topic to discuss. Mayor Crewe noted that the discussion is in regard to only the three trees. Vice-Mayor King stated that these are the three trees that have been in discussion. Councilman Hundley stated that he felt like these three trees had a historic significance in conjunction with the property. Mayor Crewe confirmed that the Town Council now had an agenda item. He advised that he would defer to Town Attorney Kaase. Town Attorney Kaase inquired if any Council member wished to make a motion. Vice-Mayor King stated that she would like to put her comments in the form of a motion. A motion was made by Vice-Mayor King and seconded by Councilman Hundley that the Town Council proceed as originally planned with the curb and guttering and the paving on Main Street, but not to cut the three Town owned trees in front of 525 West Main Street. Councilman Lambert inquired if the Town is planning on milling the pavement on West Main Street. Town Manager Sutherland noted that the milling and paving would occur in the travel lanes of the road. Mayor Crewe noted that it would, eventually, occur in the parking lanes, but not at this time.

Mayor Crewe stated that Mr. Bloomfield indicated that he would like to make a comment. Mr. Bloomfield stated that the same thing should be done with any trees that can be saved. He noted if the trees on the street have any type of life expectancy, then they should be saved as well. Mr. Bloomfield stated that the same decision should be made regarding all of the trees. Mayor Crewe noted that, first, this suggestion is not in the motion, and, secondly, the Town did review this, however, elected to cut down the trees that are, presently, healthy because the curb and guttering would make them unhealthy. Mayor Crewe noted that he is not dismissing anything. Mayor Crewe commented that the Town Council has already discussed this, and the Council will make the decisions for the better of the town. Vice-Mayor King noted that the whole meeting’s discussion has been about the trees in front of the Trinkle Mansion, and that this is the topic that the Council would like to see finalized.

