

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, APRIL 23, 2018, 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, Danny Gordon, Heath Pond, Luke Lemon, Ikey Davidson, Marie B. Bishop, David Akers, J.B. Willis, Mark Bloomfield, Jeffrey Kyle, Sarah Pardue, Kaitlin Taylor, Becky Grubb, Vickie L. Rogers, Rick Rogers, Carldean Neal, Cathy D. Pattison, Mike Neal, Karson Cazier, Dan Cazier, Matt Fiebig, Police Officer Chastity Russell, Others

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 April 9, 2018, and the request of Downtown Wytheville, Incorporated to conduct the Fourth of July Parade and Festival on Wednesday, July 4, 2018. 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 Vice-Mayor King and seconded by Councilman Hundley to approve the consent agenda consisting of the minutes of the regular meeting of April 9, 2018, and the request of Downtown Wytheville, Incorporated to conduct the Fourth of July Parade and Festival on Wednesday, July 4, 2018, 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 advised that the next agenda item is Citizens' Period. He noted that Ms. Vickie Rogers stated on the sign in sheet that she wished to address the Council during Citizens' Period.

Ms. Vickie Rogers was recognized and stated that she lives at 1325 West Ridge Road. She noted that she recently discovered that there is going to be two group homes established in the neighborhood where she lives. Ms. Rogers commented that the citizens in the neighborhood knew nothing about this, as far as she knows, because she did not know. She remarked that they have been told nothing about the group homes, and they are concerned about what is happening in the homes and how it will impact their property values in the neighborhood. Ms. Rogers stated that she would really like information regarding the group homes.

Mr. Mike Neal was recognized and stated that the only other thing he would add to Ms. Rogers' comments would be that he lives right next door to one of the homes at 425 Century Court. He noted that there has been building going on in the home for a lot longer than there has been building permits issued for the work. He noted that the building began about a month after the house was sold, and the permits were not issued until April 3, 2018. Mr. Neal remarked that he thinks that since they started renovations without permits, they should be made to pay fines or tear the renovations out and start over. He noted their permits seem inexpensive relative to the work being done. Town Manager Sutherland advised that he has copies of the building permits, and there is no question that Good Neighbor started construction before contacting the Town regarding building permits. Mayor Crewe stated that he thinks that most of the citizens attending the meeting are at this meeting because of the same concerns that Mr. Neal has regarding the group homes. He remarked that he would address this topic and refer to the Town Attorney and Town staff, as needed. Mayor Crewe explained that the Town Council was unaware of this, as well, until recently. He advised that under the State Code, a group home who houses no more than eight residents is permitted in any zoning district. Mayor Crewe stated that the company who is doing this has done so statewide. He remarked that there is a representative from Good Neighbor who he may refer to momentarily. Mayor Crewe commented that the Town Building Official was made aware of the construction, and he is checking to see what has been constructed, etc. He noted that if the house is not up to code, then it will not be approved or permitted. Mayor Crewe explained that the Town is limited to what it can do. He noted that as

long as the company is complying with the Building Code, and he remarked that they are, and they have no more than eight residents, then they are allowed in any zoning district. Mayor Crewe remarked that the State Code was revised in 2014 to allow this. He continued to explain the law to the citizens regarding group homes. Mayor Crewe inquired if Mr. Heath Pond, representative of Good Neighbor, would like to come to the podium to address the questions, etc.

