



AGENDA
Wytheville Town Council
August 28, 2017
7:00 p.m.
Wytheville Municipal Building
150 East Monroe Street
Wytheville, Virginia 24382

- A. INVOCATION—COUNCILWOMAN BETH A. TAYLOR**
- B. CALL TO ORDER—MAYOR TRENTON G. CREWE, JR.**
- C. ESTABLISHMENT OF QUORUM—MAYOR TRENTON G. CREWE, JR.**
- D. PLEDGE OF ALLEGIANCE—VICE-MAYOR JACQUELINE K. KING**
- E. CONSENT AGENDA**
 - 1. Minutes of the regular meeting of August 14, 20 17
- F. CITIZENS' PERIOD**
- G. OLD BUSINESS—TOWN MANAGER C. WAYNE SUTHERLAND, JR.**
- H. COMMITTEE REPORTS**
 - 1. Budget and Finance
 - a. Digital equipment funding
 - b. Proposed revisions to mowing ordinance requirements
 - 2. Public Works
 - a. Fall shredding event
 - b. Air burner to be delivered
- I. ORDINANCES/RESOLUTIONS**
 - 1. Ordinance No. 1327, an ordinance enacting the Electronic Summons System Cost Assessment, on first reading
 - 2. Ordinance No. 1328, an ordinance amending and reenacting Chapter 12, Solid Waste Collection and Disposal, Article VI. Condition of Premises, Division 2. Removal of Weeds, Etc., Section 12-91. Duty of Owner of Property, of the Code of the Town of Wytheville, Virginia, on first reading

J. OTHER BUSINESS

1. Planning Commission Annual Report for Fiscal Year 2016-17

K. ADJOURNMENT

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WYTHEVILLE TOWN COUNCIL



AGENDA INFORMATION

Meeting Date:	Monday, August 28, 2017
Item Name:	Committee Reports
Item Number:	H-1
Subject:	Budget and Finance

SUMMARY:

The Budget and Finance Committee will report on the following matters:

- a. Digital equipment funding
- b. Proposed revisions to mowing ordinance requirements

BUDGET AND FINANCE COMMITTEE REPORT

AUGUST 28, 2017

1. Recently, the Police Department presented us with information about a new process of issuing summons and tickets by a digital method. With this procedure, the computerization in the police cars issue the ticket, and communicates with the court system by setting court dates, etc. Virginia State Law provides that any entity can assess a fee of \$5.00 per ticket that can be used for the purchase of equipment and the development of this program. Later in the meeting, the Council will consider an ordinance which authorizes the implementation of this program. It would be the recommendation of the Budget and Finance Committee that the ordinance be approved on first and final reading when it is considered.
2. Later in the meeting, the Council will consider amendments to our current mowing regulations. As we discussed at the last meeting, the Town has spent considerable time, energy and money improving the entrances into the community, and we think that the corridors leading into the town should be properly maintained. The ordinance that is being considered this evening will require properties along these entrance corridors to be mowed on a routine basis. The ordinance will require that all properties along these corridors within 100 feet of the rights of way be mowed on a monthly basis. When the ordinance is considered later in the meeting, it would be the recommendation of the Budget and Finance Committee that it be adopted on first, but not final, reading.

Jacqueline K. King

Beth A. Taylor

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Meeting Date:	Monday, August 28, 2017
Item Name:	Committee Reports
Item Number:	H-2
Subject:	Public Works

SUMMARY:

The Public Works Committee will report on the following matters:

- a. Fall shredding event
- b. Air burner to be delivered

PUBLIC WORKS COMMITTEE REPORT

AUGUST 28, 2017

1. We wanted to take this opportunity to make everyone aware of the upcoming community shredding event. The Town has provided this service on six previous occasions. The seventh shredding event will be held on Saturday, October 14, 2017, between the hours of 10:00 a.m. and 2:00 p.m. The document destruction services will be provided by Southwest Shredding. Due to the volume of documents that was received previously, we will, again, impose the standard that no one can bring anything in excess of what would be held by a 55 gallon container. The event is limited to town residents only, and businesses are not allowed to participate. The event will be held at 150 East Monroe Street in the parking lot of the Town Municipal Offices.
2. Several meetings ago, the Council approved the purchase of equipment that will effectively burn the brush collected in our Brush Collection Program. As it has been discussed before, the disposal of the brush is one of the major problems associated with the brush program. The burning of brush was often a concern due to the smoke created by the process, which was objectional by the citizens. At the July 24, 2017, meeting of Council, the purchase of this equipment was authorized. This piece of equipment, known as a Refractory Lined FireBox, is manufactured by a company named Air Burners, Incorporated of Palm City, Florida. This equipment has been approved by virtually all governmental agencies as being an effective environmental piece of equipment. We have now received notice that the equipment will be

delivered to Wytheville on Friday, September 8, 2017. We are, currently, in the process of arranging for a crane to offload the equipment once it arrives. This equipment is very heavy and weighs approximately 27 tons. We are very excited about the prospect of having this new piece of equipment, and we look forward to its new effective way to dispose of our brush.

Thomas F. Hundley

Joseph E. Hand, Jr.



Meeting Date:	Monday, August 28, 2017
Item Name:	Ordinances/Resolutions
Item Number:	I-1
Subject:	Ordinance No. 1327

SUMMARY:

Please find enclosed Ordinance No. 1327, an ordinance enacting the Electronic Summons System Cost Assessment. As the Council will recall, this ordinance provides that an additional sum of \$5.00 will be added to the court costs from each criminal or traffic case in the district or circuit courts that will be sent to the Town to be used for an Electronic Summons System. This ordinance is before the Council on first and final reading.

ORDINANCE NO. 13 27

At a regular meeting of the Town Council of the Town of Wytheville, Virginia, held in the Council Chambers on Monday, August 28, 2017, at 7:00 p.m.

Present:

Absent:

**AN ORDINANCE ENACTING THE ELECTRONIC
SUMMONS SYSTEM COST ASSESSMENT**

BE IT ORDAINED by the Town Council of the Town of Wytheville, Virginia, that the Electronic Summons System Cost Assessment be enacted as follows:

ELECTRONIC SUMMONS SYSTEM COST ASSESSMENT

WHEREAS, the Code of Virginia permits court costs to be assessed in criminal, civil and traffic cases; and,

WHEREAS, the Town Council of the Town of Wytheville, Virginia, upon request by the Public Safety Department, desires to implement a new electronic summons system; and,

WHEREAS, in 2014, the Virginia General Assembly actions (Virginia Code 17.1-279.1) provided localities to charge up to a \$5.00 assessment relating to electronic summons systems that permits the additional sum as part of the court costs in each criminal or traffic case in the district or circuit courts for defendants charged with a violation of any statute or ordinance; and,

WHEREAS, the new assessment is to be collect by the Clerk of each court and held by the Town Treasurer in a separate internal record; and,

WHEREAS, the funds are to be disbursed to fund electronic summons equipment for the Town of Wytheville Public Safety Department for the sole purpose of

funding software, hardware and associated equipment costs for the implementation and maintenance of an electronic summons system; and,

WHEREAS, the Town Council of the Town of Wytheville, Virginia, desires to consider this new ordinance on an electronic summons system assessment to offset the costs of software, hardware and equipment.

NOW, THEREFORE, LET IT BE ORDAINED that the electronic summons system assessment be set forth below:

COST ASSESSMENT FOR ELECTRONIC SUMMONS SYSTEMS

Assessment and Collection.

The Clerk of the General District Court and the Clerk of the Circuit Court of Wythe County shall initially assess and collect an additional sum of \$5.00 as part of the costs in each criminal or traffic case in the district or circuit courts located within its boundaries in which the defendant is charged with a violation of any statute or ordinance. The Town Council of the Town of Wytheville, Virginia, shall, on an annual basis, review the fee, and if sufficient funds are available to maintain the system, the fee shall be adjusted to an amount that provides an amount to cover maintenance and replacement costs.

The assessment shall be collected by the Clerk of each of the respective courts, which shall be remitted to the Town of Wytheville Treasurer. The Treasurer shall maintain a separate internal record, and funds shall be held by such Treasurer subject to disbursements by the governing body to purchase and maintain an electronic summons system.

Appropriation of Funds.

All funds received by the Town of Wytheville as a result of this section may be appropriated by the governing body for disbursements for an electronic summons system located within the Town of Wytheville solely to fund software, hardware and associated equipment costs for the development, maintenance and installation of an electronic summons system. The funds shall be held by the Town of Wytheville Treasurer until such funds are adequate as determined by the Town Manager to fully implement the system into the Town owned vehicles and courts.



Meeting Date:	Monday, August 28, 2017
Item Name:	Ordinances/Resolutions
Item Number:	I-2
Subject:	Ordinance No. 1328

SUMMARY:

Please find enclosed Ordinance No. 1328, an ordinance amending and reenacting Chapter 12, Solid Waste Collection and Disposal, Article VI. Condition of Premises, Division 2. Removal of Weeds, Etc., Section 12-91. Duty of Owner of Property, of the Code of the Town of Wytheville, Virginia. As the Council is aware, this ordinance will amend the Town Code to note that properties located within the Town's five entrance corridors will be required to mow at least monthly. This ordinance is before the Council on first reading.

ORDINANCE NO. 1328

At a regular meeting of the Town Council of the Town of Wytheville, Virginia, held in the Council Chambers on the 28th day of August, 2017, at 7:00 p.m.