Ms. Pizinger stated that her comments were for the Town Council to specifically look at the three trees in front of her house, but, in addition to the request, she would like to save any other trees. Vice-Mayor King stated that is correct. She noted there has been no other discussion regarding any other trees. Mayor Crewe stated that the Town Council has received no other information stating that the other trees are savable. Vice-Mayor King noted there are trees on
the other side of the street. Mayor Crewe advised that Asplundh wanted the Town to cut 90 percent of the trees, except for the trees between Fourth and Fifth Streets, and most everything else has been cut. Town Manager Sutherland stated that he is not quite sure what has been cut, but that, apparently, Asplundh did not remove the tree at the church, but that they have worked down from 12th Street, and that everything on the north side is to be contracted by Triple J Tree Service. He noted that Asplundh will not move to the north side of the street. Mr. Bloomfield inquired if that is because there are not any power lines on the north side of the street. Town Manager Sutherland stated that is correct. Mayor Crewe inquired of Town Manager Sutherland how Town staff was able to stop Asplundh from continuing to remove the trees, and how long will they remain stopped. Town Manager Sutherland remarked that he instructed Director of Public Works Seagle to instruct Asplundh to stop cutting. He noted the trees are the property of the Town of Wytheville, therefore, the Town instructed them to stop. Mayor Crewe inquired of Town Manager Sutherland if Town staff instructed the Asplundh ground crew to stop cutting. Town Manager Sutherland stated that he is not sure who Director of Public Works Seagle instructed to stop cutting. Mayor Crewe inquired of Town staff if they knew how long the crew will be stopped. Town Manager Sutherland stated that he is not sure. He commented that back to the original statement regarding the tree removal and pruning, Town Manager Sutherland advised that the Town can stop the tree removal, however, the Town is not able to stop the pruning of the trees. Vice-Mayor King commented that the citizens are aware of that. Mayor Crewe advised that Asplundh would have been finished with the work they were instructed to do, today, if the Town had not stopped the progress. He noted that the Town does not expect Asplundh to return unless it is to trim the tops out of the remaining trees, which AEP would require. Mayor Crewe inquired of Town staff if he is correct. Town Manager Sutherland stated that he is not sure when Asplundh will return, and noted that Asplundh is in town every day somewhere in the world, therefore, for them to move away to another job and then return is somewhat likely. Mayor Crewe inquired of Town staff when Triple J Tree Service is scheduled to begin. He noted that he thought they are scheduled to begin immediately. Town Manager Sutherland stated that he thinks the Triple J Tree Service contract is scheduled for a couple of weeks from now. He reiterated that is approximately two weeks away. Mayor Crewe inquired if there is any information that there are any other savable trees besides the three trees in front of the Trinkle Mansion. Mr. Morris stated that Dr. Woods made that determination when he presented his findings to the Tree Advisory Committee. Mr. Morris remarked that, in addition, the Tree Advisory Committee has walked through and photographed all of the trees, reviewed the conditions of all of the trees and inventoried a couple of different kind of trees on Main Street. Mayor Crewe advised that he would rephrase the inquiry, and inquired if there is any indication, information, or suggestion that there is a particular tree or trees that need to be included in the motion which is not presently in the motion. He noted that he is not suggesting this needs to be included in the motion, but rather is there an alternative that Council has not reviewed. Councilman Hundley remarked that he does not have a problem with the Town not removing any of the trees and proceeding with the project, however, the issue is the cost in hindsight. He inquired of the Council what happens when the Town goes through this process and the trees die, and noted that cost falls upon the citizens of the Town of Wytheville. Mr. Bloomfield commented that the expense is already on the Town of Wytheville on the north side. He remarked that it is only on the south side that the Town can escape a cost. Mayor Crewe explained to Mr. Bloomfield that this is not correct. He commented that because of cutting the trees, AEP will have the tree taken down at no expense to the Town so on the north side it is a cost to the Town, however, if the Town does not proceed now with the curb, gutter and the paving, then the Town may not have free money from VDOT, may have to pay more per ton for asphalt and may have more engineering stakes. Mayor Crewe noted that if the Town does not proceed with a section of the street, then it will have to be reengineered, therefore, there is some engineering cost, asphalt cost and cost to the Town for removing a tree that AEP did not remove. Mayor Crewe stated that if he understands the motion correctly, the motion is to proceed with the project, but not to remove the three trees in front of the Trinkle Mansion. Vice-Mayor King inquired of the other Council members as to what their thoughts are regarding the other side of the street. Mr. Bloomfield remarked that it is not in the current motion unless the motion is reformed. Councilman Hunley commented that the Council cannot start stating that the Town should leave this tree, cut another tree, etc., and that he feels like the aesthetics of Main Street is what the citizens are looking at to begin with. He noted that he thinks the aesthetics would be much worse than it would be if the Town were to remove all of the trees and then replace each tree uniformly. Mayor Crewe reminded Council that they had the Tree Advisory Committee’s report, pictures, etc., and all of the trees were not going to be the same trees, therefore, the Council chose to remove the trees. He noted that Council has reviewed the report, but the question is does Council want to go back and reexamine it.

Mr. Richert commented that the Tree Advisory Committee discussed this topic at length, but not quite the same length that is being discussed this evening. Mr. Richert remarked that, basically, the discussion was that if there is curb and gutter, then the trees will be impacted severely to the point where there could be destruction. He stated, if the decision is to leave the savable trees intact and install the curb and gutter, and that is certainly an option, the trees do carry a very
strong risk of dying. Mr. Richert advised that the Tree Advisory Committee is qualified to state that if asked if there are trees that are strong enough to withstand the construction, then he would advise that it is probably unlikely, given what the Committee has reviewed. He noted that, again, that could be in two or more months.

Mayor Crewe advised that there is a motion on the floor that Council proceed with the curb and gutter and paving project, as designed and as awarded, but change the requirement to state to not remove the three Town owned trees located in front of 525 West Main Street. Vice-Mayor King stated that is correct. Mayor Crewe advised that the question has been moved, therefore, there is no more discussion.

Ms. Richert commented that she would like clarification of what the difference is in the “savable” trees that Dr. Woods identified to the Tree Advisory Committee. She noted that she feels like there are two different things being stated here that is causing a lot of confusion. Mayor Crewe advised that he would answer that by stating the report is that the Tree Advisory Committee took this into account for this recommendation. He noted that he does not think there are any differences that he can recall. Mayor Crewe commented that he thinks the Committee accepted Dr. Woods’ expertise, and they passed that along to the Council. Ms. Richert remarked that she feels like what she is hearing is that the citizens attending the meeting are hearing that the trees are savable, but from what she understands, it is the Tree Advisory Committee’s opinion that if the curb and gutter project moves forward, all of the trees will be damaged to the point that they will die in a very short order, therefore, the trees need to be removed. Mayor Crewe stated that is a correct statement, and as to exclude the three Town trees that are about to be voted on because the question has been moved, then the other piece of the motion that has been in discussion is that these trees are already in a diseased state. He reiterated that the motion is to skip the three Town owned trees located at 525 West Main Street in front of the Trinkle Mansion on the cut down schedule, but to proceed with everything else.