Mr. Heath Pond was recognized and stated that he appreciates the opportunity to try to clear some things up regarding the group homes. He remarked that he understands that there were some issues with the building permits, etc., however, the issues have been addressed. Mr. Pond explained that the company doing all of the construction works solely for Good Neighbor, and that is why they are able to get such cheap labor because they live onsite during construction. He stated that he cannot get into great detail regarding the individuals that they house, however, he can say that Good Neighbor does not house any sexual predators, anyone who has a felony or anyone who is dangerous to society. Mr. Pond explained that the individuals must have at least a primary diagnosis of intellectual disability. He noted that there will be no more than five residents in the home at any given time. Mr. Pond commented that they were contacted by the State to help them regarding an issue. He stated that the State issued a Request for Proposal (RFP) about a year and a half ago across the state. Mr. Pond explained that Good Neighbor did not get involved at that time because of a project they were working on in northern Virginia, and the company who was going to come in and open group homes, Elwin of California, ended up not doing so. He stated that the State reached out to Good Neighbor to see what they could do to help due to their history of being able to open group homes successfully, being able to receive licenses and moving very fast. Mr. Pond explained that this took place around December 14, 2017. He explained to the Council how Good Neighbor chose Wytheville as the destination to purchase the two houses to be used as group homes. He noted that Good Neighbor has a total of 42 group homes across the State of Virginia including homes in Wytheville, Hillsville, Galax and Woodlawn. Mayor Crewe inquired of Mr. Pond as to how long the company has been in operation. Mr. Pond commented that Good Neighbor has operated approximately 14 years. He noted that he has been with the company for 10 years. Mayor Crewe inquired of Mr. Pond if there are five residents who live in the homes, and what kind of staffing levels will the homes accommodate. Mr. Pond explained that it will depend. He noted that once all five individuals are placed in the home, he thinks the house located at Century Court may have two overnight staff members because there are two individuals who are in wheelchairs, therefore, they may need staff support during the overnight hours in case of an emergency. Mr. Pond remarked that, currently, there is only one person living in the house. He commented that the company has transition visits that will continue through May 30, until the house is at capacity. Mr. Pond advised that the house on Heritage Lane is an all female house that houses all older women with no major behavioral issues. He noted that most of the women only have medical issues. Mr. Pond explained that both homes are medically driven. He stated that as far as behaviors, none of the women have any different behaviors than him or the Council. He noted that the only hard part is their coping skills. Mr. Pond continued to explain to the Council the background of the people living in the two houses. He noted that Good Neighbor does not deal with people who are a menace to society or predators. Mr. Pond advised that Good Neighbor holds the highest license by the State of Virginia for group homes. He commented that the company has a good track record with all of their human rights and licensing specialists. Mayor Crewe inquired about transportation issues that Mr. Pond might expect. Mr. Pond explained that as the neighbors have been told, things arise, like the other day when their generator company, paving company and the fence company, all arrived at once, at both of the houses. He remarked that there was no room for parking at the houses, therefore, that is why they tried to take it upon themselves to try to widen the driveway. Mr. Pond stated that Good Neighbor does not want people parking on the street and that is not their goal. He continued to explain the reasons for all of the vehicles and people coming and going during the opening of a home. Mr. Pond explained that after the initial 30 to 60 days, there will be very limited vehicles than what is actually on shift. He remarked that there will be no less than two staff members working at any given time during all waking hours. Mr. Pond explained that by waking hours he means 7:00 a.m. until 11:00 p.m. He continued to explain the transportation issues that may be of question. He noted that when transitioning people from the Training Center to group homes, the State performs oversight visits, which also cause more traffic than usual at the houses. Mayor Crewe stated that from what Mr. Pond has explained, most of the traffic issues are due to the renovations, etc. being made to the homes. Mr. Pond stated that is correct. Discussion continued regarding vehicles coming and going from the homes. Mayor Crewe inquired if most of the State oversight visits occur during daylight hours. Mr. Pond stated that is correct. Mayor Crewe inquired if doctor visits would take place during the daytime. Mr. Pond stated that is correct. He noted that unless there is an after hours emergency, the people in the homes would be transported during the day. Mr. Pond explained to the Council that all new staff is trained under the Good Neighbor umbrella. Mayor Crewe inquired of Mr. Pond what the projection timeline is for the facilities to be operating at full

capacity. Mr. Pond stated that both houses are open, but they are not at full capacity. He continued to explain to the Council that there are some people living in the homes, and there would be more moving in within the next few weeks. Mayor Crewe inquired of Mr. Pond regarding the construction and repairs of the homes. Mr. Pond explained that the construction on the other home is scheduled for groundbreaking the first week of May. He continued to explain the construction schedule of the modular home to the Council, and that it should be complete and open by the second week of July. Mr. Pond commented that the construction on the homes in Century Court and on Heritage Way is complete except for the fences. He explained to everyone the reasons why the yards need to be fenced. Mayor Crewe thanked Mr. Pond for the information he provided to the Council and the citizens regarding Good Neighbor. He inquired if any of the Council members or Town staff had any questions or comments for Mr. Pond. Vice-Mayor King stated that she only wished that the Town Council had been notified before the construction, etc. began so that the Town residents directly affected could have been notified. Mr. Pond stated that he understands, but that his company has never done that before, however, they will definitely take that into consideration when moving into new locations. He continued to explain the different locations where the homes are located in the State of Virginia. Mr. Pond apologized on behalf of Good Neighbor. Mayor Crewe inquired if any of the citizens attending the meeting had any inquiries for Mr. Pond.