Present:

Absent:

**AN ORDINANCE AMENDING AND REENACTING CHAPTER 12,
SOLID WASTE COLLECTION AND DISPOSAL, ARTICLE VI.
CONDITION OF PREMISES, DIVISION 2. REMOVAL OF WEEDS,
SECTION 12-91. DUTY OF OWNER OF PROPERTY,
OF THE CODE OF THE TOWN OF WYTHEVILLE**

BE IT ORDAINED by the Town Council of the Town of Wytheville, Virginia, that Chapter 12, Solid Waste Collection and Disposal, Article VI. Condition of Premises, Division 2. Removal of Weeds, Section 12-91. Duty of Owner of Property, of the Code of the Town of Wytheville, Virginia, be amended and reenacted, as follows:

CHAPTER 12

SOLID WASTE COLLECTION AND DISPOSAL

ARTICLE VI. CONDITION OF PREMISES

Section 12-91. Duty of owner of property.

Each person owning property within the town shall cut the grass, weeds, vegetation or other foreign growth on their property, and shall cut the grass, weeds, vegetation or other foreign growth up to 100 feet (100') from the residential structure, commercial structure or other improvements thereon. Trees, shrubs, flower beds, vegetable gardens and other landscaping that are maintained free of grass, weeds, vegetation or other foreign growth do not require cutting. At such time as the grass, weeds, vegetation, or other foreign growth reaches a maximum height of twelve inches (12"), the person owning such property shall mow their property, and the property shall be mowed at least three times per year--once before May fifteenth, once before July fifteenth and once before August fifteenth.

On lots or properties that are located more than one hundred feet (100') from residential structures, commercial structure or other improvements, and on undeveloped lots more than one hundred feet (100') from residential structures, commercial structures or other improvements, all grass, weeds, vegetation or other foreign growth shall be mowed a minimum of two times per year, which shall include once before the fifteenth day of May, and once before

the fifteenth day of August. Trees, shrubs, flower beds and vegetable gardens that are maintained free of grass, weeds, vegetation or other foreign growth on a regular basis do not require mowing.

Each person owning lots or properties that are located within one hundred feet (100') of the right of way on a town entrance corridor shall mow all grass, weeds, vegetation or other foreign growth at least once monthly or earlier if such grass, weeds, vegetation or other foreign growth reaches a maximum height of twelve inches (12"). The town entrance corridors are defined as: (1) Intersection of Monroe and 4th Streets northward to the Town Corporate Limit line; (2) Intersection of Peppers Ferry Road and 11th Street northeastward to the Town Corporate Limit line; (3) Intersection of Monroe and 12th Streets westward to the Town Corporate Limit Line; (4) Intersection of 11th Street and Main Street eastward to the interstate corridor; (5) Intersection of 14th and Main Streets southward to the Town Corporate Limit line. Trees, shrubs, flower beds and vegetable gardens that are maintained free of grass, weeds, vegetation or other foreign growth on a regular basis do not require mowing.

Each person owning property within the town which is located within an A-1 Agriculture Zoning District and is not within one hundred feet (100') of a residential structure or commercial structure that is required to have a maximum growth of twelve inches (12") noted above, shall control the grass, weeds, vegetation or other foreign growth on their property by mowing the grass, weeds, vegetation or other foreign growth on such property at least *once* between the fifteenth day of May and the fifteenth day of September.

The Town shall give reasonable notice of failure to cut such grass, weeds, vegetation or other foreign growth noted above through publication in the local newspaper, or on water bills or other means determined by the Town Council, and within fifteen (15) days shall have such grass, weeds, vegetation or other foreign growth cut by its agents or employees, in which event the cost shall be chargeable to and paid by the owner of such property and may be collected by the Town as taxes are collected.



Meeting Date:	Monday, August 28, 2017
Item Name:	Other Business
Item Number:	J-1
Subject:	Planning Commission Annual Report

SUMMARY:

Please find enclosed the Annual Report from the Wytheville Planning Commission. This report notes the monthly work of the Planning Commission for fiscal year 2016-17, and it also shows the accomplishments the Town has met in the Comprehensive Plan. The Planning Commission approved this report at their last meeting, and it is being presented to the Town Council for their review and approval.

**WYTHEVILLE PLANNING COMMISSION
2016-2017 ANNUAL REPORT
JULY 2016-JUNE 2017**

The Wytheville Planning Commission respectfully submits this report for Fiscal Year 2016-2017 to the Wytheville Town Council.

**ACCOMPLISHMENTS OF IDENTIFIED OBJECTIVES IN
THE 2013 COMPREHENSIVE PLAN**

2013 COMPREHENSIVE PLAN

The 2013 Comprehensive Plan was adopted by Town Council in late April 2013.

Economic Goal and Objectives

Goal: Collaborate to create a diversified economy that encourages entrepreneurship, lifelong learning, support of existing businesses and industry, and a vital downtown.

Objectives:

1. Place an emphasis on the development and expansion of existing businesses and entrepreneurial enterprises in the town and county through the Joint Industrial Development Authority, the Virginia Department of Economic Development, and the Crossroads Regional Industrial Facility Authority.

The Town, in conjunction with Downtown Wytheville, Incorporated (DWI), the Joint Industrial Development Authority of Wythe County (JIDA) and the County of Wythe, has established an Enterprise Zone in the downtown to give incentives to business development downtown. A number of these incentives have been and are continuing to be, used by downtown business and property owners.

2. Promote incubators for small business startup through assistance available from Wytheville Community College, the Joint Industrial Development Authority, the Virginia Department of Economic Development, etc.

DWI has established at least one new business development program that has a grant attached. DWI implements these programs annually. The Town Council has also expanded the incentives for motels/hotels and restaurants to include the entire Town. These include rebates of lodging and meals taxes to qualifying new businesses.

3. Place an emphasis on quality education by working cooperatively with the efforts of the Wythe County School Board, Wytheville Community College, literacy programs, distance learning programs, etc. to enhance all levels of education.

The Museums continue to provide educational programs for children at the museums and at the Willow Brook Jackson/Umberger Homestead.

4. Work to provide a focus on technology and encouragements for critical community assets that support the technology, including affordable, reliable training programs, incubators, start-up funds, and other programs to assist and promote tech-based businesses, distance learning programs, etc.

The Town Council has established a Technology Zone in town while providing certain incentives for technology businesses and industry.

5. Work toward an "e-village" environment especially for industries and businesses of Wytheville.

The downtown Wytheville improvements will include WiFi throughout the downtown area.

6. Encourage downtown development and the preservation of the Wytheville downtown through tax relief for improved properties, encouraging State and Federal tax incentives, enhancing the information infrastructure, developing technology and tourism zones, etc.

Wytheville has established a Technology Zone, Tourism Zone, Enterprise Zone and a credit for rehabilitated property. At least one business has utilized the credit for rehabilitated property. There are tax rebate incentives, façade improvement grants and renovation grants awarded by the Town.

7. Support transportation including the continued enhanced access to the interstate corridors of I-77 and I-81 and enhanced access to rail freight transportation. This includes:

- Upgraded interchanges at Wytheville and at Exit 77 to serve the Industrial Park.
- The initiative to establish the future routes of the interstate corridors around and through Wytheville.
- Promote Wytheville as a hub for shipping for businesses--UPS, FedEx, Camrett Logistics, etc.
- Support rail passenger service to and from Wytheville.

The Town has requested that VDOT perform a Feasibility Study for improvements at Exit 73.

8. Market Wytheville as a great quality-of-life community with low crime and cultural and recreational opportunities in a beautiful natural setting that is central to many major metropolitan areas: Charlotte, Atlanta, Washington, D.C., for example.

Wytheville Director of Public Information and Tourism Rosa Jude continuously markets Wytheville as noted above.

9. Promote affordable housing.

The Planning Commission and the Town Council have approved and supported with funding and grant applications one "affordable" housing development in the past year, which is Freedom Lane scheduled to be open soon.

10. Utilize the access to, and promotion of, the Town's Crystal Springs Watershed property as a recreational and quality-of-life enhancement.

The Town has just completed significant upgrades to the Crystal Springs Watershed property to include hiking and biking trails and has provided information to Wythe County regarding grant money for road access of signs.

11. Investigate the feasibility of providing broad-band accessibility to key areas throughout town to provide the raw infrastructure for economic development.

The Town is providing WiFi on Main Street through the Downtown Improvements Project.

12. Encourage the activities of the Wytheville Hotel/Motel/Restaurant Association, Chamber of Commerce, Blue Ridge Highlands Association, etc. and the promotion of tourism.

The Town increased the Meals and Lodging Tax and increased the tourism marketing budget.

13. Work to keep Wytheville's web site upgraded to search engine keywords so that search engines select the site and provide additional electronic marketing.

The Town has upgraded the Town's website and continues to work on this aspect of marketing the town.

Public Services Goal and Objectives

Goal: Provide public services that make Wytheville a safe and caring community.

Objectives:

1. Study, in conjunction with Wythe County, the comprehensive delivery of fire, police, and rescue services in the town and surrounding areas to retain a reliable and sustainable means to provide emergency services delivery.

In the past, the Town has provided some financial support to the Rescue Squad and has met with them several times to listen to their concerns.

