

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL  
HELD IN THE COUNCIL CHAMBERS ON MONDAY, DECEMBER 10, 2018, AT 7:00 P.M.**

Members present: Jacqueline K. King, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison

Members absent: 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, Don Pattison, Byron Haskins, Earl Blackman, Police Officer Troy Cochram

**RE: CALL TO ORDER, QUORUM, PLEDGE**

In the absence of Mayor Taylor, 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 Bloomfield.

**RE: CONSENT AGENDA**

Vice-Mayor King presented the consent agenda consisting of the minutes of the regular meeting of November 26, 2018; the request of the American Heart Association, Incorporated for waiver of fees for use of Withers Park on Saturday, June 1, 2019, for a Heart Walk Fundraiser; the request of the Wythe County Public Schools Foundation for Excellence to conduct a Sandman Extreme Run on Saturday, January 19, 2019, at 8:00 a.m., and to conduct a 5K Run on Saturday, January 19, 2019, at 10:00 a.m.; and, the request of the Wythe County Public Schools Foundation for Excellence and the Concerned Citizens Network to conduct the Dr. Martin Luther King Day March on Saturday, January 19, 2019, at 1:15 p.m. Vice-Mayor King inquired if there is a motion to approve the consent agenda as presented or to somehow be amended. A motion was made by Councilwoman Pattison and seconded by Councilman Bloomfield to approve the consent agenda consisting of the minutes of the regular meeting of November 26, 2018; the request of the American Heart Association, Incorporated for waiver of fees for use of Withers Park on Saturday, June 1, 2019, for a Heart Walk Fundraiser; the request of the Wythe County Public Schools Foundation for Excellence to conduct a Sandman Extreme Run on Saturday, January 19, 2019, at 8:00 a.m., and to conduct a 5K Run on Saturday, January 19, 2019, at 10:00 a.m.; and, the request of the Wythe County Public Schools Foundation for Excellence and the Concerned Citizens Network to conduct the Dr. Martin Luther King Day March on Saturday, January 19, 2019, at 1:15 p.m., as presented. Vice-Mayor King inquired if there was any discussion on the motion to approve the consent agenda, as presented. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Jacqueline K. King, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison. Against: None.

**PUBLIC HEARING – CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY**

Vice-Mayor King advised that the meeting constituted a public hearing (due notice having been given) to consider renewing the Certificates of Public Convenience and Necessity during 2019 for 276 Express, LLC; D19 Transportation Service, Incorporated; and, Richardson Ambulance Service, LLC, for the operation of taxicabs. Vice-Mayor King explained that the Town Code requires the Town Council to conduct an annual public hearing for the purpose of determining the number of vehicles for which certificates shall be issued during the calendar year. She continued to explain the matters to be reviewed by the Council during the public hearing. Vice-Mayor King inquired if there were any citizens who wished to address the Council during the public hearing.

Mr. Earl Blackman was recognized and stated that he is the owner and proprietor of D19 Transportation Service, Incorporated. He thanked the Council for inviting him to attend the public hearing. Mr. Blackman thanked Town Clerk Corvin for effectively communicating with him throughout the process of coming into the Town of Wytheville. He noted that he has felt welcomed into the community. Mr. Blackman continued to discuss his taxicab operation to the Council. He inquired if the Council had any questions. There being none, Vice-Mayor King thanked Mr. Blackman for his comments.

Vice-Mayor King inquired if there are others who wish to address the Council during the public hearing. There being none, she declared the public hearing closed and proceeded with the agenda.

## **RE: CITIZENS' PERIOD**

Vice-Mayor King advised that the next agenda item is Citizens' Period. She noted that no one indicated on the sign in sheet that they wished to address the Council during Citizens' Period, therefore, she would proceed with the agenda.

