

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, SEPTEMBER 25, 2017, AT 7:00 P.M.**

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

Others present: Town Manager C. Wayne Sutherland, Jr., Town Clerk Sharon G. Corvin, Assistant Town Manager Stephen A. Moore, Town Attorney Christopher R. Menerick, Danny Gordon, Marie B. Bishop, Tim Reeves, Debbie Reeves, Rhonda Sechrest, Angel Parks, Police Officer Nathan Miller

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 Councilwoman Taylor.

RE: CONSENT AGENDA

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting of September 11, 2017, and the request of the Community Food Kitchen to conduct "The Stuffed Strut" 5K Race on Friday, November 24, 2017, at 9:00 a.m. He 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 Vice-Mayor King to approve the consent agenda consisting of the minutes of the regular meeting of September 11, 2017, and the request of the Community Food Kitchen to conduct "The Stuffed Strut" 5K Race on Friday, November 24, 2017, at 9:00 a.m., as presented. Mayor Crewe inquired if there was any discussion on the motion to approve the consent agenda. 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, Thomas F. Hundley, Joseph E. Hand, Jr., Beth A. Taylor. Against: None.

RE: CITIZENS' PERIOD

Mayor Crewe thanked Ms. Angel Parks for attending the Council meeting. He advised that Ms. Parks noted on the sign in sheet that she wished to address the Council, therefore, he would ask that Ms. Parks come to the podium at this time. Ms. Angel Parks was recognized and stated that she lives at 840 South First Street in Wytheville. She noted that she would like to address the Council because she feels like the Wytheville Police Department bullies her family. Ms. Parks explained to the Council that on September 11, 2017, her husband, Mr. Gerald Wall, was asleep when the police came to their door. She noted that for the past two years, she and her husband have been working to relocate out of Wythe County to provide a better life for their family. Ms. Parks commented that they had found a location elsewhere, had completed most of the paperwork and her husband's background check had returned with a clean check. She noted, however, she received a letter earlier in the day stating that the apartment complex had denied their application. Ms. Parks explained that her husband has been on probation in the past, but he is not on probation anymore. She noted that he was wrongfully arrested for stalking a woman that neither of them know. Ms. Parks explained her family's housing situation to the Council. She discussed her child's health problems with the Council, as well. Ms. Parks noted that the woman who accused her husband of stalking had been arrested in North Carolina a month before. She continued to explain the situation to the Council. Ms. Parks remarked that Mr. Jason Hoback came out of her neighbor's apartment and chased her family, which has caused her daughters to have nightmares. She stated that she has letters explaining that for her mental and physical health, it would be best for her family to move to a community where no one knows them. Ms. Parks remarked that she was told to move where there are more resources and it is safer. She explained that she has people who are willing to help her family, however, she feels like the law enforcement is corrupt in Wytheville. Mayor Crewe inquired of Ms. Parks if she is insinuating that the Wytheville Police Department is bullying her and, if so, how are they bullying her. Ms. Parks continued to discuss why she felt the Police Department was unfair to her family. She remarked that a while ago, she had just had surgery and had gone by the Housing Authority office when Ms. Bonnie Brewer called the police on her. She noted that Officers Blaine Grubb and Jennifer Brewster responded to the call. Ms. Parks commented that she and her husband left the office and were driving down the road, but they were not speeding, when Officer Grubb pulled her husband over. She noted that her husband was told by Officer Grubb that he was pulled over for speeding. Ms. Parks explained that Officer Grubb was gone to his squad car for approximately 15 minutes and, apparently, could not find anything to write her husband a ticket for, therefore, he gave him a speeding ticket. Mayor Crewe inquired if he heard Ms. Parks correctly when she stated that someone called the police on her and her husband and then Officer Grubb stopped them. Ms. Parks commented that she has a claim with