Mayor Crewe 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: Trenton G. Crewe, Jr., Jacqueline K. King, H. Judson Lambert, Jack W. Hunley, Thomas F. Hundley

AGAINST: None

ABSTENTIONS: None

Mayor Crewe advised that the motion passed. He stated that having passed the motion, Town staff will communicate this information to AEP and to Asplundh. Mayor Crewe commented that the minutes from this meeting will not become official until the next meeting, however, his suggestion to the Pizingers, since they are at the location of 525 West Main Street, would be to get an excerpt of these minutes from Town staff. Town Manager Sutherland stated that a set of minutes this long will take a week to type. Mayor Crewe stated that he is just stating an excerpt from the minutes that shows this motion has been adopted by the Council. He remarked that he means approximately half of a paragraph, so the Pizingers have something in their pocket that states the Town Council stated to contact the Town office. Mayor Crewe advised this gives the Pizingers one more piece of information if somebody shows up to remove the trees. He noted that he does not think it will happen, but the motion has been passed not to remove the three trees in front of the Trinkle Mansion. Mayor Crewe stated the decision is made and that it is a decision of the Town Council, therefore, it is not just the Pizingers’ word against someone else’s word. He reiterated for the Pizingers to get an excerpt of the minutes from this meeting for their own protection because that is the only thing they really need. Mayor Crewe thanked the citizens for attending the meeting.

RE: OLD BUSINESS

Under Old Business, Town Manager Sutherland reported the following:

1. The Council will hold a Work Session tomorrow morning, September 23, 2014, at 7:00 a.m.

2. The Joint Industrial Development Authority will meet on Thursday, September 25, 2014, at 3:00 p.m., in the Council Chambers.

Councilman Hundley, reporting for the Budget and Finance Committee, stated that in July, the Town Council approved the use of a design-build format for the construction of additional storage space at the Community Center. He advised that the increased business in the Meeting Center and Fitness Center has necessitated additional storage space. Councilman Hunley reported that this past week, Town Treasurer Michael Stephens received a notification from the Virginia Department of Taxation noting that while auditing the Bank Franchise Tax Returns of the Bank of America, it was discovered that the Bank of America had overpaid its tax liability. He stated that each community, wherein the Bank of America banks are located, receives a tax based on the amount of investments held in the local bank. Councilman Hunley noted that this notification is applicable to all locations in Virginia that have a Bank of America facility. Councilman Hunley stated, in any event, the Virginia Department of Taxation has given notice that the Bank of America is due a refund. He advised the Department of Taxation is developing agreements where this money can be returned to the Bank of America. He noted that some communities have the opportunity to merely deduct the overpayment from future payments, and other communities will need to make some type of arrangement for the payment of the total amount due. Councilman Hunley remarked that, unfortunately, the Town of Wytheville is in the latter category since the Bank of America will no longer have an office in Wytheville after this fall. He commented that, apparently, it appears that the Bank of America has overpaid the Town of Wytheville approximately $32,000. Councilman Hunley stated once the details have been worked out, and the Department of Taxation issues letters of agreement, the Budget and Finance Committee would ask that Town Attorney Kaase review the agreement and share his findings with the Council. He pointed out that it appears that there may be a short timeline on these proceedings, and the Budget and Finance Committee would ask that this review, in cooperation with Town Treasurer Michael Stephens, be performed as soon as possible. Mayor Crewe commented that the issue with this topic is that this is a $32,000 expense to the Town of Wytheville due to absolutely no fault of its own. He stated that according to the information furnished by the State of Virginia, apparently, Bank of America has made an error, which resulted in a statewide recalculation. Mayor Crewe noted that one concern is if the State will waive the interest fees. He remarked that the Town does not have much choice in this matter. He reiterated that it is a $32,000 penalty due to no actions or inactions taken by the Town. A copy of the Budget and Finance Committee report is attached and made part of these minutes.

