

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, DECEMBER 11, 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., Assistant Town Manager Stephen A. Moore, Town Clerk Sharon G. Corvin, Town Attorney Christopher R. Menerick, Becky Grubb, Ethan Lavalley, Rhonda Sechrest, Police Officer Blaine Grubb

RE: CALL TO ORDER, QUORUM, PLEDGE

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

RE: CONSENT AGENDA

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting of November 27, 2017, and the request of the Concerned Citizens Network for waiver of fees for use of the Heritage Preservation Center and to conduct the Dr. Martin Luther King Day March on Sunday, January 14, 2018, at 2:00 p.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 Councilwoman Taylor to approve the consent agenda consisting of the minutes of the regular meeting of November 27, 2017, and the request of the Concerned Citizens Network for waiver of fees for use of the Heritage Preservation Center and to conduct the Dr. Martin Luther King Day March on Sunday, January 14, 2018, at 2:00 p.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: PUBLIC HEARING – CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Mayor Crewe advised the next agenda item is a public hearing (due notice having been given) to consider renewing the Certificates of Public Convenience and Necessity during 2018 for Guardian Emergency Medical Services, Incorporated; Richardson Ambulance Service, LLC; 276 Express, LLC; and, D-19 Transportation Service, Incorporated for the operation of taxicabs. He noted that this public hearing has been advertised. Mayor Crewe inquired if there is anyone attending the meeting who wished to speak in regard to this topic. There being no one present to speak, Mayor Crewe declared the public hearing closed. Mayor Crewe stated that if anyone comes in later during the meeting, he will reserve the right to revisit this agenda item to allow them to speak.

RE: CITIZENS' PERIOD

Mayor Crewe advised that the next agenda item is Citizens' Period. He noted that no one stated on the sign in sheet that they wished to address the Council during Citizens' Period, however, if anyone would like to address the Council, now is the time to do so. He thanked everyone for attending the meeting. Mayor Crewe advised that there being no one to address the Council, he would proceed with the agenda.

RE: OLD BUSINESS

Under Old Business, Town Manager Sutherland reported the following:

1. The Council Work Session will be held on Tuesday, December 12, 2017, at 7:00 a.m., in the Council Conference Room.
2. The Council Personnel Committee will meet Friday, December 15, 2017, at 8:15 a.m., at the Waste Water Treatment Plant. He noted that this meeting will be the first meeting that Councilman Hand and Councilwoman Taylor will be attending for this time period. He remarked that they will remain on the Committee for the next six months.
3. The New River Regional Water Authority will meet on Thursday, December 21, 2017, at 9:30 a.m., in the Council Chambers.

4. The Town of Wytheville Municipal Offices will be closed and all services curtailed on Friday, December 22, 2017, and Monday, December 25, 2017, in observance of the Christmas holiday.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Councilwoman Taylor, reporting for the Budget and Finance Committee, stated that the Council has developed new incentives for restaurants and eateries, which will be located outside of the downtown area. She noted that earlier this year, the Council developed incentives for restaurants and eateries in the downtown area and it seemed equitable that incentives proposed be provided for other areas in the town. Councilwoman Taylor explained that attached is the policy that has been proposed. She noted that the incentive period can last for a period of up to five years and establishes revenue thresholds that must be achieved by the restaurant for those periods to be eligible for the incentives. Councilwoman Taylor remarked that to be eligible for the incentives, the restaurant or eatery will necessarily have to increase its sales during the five year period. She stated that the Council believes that these incentives will stimulate new restaurants at various locations throughout town. She advised that it would be the recommendation of the Budget and Finance Committee that the incentive program for restaurants and eateries outside of the downtown area be adopted, and to retroactively make the effective date November 1, 2017. A motion was made by Councilwoman Taylor and seconded by Vice-Mayor King to adopt the local incentive program for restaurants and eateries outside the downtown area and to retroactively make the effective date November 1, 2017. He inquired if there was any discussion on the motion to adopt the local incentive program for restaurants and eateries outside the downtown area. 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.