the Housing Authority presently, and there was no reason for Ms. Brewer to call the police. Mayor Crewe explained to Ms. Parks that when the police are dispatched, they are required to respond. Ms. Parks continued to explain to the Council what happened when Officer Grubb pulled her husband over and gave him a speeding ticket. She proceeded to explain to the Council that she tried to tell the Police Department that the people who live next door to her are dangerous because she pulled their pictures up on www.mugshots.com. Mayor Crewe inquired of Ms. Parks what the police are doing with that information. Ms. Parks stated, as far as she knows, nothing at this time. She noted that her family has lost a place to live for absolutely nothing. Mayor Crewe inquired of Ms. Parks if she thinks the Wytheville Police Department had something to do with her family losing their future home. Ms. Parks stated that in some form that is correct. Mayor Crewe inquired of Ms. Parks if she has charges pending on her at this time. Ms. Parks stated that she does not but her husband does. A discussion continued regarding the pending charges of Mr. Gerald Wall. She continued to explain to the Council the harassment her family endures by their neighbors and nothing is done about it. Mayor Crewe inquired of Ms. Parks exactly what she thinks the Town Council can do to help her, and what is it that she is asking them to do to help her. Ms. Parks stated that she would like an investigation performed on the person who wrongfully accused her husband of stalking her. Mayor Crewe advised Ms. Parks that the Town Council has no control of performing such an investigation. He noted that she could request this investigation of the Police Department. Ms. Parks explained that she has been trying. Mayor Crewe commented that the Council could request the Police Department to report to them what is underway, and if there is an investigation. He continued to explain to Ms. Parks if there is an undercover operation involved, etc., the timeline could take longer. Ms. Parks continued to express her concerns regarding the Wytheville Police Department and that she feels like they are retaliating against her family. Mayor Crewe explained to Ms. Parks that the Council does not have the authority to stop the Police Department. He noted that the Court System would need to impose this. Mayor Crewe commented that Ms. Parks stated that she has been speaking to Commonwealth Attorney Jerry Mabe, therefore, if she suspects her neighbors of criminal activity, that is the avenue with which she needs to proceed. He explained that Ms. Parks can bring a charge against a person just the same as anyone else can. Mayor Crewe continued to explain to Ms. Parks that the Court System would have to take care of this problem and not the Town Council. Ms. Parks continued to express her thoughts regarding how she feels about the Town Police Department to the Council. Mayor Crewe noted that if a citizen makes a complaint against another citizen, the Police Department is required to follow up on a warrant, charge, etc. He explained to Ms. Parks that he thinks the only thing he can do is, if she will share with Town Manager Sutherland her telephone number, he will personally volunteer to contact the Police Department to see if he can find out anything that they can share with him about what is going on, particularly with Mr. Hoback, and if he can share the information with Ms. Parks once he is told what is happening. Mayor Crewe noted that if there is an investigation taking place, the Police Department may or may not be able to share that information. Ms. Parks remarked that another time she felt harassed by the Police Department, Commonwealth Attorney Jerry Mabe contacted Wytheville Police Officer Jeff Hall, and Officer Hall was instructed to stop harassing her, however, the harassment got worse. She noted that the Wytheville Police Department does have some good Officers, but there are some corrupt Officers, as well, and the Council needs to know about it. Mayor Crewe suggested to Ms. Parks that she have Commonwealth Attorney Mabe contact the Town Attorney, Mr. Christopher Menerick, or the Chief of Police, Mr. Rick Arnold. He noted that individual Officers should not be contacted, but, rather, to go through the chain of command cycle. Mayor Crewe advised that he can assure Ms. Parks that the Town Council would not be pleased to know that there is anybody in the Town Police Department who is not doing their job properly, and the Council can certainly ask about that. A discussion ensued regarding Ms. Parks' complaint against the Wytheville Police Department and the Wytheville Redevelopment and Housing Authority. Ms. Parks stated that she is not sure what it is about Officer Jennifer Brewster, but one particular day, Officer Brewster was driving up and down the street where she lives. She remarked that her husband had to leave the house, and as soon as he got to the stop sign at the top of First Street, Officer Brewster turned on her lights. Mayor Crewe inquired if Officer Brewster charged Mr. Wall with anything. Ms. Parks stated that her husband received a ticket for things hanging from the rearview mirror. A discussion continued regarding Ms. Parks' complaint. Mayor Crewe stated that he would report back to Ms. Parks within the next few days. He noted that he is not sure if there is anything else that the Council can do. Councilwoman Taylor apologized to Ms. Parks for this happening to her and her husband. She noted that Mayor Crewe would look into the issue and be in contact with her soon. Councilwoman Taylor thanked Ms. Parks for attending the meeting. Mayor Crewe thanked Ms. Parks for speaking. There being no one else attending the meeting to speak, Mayor Crewe 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, September 26, 2017, at 7:00 a.m., in the Council Conference Room.
2. A meeting will be held on Wednesday, September 27, 2017, at 2:00 p.m., in Conference Room A of the Municipal Building with the Virginia Department of Transportation (VDOT) and Frazier Associates regarding the Wayfinding Program and how the Town's signs will coordinate with VDOT signs.
3. The Joint Industrial Development Authority of Wythe County will meet on Thursday, September 28, 2017, at 3:00 p.m., in Council Chambers.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Vice-Mayor King, reporting for the Budget and Finance Committee, stated that after the recent demonstrations in Charlottesville, Virginia, communities are looking to establish or modify their regulations concerning picketing and demonstrations. She explained that it is also a current focus with the Virginia Municipal League in concert with Virginia's Secretary of Public Safety. Vice-Mayor King noted that the Council is, currently, in the process of developing regulations that can be included in the Town Code concerning these types of activities. She remarked that it is important to note that the Council, in no way, wants to develop regulations that infringe on anyone's rights or their freedom of speech, but the Council also realizes that these activities must be held in an orderly fashion and in a manner that does not endanger the demonstrators or the citizenry in general. Vice-Mayor King stated that the regulations that are being developed are standards that will be implemented to ensure public safety and to develop standards of conduct for those who will be participating in the demonstration. She advised that the Town's Attorney is working on these regulations, and the Council anticipates that it will have an ordinance to consider on first reading at the next meeting of Council.