2. Cooperate and coordinate with other emergency service agencies at the local, state, and federal level.

The relatively new E-911 Center was a cooperative effort by the Town and County.

3. Support the Incident Management Plan and the Wythe County Local Emergency Planning Committee.

Director of Public Safety Albert Newberry serves on the WCLEPC.

4. Plan with other emergency agencies to utilize the purchasing power of many agencies to cut costs and improve efficiency.

No progress has been made in this category.

5. Plan with other emergency providers to have emergency shelters equipped to handle disaster and provide disaster relief.

The Town has cooperated with the County in the establishment of an emergency shelter.

6. Plan for the scheduled replacement of emergency equipment and vehicles to assure that a top quality emergency fleet is available.

The Police Department has a lease-purchase agreement that adds at least one new vehicle to the Department annually.

7. Conduct joint training for the Police and Fire Departments and Rescue Squads to hone skills and procedures in the event of natural disaster, civil disorder, hostage situations, hazardous material spills, etc., and conduct "mock" drills.

No progress has been made in this category. (Director Newberry)

8. Continue to consolidate with Wythe County to update and improve the E-911 Communications Center and its operational systems.

This has been completed.

9. Inform people of the Wytheville Transit Systems and the services it offers through the electronic newsletter and other available media.

This will be promoted on water bills.

10. Consider options for expanding the existing fire station or building a new fire station.

No progress has been made in this category.

11. Study, in conjunction with surrounding jurisdictions, an emergency warning system and evaluate methods of implementation.

An emergency warning system was implemented by Wythe County that includes the Town of Wytheville.

Community Facilities Goal and Objectives

Goal: Provide community facilities for the governmental, cultural, and recreational needs of the present and future population.

Objectives:

1. Investigate the feasibility of a new Police and Fire Station to house all the Town's emergency operations—Police, Fire and Rescue, and E-911 Call Center. This is being pursued jointly by Wythe County and Wytheville.

The E-911 Call Center was consolidated several years ago.

2. Encourage the continued improvement and enhancement of the existing parks.

Heritage Walk Phase II is being designed which will improve portions of Elizabeth Brown Park, its parking lots and the Farmers' Market.

3. Consider developing a walking/bike trail along the Town branch from the Jackson Property to the old landfill site connecting the Town parks.

Heritage Walk, Phase II, will complete several blocks of this route. Funding for phase III has been applied for and will help the connection to the Visitors' Center.

4. Promote and preserve the Town's historic resources by recognizing new areas and sites to be added to the National Register of Historic Places.

Camp Jackson has been recognized with a historical marker. The Reed Creek Mill has been added to the National Properties of Historic Places.

5. Develop and identify potential park areas and a master plan for the development of neighborhood parks throughout town, including the water tower and tank sites, and acquisition of ideal park areas to provide a network of readily accessible parks in all neighborhoods. Please see Exhibit for Parks and Future Parks.

The Historic Truss Bridge Park is being designed and funded with Enhancement Funds through VDOT. This will be a Bridge Restoration and Park, and includes a walking and biking area. The design is complete, and construction is expected to start in spring 2017.

6. Coordinate the use of other public facilities owned by the Town--Crystal Springs Watershed Property, Regional Visitor's Center, Heritage Preservation Center, Town Museums, Police and Fire Station, new Community Center, old Community Center and those facilities not owned by the Town -- Wythe Arts Council's Haller House, Wytheville Community College, Scott, Spiller and George Wythe Schools and facilities, County Court House, Public Library, and Wythe County Community Hospital to maximize their service potential and to reduce costs.

The Town has worked to promote all facilities in town and in the county and to continue their use.

7. Investigate the potential use of the Old Jail and the Fulton House or look at their removal and use the sites as expanded community facilities.

These projects were completed and will be removed from the Objectives in the rewriting of the Comprehensive Plan.

Public Facilities Goal and Objectives

Goal: Expand present utility systems to serve both present and future needs of the Wytheville area population.

Objectives:

1. Continue to be a partner in the regional water system to provide water to the Town and County from the New River.

The Town continues to be a partner in the New Regional Water Authority and to promote improvements to the water system.

2. Investigate the potential for a public water authority to operate the Town and County water systems.

No progress has been made in the category.

3. Continue the annual upgrades of sections of the water and sewer systems that are over 25 years of age or that are undersized based upon new development.

The Town budgets approximately \$100,000, annually, for water and sewer system upgrades.

4. Promote the enhancement of public utility systems such as CATV, telephone, natural gas and electrical service, and data transmission and closely monitor federal deregulation of these industries.

No progress has been made in this category.

5. Develop a master plan and implementation plan for looping of water systems to promote improved water service.

The Town's Engineering Department is working on a Master Plan for looping water lines.

6. Promote projects that will provide for the future needs of the Town including a water storage tank at Progress Park.

The County has designed the water storage tank for Progress Park (Rapier Ridge Tank Project), and the Town is encouraging its construction.

7. Continue efforts to curtail water leaks and infiltration and inflow in the sewer system.

The Town recently completed a study for the Fourth Street sewer line to look at the capacity of the system.

8. Expand the public fiber optic service network to serve the business and industrial centers of town, or find a private industry provider. (See the water and sewer maps.)

No progress has been made in this category.

9. Review the solid waste policy to determine if the methods used are the most efficient and the most citizen friendly. Review the "Bag It and Tag It" Program to see that it remains the most fair and cost effective method of solid waste collection.

The "Bag It & Tag It" Program was modified to include only annual trash collection stickers, and the Brush Pickup Program was expanded to increase collection during the summer months.

10. Review the possibility of regional effort for composting yard and tree waste, along with the sludge, to provide a consumer product that could be sold.

The Town is purchasing a waste burning device for brush, leaves and wood waste.

Housing Goal and Objectives

Goal: Provide quality housing for all the citizens of the town.

Objectives:

1. Develop property maintenance incentives.

Property Maintenance Incentives were implemented by the Town by ordinance several years ago. The Town has improved its efforts to remove substandard housing and structure.

2. Encourage the availability of adequate amounts of housing in the areas zoned for residential use by encouraging public agencies (Wytheville Redevelopment and Housing Authority [WRHA], Mountain Shelter, Department of Social Services, VHDA) and private developers to fill the need for low-to-moderate income housing, and multiple and single family housing.

The Wytheville Housing Authority is nearing completion of construction on 24 apartment units for disabled veterans (Freedom Lane).

3. Promote the maintenance and upkeep of existing housing stock through cleanup program, awards programs, and the promotion of historic districts and National Register properties.

The Town Building Official has been working successfully to eliminate blighted and deteriorated housing stock.

4. Target specific neighborhoods which contain deteriorated housing stock and substandard housing and provide improvement assistance through WRHA, Community Development Block Grants (CDBG) and any other available State or Federal programs, and low interest loan programs (revitalization area declarations.)

- Cassell Road, Faye Street, and Longview Drive Area.
- Lexington Street and Marshall Street areas east of 11th Street.
- The West Spiller, West Lee Highway, West North Street, 6th Street bounded area.
- The South 20th Street, Union Street, South 24th Street, West Main Street bounded area.
- Jefferson Street to Railroad Avenue between 6th and 16th Streets.
- 14th Street to 18th Street between Madison and Jackson Streets.
- Railroad Avenue to Jackson Street between 6th and Church Streets (declared revitalization area).

No progress has been made in this category.

5. Support Habitat for Humanity Programs and house construction.

No progress has been made in this category.

6. Encourage the improvement in housing stock by the development or "infilling" of vacant lots with new housing stock (revitalization designation).

No progress has been made in this category.

Transportation Goal and Objectives

Goal: Provide a balanced and efficient transportation system that will expand to shape and serve the Town's growth.

Objectives:

1. Prioritize the projects in the 2020 Transportation Plan as follows:
 - a. Completion of Community Boulevard from Cassell Road to Lithia Road (Phase II).

This project is under construction.
 - b. Alignment and signalization of the intersections at Lithia Road and Malin Drive with East Main Street.
 - c. Upgrade and coordination of the signalization at East Main and 11th Streets and Peppers Ferry Road/Monroe Streets and 11th Streets. This work is being designed.
 - d. Improvement and/or alignment of Withers Lane and Rt. 365 (College Access Road) and signalization of this intersection.
 - e. Coordination of signalization on East Main Street from 11th Street east to the interstate entrance ramps and elimination of the fifth lane to provide specific turning movements, a median with landscaping and street lighting.
 - f. The improvement and widening of Peppers Ferry Road from the I-77 and I-81 overpass east to the Town Limits. (Interstate bridge upgrades as a secondary phase.)
 - g. The extension of East Main Street to intersect with Nye Road.
 - h. Upgrade of the West Main Street and 4th Street Intersection to include signalization coordination with Monroe and 4th Streets and Spring and 4th Streets.
 - i. Coordinate the prioritization of the above with a direct relationship to traffic counts in these areas. If traffic counts increase dramatically, move the projects in these areas to a higher priority.

No progress has been made on categories (d.-i.)

2. The upgrade of sidewalks to meet ADA accessibility standards.

The Downtown Revitalization Project awarded in July 2016 will include the rebuilding of all Main Street curbs and ramps to meet ADA standards from Fifth to Sixth Streets. Heritage Walk Phase II will connect the parks with an ADA accessible route.

3. Promote the construction of sidewalks on one side of streets to provide pedestrian access to all parts of town (by revising the Subdivision Ordinance) and require a bike lane provision on all new residential streets.