Mr. Dan Cazier was recognized and inquired of Mr. Pond how the properties are maintained to keep the property values current according to the neighborhood in which they are located. Mr. Pond stated that this is a good question, and he continued to explain to the Council and citizens how the properties are maintained. He noted that anyone can visit the Good Neighbor website to learn more about how properties are maintained.

Ms. Sarah Pardue was recognized and stated that she lives in the neighborhood with a disabled person, therefore, that is not the issue. She remarked that her issue is the way it is being perceived for coming into the neighborhood. Ms. Pardue explained that her other issue is with the number of staff versus the number of disabled people in the house and this is a safety issue not just for the people living in the house but the citizens of the neighborhood. Mayor Crewe stated that there is no requirement that any group home give notice that they plan to locate in the neighborhood. He noted that, in this case, someone from the company simply made a mistake and did not get a permit in time to begin the renovations. Mayor Crewe remarked that the issue of there not being a notice to the neighbors is really not an issue for the company even though it would have been a courtesy to the citizens. He commented that regarding the staffing issue, the State sets most regulations for staffing and that is why there is an inspection and accountability with reports that are required so that staffing levels meet the State requirements. Mayor Crewe advised that this is nothing that the Town can control. He continued to explain to the citizens that if Good Neighbor did not meet these requirements, their license and permits would be in jeopardy, and they would be in more trouble other than building before having a permit in the Town of Wytheville. Mayor Crewe explained that he would defer to Mr. Pond, if he is incorrect. Mr. Pond advised that actually the State does not mandate a set staff ratio. He noted that it is based on the individuals' needs. He continued to explain to everyone the staffing of each of the homes and how the staff operates at the homes.

Mr. Cazier inquired of Mr. Pond about the house located on Century Court. He inquired if the house is a three bedroom house that will house five individuals plus overnight staff. Mr. Pond stated that is correct, however, the staff members are awake and do not sleep while they are working. He noted that Good Neighbor converted two existing rooms into bedrooms. Mr. Pond commented that the dining room and the kitchen area were oversized and something that was not necessary, which were converted into bedrooms. He noted that the State mandates that bedrooms be at least 80 square feet, however, the minimum standard for Good Neighbor is 110 square feet, and both bedrooms are approximately 123 square feet. Mr. Pond continued to explain about the bedrooms and the space in each.

Mr. Matt Fiebig was recognized and stated that he could tell Mr. Pond was passionate about his job. He noted that there is too much stigma placed on individuals with mental and physical disabilities. Mr. Fiebig continued to discuss his thoughts regarding the group homes. Discussion ensued regarding the main complaints the group homes receive in neighborhoods and how the company addresses those complaints.

Mr. Mike Neal was recognized and stated that he has been to the Training Center in Galax, and he knows people who work there. He noted that he is aware that some of the residents are violent and have escaped from the Training Center during the night. Mr. Neal stated that he would like to know the individuals who are living in the homes. Mr. Pond advised that, unfortunately, he cannot give that information, but he can tell Mr. Neal that there are no individuals who are violent. He continued to discuss the behaviors of the individuals in the homes. Mr. Pond assured Mr. Neal that the individuals who are housed in the two houses are