Councilman Hundley, reporting for the Public Works Committee, stated that the Town of Wytheville has awarded a contract to W&L Construction Company to perform milling and paving projects at various locations throughout town. He advised that one of the top priorities during this paving season will be Main Street to correct the roughness caused by the installation of the 20” waterline. He noted the paving schedule provides for the repaving of Main Street from Interstate 81 westward to 5th Street, and then from 4th Street westward to 20th Street. Councilman Hundley reported that the paving in the downtown area will be performed, at a later date, after the improvements are made as a part of the downtown project. He explained that the Town was fortunate to be approved by the Virginia Department of Transportation for revenue sharing funding for this project. He stated the Virginia Department of Transportation approved a project of up to $1.7 million, wherein the Town will pay $850,000 matched by $850,000 in State
funding. Councilman Hundley remarked that with this amount of funding available, it will be the largest paving schedule the Town has had in a number of years, allowing for the paving of a greater number of streets throughout the town. He advised that the value of paving Main Street is approximately $700,000, which leaves approximately $1 million for paving throughout the rest of the town. Councilman Hundley noted it is anticipated that W&L Construction Company will commence their work on October 1, 2014, and the Public Works Committee anticipates they will complete their work in approximately three weeks. Councilman Hundley stated that the Town Council members are all very pleased that this paving work is about to be performed.

Councilman Hundley also reported that, last year, the Council received several inquiries from property owners along Cedar Run expressing their concern about the erosion and other problems associated with the branch. He noted that as a result of these concerns, in December 2013, the Town of Wytheville commissioned an engineering firm, Gay and Neel, Incorporated, to complete a Preliminary Engineering Report (PER) of Cedar Run from its headwaters near Exit 70 to where it joins with Reed Creek near the Wytheville Wastewater Treatment Plant. Councilman Hundley stated that Gay and Neel, Incorporated teamed with another engineering firm to complete the PER. He advised that the purpose was to provide planning guidance to the Town through a comprehensive assessment of the stream bank deterioration concerns along all of Cedar Run including: (1) Prioritizing the areas most in need of repairs; (2) Estimating the costs of a variety of restoration alternatives; (3) Identifying potential funding sources for the design and construction services associated with stream repair projects. Councilman Hundley commented that as directed by the Town Council, the Town’s Engineering Department staff contacted Gay & Neel, Incorporated, again, this time seeking a fee proposal for design services associated with the repair of the top five highest priority stream reaches identified in the PER. He advised that the fee proposal was received on September 19, 2014, and further review will take place at the next Council Work Session. Councilman Hundley remarked that once the repair work for these various portions of the stream is under design, it is anticipated that opportunities for funding from outside sources can be more effectively pursued. A copy of the Public Works Committee report is attached and made part of these minutes.

RE: APPOINTMENTS – WYTHEVILLE RECREATION COMMISSION

Mayor Crewe stated the next agenda item is to consider the appointment of a youth member to the Recreation Commission. He advised that the term of Mr. Grant Anders on the Recreation Commission will expire on October 1, 2014. He noted that Mr. Anders is eligible for reappointment as the youth member. A motion was made by Councilman Hunley and seconded by Councilman Hundley to reappoint Mr. Anders as the youth member to the Wytheville Recreation Commission. Mayor Crewe 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: Trenton G. Crewe, Jr., Jacqueline K. King, H. Judson Lambert, Thomas F. Hundley, Jack W. Hunley. Against: None.

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded, and carried to adjourn the meeting (9:34 p.m.).