## **RE: OLD BUSINESS**

Under Old Business, Town Manager Sutherland reported the following:

1. Town Manager Sutherland advised that the Council Work Session scheduled for Tuesday, December 11, 2018, at 7:00 a.m., has been cancelled for this week. He noted that the next Council Work Session will be held on Tuesday, December 18, 2018, at 7:00 a.m., in the Council Conference Room.
2. The Public Works Committee will meet on Wednesday, December 12, 2018, at 10:00 a.m., in the Council Conference Room.
3. The New River Regional Water Authority will meet on Thursday, December 20, 2018, at 10:00 a.m., in the Council Chambers.

## **RE: BUDGET AND FINANCE COMMITTEE REPORT**

Councilwoman Pattison, reporting for the Budget and Finance Committee, stated that the Town Code, with regard to small purchases, parallels the State law. She noted that recently, the State law was amended to increase the threshold of the definition of a small purchase to \$100,000 for goods and non-professional services; \$25,000 for transportation related construction; and, \$80,000 for professional services. Councilwoman Pattison explained that by having the ability to use the small purchase provisions of the purchase order, it allows the Town to seek proposals from vendors without going through the actual formal bidding process. She remarked that the ability to purchase without going through the formal bidding process greatly decreases the time it takes to commence a particular project. Councilwoman Pattison advised that when this ordinance is considered later in the meeting, it would be the recommendation of the Budget and Finance Committee that it be adopted on first and final reading and that it become effective immediately.

Councilwoman Pattison, also, reported that later in the meeting, the Council will consider the adoption of a resolution authorizing the financing of certain loan funds not to exceed \$800,000 from Branch Banking and Trust Company. She commented that in the current year's budget, there were a number of large equipment items noted, and the decision was reached to fund these pieces of equipment over a three year cycle. Councilwoman Pattison remarked that the Town solicited proposals from all local banks and the best proposal was received from Branch Banking and Trust Company (BB&T). She stated that BB&T has offered a three year term with an interest rate not to exceed three percent on these loan proceeds. Councilwoman Pattison noted that the exact amount of the loan that will be borrowed has not yet been determined but will be determined as the Town bids specific pieces of equipment. She explained that the budget, as it currently stands, has one third of the value of these loan payments included. Councilwoman Pattison commented that, obviously, over the next two years, the Town will need to fund the other two thirds of the actual funds that are borrowed. She advised that it would be the recommendation of the Budget and Finance Committee that the resolution authorizing the arrangement with BB&T be approved by the Council and that the Town Manager, Town Attorney and Town Treasurer be authorized to execute all documents required to finalize this arrangement. A copy of the Budget and Finance Committee report is attached and made part of these minutes.

## **RE: PUBLIC WORKS COMMITTEE REPORT**

Councilman Bloomfield, reporting for the Public Works Committee, stated that Town Attorney Chris Menerick has developed a policy outlining the Town's standards for the administration of the Americans with Disabilities Act (ADA). He explained that the policy statement developed by Town Attorney Menerick is merely a reflection of those practices, which are already underway. Councilman Bloomfield noted that, in general, the policy provides that the Town of Wytheville does not discriminate on the basis of disability in any of the Town's activities. He commented that the policy also provides the mechanism for people who have complaints to contact the Town. Councilman Bloomfield remarked that in the policy, it also provides that the Town recognizes the rights of people with disabilities to utilize service dogs in Town facilities, pursuant to the Americans with Disabilities Act. He explained that the statement goes on to note that the Town does not recognize dogs or other animals that do not meet the definition of a service

animal under the ADA. Councilman Bloomfield advised that the policy statement is attached, and it would be the recommendation of the Public Works Committee that the statement be approved by the Council; Town Attorney Chris Menerick be appointed as the Town's ADA Coordinator; and, finally, it be published as deemed appropriate, including on the Town's webpage. A motion was made by Councilman Bloomfield and seconded by Councilman Hand to adopt a Town policy regarding the Americans with Disabilities Act and to appoint Town Attorney Christopher Menerick as the Town ADA Coordinator. Vice-Mayor King inquired if there was any discussion on the motion to adopt the ADA Policy and to appoint Town Attorney Menerick as the ADA Coordinator. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Jacqueline K. King, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison. Against: None.