Vice-Mayor King, also, reported that on Friday, September 8, 2017, the Town received a new burning system that will accommodate its brush collection program. She explained that this very large piece of equipment, weighing approximately 27 tons, was offloaded in a prepared spot in the area of the closed landfill where brush is disposed. Vice-Mayor King remarked that the manufacturer will be providing training on the use of the equipment in the very near future. She noted that the Budget and Finance Committee is very pleased that the Council has acquired this piece of equipment, and the Town is anxious to put it into operation. Vice-Mayor King explained that the burning operation is very efficient and will virtually eliminate any smoke plumes from rising over the disposal site. She stated that for many years, people have been concerned about the smoke emission, but there have been few methods of correcting the situation. Vice-Mayor King noted that, fortunately, the Town now has a piece of equipment that will address this concern. She advised that there is no action necessary of the Council, but the Budget and Finance Committee did want everyone to be aware of this new piece of equipment and its environmental attributes. 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 later in the meeting, the Council will consider, on third reading, Ordinance No. 1328 which provides revisions to the mowing regulations that will require property within 100 feet of an entrance corridor to be mowed on a monthly basis. He noted that after reviewing the ordinance in more detail, the Public Works Committee thinks that it is worthwhile to amend the ordinance to provide that mowing, as required by this section of the Code, be for the months of April through September and that the Council should insert language to provide that only property where the terrain permits must be required to be mowed every thirty days. Councilman Hundley expressed that these revisions are included in the draft that will be considered on third and final reading later in the meeting. He advised that when this topic is presented, it would be the recommendation of the Public Works Committee that the ordinance be amended as described and that it be adopted on third and final reading.

Councilman Hundley, also, reported that the Public Works Committee is very pleased that much of the construction in the downtown area is nearing completion. He stated that all of the major construction items such as the curbs, concrete and brick sidewalks and drainage structures are in place. Councilman Hundley commented that the remaining items to be completed are street lighting and other amenities to the project. He explained that having said that the Council knows that as it moves forward, there will be a need to establish for a variety of uses of the sidewalks in the downtown area. Councilman Hundley remarked that in most localities where there has been a focus in the downtown, there are normally eateries, breweries and other similar establishments where the use of the sidewalks for dining and other activities are encouraged.

He stated that the Council, too, wants to encourage the use of the sidewalks, but the Town thinks that there needs to be certain regulations about the use of the sidewalks. Councilman Hundley explained that the Town, like many other communities, is looking at regulations concerning outdoor dining, as well as the types of furniture and fixtures that will be allowed on the sidewalks. He noted that, obviously, any furniture and fixtures placed on the street by a particular establishment will necessarily be their ownership and maintenance of these items. Councilman Hundley explained that both the Council and the Beautification Task Force are currently reviewing regulations, and the Public Works Committee anticipates that it should have some form of draft for the Council's consideration within the next couple of months. He stated that it is coming up on a time of year when outdoor dining is not really a relevant issue, and the Public Works Committee wants to be sure that everything is in place for the spring when these types of activities will commence. Councilman Hundley advised that there is no action required of the Council at this time. A copy of the Public Works Committee report is attached and made part of these minutes.

RE: APPOINTMENTS – WYTHEVILLE RECREATION COMMISSION YOUTH MEMBER

Mayor Crewe advised the next agenda item is the appointment of a youth member to the Wytheville Recreation Commission to fill the expiring term of Ms. Gretchen Showalter (term expires October 1, 2017). He noted that Ms. Showalter is not eligible for reappointment. A motion was made by Vice-Mayor King and seconded by Councilwoman Taylor to appoint Ms. Rosie Tomiak as a youth member to the Wytheville Recreation Commission for a one year term (term expires October 1, 2018). Mayor Crewe inquired if there was any discussion on the motion to appoint Ms. Tomiak as a youth member to the Wytheville Recreation Commission. 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, Thomas F. Hundley, Joseph E. Hand, Jr., Beth A. Taylor. Against: None.