not aggressive people. He reassured the citizens that Good Neighbor does everything they can to assure that the individuals in the homes are a good fit. The discussion continued regarding the behaviors of the people in the homes, etc. Mayor Crewe stated that citizens can view Good Neighbor's website and will see that they are rated for complying with rules. He noted that the State of Virginia gives them an outstanding rating for what they are able to do. Mayor Crewe remarked that Good Neighbor has 42 houses in the State of Virginia, and they have been in business for 14 years with an impeccable track record. He continued to express his thoughts regarding Good Neighbor. Councilman Hundley inquired of Mr. Pond if there is any type of action or inaction that could cause Good Neighbor to have their license revoked. Mr. Pond stated that it could be, however, it would have to be extreme for the license to be revoked. Discussion ensued regarding what would qualify them for revocation. Councilman Hundley inquired if a revocation of their license in a locality has ever happened before. Mr. Pond advised that their license has never been revoked. He explained that the State began triennial licensing approximately one or two years ago. Mr. Pond continued to discuss what the triennial licensing entailed. He noted that citations would more than likely occur before revocation. Mr. Pond explained to the Council what would occur in order to receive citations from the State. Councilman Hundley inquired of Mr. Pond what determines the neighborhood they choose for homes. Mr. Pond stated that it is completely his decision. He noted that out of all the homes Good Neighbor has, he has probably purchased the last 28 to 30 homes. Mr. Pond commented that he looks at the house, layout, one level homes, area, etc. He noted that when he chooses areas, he does not like derelict looking areas. Mr. Pond explained that he likes areas where he would purchase his own home and would like to live. He continued to explain how he chooses the homes. Vice-Mayor King stated that there has been a group home located on US Route 52 north for years, and she is not aware of any problems that have occurred. Discussion ensued regarding group homes that already exist or could exist in Wytheville. Councilwoman Taylor inquired of Mr. Pond if there is a venue for citizens to contact Good Neighbor. Mr. Pond stated that he would leave his telephone number and email address for Town staff, if anyone has any questions or concerns, as well as for Mr. Luke Lemon, his Development Manager. He continued to note the employees of Good Neighbor who could be contacted for more information. Councilwoman Taylor inquired of Mr. Pond what happens if an individual who lives in one of the group homes wanders into a neighbor's yard or street and falls. Mr. Pond stated that any liability would be on Good Neighbor. He continued to explain how the liability is their responsibility.

Mr. Danny Gordon was recognized and stated that Mr. Pond has not covered visitations at the homes. Mr. Pond explained that visitation does not occur every weekend, however, Good Neighbor operates on an open door policy. He continued to explain the visitation policy at the group homes. Vice-Mayor King inquired of Mr. Pond if all of the meals are prepared in the home and if laundry is washed in the homes, etc. Mr. Pond stated that is correct. He continued to explain to the Council the household chores that staff is responsible for in the homes.

A citizen inquired of Mayor Crewe how the group homes would impact the value of their homes in the Century Court and Heritage Way areas. She remarked that she has no problem with the individuals who are being placed in the homes, but these are group homes located in a residential area, which happens to be a very nice neighborhood. She commented that she is not the only person who feels this way. Mayor Crewe stated that he would advise that if Good Neighbor keeps up the standards that Mr. Pond has stated that they are going to keep up, then he does not feel like the group homes will have an effect on the neighbors' homes. He continued to explain why he did not think property values would be affected in the neighborhood. Discussion continued regarding the upkeep, etc. of the group homes. Mayor Crewe commented that if the neighbors see that Good Neighbor is not complying with what Mr. Pond has stated that they should be doing, then please contact the Town so that the Town can address the issues. He noted that citizens can also contact Good Neighbor directly, and they will address the issues. Councilwoman Taylor thanked Mr. Pond for attending the meeting and addressing the concerns of the citizens and Town staff. Councilman Hundley inquired of Mayor Crewe if a Town Conference Room could be used if any of the citizens had further questions for Mr. Pond. Mayor Crewe stated that this would be acceptable, if it is needed. He remarked that if there are citizens who still have concerns and would like to meet with Mr. Pond, please let Town staff know before leaving the meeting, or within the next few days, so that a meeting can be scheduled.