Trenton G. Crewe, Jr., Mayor

Sharon G. Corvin, Town Clerk

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1. In July, the Town Council approved the use of a design-build format for the construction of additional storage space at the Community Center. Increased business in the Meeting Center and Fitness Center has necessitated additional storage space. As we had discussed previously, there are items being stored in storage containers to the rear of the building, which create a difficult situation in moving tables and chairs during inclement weather. The reason the design-build method was approved by the Council was because this, generally speaking, provides the potential for the lowest cost method for the building construction. The Town advertised for Statements of Qualification on August 2, 2014, and a pre-proposal conference was held on August 14, 2014. The process requires interested companies to submit their Statements of Qualification and information about the design and construction team. The Town received four Statements of Qualification, and there were three firms whose Statements of Qualification included all of the requested information. A pre-design and cost proposal conference was held on September 18, 2014. The pre-design and cost proposals are due back to the Town on Thursday, October 9, 2014, at 2:00 p.m. Thereafter, the Council will evaluate the design proposals and confirm that they meet the design criteria specified and allow the proposers to make corrections, and then, soon after, open the cost proposals. By mid October, the Council and staff should be in a position to have a design and cost proposal and to proceed further with this project of storage space at the Community Center.
There is no action required by the Town Council at this time, however, we did want everyone to be aware that the process is moving forward.

2. Town Treasurer Michael Stephens received a notification from the Virginia Department of Taxation noting that while auditing the Bank Franchise Tax Returns of the Bank of America, it was discovered that the Bank of America had overpaid its tax liability. Each community, wherein the Bank of America banks are located, receives a tax based on the amount of investments held in the local bank. This notification is applicable to all locations in Virginia that have a Bank of America facility. In any event, the Virginia Department of Taxation has given notice that the Bank of America is due a refund. The Department of Taxation is developing agreements where this money can be returned to the Bank of America. Some communities have the opportunity to merely deduct the overpayment from future payments, and other communities will need to make some type of arrangement for the payment of the total amount due. Unfortunately, the Town of Wytheville is in the latter category since the Bank of America will no longer have an office in Wytheville after this fall. Apparently, it appears that the Bank of America has overpaid the Town of Wytheville approximately $32,000. Once the details have been worked out, and the Department of Taxation issues letters of agreement, we would ask that Town Attorney Kaase review the agreement and share his findings with the Council. It appears that there may be a short timeline on these proceedings, and we would ask that this review, in cooperation with Town Treasurer Michael Stephens, be performed as soon as possible.
1. The Town of Wytheville has awarded a contract to W&L Construction Company to perform milling and paving projects at various locations throughout town. One of the top priorities during this paving season will be Main Street to correct the roughness caused by the installation of the 20” waterline. The paving schedule provides for the repaving of Main Street from Interstate 81 westward to 5th Street, and then from 4th Street westward to 20th Street. The paving in the downtown area will be performed, at a later date, after the improvements are made as a part of the downtown project. The Town was fortunate to be approved by the Virginia Department of Transportation for revenue sharing funding for this project. The Virginia Department of Transportation approved a project of up to $1.7 million, wherein the Town will pay $850,000 matched by $850,000 in State funding. With this amount of funding available, it will be the largest paving schedule the Town has had in a number of years, allowing for the paving of a greater number of streets throughout the town. The value of paving Main Street is approximately $700,000, which leaves approximately $1 million for paving throughout the rest of the town. It is anticipated that W&L Construction Company will commence their work on October 1, 2014, and they anticipate they will complete their work in approximately three weeks. We are all very pleased that this paving work is about to be performed.
2. Last year, the Council received several inquiries from property owners along Cedar Run expressing their concern about the erosion and other problems associated with the branch. As a result of these concerns, in December 2013, the Town of Wytheville commissioned an engineering firm, Gay and Neel, Incorporated, to complete a Preliminary Engineering Report (PER) of Cedar Run from its headwaters near Exit 70 to where it joins with Reed Creek near the Wytheville Wastewater Treatment Plant. Gay and Neel, Incorporated teamed with another engineering firm to complete the PER. The purpose was to provide planning guidance to the Town through a comprehensive assessment of the stream bank deterioration concerns along all of Cedar Run including: (1) Prioritizing the areas most in need of repairs; (2) Estimating the costs of a variety of restoration alternatives; (3) Identifying potential funding sources for the design and construction services associated with stream repair projects. As directed by the Town Council, the Town’s Engineering Department staff contacted Gay & Neel, Incorporated, again, this time seeking a fee proposal for design services associated with the repair of the top five highest priority stream reaches identified in the PER. The fee proposal was received on September 19, 2014, and further review will take place at the next Council Work Session. Once the repair work for these various portions of the stream is under design, it is anticipated that opportunities for funding from outside sources can be more effectively pursued.