The Planning Commission is studying a revision to the Subdivision Ordinance that would require the construction of sidewalks.

4. Promote the development of the bicycle paths and routes in town to provide bicycle access in town.

No progress has been made in this category.

5. Coordinate traffic signals to improve flow of major thoroughfares.

All new programmable signals are being constructed in the Downtown Project.

6. Encourage the development of a grid of streets incorporating the influence of terrain, drainage, etc. to provide ease of access from all areas of town.

No progress has been made in this category.

7. Encourage alternative methods of transportation for both freight and passenger movement, including rail, air, transit, bicycling, and walking.

No progress has been made in this category.

8. Promote a southerly route through town.

The Town is studying the Madison Street completion.

9. Promote electric vehicle use by providing charging stations in selected public places.

Conduit for charging stations in the downtown area was installed with Heritage Walk Phase I. The Bolling Wilson Hotel is investigating charging stations.

10. Promote the Heritage Walk extension as an alternative mode of north-south transportation (pedestrian and bicycle in some locations).

Phase II of the Heritage Walk is being constructed. This phase will connect Elizabeth Brown Memorial Park with Withers Park.

11. Increase hours of operation for public transportation.

The Transit System has expanded its evening hours and is studying the extension of Saturday hours.

12. Establish new Transportation Demand Management (TDM) service for residents commuting to distant employment centers.

No progress has been made in this category.

Land Use Goal and Objectives

Goal: Promote orderly growth and development through sound land use practices consistent with our small town atmosphere, natural setting, and cultural and historical heritage.

Objectives:

1. Review the Subdivision and Zoning Ordinances with respect to density, conservation areas and parks, and encourage new approaches to development that may increase density (living units per acre) and also increase open space, green space and parks, playgrounds, picnic areas, etc. (Identify on Town maps.)

The Planning Commission will be looking at these issues in the Comprehensive Plan rewrite.

2. Review the Subdivision Ordinance with respect to low impact development methods, improved stormwater management, and overall conservation priorities.

No progress has been made in this category.

3. Promote the development of a tree, sign, flower, and shrub management plan which would outline proposals for the beautification of streets, entrance corridors, and medians.

The Town has established a Tree Committee that has begun work on a tree management plan, and they make recommendations to the Town Council regarding tree removal, etc. in the town. It has been extremely helpful throughout town.

4. Promote a citizen awareness of planning to educate and solicit citizens' participation in making planning decisions to ultimately promote public support of good planning in all dimensions.

No progress has been made in this category.

5. Identify and protect specific agricultural lands that will be preserved as "open green space" in the future as development expands into the town's agricultural areas. (Identify on Town maps.)

No progress has been made in this category.

6. Promote, wherever practical, aesthetic improvements, open spaces, and other amenities such as trees, landscaping buffers, and underground utilities. Revise ordinances to promote increased density with landscaping buffers between conflicting land uses such as earthen berms planted with trees or shrubs. (Identify on Town maps.)

Buffer zone requirements have been enforced. East Main Street improvements are being designed with significant landscaping.

7. Annually review and revise, if necessary, the Future Land Use Map to assure orderly growth and development based upon long term plans and recent trends. Coordinate with Wythe County the land uses in potential boundary extension areas.

The Future Land Use Map was revised in 2015. Wythe County routinely sends subdivision and other land use issues to the Planning Commission for review.

8. Monitor the available land for residential development at all spectrums of housing with special emphasis on affordable housing that is integral with all developments.

As noted above, the Wytheville Redevelopment and Housing Authority has nearly completed construction on Freedom Lane, a veterans' housing complex.

9. Create an interstate corridor "buffer" that protects adjacent properties from the noise and visual distractions of the highways and provides a scenic avenue for travelers through Wytheville.

No progress has been made in this category.

10. Create enhanced entrance corridors into town that calm traffic and are "green" and "friendly" and create a good impression of Wytheville for first time visitors and to welcome back residents.

The construction of the East Main Street Improvements Project is underway.

11. Identify and work to preserve and protect water features, wetlands, forested areas of town, wildlife, birds, etc.

See Environmental Goals and Objectives.

12. Promote the identification of historic properties in town and adjacent properties in the county.

The Town keeps a file on the Historic District survey for property owners. The Reed Creek Mill was just added to the National Register of Historic Places.

Environmental Goal and Objectives

Goal: Enhance the environmental quality of the town and its natural resources and promote the positive scenic attributes of the area.

Objectives:

1. Promote conservation and preservation of green space.

No progress has been made in this category.

2. Revise the Zoning Ordinance to require green space preservation for all new developments.

No progress has been made in this category.

3. Promote the use of new technologies that will lower impacts of the Town operations such as ultraviolet disinfection at the Waste Water Treatment Plant, alternative fuel vehicles, biogas cogeneration projects, etc.

The Town is in the process of completing the construction of a Biogas Cogeneration Project at the Wastewater Treatment Plant and is purchasing a cleaner way to "burn" brush and other wood waste.

4. Require private developers to use new technologies with regard to stormwater management, such as LID (low impact development).

Presently, measures are strictly voluntary but encouraged.

5. Strictly enforce environmental laws and ordinances in conjunction with State and Federal authorities.

This is an ongoing process.

6. Protect and conserve surface and groundwater resources through erosion and sediment control enforcement, and upgrading of the Town's water and sewer systems to prevent leaks in the water system and infiltration and inflow into the sewer system.

This is a State requirement that is enforced by the Town.

7. Promote the development of parks and linear parks along Reed Creek and Cedar Run and other surface water resources throughout town. Encourage natural and manmade stabilization of stream banks in these parks and other areas.

The Historic Truss Bridge Restoration is under construction and will ultimately become a Town park. The Town has, also, received grant funding for stream bank stabilization along Cedar Run and is working on these easements.

8. Inventory and maintain the town's tree resources located on rights of way and Town owned property, and implement a Tree Planting Program and Tree Replacement Program in these areas.

The Town has removed and replanted a large number of trees in town, especially along West Main Street.

BI-MONTHLY ACTIVITIES OF THE WYTHEVILLE PLANNING COMMISSION

The Planning Commission membership is presently composed of the following members: Kevin L. Varney, M. Bradley Tate, Cathy D. Pattison, Terrance E. Suarez, Bradford M. Litton, Kenny W. Ervin and Councilman Joseph E. Hand, Jr.

Over the past year, the late Charles E. Shockley served as Chairperson, and Mr. Kevin L. Varney served as Vice-Chairperson. In January 2017, Mr. Kevin L. Varney was elected as Chairperson, and Mr. M. Bradley Tate was elected as Vice-Chairperson.

The Planning Commission has met monthly since the last annual report with agendas consisting of special exception permit requests, Zoning Ordinance amendments, updates to the current Comprehensive Plan, etc.

The following is a condensed bimonthly summary of the Planning Commission's activities. The Planning Commission will be glad to update the Council on any particulars of this report, if there are any questions, comments or concerns.

July and August 2016

Conducted a public hearing to consider the special exception permit request of Mr. Jen F. Wu to construct an apartment complex on Bob Spring Road. Recommended to the Town Council to approve the request, with several stipulations.

Welcomed Councilman Joseph E. Hand, Jr., as the new Council liaison member on the Planning Commission.

Set and conducted a public hearing to consider the request of Garnett S. and Polly P. Miller for a special exception permit to operate a carwash at 425 East Main Street. Recommended to the Town Council to approve the request, with several stipulations.

Adopted a resolution commending former Councilman H. Judson Lambert for his service to the Planning Commission.

Reviewed the Public Facilities Goals and Objectives in the Comprehensive Plan.

Set a public hearing for the September meeting to consider the special exception permit request of VIP Petcare to provide veterinary services at Tractor Supply at 1380 East Main Street.

Approved the 2015-16 Annual Report and sent it to the Town Council for their review.

Discussed an article from Fredericksburg about Airbnbs.

Discussed the Town's current sign regulations and how the Town and Downtown Wytheville, Incorporated work with new businesses regarding their signs.

September and October

Conducted a public hearing to consider the special exception permit request of VIP Petcare to provide veterinary services at Tractor Supply at 1380 East Main Street. Recommended to the Town Council to deny the special exception permit request.

Discussed proposed changes to the Entrance Corridor Overlay regulations.

Reviewed the Community Facilities Goal and Objectives of the Comprehensive Plan.

Considered the appropriate zoning districts for Suboxone Treatment Clinics.

Reviewed an Exit 73 conceptual plan and discussed the future growth of this area.

Discussed the Downtown Improvements Project.

November and December

Continued to discuss the proposed changes to the Entrance Corridor Overlay regulations. Also, reviewed the Entrance Corridor Regulations from Lexington and Charlottesville.

Continued the discussion of where Medical Clinics, Clinics and Outpatient Substance Abuse Treatment Centers should be permitted, as well as discussed the definitions for these uses.

Discussion was held regarding Mobile Veterinary Clinics and where they could be allowed to operate. Consensus of the Planning Commission to not make any amendments to the Zoning Ordinance regarding these mobile clinics.

Reviewed the Public Services Goal and Objectives of the Comprehensive Plan.

Dispensed with the December meeting due to the Christmas holidays.

Discussion was held regarding the completion of the Statements of Economic Interest, and the filing due date.