RE: APPOINTMENTS – BOARD OF ZONING APPEALS

Mayor Crewe advised the next agenda item is the appointment of a member to the Board of Zoning Appeals to fill the unexpired term of Ms. Debbie Akers (term expires September 10, 2018). He noted that there is a vacancy due to Ms. Akers moving out of town. A motion was made by Vice-Mayor King and seconded by Councilman Hand to recommend to the Circuit Court to appoint Mr. John W. Jones, Jr. to the Board of Zoning Appeals to fill the unexpired term of Ms. Debbie Akers (term expires September 10, 2018). Mayor Crewe inquired if there was any discussion on the motion to recommend Mr. Jones to the Board of Zoning Appeals. 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, Thomas F. Hundley, Joseph E. Hand, Jr., Beth A. Taylor. Against: None.

RE: ORDINANCE NO. 1328

Mayor Crewe presented 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 third and final reading. A motion was made by Councilman Hundley and seconded by Councilman Hand to approve 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 third and final reading. Mayor Crewe inquired if there was any discussion on the motion to adopt the ordinance on third and final reading. There being none, the motion was approved with the following voting results:

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

AGAINST: Trenton G. Crewe, Jr.

ABSTENTIONS: None

Ordinance No. 1328 was approved on third and final reading. Mayor Crewe advised that the ordinance passed on a four to one vote. He noted that the ordinance is effective immediately.

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (7:38 p.m.).

Trenton G. Crewe, Jr., Mayor

Sharon G. Corvin, Town Clerk

BUDGET AND FINANCE COMMITTEE REPORT

SEPTEMBER 25, 2017

1. After the recent demonstrations in Charlottesville, Virginia, communities are looking to establish or modify their regulations concerning picketing and demonstrations. It is also a current focus with the Virginia Municipal League in concert with Virginia's Secretary of Public Safety. We are, currently, in the process of developing regulations that can be included in the Town Code concerning these types of activities. It is important to note that we, in no way, want to develop regulations that infringe on anyone's rights or their freedom of speech, but we also realize that these activities must be held in an orderly fashion and in a manner that does not endanger the demonstrators or the citizenry in general. The regulations that are being developed are standards that will be implemented to ensure public safety and to develop standards of conduct for those who will be participating in the demonstration. The Town's Attorney is working on these regulations, and we anticipate that we will have an ordinance to consider on first reading at the next meeting of Council.
2. On Friday, September 8, 2017, the Town received a new burning system that will accommodate our brush collection program. This very large piece of equipment, weighing approximately 27 tons, was offloaded in a prepared spot in the area of the closed landfill where brush is disposed. The manufacturer will be providing training on the use of the equipment in the very near future. We are very pleased that we have acquired this piece of equipment, and we are anxious to put it into

operation. The burning operation is very efficient and will virtually eliminate any smoke plumes from rising over the disposal site. For many years, people have been concerned about the smoke emission, but there have been few methods of correcting the situation. Fortunately, we now have a piece of equipment that will address this concern. There is no action necessary of the Council, but we did want everyone to be aware of this new piece of equipment and its environmental attributes.

Jacqueline K. King

Beth A. Taylor

PUBLIC WORKS COMMITTEE REPORT

SEPTEMBER 25, 2017

1. Later in the meeting, the Council will consider, on third reading, Ordinance No. 1328 which provides revisions to the mowing regulations that will require property within 100 feet of an entrance corridor to be mowed on a monthly basis. After reviewing the ordinance in more detail, we think that it is worthwhile to amend the ordinance to provide that mowing, as required by this section of the Code, be for the months of April through September and that we should insert language to provide that only property where the terrain permits must be required to be mowed every thirty days. These revisions are included in the draft that will be considered on third and final reading later in the meeting. When this topic is presented, it would be the recommendation of the Public Works Committee that the ordinance be amended as described and that it be adopted on third and final reading.
2. We are very pleased that much of the construction in the downtown area is nearing completion. All of the major construction items such as the curbs, concrete and brick sidewalks and drainage structures are in place. The remaining items to be completed are street lighting and other amenities to the project. Having said that, we know that as we move forward, there will be a need to establish for a variety of uses of the sidewalks in the downtown area. In most localities where there has been a focus in the downtown, there are normally eateries, breweries and other similar establishments where the use of the sidewalks for dining and other activities are encouraged. We, too, want to encourage the use of the sidewalks, but we think that

there needs to be certain regulations about the use of the sidewalks. We, like many other communities, are looking at regulations concerning outdoor dining, as well as the types of furniture and fixtures that will be allowed on the sidewalks. Obviously, any furniture and fixtures placed on the street by a particular establishment will necessarily be their ownership and maintenance of these items. Both the Council and the Beautification Task Force are currently reviewing regulations, and we anticipate that we should have some form of draft for the Council's consideration within the next couple of months. We are coming up on a time of year when outdoor dining is not really a relevant issue, and we want to be sure that everything is in place for the spring when these types of activities will commence. There is no action required of the Council at this time.

Thomas F. Hundley

Joseph E. Hand, Jr.