Councilman Bloomfield, also, reported that later in the meeting, the Council will consider the adoption of a resolution that petitions the Virginia Department of Transportation (VDOT) to accept Community Boulevard into the State's Street Maintenance System. He stated that the Virginia Department of Transportation pays the Town, annually, an amount for the maintenance of various roads within the corporate limits. Councilman Bloomfield explained that the types of roads that are identified by VDOT are principal arterial, minor arterial, collector and local. He noted that Community Boulevard has been designated by VDOT as a "Collector Street." Councilman Bloomfield remarked that the Town has a total of approximately 185 lane miles of roadway within the corporate limits. He commented that the urban maintenance payments on the roadways within the corporate limits are approximately \$2.56 million. Councilman Bloomfield expressed that it is important that the Town start receiving maintenance payments as soon as possible on Community Boulevard since the Town is now maintaining that roadway through its entire length. He advised that when the topic is discussed later in the meeting, it would be the recommendation of the Public Works Committee that the resolution be adopted and forwarded to the Virginia Department of Transportation. A copy of the Public Works Committee report is attached and made part of these minutes.

#### **RE: APPOINTMENTS – WYTHEVILLE INDUSTRIAL DEVELOPMENT AUTHORITY**

Vice-Mayor King advised that the next agenda item is to consider an appointment/reappointment of a member to the Wytheville Industrial Development Authority to fill the expiring term of Ms. Judith Burkett (term expires December 12, 2018). She noted that Ms. Burkett is eligible for reappointment, and she has expressed a willingness to serve again, if reappointed. Vice-Mayor King commented that the appointment would be for a four year term. She inquired if there is a motion concerning the appointment/reappointment of a member to the Wytheville Industrial Development Authority. A motion was made by Councilwoman Pattison and seconded by Councilman Hand to reappoint Ms. Judith Burkett to the Wytheville Industrial Development Authority for a four year term (term expires December 12, 2022). Vice-Mayor King inquired if there was any discussion on the motion to reappoint Ms. Burkett to the Authority. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Jacqueline K. King, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison. Against: None.

#### **RE: APPOINTMENTS – WYTHEVILLE RECREATION COMMISSION**

Vice-Mayor King advised that the next agenda item is to consider an appointment of a member to the Wytheville Recreation Commission to fill the expiring term of Ms. Mary Copenhaver (term expires December 31, 2018). She noted that Ms. Copenhaver is eligible for reappointment, but she has indicated that she does not wish to be reappointed. Vice-Mayor King commented that the appointment would be for a three year term. She inquired if there is a motion concerning the appointment of a member to the Wytheville Recreation Commission. A motion was made by Councilman Hand and seconded by Councilman Bloomfield to appoint Ms. Glenda Salerno to the Wytheville Recreation Commission for a three year term (term expires December 31, 2021). Vice-Mayor King inquired if there was any discussion on the motion to appoint Ms. Salerno to the Recreation Commission. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Jacqueline K. King, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison. Against: None.

#### **RE: ORDINANCE NO. 1351**

Vice-Mayor King presented Ordinance No. 1351, an ordinance amending and reenacting Chapter 2, Administration, Article III. Procurement Procedures, Division 4. Contract Formation and Source Selection Generally, Section 2-137. Same – Contracting for Professional Services and Section 2-139. Small Purchases, of the Code of the Town of Wytheville, Virginia, on first reading. She noted the revisions to this ordinance to the Council members. Vice-Mayor King inquired if there is a motion concerning Ordinance No. 1351. A motion was made by the Budget

and Finance Committee, which does not require a second, to suspend the rules and adopt Ordinance No. 1351, an ordinance amending and reenacting Chapter 2, Administration, Article III. Procurement Procedures, Division 4. Contract Formation and Source Selection Generally, Section 2-137. Same – Contracting for Professional Services and Section 2-139. Small Purchases, 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, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1351 was adopted on first and final reading.