January and February 2017

Held annual officer elections. Mr. Kevin L. Varney was elected as Chairman, and Mr. M. Bradley Tate was elected as Vice-Chairman.

Continued to review the Entrance Corridor Overlay regulations. Staff advised that Kathy Frazier of Frazier and Associates would be providing information to the Town regarding the Façade Program and Wayfinding from Lexington, Virginia. Town staff presented a video of how Entrance Corridor Regulations affect the looks of entrances into a community.

Scheduled and held a public hearing to consider proposed amendments to the Zoning Ordinance to include the definitions of Medical Offices, Clinics and Outpatient Substance Abuse Treatment Centers and where these uses should be permitted to operate. Recommended to the Town Council to approve the definitions for these uses and the various zoning districts in which these uses should be permitted to operate.

Reviewed the Economic Goal and Objectives of the Comprehensive Plan.

Scheduled and held a Work Session at the February meeting to discuss the current Comprehensive Plan and the accomplishments that have been completed in 2016 toward the Plan.

Heard a presentation by Ms. Kathy Frazier of Frazier & Associates regarding the Entrance Corridor Regulations for Lexington and Fredericksburg, Virginia. She advised that sometimes incentives are better than regulations for an entrance corridor, therefore, it was the consensus of the Planning Commission to request permission from the Town Council to conduct a study of the East Main Street corridor to be done by Frazier & Associates.

Updated the Planning Commission on various projects in the town.

March and April

Considered the request of Mr. Larry Veneziano for the subdivision of property located on the south side of West Lee Highway between 26th and 30th Streets. Recommended to the Town Council to approve this subdivision.

Staff presented an overview of the Town's new Wayfinding Program for the Commission's review. Staff noted that this Wayfinding Program would include directional signage and kiosks to direct people downtown, etc., which would help eliminate sign clutter.

Discussion was continued on Entrance Corridor Regulations and how incentives help bring businesses to communities.

Scheduled and held a work session for the April meeting to continue review of the Comprehensive Plan and the accomplishments in 2016 toward the Plan's objectives.

Reviewed information regarding a planning conference scheduled in Roanoke on July 16-19, 2017.

Scheduled a public hearing for the May meeting to consider the request of Riley Construction Company, Incorporated for a special exception permit to sell propane gas and to construct additional storage units on their property at 555 Peppers Ferry Road.

Conducted the annual review of the special exception permits for Thomas and Tina Cline; Commonwealth of Virginia, Department of General Services, Surplus; Brad Litton, Wytheville (Wytheville) WMC, LLC (Petco); and, Chris Umberger. Noted all of the holders of these special exception permits are meeting their required stipulations.

Reviewed the Healthy Eating/Active Living resolution and the components of this resolution that need to be incorporated into the Comprehensive Plan.

Discussed if a stipulation should be placed on holders of Special Exception Permits that if the permits are not acted upon within two years, they would become null and void. Set a public hearing for the May meeting to consider an amendment to the Zoning Ordinance to include this stipulation.

Adopted a resolution commending the efforts of Mr. Charles E. Shockley to the Planning Commission and town and noting the Planning Commission's condolences to the Shockley family.

Adopted a resolution recognizing Mr. John W. Jones, Jr., for his efforts on the Planning Commission for many years.

May and June

Conducted a public hearing to consider the request of Riley Construction Company, Incorporated for a Special Exception Permit to sell propane gas and to construct additional storage units on their property at 555 Peppers Ferry Road. Recommended to the Town Council to approve this request, with several stipulations.

Held a public hearing to consider an amendment to the Zoning Ordinance to note that Special Exception Permits would become null and void if not acted upon within two

years of issuance. Recommended to the Town Council that this amendment be adopted.

Presented a resolution to Mrs. Charles E. Shockley recognizing the efforts of Mr. Shockley while serving on the Wytheville Planning Commission.

Scheduled and conducted a public hearing to consider the request of Mr. Larry K. Sharitz for a special exception permit to operate an auto repair shop at 140 Hillcrest Road. Recommended to the Town Council to approve the request, with stipulations.

Scheduled and conducted a public hearing to consider the request of Creative K-9 Designs for a special exception permit to operate a dog boarding/grooming business at 195 Calhoun Street. Recommended to the Town Council to deny the request.

Continued to discuss the East Main Street Entrance Corridor Study to be conducted by Frazier & Associates.

Discussed that no members of the Planning Commission will be able to attend the Planning Conference in Roanoke in July.

Reviewed the amendments to the definitions of "Automobile Graveyard" and "Junkyard" to make these definitions parallel State Code. Set a public hearing for the July meeting to consider amending the Zoning Ordinance to include the revisions for these two definitions.

Briefly discussed the future growth and future zoning of the Exit 73 area. Staff noted they will review this more with the Planning Commission in upcoming meetings.

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, AUGUST 14, 2017, AT 7:00 P.M.**

Members present: Jacqueline K. King, Thomas F. Hundley, Joseph E. Hand, Jr., Beth A. Taylor

Members absent: Trenton G. Crewe, Jr.

Others present: Town Manager C. Wayne Sutherland, Jr., Town Clerk Sharon G. Corvin, Assistant Town Manager Stephen A. Moore, Madeline Brown, Jennifer Anders, Marie B. Bishop, Bobby Anders, Dakota Brown, Rick Showalter, Becky Grubb, Pat Snapp, Tonia Johnson, Leanne Creger, Rhonda Sechrest, Ethan Lavalley, Danny Gordon, Holly Bockes, Jack Singleton, Police Officer Zach Taylor, Others

RE: CALL TO ORDER, QUORUM, PLEDGE

In the absence of Mayor Crewe, Vice-Mayor King called the meeting to order and established that a quorum of Council members was present. The Pledge of Allegiance was led by Councilman Hand.

RE: CONSENT AGENDA

Vice-Mayor King presented the consent agenda consisting of the minutes of the regular meeting of July 24, 2017, and the request of George Wythe High School for waiver of fees for use of Withers Park and McWane Shelter to hold a GWHS Meet the Maroons event to promote fall sports activities on Thursday, August 17, 2017, from 2:00 p.m. to 11:00 p.m. She inquired of the Council if there was a motion to approve the consent agenda as presented or to somehow be amended. A motion was made by Councilman Hundley and seconded by Councilwoman Taylor to approve the consent agenda consisting of the minutes of the regular meeting of July 24, 2017, and the request of George Wythe High School for waiver of fees for use of Withers Park and McWane Shelter to hold a GWHS Meet the Maroons event to promote fall sports activities on Thursday, August 17, 2017, from 2:00 p.m. to 11:00 p.m., as presented. Vice-Mayor King inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Jacqueline K. King, Thomas F. Hundley, Joseph E. Hand, Jr., Beth A. Taylor. Against: None.

RE: PUBLIC HEARING – ZONING ORDINANCE AMENDMENT

Vice-Mayor King advised that the meeting constituted a public hearing (due notice having been given) to consider amending the Town of Wytheville Zoning Ordinance, Article III, Definitions, Subsection 3-12, Automobile Graveyard, and Subsection 3-46, Junk Yard. She inquired if there are any citizens who wished to address the Council during this public hearing. There being no one who wished to address the Council, Vice-Mayor King declared the public hearing closed and proceeded with the agenda.

RE: CITIZENS' PERIOD

Vice-Mayor King thanked the citizens for attending the Council meeting. She inquired if there were citizens who wished to address the Council in regard to a matter other than the Creative K-9 Designs special exception permit. There being no one who wished to address the Council, she proceeded with the agenda.

RE: OLD BUSINESS

Under Old Business, Town Manager Sutherland reported the following:

1. A Council Work Session will be held on Tuesday, August 15, 2017, at 7:00 a.m., in the Council Conference Room.
2. The Freedom Lane ribbon cutting will be held on Wednesday, August 16, 2017, at 1:30 p.m. He noted that Governor McAuliffe would be attending.
3. The Beautification Task Force will meet on Wednesday, August 16, 2017, at 2:30 p.m., in Conference Room A of the Municipal Building.
4. The New River Regional Water Authority will meet on Thursday, August 17, 2017, at 9:30 a.m., in Austinville.

5. The Council Personnel Committee will meet on Friday, August 18, 2017, at 8:15 a.m., at the Wytheville Recreation Center.
6. The Joint Industrial Development Authority will meet on Thursday, August 24, 2017, at 3:00 p.m., in Council Chambers.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Councilwoman Taylor, reporting for the Budget and Finance Committee, stated that the Town's banking services are provided by National Bank, and they provide all of their services with no fees and offer a good interest rate on the Town's savings. She noted that the State law requires that any bank that has governmental money must guarantee that the Town's money will be available even if they were to default. Councilwoman Taylor explained that, generally speaking, most banks are not interested in collateralizing these funds to make this guarantee. She commented that National Bank has just extended its banking services, once again, to Wythe County. Councilwoman Taylor stated that Town Treasurer Stephens has suggested that the Council follow up on a letter that the Town received from National Bank and continue its banking services with them for another three years. She advised that the Budget and Finance Committee agrees with Town Treasurer Stephens, and it would be the motion of the Budget and Finance Committee that the Town renew its banking services with National Bank for another three years. A motion was made by Councilwoman Taylor and seconded by Vice-Mayor King to approve renewing the Town's banking services for another three years with National Bank and authorize the Town Manager and the Town Treasurer to execute the necessary documents. Vice-Mayor King inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Jacqueline K. King, Thomas F. Hundley, Joseph E. Hand, Jr., Beth A. Taylor. Against: None.