Councilwoman Taylor, also, reported that the Town is very actively involved in the HEAL Initiative (Healthy Eating/Active Living) and the Town continues to take steps to improve its program. She explained that as it was reported at the last Council meeting, there are many activities underway including a focus on providing safe, adequate walking trails and sidewalks. Councilwoman Taylor remarked that the latest initiative would be to include some outdoor exercise equipment in Withers Park to be used by people walking in the park. She commented that the current year's budget has \$25,000 appropriated for activities associated with the HEAL Program. Councilwoman Taylor stated that two pieces of equipment that are being considered will cost \$10,890.00. She noted that one piece of equipment will accommodate four people performing lower body combination exercises and the second piece of equipment will be a two person, wheelchair accessible chest press. Councilwoman Taylor commented that the Council believes that these will be very helpful in the exercise regime for people utilizing Withers Park. She expressed that there will be some small adjustments made to Withers Park near the current playground area to accommodate this equipment, and, most likely, this will not occur until after the winter weather is finished. Councilwoman Taylor advised that in any event, it would be the recommendation of the Budget and Finance Committee that the Council proceed with the purchase of this equipment and ask the Public Works Department to make the necessary provisions to install this equipment in Withers Park. A motion was made by Councilwoman Taylor and seconded by Vice-Mayor King to authorize the expenditure of \$10,890.00 for the purchase of two pieces of outdoor exercise equipment and request the Public Works Department to make the necessary provisions to install this equipment in Withers Park. Mayor Crewe inquired if there was any discussion on the motion to authorize the expenditure of \$10,890.00 for the purchase of the equipment and installation. 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. 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 at the last two meetings of Council, the Council has considered an ordinance that establishes regulations for picketing and other types of demonstrations. He explained that this ordinance will set standards for picketing and other types of demonstrations that go on within the corporate limits. Councilman Hundley remarked that generally speaking, the requirements are that any groups of 10 or more who are planning an event must go through a registration process with the Town. He expressed that these regulations are intended to provide public safety for all people involved in any type of demonstration regardless of their point of view. Councilman Hundley advised that it is the recommendation of the Public Works Committee that Ordinance No. 1331 be adopted on third and final reading and that it become effective immediately.

Councilman Hundley, also, reported that the Council would like to take this opportunity to review the activities from last weekend. He explained that they were two very eventful days beginning with activities on Friday evening with live music from local artists, carriage rides and the lighting of the tree in Withers Park. Councilman Hundley stated that it was a very enjoyable event for children and families. He noted that Saturday, there were many events going on in the downtown area such as visiting with Mr. and Mrs. Claus at the Farmers' Market. Councilman Hundley expressed that, likewise, on Saturday, there were carriage rides that were very popular with all of those in attendance. He noted that Saturday evening, prior to the Christmas Parade, the Town Council took the opportunity for a ribbon cutting ceremony to celebrate the completion of the streetscape program. Councilman Hundley stated, subsequently, there was the annual Christmas Parade with thousands of people on hand to view the parade. He explained that the Council thinks that these were very enjoyable events, and the Council wanted to congratulate all of those who were involved with making that weekend so entertaining. Councilman Hundley stated that there was involvement by Downtown Wytheville, Incorporated, as well as Town staff and other volunteers. He stated that the Council would like to express its appreciation to everyone and looks forward to even bigger and better festivities and events next year. He noted that in 2018, the events will take place on Friday, November 30, and Saturday, December 1. A copy of the Public Works Committee report is attached and made part of these minutes.

RE: ORDINANCE NO. 1331

Mayor Crewe presented Ordinance No. 1331, an ordinance amending and reenacting Chapter 9, Offenses-Miscellaneous, Article I. In General, by adding Division 3. Picketing and Demonstrations, of the Code of the Town of Wytheville, Virginia, on third reading. A motion was made by Councilman Hundley and seconded by Councilman Hand to adopt Ordinance No. 1331, an ordinance amending and reenacting Chapter 9, Offenses-Miscellaneous, Article I. In General, by adding Division 3. Picketing and Demonstrations, 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. Councilman Hundley stated that he wanted to make certain that if there is ever any infraction of this ordinance in the future, the Town will review the number of people picketing and/or demonstrating. He noted that he still feels like the number 10 for the amount of people to register a picket/demonstration with the Town is a large number, but, obviously that is the number being adopted. Mayor Crewe remarked that five people could cause just as much disruption as ten people. Councilman Hundley stated that is correct. He commented that it also takes twice as much enforcement. Councilman Hundley noted that the Council saw what chaos three people can do, which occurred during the Chautauqua Festival, therefore, this is something that he would like for the Council to continually review for the safety of the Town citizens. Mayor Crewe inquired if there was any further discussion on the motion to adopt the ordinance. 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

ABSTENTIONS: None

Ordinance No. 1331 was adopted on third and final reading. He noted that the ordinance is effective immediately.

RE: CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Mayor Crewe advised the next agenda item is to consider the issuance of Certificates of Public Convenience and Necessity during 2018 for Guardian Emergency Medical Services, Incorporated; Richardson Ambulance Service, LLC; 276 Express, LLC; and, D-19 Transportation Service, Incorporated for the operation of taxicabs. He noted that the Council packets reflect that all vehicles listed have been inspected by the Police Department. Mayor Crewe remarked that all of the taxi businesses have the proper amount of insurance required by the Town ordinance. He inquired if there is a motion concerning the Certificates of Public Convenience and Necessity. Councilwoman Taylor stated that she would like to note so the Council is aware that D-19 Transportation Service, Incorporated only has three vehicles approved to operate in the Town of Wytheville. Mayor Crewe noted that the vehicles listed on the permits are the only vehicles approved to operate. He inquired if there was any further discussion concerning the certificates. Councilman Hundley stated that Town Attorney Menerick has been able to do some research regarding this agenda item. He noted that he has brought this to the Council's attention since 2010, but, he feels as though the insurance limits on some of the taxicabs are extremely low and dangerous for the Town's citizens. Councilman Hundley