Mayor Crewe inquired if Council or Town staff had any further questions. He inquired if any other citizens had any further questions. Mayor Crewe advised that there being no one else 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, April 24, 2018, at 7:00 a.m., in the Council Conference Room.
2. The Homestead Advisory Board will meet on Thursday, April 26, 2018, at 10:00 a.m., in Conference Room A of the Municipal Building.
3. The Joint Industrial Development Authority of Wythe County will meet on Thursday, April 26, 2018, at 3:00 p.m., in the Council Chambers.
4. The Joint Governing Bodies will meet on Monday, April 30, 2018, at 7:00 p.m., at the Wytheville Meeting Center.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Councilwoman Taylor, reporting for the Budget and Finance Committee, stated that at the Council Work Session last week, Town Treasurer Michael Stephens submitted delinquent taxes that need to be written off of the Town's books. She explained that under Section 58.1-3940 of the Code of Virginia, it states that a collection of local taxes shall only be enforceable for five years following December 31 of the year for which such taxes were assessed. Councilwoman Taylor noted that there were \$1,129.76 delinquent in 2012 for Personal Property/Mobile Home taxes. She commented that every effort has been made to collect these delinquent taxes, but it is now clear that they cannot be collected. Councilwoman Taylor advised, therefore, it is the recommendation of the Budget and Finance Committee that the Town Council authorize the Town Treasurer to write-off the taxes outlined above. A motion was made by Councilwoman Taylor and seconded by Vice-Mayor King to authorize the Town Treasurer to write off delinquent 2012 Personal Property/Mobile Home taxes in the amount of \$1,129.76. Mayor Crewe inquired if there was any discussion on the motion to write-off the taxes as outlined. 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 Council has received a letter from the Wythe Arts Council, Ltd., seeking action by the Town on a number of matters relating to the annual Chautauqua Festival. She noted that a copy of the letter from the Wythe Arts Council is enclosed. Councilwoman Taylor commented that the Wythe Arts Council, Ltd., is completing the necessary paperwork for the Request for Waiver of Fees through the Community Center. Councilwoman Taylor explained that this year, the opening parade will be held on June 16, and the final day of the Festival will be held on Saturday, June 23. She stated that, again, this year, the Arts Council has requested that certain fees for the use of the Park and the Fourth Street Civic Center be waived, as well as certain business license fees. Councilwoman Taylor noted that the Council has reviewed the requests made by the Arts Council and finds them to be essentially the same requests that have been made for many years. She remarked that the Council does not anticipate a problem with any of these items. Councilwoman Taylor stated that the Budget and Finance Committee would note that the Town will again, this year, apply for grant funds on the Arts Council's behalf. Councilwoman Taylor expressed that, as such, for all of the areas where fees are being requested to be waived, the Arts Council will need to pay these fees (up to \$4,500) and then be reimbursed by the Town, provided they receive the grant funds. She remarked that last year, there were certain coordination activities required as a part of the Phase II construction of the Heritage Walk Project. Councilwoman Taylor stated that, fortunately, the construction in the park is very near completion and all of the disturbed areas in the park will be sodded prior to the festival. She noted that the Council does not anticipate any problems in the park as a result of this construction. Councilwoman Taylor commented that the Town applauds the Wythe Arts Council's continued efforts in bringing quality entertainment to its citizens. She advised that it is the recommendation of the Budget and Finance Committee that the Council approve the requests of the Wythe Arts Council, with the stipulations noted earlier and contingent upon the receipt of the request for waiver of fees application. A motion was made by Councilwoman Taylor and seconded by Vice-Mayor King to approve the various requests of the Wythe Arts Council contingent upon meeting all the stipulations and the receipt of the request for waiver of fees application. Mayor Crewe inquired if there was any discussion on the motion to approve the various requests of the Wythe Arts Council. 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 later in the meeting, the Council will consider an amendment to the Town Code regarding the keeping of inoperative motor vehicles. He explained that, obviously, it is important that the Town control the number of junk vehicles that are in its community. Councilman Hundley noted that the Police Department routinely works on giving notice to property owners about an inoperative motor vehicle, but often its efforts are not sufficient to reduce the number of junk cars. He remarked that the Police Department has asked that the Council consider imposing some additional civil penalties for violating the Town's regulations with regard to junk vehicles. Councilman Hundley explained that just for clarification, the Public Works Committee would like to note that an inoperative vehicle is any vehicle, trailer or semi-trailer, or portion thereof, which is not in an operative condition or which, for a period of sixty (60) days or longer, has been partially or totally disassembled by the removal of tires and wheels, the engine or other essential parts required for the operation of the vehicle. He expressed that an inoperative motor vehicle is also described as a vehicle where there is neither a valid license plate nor a valid inspection decal on the vehicle. Councilman Hundley stated that the language that is being suggested to be added to the Town Code would provide that any property owner who violates the section will be subject to a civil penalty of \$100, and each ten (10) day period after the initial thirty (30) day period will constitute a separate offense and subjects the property owner to additional civil penalties. He noted that the failure to comply with these provisions also contains additional criminal penalties. Councilman Hundley advised that when the ordinance is considered later in the meeting, it would be the recommendation of the Public Works Committee that the ordinance be adopted on the first of three readings.