Councilwoman Taylor, also, reported that later in the meeting, the Council will consider an ordinance amending the section of Town Code dealing with the taxation on cigarettes. She explained that, currently, the Town imposes a tax on cigarettes at the rate of 15 cents per package of 25 cigarettes. Councilwoman Taylor explained that, periodically, people who purchase cigarette tax stamps seek refunds for stamps that are unused. She remarked that the Town Code provides that the Treasurer shall provide for the reimbursement rate for stamps at the 90 percent level. Councilwoman Taylor commented that, this past year, the Virginia state law was amended that provides that the refund will be at the 100 percent level. She stated that later in the meeting, Council will consider an ordinance that changes the Town Code to reflect the new State law. Councilwoman Taylor noted that the language in the proposed ordinance states that the refund shall be as established from time to time by the Code of Virginia and this will eliminate the Town needing to revise its regulations each time the State law changes. She advised that when the ordinance is presented later in the meeting, it would be the recommendation of the Budget and Finance Committee that it be adopted on first and final reading. A copy of the Budget and Finance Committee report is attached and made part of these minutes.

RE: PUBLIC WORKS COMMITTEE REPORT

Councilman Hundley, reporting for the Public Works Committee, stated that several years ago, the Town used grant and loan funds from the Department of Environmental Quality to construct a structure and purchase the equipment necessary to utilize the methane being produced by the digester at the Town's sewage treatment plant. He explained that the methane being created by the digester serves as a good fuel for the generator that was installed at the plant. Councilman Hundley remarked that the purpose of using this methane to power the generator is such that it can have additional processes ongoing without the consumption of purchased electricity. He commented that this project has never worked successfully because the Town does not have sufficient gas storage to keep the generator operating for extended periods of time. Councilman Hundley stated that the Town is advised that it needs additional storage capacity and the cost of the equipment to provide this additional storage capacity is approximately \$250,000. He explained that the Town has learned that there are grant funds in the amount of \$100,000 available from the Mount Rogers Planning District Commission, which would be matched with \$150,000 of Town funds. Councilman Hundley stated that to access the grant funds from the Mount Rogers Planning District Commission, it is necessary for the Council to adopt a resolution requesting the funding. He advised that later in the meeting, when the resolution is considered, it would be the recommendation of the Public Works Committee that it be adopted.

Councilman Hundley, also, reported that last year, the Town's mowing regulations were amended and generally require that all properties be mowed at least three times per year or at a point in time when the height of the grass, weeds or vegetation exceeds twelve inches. He stated that the Town has spent considerable time, energy and money in the past year improving

all of the entrances into the community. Councilman Hundley stated that the Public Works Committee thinks that it is important that the corridors leading into the town be properly maintained. He noted that the Public Works Committee is not prepared to make a specific recommendation, but the Committee believes that properties along Main Street, North Fourth Street, Peppers Ferry Road and West Lee Highway should be mowed on a more routine basis. Councilman Hundley explained that the Public Works Committee is considering regulations that would require that properties along these corridors be mowed at least monthly. He commented that while the Public Works Committee has not developed specific concepts, it would be practical to mirror the other regulations that require the monthly mowing of all properties that are within 100 feet of these rights of way. Councilman Hundley stated that the Public Works Committee is going to continue to work on this concept and, hopefully, the Town will have a proposed ordinance available in September. He noted that the Council was pleased to learn that at the July 11, 2017, meeting of the Wythe County Board of Supervisors, they approved an ordinance which provides for the partial exemption from real estate taxation for certain rehabilitated commercial and industrial real estate properties created within the Enterprise Zone. Councilman Hundley remarked that the Council had advocated that Wythe County take this action because the Town thought that it would be beneficial to the properties within its Enterprise Zone, especially in the downtown area. He explained that the Town Council wanted to take this opportunity to publicly thank the Board of Supervisors for their action in providing this valuable incentive for the improvement of properties. Councilman Hundley thanked the Beautification Committee for all of their hard work. A copy of the Public Works Committee report is attached and made part of these minutes.

RE: ORDINANCE NO. 1325

Vice-Mayor King presented Ordinance No. 1325, an ordinance amending and reenacting Chapter 14, Taxation, Article IV. Cigarette Tax, Section 14-53. Preparation, Sale, Etc., of Stamps; Duties of Treasurer Generally, of the Code of the Town of Wytheville, Virginia, on first reading. A motion was made by Councilman Hundley and seconded by Councilman Hand to suspend the rules and adopt Ordinance No. 1325, an ordinance amending and reenacting Chapter 14, Taxation, Article IV. Cigarette Tax, Section 14-53. Preparation, Sale, Etc., of Stamps; Duties of Treasurer Generally, of the Code of the Town of Wytheville, Virginia, on first and final reading. Vice-Mayor King inquired if there was any discussion on the motion to adopt the ordinance on first and final reading. There being none, the motion was approved with the following voting in favor and there being no opposition:

FOR: Jacqueline K. King, Thomas F. Hundley, Joseph E. Hand, Jr., Beth A. Taylor

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1325 was adopted on first and final reading. She noted that it is effective immediately.

RE: ORDINANCE NO. 1326

Vice-Mayor King presented Ordinance No. 1326, an ordinance amending and reenacting Ordinance No. 640, generally known as the Zoning Ordinance, to amend and reenact Article III, Definitions, Subsection 3-12, Automobile Graveyard, and Subsection 3-46, Junk Yard, on first reading. A motion was made by Councilman Hand and seconded by Councilwoman Taylor to suspend the rules and adopt Ordinance No. 1326, an ordinance amending and reenacting Ordinance No. 640, generally known as the Zoning Ordinance, to amend and reenact Article III, Definitions, Subsection 3-12, Automobile Graveyard, and Subsection 3-46, Junk Yard, on first and final reading. Vice-Mayor King inquired if there was any discussion on the motion to adopt the ordinance on first and final reading. There being none, the motion was approved with the following voting results in favor and there being no opposition:

FOR: Jacqueline K. King, Thomas F. Hundley, Joseph E. Hand, Jr., Beth A. Taylor

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1326 was adopted on first and final reading. She noted that it is effective immediately.

RE: RESOLUTION – CO-GENERATION PROJECT GRANT

Vice-Mayor King advised the next agenda item is a resolution requested by the Mount Rogers Planning District Commission in support of a grant application in the amount of up to \$100,000 for the Co-generation Project. A motion was made by Councilman Hundley and seconded by Councilman Hand to adopt a resolution requested by the Mount Rogers Planning District Commission in support of a grant application in the amount of up to \$100,000 for the Co-generation Project. Vice-Mayor King inquired if there was any discussion on the motion to adopt the resolution requested by the Mount Rogers Planning District Commission. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Jacqueline K. King, Thomas F. Hundley, Joseph E. Hand, Jr., Beth A. Taylor. Against: None.

RE: APPOINTMENTS – BOARD OF ZONING APPEALS

Vice-Mayor King advised the next agenda item is to consider the appointment or reappointment of a member to the Wytheville Board of Zoning Appeals to fill the expiring term of Mr. David Harrison (term expires September 10, 2017). A motion was made by Councilwoman Taylor and seconded by Councilman Hundley to reappoint Mr. David Harrison to the Wytheville Board of Zoning Appeals for a five year term (expires September 10, 2022). Vice-Mayor King inquired if there was any discussion on the motion. Town Manager Sutherland noted that this is a recommendation of the Town Council which will be referred to the Wythe County Circuit Court. Vice-Mayor King inquired if there was any further discussion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Jacqueline K. King, Thomas F. Hundley, Joseph E. Hand, Jr., Beth A. Taylor. Against: None.

RE: APPOINTMENTS – WYTHEVILLE REDEVELOPMENT AND HOUSING AUTHORITY

Vice-Mayor King advised the next agenda item is to consider the appointment or reappointment of members to the Wytheville Redevelopment and Housing Authority (terms expire September 8, 2017). A motion was made by Councilman Hand and seconded by Councilwoman Taylor to appoint Mr. Connie “Jack” Quesenberry and reappoint Mr. Danny McDaniel and Ms. Zareda Ward to the Wytheville Redevelopment and Housing Authority for four year terms (expire September 8, 2021). Vice-Mayor King inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Jacqueline K. King, Thomas F. Hundley, Joseph E. Hand, Jr., Beth A. Taylor. Against: None.

RE: APPOINTMENTS – NEW RIVER REGIONAL WATER AUTHORITY

Vice-Mayor King advised the next agenda item is to appoint or reappoint a member to the New River Regional Water Authority to fill the expired term of Town Manager Wayne Sutherland (term expired June 30, 2017). A motion was made by Councilwoman Taylor and seconded by Councilman Hand to reappoint Town Manager Sutherland to the New River Regional Water Authority for a four year term (term expires June 30, 2021). Vice-Mayor King inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Jacqueline K. King, Thomas F. Hundley, Joseph E. Hand, Jr., Beth A. Taylor. Against: None.