remarked that Town Attorney Menerick has found that throughout the State of Virginia, there are different communities and municipalities/cities that offer or have limits that they require for taxicabs. He advised that he would like for the Council to entertain this next year when considering these permits. Councilman Hundley noted that it is too late to change the required insurance amount for 2018, but this is something that he feels is necessary to protect the Town's citizens in the future. He remarked that having a taxi service with insurance of the State minimum required amount does not seem like a good idea to him. Mayor Crewe commented that there has been a Bill several times to increase the State minimum, but, for whatever reason, it has never made it to the House. He stated that he agrees with Councilman Hundley that the dollar amount required by the State is low. Mayor Crewe stated that the Council would keep this in mind next year. He inquired if there was any further discussion regarding the Certificates of Public Convenience and Necessity. Mayor Crewe inquired if there is a motion to issue the Certificates of Public Convenience and Necessity during 2018 to the specified businesses. A motion was made by Councilwoman Taylor and seconded by Vice-Mayor King to issue Certificates of Public Convenience and Necessity during 2018 to Guardian Emergency Medical Service, Incorporated; Richardson Ambulance Service, LLC; 276 Express, LLC; and, D-19 Transportation Service, Incorporated for the operation of taxicabs. Mayor Crewe 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: Trenton G. Crewe, Jr., Jacqueline K. King, Thomas F. Hundley, Joseph E. Hand, Jr., Beth A. Taylor. Against: None.

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.).

Trenton G. Crewe, Jr., Mayor

Sharon G. Corvin, CMC, Town Clerk

BUDGET AND FINANCE COMMITTEE REPORT

DECEMBER 11, 2017

1. We have developed new incentives for restaurants and eateries, which will be located outside of the downtown area. Earlier this year, we developed incentives for restaurants and eateries in the downtown area and it seemed equitable that incentives proposed be provided for other areas in the town. Attached is the policy that has been proposed. Note that the incentive period can last for a period of up to five years and establishes revenue thresholds that must be achieved by the restaurant for those periods to be eligible for the incentives. To be eligible for the incentives, the restaurant or eatery will necessarily have to increase its sales during the five year period. We believe that these incentives will stimulate new restaurants at various locations throughout town. It would be the recommendation of the Budget and Finance Committee that the incentive program for restaurants and eateries outside of the downtown area be adopted, and to retroactively make the effective date November 1, 2017.
2. The Town is very actively involved in the HEAL Initiative (Healthy Eating/Active Living) and we continue to take steps to improve our program. As it was reported at the last Council meeting, there are many activities underway including a focus on providing safe, adequate walking trails and sidewalks. The latest initiative would be to include some outdoor exercise equipment in Withers Park to be used by people walking in the park. The current year's budget has \$25,000 appropriated for activities associated with the HEAL Program. Two pieces of

equipment that are being considered will cost \$10,890.00. One piece of equipment will accommodate four people performing lower body combination exercises and the second piece of equipment will be a two person, wheelchair accessible chest press. We believe that these will be very helpful in the exercise regime for people utilizing Withers Park. There will be some small adjustments made to Withers Park near the current playground area to accommodate this equipment, and, most likely, this will not occur until after the winter weather is finished. In any event, it would be the recommendation of the Budget and Finance Committee that we proceed with the purchase of this equipment and ask the Public Works Department to make the necessary provisions to install this equipment in Withers Park.

Jacqueline K. King

Beth A. Taylor

PUBLIC WORKS COMMITTEE REPORT

DECEMBER 11, 2017

1. At the last two meetings of Council, we have considered an ordinance that establishes regulations for picketing and other types of demonstrations. This ordinance will set standards for picketing and other types of demonstrations that go on within the corporate limits. Generally speaking, the requirements are that any groups of 10 or more who are planning an event must go through a registration process with the Town. These regulations are intended to provide public safety for all people involved in any type of demonstration regardless of their point of view. It is the recommendation of the Public Works Committee that Ordinance No. 1331 be adopted on third and final reading and that it become effective immediately.
2. We would like to take this opportunity to review the activities from last weekend. They were two very eventful days beginning with activities on Friday evening with live music from local artists, carriage rides and the lighting of the tree in Withers Park. It was a very enjoyable event for children and families. Saturday there were many events going on in the downtown area such as visiting with Mr. and Mrs. Claus at the Farmers' Market. Likewise, on Saturday, there were carriage rides that were very popular with all of those in attendance. Saturday evening, prior to the Christmas Parade, the Town Council took the opportunity for a ribbon cutting ceremony to celebrate the completion of the streetscape program. Subsequently, there was the annual Christmas Parade with thousands of people on hand to view the parade. We think that these were very enjoyable events, and we want to

congratulate all of those who were involved with making that weekend so entertaining. There was involvement by Downtown Wytheville, Incorporated, as well as Town staff and other volunteers. We would like to express our appreciation to everyone and look forward to even bigger and better festivities and events next year.

Thomas F. Hundley

Joseph E. Hand, Jr.