Councilman Hundley, also, reported that over the past 10 years, the Town Police Department has utilized new traffic and speed analyzers to gather data to determine where there are problems with speeding, reckless driving, high traffic volume and the time of day these violations are occurring. He stated that these have been used in a variety of locations either selected by the Police Department or as directed by the Town Council to address specific concerns. Councilman Hundley noted that the two units are now aging and the one has completely stopped functioning. He commented that the second unit functions periodically, but neither can be repaired. Councilman Hundley explained that, fortunately, the Town was able to obtain grant funds from the Department of Motor Vehicles to purchase two new analyzers. He explained that Chief Rick Arnold has advised that the two new units have arrived, and the Town is now in the process of training the officers on how to operate the units. Councilman Hundley expressed that because the units are a much newer technology, the Police Department will be able to create additional reports which will exceed the capabilities they had with the older machines. He stated that the Town is excited to get these two units operational and the Council applauds Chief Arnold in obtaining the grant funds needed to purchase these new units. Councilman Hundley advised that there is no action required by the Council, but the Public Works Committee thought that it was worthwhile to note that these units have been received. A copy of the Public Works Committee report is attached and made part of these minutes.

RE: ORDINANCE NO. 1338

Mayor Crewe presented Ordinance No. 1338, an ordinance amending and reenacting Chapter 12, Solid Waste Collection and Disposal, Article VII. Keeping of Inoperative Vehicles, Section 12-128. Declaration of Findings and Policy; Section 12-130. Definitions; Section 12-131. Keeping of Inoperative Vehicles Prohibited; Section 12-133. Removal of Inoperative Vehicles; Section 12-136. Penalties, of the Code of the Town of Wytheville, Virginia, on first reading. Mayor Crewe inquired if there is a motion concerning Ordinance No. 1338. A motion was made by Councilman Hundley and seconded by Councilman Hand to approve Ordinance No. 1338, an ordinance amending and reenacting Chapter 12, Solid Waste Collection and Disposal, Article VII. Keeping of Inoperative Vehicles, Section 12-128. Declaration of Findings and Policy; Section 12-130. Definitions; Section 12-131. Keeping of Inoperative Vehicles Prohibited; Section 12-133. Removal of Inoperative Vehicles; Section 12-136. Penalties, of the Code of the Town of Wytheville, Virginia, on first, but not final, reading. Mayor Crewe inquired if there was any discussion on the motion to approve the ordinance on first, but not final, reading. There being none, the motion was approved with the following voting in favor and there being no opposition:

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

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1338 was approved on first, but not final, reading.

RE: SEWER BONDS

Mayor Crewe advised the next agenda item is to set a public hearing for bonds for improvements to the existing sewer system. Mayor Crewe inquired of the Council if there was any objection to scheduling the public hearing for the May 14, 2018, Town Council meeting. It was the consensus of the Wytheville Town Council to schedule a public hearing for the May 14, 2018, Town Council meeting, at 7:00 p.m., in the Council Chambers of the Wytheville Municipal Building to consider bonds for improvements to the existing sewer system in the maximum principal amount of \$1,222,000. Mayor Crewe advised that the public hearing will be held on May 14, 2018, and Town staff would advertise accordingly.

RE: COUNCIL MEETINGS

Mayor Crewe thanked everyone for attending. He noted that the Wytheville Town Council meets the second and fourth Monday of each month at 7:00 p.m., in the Council Chambers. Mayor Crewe stated that the Council Work Sessions are held each Tuesday morning at 7:00 a.m., in the Council Conference Room, if anyone would like to attend.

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (7:54 p.m.).