RE: PLANNING COMMISSION RECOMMENDATION – SPECIAL EXCEPTION PERMIT REQUEST – CREATIVE K-9 DESIGNS

Vice-Mayor King advised that the next agenda item is to consider the issuance of a special exception permit to Creative K-9 Designs for a special exception permit to operate a dog boarding/grooming business at 195 Calhoun Street, which is located on the east side of Calhoun Street between Jefferson Street and Withers Road, in an R-3 Residential District. She stated that Mr. Rick Showalter noted on the sign in sheet that he wished to address the Council in regard to this special exception permit request.

Mr. Rick Showalter was recognized and thanked the Council for allowing him to address them in regard to this request. Mr. Showalter stated that he presented a petition at the August Planning Commission meeting, which he was told had been shared with the Council, that had been signed by the neighbors of the business. He noted that the petition includes a map of the properties affected by the proposed special exception permit request. Mr. Showalter commented that he hoped the Council would take the petition into consideration. He continued to explain to the Council the reason he and his wife are opposed to the issuance of the special exception permit request. Mr. Showalter remarked that he hoped the Council will consider the property values, noise and other concerns of the neighborhood before making their decisions. Vice-Mayor King thanked Mr. Showalter for addressing the Council.

Ms. Jennifer Anders was recognized and thanked the Council for allowing her to address them. She noted that the Council has already seen the presentation, however, if they would like to see it again, she would be glad to present it. Ms. Anders inquired of the Council if they would or would not like to see the presentation and hear the noise testing again. Vice-Mayor King inquired if all of the Council members had seen the presentation and heard the noise testing. Councilwoman Taylor noted that she was absent for that meeting, however, she has since spoken to Ms. Anders regarding the request. Ms. Anders inquired of Councilwoman Taylor if she would like to see the presentation and hear the noise test. Councilwoman Taylor replied that it would not be necessary. Ms. Anders stated that she would like to thank the Wytheville Planning Commission, the Town Council and the residents of Wytheville for considering her request for a special exception permit to operate a dog boarding/grooming business at 195 Calhoun Street. She remarked that she appreciated the residents who opposed this permit during this process for conducting themselves in a professional manner. Ms. Anders explained that the only thing that has been an issue through the entire process is the consistent disrespect that she has received by Councilman Hand. She noted that Councilman Hand consistently reminded her that he is an expert in real estate but has not respected the fact that she is an expert in her field. Ms. Anders continued to explain to the Council her qualifications and expertise in her field of work. She commented that to be consistently challenged on her ability to handle dogs or even pick up feces is very disrespectful. Ms. Anders noted that she is also a former Police Officer for the City of Kingsport, Tennessee. She remarked that she found the consistent grilling of the same questioning over and over similar to a courtroom experience. Ms. Anders explained that she is not debating the issue, but she is just shedding light on this side of an issue in hopes that Councilman Hand will be more respectful to others' qualifications in the future. She thanked the Council for allowing her to address them regarding her request. Vice-Mayor King thanked Ms. Anders for addressing the Council. A motion was made by Councilman Hand to accept the recommendation from the Wytheville Planning Commission and deny the request of Creative K-9 Designs for a special exception permit to operate a dog boarding/grooming business at 195 Calhoun Street, which is located on the east side of Calhoun Street between Jefferson Street and Withers Road, in an R-3 Residential District, due to a lack of community support. Vice-Mayor King inquired if there is a second to the motion. Councilwoman Taylor explained to the Council that she was not present for Ms. Anders' presentation, however, she did go and speak to Ms. Anders and asked the questions she needed to ask to understand. She commented that she understands both Ms. Anders' side and Councilman Hand's side. Councilwoman Taylor stated that she lives in Loretto and there are approximately 12 dogs surrounding her property, including the three dogs her family owns. She remarked that the dogs bark at night and during the day. She noted that some are inside dogs and some are outside dogs. Councilwoman Taylor stated that no one wants to live around noise including barking dogs, railroads, etc. She explained that she does feel that the business is a wonderful concept, and she wanted her opinion to be known with the understanding that there should be stipulations on the permit, and it should be on a trial basis. Councilwoman Taylor stated that she does not see the harm in a trial period special exception permit. Councilman Hand remarked that he would like to make a few comments. He stated that he would like to apologize to Ms. Anders because it was certainly not his intent to disrespect her in any way at any time. Councilman Hand explained that his frustration was early on in letting her know that it is the Planning Commission's job to uphold zoning, etc. He noted that he loves the concept of the dog boarding/grooming business, but as a Planning Commissioner, he cannot recommend a dog kennel in a residential community regardless of what part of town it is located. Councilman Hand reiterated that he does apologize for anytime that Ms. Anders felt disrespected by him because that was not his intention. Vice-Mayor King inquired if there is a second to the motion of Councilman Hand. There being no second, the motion died. A motion was made by Councilwoman Taylor to approve the request of Creative K-9 Designs for a special exception permit to operate a dog boarding/grooming business at 195 Calhoun Street, which is located on the east side of Calhoun Street between Jefferson Street and Withers Road, in an R-3 Residential District, on a trial basis with stipulations. Councilman Hand explained to Councilwoman Taylor that the Planning Commission did set several stipulations if the permit were to be approved, including a fence to keep the dogs safe, which Ms. Anders was not willing to build at this time. He expressed that he feels a trial period is a mistake because the neighbors have already stated that they do not want the dog kennel in their neighborhood and that they are attending the Council meeting again to express just how much they do not want it. He stated that, personally, he does not want to have his phone ring off of the hook due to barking dogs. Councilman Hand advised that at the first complaint heard, the Council has the right to expel the special exception permit.

Mr. Jack Singleton was recognized and stated that he is the closest neighboring house to the business, and he is in favor of the business. He noted that he does not hear barking dogs from the business. Mr. Singleton continued to express his thoughts in regard to Ms. Anders' request. He noted that he would much rather see this business than the beer and cigarette store that

was there years ago. Mr. Singleton commented in regard to the property value issue. Vice-Mayor King thanked Mr. Singleton for his comments.

Councilwoman Taylor inquired of Ms. Anders if, currently, she and her staff take the dogs that she grooms at the business currently outside for bathroom breaks. Ms. Anders stated that they take the dogs out for breaks at least two times. Councilwoman Taylor remarked that, currently, there is not a fence at the business, and it does not seem to be an issue. She inquired of Councilman Hand if he would clarify for her what he meant when he stated that if the Council heard one complaint from the neighbors, the permit would be pulled. Councilwoman Taylor inquired of Councilman Hand why the permit would be pulled after one complaint, if the permit were issued on a trial basis. Councilman Hand explained that no one disagreed with the concept, however, it has to be taken serious at the time of voting that the neighbors are not in favor of the permit, and they will more than likely complain. He commented that as a real estate agent of 17 years, he felt that it is a mistake to put a kennel in the middle of a residential community. Councilman Hand continued to explain the reasoning behind the Planning Commission's recommendation. Councilwoman Taylor stated that the question she asked was if the permit could be pulled after one complaint. She noted that Councilman Hand gave her his opinion, and she is entitled to an opinion, as well, however, she is asking if it is a set requirement that the permit be pulled if the Council receives only one complaint after one day. Town Manager Sutherland advised that it would take Council action to pull the permit. Ms. Jennifer Anders explained the conditions to the Council that she presented to the Planning Commission that she would do. Mr. Singleton stated that in regard to the neighborhood, it is not unanimous that all of the property owners are against the permit. A discussion ensued regarding the neighborhood and who is possibly in favor of or against the business.

Ms. Rhonda Sechrest was recognized and stated that Ms. Anders seems like a nice person, however, this issue comes down to zoning. She noted that the Town has to be careful what precedent it establishes. Ms. Sechrest commented that people buy houses in residential zoning districts because nuisances are controlled or try to be controlled in those areas. She continued to express her thoughts in regard to the request. Ms. Sechrest commented that she thinks the business idea is great, however, the Council has to set a precedent and the next business owner may be a problem. Vice-Mayor King advised that the next business owner would be required to complete the same process. Councilman Hand inquired of Ms. Sechrest if she, as a real estate agent, could tell him if he is wrong in thinking that it is going to affect the property values and the selling of the homes in the neighborhood because of a dog kennel. Ms. Sechrest stated that she feels that it will affect property values and the selling of homes. Councilwoman Taylor inquired as to why if the building is already there, but with a different business, and inquired if it would look any differently whether or not dogs were there 24 hours a day versus 12 or 14 hours. Councilman Hand stated that he disagreed with Councilwoman Taylor because there will be a staff person who shows up to walk the dogs at 7:00 a.m. on Christmas morning, Thanksgiving morning or New Year's morning when everyone is out of town and they have their dogs there, and it does affect a residential community when there are 25 dogs there. He noted that when 25 dogs are brought out into a yard, there is going to be some disruption. Councilman Hand continued to discuss his feelings in regard to the issue. Councilwoman Taylor inquired of Councilman Hand if her reading material is correct, and that there will be a limit of ten to 20 dogs allowed at the business. Ms. Anders stated that there would be ten to 20 dogs, but it will vary. A discussion ensued regarding the day time kennel versus a 24 hour kennel. Councilman Hundley inquired of Ms. Anders as to the amount of money she would have to invest for her trial period if the special exception permit were approved. Ms. Anders stated that it would probably be close to \$5,000.00. Vice-Mayor King inquired of Ms. Anders what she would have to do to get ready for what they want to do. Ms. Anders explained that she would have to build the suites and she has four already constructed. She noted that for each of the four suites it was approximately \$1,000.00 because of the certain materials required for sanitation purposes. She continued to explain to the Council the additional items required for the business. Vice-Mayor King stated that she has been in the business before and it did not seem that there was enough room for all of the necessary things. Ms. Anders explained that grooming does not take up a lot of space, therefore, a lot of the building is vacant. She remarked that little dogs do not take up a lot of space. Ms. Anders commented that the four suites that already exist could house eight small dogs. Vice-Mayor King stated that there is a motion on the floor and inquired if there is a second. Councilman Hundley stated that he wanted to make a few comments. He expressed that he loved the concept that Ms. Anders has and would love to take his dog to a business like this, however, he is worried that if a trial period is chosen, Ms. Anders will lose her investment. He remarked that he is concerned that Ms. Anders will lose money.