#### **RE: RESOLUTION – BRANCH BANKING AND TRUST COMPANY**

Vice-Mayor King advised the next agenda item is to consider a resolution from Branch Banking and Trust Company authorizing the financing of a loan that shall not exceed \$800,000 for the Town of Wytheville for equipment purchases. Vice-Mayor King inquired if there is a motion to adopt the resolution from Branch Banking and Trust Company. A motion was made by Councilman Hand and seconded by Councilwoman Pattison to adopt a resolution from Branch Banking and Trust Company authorizing the financing of a loan that shall not exceed \$800,000 for the Town of Wytheville for equipment purchases, and to authorize the Town Manager, Town Treasurer or Town Attorney to execute all necessary documents. Vice-Mayor King inquired if there was any discussion on the motion to adopt the resolution. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Jacqueline K. King, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison. Against: None.

#### **RE: RESOLUTION – VDOT REGARDING COMMUNITY BOULEVARD**

Vice-Mayor King advised the next agenda item is to consider a resolution from the Virginia Department of Transportation requesting street maintenance payments for Community Boulevard. Vice-Mayor King inquired if there is a motion to adopt the resolution from VDOT. A motion was made by Councilman Bloomfield and seconded by Councilman Hand to adopt a resolution from the Virginia Department of Transportation requesting street maintenance payments for Community Boulevard. Vice-Mayor King inquired if there was any discussion on the motion to adopt the resolution. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Jacqueline K. King, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison. Against: None.

#### **RE: CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY**

Vice-Mayor King advised the next agenda item is to consider renewing the Certificates of Public Convenience and Necessity during 2019 for 276 Express, LLC; D19 Transportation Service, Incorporated; and, Richardson Ambulance Service, LLC, for the operation of taxicabs. She inquired if there is a motion concerning the Certificates of Public Convenience and Necessity. Councilwoman Pattison stated that she has a few inquiries regarding this agenda item. She inquired of Town Manager Sutherland if there is a limit regarding the number of vehicles allowed in a fleet. Town Manager Sutherland advised that there is not a limit regarding the number of vehicles allowed in a fleet. He noted that the only exception is that all vehicles listed in the fleet must be inspected by the Wytheville Police Department. Councilwoman Pattison inquired as to how often the vehicles are required to be inspected. Town Manager Sutherland advised that the inspections take place annually. He remarked that, occasionally, the Town will receive a complaint about a taxicab, and the Police Department will inspect that particular vehicle. Councilman Bloomfield inquired of Town Manager Sutherland if the annual inspections conducted by the Wytheville Police Department are in addition to the annual State of Virginia inspections. Town Manager Sutherland stated that is correct. Councilman Bloomfield reiterated that if he understands correctly, the Wytheville Police Department is performing an additional vehicle inspection. Town Manager Sutherland advised that is correct. Discussion continued regarding the taxicab requirements. Vice-Mayor King inquired if there was any further discussion regarding the Certificates of Public Convenience and Necessity. There being none, she inquired if there is a motion to issue the Certificates of Public Convenience and Necessity during 2019 to the specified businesses. A motion was made by Councilman Hand and seconded by Councilwoman Pattison to issue Certificates of Public Convenience and Necessity

during 2019 to 276 Express, LLC; D19 Transportation Service, Incorporated; and, Richardson Ambulance Service, LLC, for the operation of taxicabs. 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, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison. Against: None.

**RE: PUBLIC WORKS DEPARTMENT**

Vice-Mayor King stated that the Council would like to commend the Wytheville Public Works Department for the wonderful job they did removing snow, etc. during the snowstorm.

**RE: ADJOURNMENT**

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (7:18 p.m.).

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Jacqueline K. King, Vice-Mayor

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Sharon G. Corvin, CMC, Town Clerk