Trenton G. Crewe, Jr., Mayor

Sharon G. Corvin, CMC, Town Clerk

BUDGET AND FINANCE COMMITTEE REPORT

APRIL 23, 2018

1. At our Council Work Session last week, Town Treasurer Michael Stephens submitted delinquent taxes that need to be written off of the Town's books. Under Section 58.1-3940 of the Code of Virginia, it states that a collection of local taxes shall only be enforceable for five years following December 31 of the year for which such taxes were assessed. There were \$1,129.76 delinquent in 2012 for Personal Property/Mobile Home taxes. Every effort has been made to collect these delinquent taxes, but it is now clear that they cannot be collected. Therefore, it is the recommendation of the Budget and Finance Committee that the Town Council authorize the Town Treasurer to write-off the taxes outlined above.
2. We have received a letter from the Wythe Arts Council, Ltd., seeking action by the Town on a number of matters relating to the annual Chautauqua Festival. A copy of the letter from the Wythe Arts Council is enclosed. They are completing the necessary paperwork for the Request for Waiver of Fees through the Community Center. This year, the opening parade will be held on June 16, and the final day of the Festival will be held on Saturday, June 23. Again, this year, the Arts Council has requested that certain fees for the use of the Park and the Fourth Street Civic Center be waived, as well as certain business license fees.

We have reviewed the requests made by the Arts Council and find them to be

essentially the same requests that have been made for many years. We do not anticipate a problem with any of these items. We would note that the Town will again, this year, apply for grant funds on the Arts Council's behalf. As such, for all of the areas where fees are being requested to be waived, the Arts Council will need to pay these fees (up to \$4,500) and then be reimbursed by the Town, provided they receive the grant funds.

Last year, there were certain coordination activities required as a part of the Phase II construction of the Heritage Walk Project. Fortunately, the construction in the park is very near completion and all of the disturbed areas in the park will be sodded prior to the festival. We do not anticipate any problems in the park as a result of this construction.

We applaud the Wythe Arts Council's continued efforts in bringing quality entertainment to our citizens. It is the recommendation of the Budget and Finance Committee that the Council approve the requests of the Wythe Arts Council, with the stipulations noted earlier and contingent upon the receipt of the Request for Waiver of Fees application.

Jacqueline K. King

Beth A. Taylor

PUBLIC WORKS COMMITTEE REPORT

APRIL 23, 2018

1. Later in the meeting, the Council will consider an amendment to the Town Code regarding the keeping of inoperative motor vehicles. Obviously, it is important that we control the number of junk vehicles that are in our community. The Police Department routinely works on giving notice to property owners about an inoperative motor vehicle, but often our efforts are not sufficient to reduce the number of junk cars. The Police Department has asked that we consider imposing some additional civil penalties for violating our regulations with regard to junk vehicles. Just for clarification, we would like to note that an inoperative vehicle is any vehicle, trailer or semi-trailer, or portion thereof, which is not in an operative condition or which, for a period of sixty (60) days or longer, has been partially or totally disassembled by the removal of tires and wheels, the engine or other essential parts required for the operation of the vehicle. An inoperative motor vehicle is also described as a vehicle where there is neither a valid license plate nor a valid inspection decal on the vehicle. The language that is being suggested to be added to the Town Code would provide that any property owner who violates the section will be subject to a civil penalty of \$100, and each ten (10) day period after the initial thirty (30) day period will constitute a separate offense and subjects the property owner to additional civil penalties. The failure to comply with these provisions also contains additional criminal penalties. When the ordinance is considered this evening, it would be the recommendation of the Public Works Committee that the ordinance be adopted on the first of three readings.

2. Over the past 10 years, our Police Department has utilized new traffic and speed analyzers to gather data to determine where there are problems with speeding, reckless driving, high traffic volume and the time of day these violations are occurring. These have been used in a variety of locations either selected by the Police Department or as directed by the Town Council to address specific concerns. The two units are now aging and the one has completely stopped functioning. The second unit functions periodically, but neither can be repaired. Fortunately, we were able to obtain grant funds from the Department of Motor Vehicles to purchase two new analyzers. Chief Rick Arnold has advised that the two new units have arrived, and we are now in the process of training the officers on how to operate the units. Because the units are a much newer technology, we will be able to create additional reports which will exceed the capabilities we had with the older machines.

We are excited to get these two units operational and we applaud Chief Arnold in obtaining the grant funds needed to purchase these new units. There is no action required by the Council, but we thought that it was worthwhile to note that these units have been received.

Thomas F. Hundley

Joseph E. Hand, Jr.