Mr. Rick Showalter stated that his wife asked him speak on her behalf because she is out of town. He noted that his wife had been doing some research. Mr. Showalter explained that they were not looking so much at the conditions, but, rather, that it is a zoning issue. Mr. Showalter stated that his wife wanted to point out that the building is not owned by Ms. Anders, but, rather,

a County resident. He explained that Ms. Anders could go to another building in the correct zoning district and have a business there. He continued to express his thoughts regarding the permit request. Vice-Mayor King thanked Mr. Showalter for his comments. She inquired if anyone else had any further comments. Vice-Mayor King stated that, again, there is a motion on the floor from Councilwoman Taylor. Councilwoman Taylor repeated her motion to approve the request of Creative K-9 Designs for a special exception permit to operate a dog boarding/grooming business at 195 Calhoun Street, which is located on the east side of Calhoun Street between Jefferson Street and Withers Road, in an R-3 Residential District, on a trial basis with stipulations. Vice-Mayor King inquired if there is a second on the motion. There being none, the motion died on the table due to the lack of a second. A motion was made by Councilman Hand to accept the recommendation of the Wytheville Planning Commission and deny the request of Creative K-9 Designs for a special exception permit to operate a dog boarding/grooming business at 195 Calhoun Street, which is located on the east side of Calhoun Street between Jefferson Street and Withers Road, in an R-3 Residential District. Vice-Mayor King inquired if there is a second on the motion. There being none, the motion died on the table due to the lack of a second. Councilman Hand inquired of Town Clerk Corvin or Assistant Town Manager Moore if he is correct when he states that a business has to wait 11 months to reapply for another special exception permit. Assistant Town Manager Moore stated that is correct. Councilman Hundley commented that he is not seconding Councilman Hand or Councilwoman Taylor's motion because he does not see this as an easy solution. Town Manager Sutherland explained that there are several solutions that the Council could consider. He remarked that the Council could table the vote for the evening or table the vote until the next meeting. Town Manger Sutherland noted that it is at the Council's discretion. Vice-Mayor King stated that this is the second time the Council has voted on the issue. Councilman Hand remarked that it has been to the Planning Commission twice, as well. He expressed that he feels like a vote needs to be taken at this meeting. Councilman Hand stated that he recommends the Council table the request indefinitely or at least until the 11 month period is up and Ms. Anders can make another request. Vice-Mayor King commented that she thought that under Roberts Rules of Order, if there was a lack of a second on a motion, the motion dies. Town Clerk Corvin explained that the motion dies but not the issue. Councilwoman Taylor commented that she does respect the Planning Commission and their decision. Vice-Mayor King expressed that she feels sorry for Ms. Anders, however, the Council pays seven planners for them to do the planning for the Town of Wytheville. Town Clerk Corvin advised Vice-Mayor King that she is allowed to second a motion. Town Manager Sutherland stated that if there is not a motion to be seconded, then the Council does not vote, then nothing happens. A discussion ensued regarding what happens if it is a tie vote. Councilman Hundley suggested waiting until the next Council meeting to vote so that there is a fifth vote. Vice-Mayor King stated that she did not think it was fair to Ms. Anders because they have attended four meetings waiting on the decision. Councilman Hand remarked that he thinks it is unfair to Ms. Anders, as well. He commented that he thinks they have had all of the discussion that they could possibly have about this subject, as well. He noted that he thinks that there is nothing else that anyone else can say. Vice-Mayor King inquired of Ms. Anders if she understands where the Council is coming from. Mr. Danny Gordon stated that Roberts Rules of Order states that if there is no second to the motion, then the motion dies. He remarked that in regard to the action at this meeting, it is a dead motion because there is no real action. Vice-Mayor King stated that the Council is familiar with Roberts Rules of Order, and that is what they were discussing. Vice-Mayor King inquired if there is another motion in regard to this request. A motion was made by Councilman Hand and seconded by Vice-Mayor King to deny the request of Creative K-9 Designs for a special exception permit to operate a dog boarding/grooming business at 195 Calhoun Street, which is located on the east side of Calhoun Street between Jefferson Street and Withers Road, in an R-3 Residential District, due to the lack of the Wytheville Planning Commission's support and community support. Vice-Mayor King inquired if there was any discussion on the motion. There being none, there was the following voting results: For: Jacqueline K. King, Joseph E. Hand, Jr. Against: Thomas F. Hundley, Beth A. Taylor. Vice-Mayor King advised that due to a tie vote of the Council, no action was taken on the request of Creative K-9 Designs for a special exception permit to operate a dog boarding/grooming business at 195 Calhoun Street, which is located on the east side of Calhoun Street between Jefferson Street and Withers Road, in an R-3 Residential District, and, therefore, the request is now a dead issue.

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (7:15 p.m.).

Jacqueline K. King, Vice-Mayor

Sharon G. Corvin, Town Clerk

BUDGET AND FINANCE COMMITTEE REPORT

AUGUST 14, 2017

1. The Town's banking services are provided by National Bank, and they provide all of their services with no fees and offer a good interest rate on our savings. The State law requires that any bank that has governmental money must guarantee that the Town's money will be available even if they were to default. Generally speaking, most banks are not interested in collateralizing these funds to make this guarantee. National Bank has just extended its banking services, once again, to Wythe County. Town Treasurer Stephens has suggested that we follow up on a letter that the Town received from National Bank and continue our banking services with them for another three years. We agree with Town Treasurer Stephens, and it would be the motion of the Budget and Finance Committee that we renew our banking services with National Bank for another three years.
2. Later in the meeting, the Council will consider an ordinance amending the section of Town Code dealing with the taxation on cigarettes. Currently, the Town imposes a tax on cigarettes at the rate of 15 cents per package of 25 cigarettes. Periodically, people who purchase cigarette tax stamps seek refunds for stamps that are unused. The Town Code provides that the Treasurer shall provide for the reimbursement rate for stamps at the 90 percent level. This past year, the Virginia state law was amended that provides that the refund will be at the 100 percent level. This evening, we will consider an ordinance that changes the Town Code to reflect the new State law. The language in the proposed ordinance

states that the refund shall be as established from time to time by the Code of Virginia and this will eliminate us needing to revise our regulations each time the State law changes. When the ordinance is presented this evening, it would be the recommendation of the Budget and Finance Committee that it be adopted on first and final reading.

Jacqueline K. King

Beth A. Taylor

PUBLIC WORKS COMMITTEE REPORT

AUGUST 14, 2017

1. Several years ago, the Town used grant and loan funds from the Department of Environmental Quality to construct a structure and purchase the equipment necessary to utilize the methane being produced by the digester at the Town's sewage treatment plant. The methane being created by the digester serves as a good fuel for the generator that was installed at the plant. The purpose of using this methane to power the generator is such that it can have additional processes ongoing without the consumption of purchased electricity. This project has never worked successfully because we do not have sufficient gas storage to keep the generator operating for extended periods of time. We are advised that we need additional storage capacity and the cost of the equipment to provide this additional storage capacity is approximately \$250,000. We have learned that there are grant funds in the amount of \$100,000 available from the Mount Rogers Planning District Commission, which would be matched with \$150,000 of Town funds. To access the grant funds from the Mount Rogers Planning District Commission, it is necessary for the Council to adopt a resolution requesting the funding. Later in the meeting, when the resolution is considered, it would be the recommendation of the Public Works Committee that it be adopted.
2. Last year, the Town's mowing regulations were amended and generally require that all properties be mowed at least three times per year or at a point in time when the height of the grass, weeds or vegetation exceeds twelve inches. We have spent

considerable time, energy and money in the past year improving all of the entrances into the community. We think that it is important that the corridors leading into the town be properly maintained. We are not prepared to make a specific recommendation, but we believe that properties along Main Street, North Fourth Street, Peppers Ferry Road and West Lee Highway should be mowed on a more routine basis. We are considering regulations that would require that properties along these corridors be mowed at least monthly. While we have not developed specific concepts, it would be practical to mirror the other regulations that require the monthly mowing of all properties that are within 100 feet of these rights of way. We are going to continue to work on this concept and, hopefully, we will have a proposed ordinance available in September.

3. We were pleased to learn that at the July 11, 2017, meeting of the Wythe County Board of Supervisors, they approved an ordinance which provides for the partial exemption from real estate taxation for certain rehabilitated commercial and industrial real estate properties created within the Enterprise Zone. We had advocated that Wythe County take this action because we thought that it would be beneficial to the properties within our Enterprise Zone, especially in the downtown area. We wanted to take this opportunity to publicly thank the Board of Supervisors for their action in providing this valuable incentive for the improvement of properties.

Thomas F. Hundley

Joseph E. Hand, Jr.