

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL  
HELD IN THE COUNCIL CHAMBERS ON MONDAY, APRIL 8, 2019, AT 7:00 P.M.**

Members present: Beth A. Taylor, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison

Members absent: Jacqueline K. King

Others present: Town Manager C. Wayne Sutherland, Jr., Assistant Town Manager Stephen A. Moore, Town Clerk Sharon G. Corvin, Town Attorney Christopher R. Menerick, Police Sergeant Chris Irvin

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

Mayor Taylor called the meeting to order and established that a quorum of Council members was present. The Pledge of Allegiance was led by Councilwoman Pattison.

**RE: CONSENT AGENDA**

Mayor Taylor presented the consent agenda consisting of the minutes of the regular meeting of March 25, 2019; the request of Mr. Matt Temple to close Tazewell Street, between Main and Monroe Streets, on Saturday, May 11, 2019, from 9:00 a.m. to 4:00 p.m. for a Street Eats Food Truck Rally event; and, the request of HOPE, Inc. to conduct their Annual Bike Ride fundraiser on Saturday, June 15, 2019, at 7:30 a.m. She noted that the Street Eats Food Truck Rally event requested was retracted by Mr. Temple, therefore, the consent agenda will only consist of two items. Mayor Taylor inquired if there is a motion to approve the consent agenda as presented or to somehow be amended. A motion was made by Councilman Bloomfield and seconded by Councilwoman Pattison to approve the consent agenda consisting of the minutes of the regular meeting of March 25, 2019, and the request of HOPE, Inc. to conduct their Annual Bike Ride fundraiser on Saturday, June 15, 2019, at 7:30 a.m., as presented. Mayor Taylor 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: Beth A. Taylor, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison. Against: None.

**RE: CITIZENS' PERIOD**

Mayor Taylor advised the next agenda item is Citizens' Period. She noted there were no citizens attending the meeting to address the Council, therefore, she would proceed with the agenda.

**RE: OLD BUSINESS**

Under Old Business, Town Manager Sutherland reported the following:

1. The next Council Work Session will be held on Tuesday, April 9, 2019, at 7:00 a.m., in the Council Conference Room.
2. The Wytheville Planning Commission will meet on Thursday, April 11, 2019, at 6:00 p.m., in the Council Chambers.
3. The Wytheville Industrial Development Authority will meet on Wednesday, April 17, 2019, at 9:00 a.m., in the Council Chambers.
4. The New River Regional Water Authority will meet on Thursday, April 18, 2019, 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 later in the meeting, the Council will consider an ordinance making certain amendments to the Town Personnel Policy. She noted that the first matter relates to the times when overtime can be charged for work during catastrophic events. Councilwoman Pattison explained that this is a topic that was brought to the Council's attention at a Council Personnel Committee meeting. She commented that on occasion, employees have used earned leave time early in the week only to end up working through the weekend and not receiving any overtime pay. Councilwoman Pattison remarked that while technically this is correct, the Council understands that it often seems unfair to an employee. She stated, as such, the Budget and Finance Committee has proposed a revision to the Personnel Policy that would allow, upon a directive of the Town

Council, that annual leave can be credited toward the calculation for overtime or compensatory time under certain situations. Councilwoman Pattison noted that the Budget and Finance Committee does not anticipate that this revision would be used on any type of routine basis, but the Committee does think that it is important to have it available, in the event that the Town has a catastrophic situation, and employees work excessive periods of time. She stated that, secondly, the Budget and Finance Committee would like to note that the Personnel Policy is proposed to be amended to the extent that it will allow the Town's payment for mileage reimbursement on a private vehicle to match that allowed by the Internal Revenue Service (IRS). Councilwoman Pattison noted, heretofore, the Town has been amending its Personnel Policy from time to time to reflect changes in the IRS Policy. She explained that the Budget and Finance Committee thinks that the best course of action would be to merely adopt, by reference, the then current IRS mileage standard rate. Councilwoman Pattison advised that later in the meeting when this ordinance is considered, 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 as the Budget and Finance Committee had previously reported, the Town has received notice from its health insurance provider, Anthem Blue Cross and Blue Shield, which is administered by the Commonwealth of Virginia, that the Town will be facing a 2.8 percent increase in premiums this upcoming year. She explained that the pool in which the Town participates is a large pool and includes both local and State employees. Councilwoman Pattison commented that, currently, the Town provides three levels of health insurance to its employees. Councilwoman Pattison remarked that the programs are known as Key Advantage 250, which establishes a deductible of \$250; Key Advantage 500, which has a \$500 deductible; and, a higher deductible health plan where the deductibles are a minimum of \$2,800. She stated that the Town pays 90 percent of the premium for the employees' health care coverage, and the employee pays all expenses associated with spouse or family coverage. Councilwoman Pattison noted that as compared to last year, the rate increase that the Town will be facing is not nearly as significant as it has been in past years. Councilwoman Pattison explained that the Town is, currently, in the middle of the budget development process and the Council has not finalized the amount that will be paid by the Town toward an employee's health insurance. She remarked that the Town does, however, have to give the Commonwealth of Virginia notice that it is the Town's intent to renew, and that the Town would seek an extension of time until the Council can establish the exact amount of the ratio of the premium paid by the employee and the Town. Councilwoman Pattison stated, also, as a part of this study, the Council is exploring the development of a Health Savings Account for employees who choose to select the high deductible health care plan. She advised that having said that, it would be the recommendation of the Budget and Finance Committee that the Town give notice to the Commonwealth of Virginia of the Town's intent to renew its program and to seek a 30-day extension on submitting the ratio of payment between the employee and the employer. A motion was made by the Budget and Finance Committee, which does not require a second, to approve giving notice to the Commonwealth of Virginia, that the Town intends to renew its health insurance program and to seek a 30-day extension on submitting the ratio of payment between the Town of Wytheville and its employees. Mayor Taylor inquired if there was any discussion on the motion to approve giving notice to the Commonwealth of Virginia regarding the health insurance program. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Beth A. Taylor, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison. 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 Bloomfield, reporting for the Public Works Committee, stated 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. He noted that a copy of the letter from the Wythe Arts Council is enclosed. Councilman Bloomfield explained that they are completing the necessary paperwork for the request for waiver of fees through the Community Center. He remarked that this year, the opening parade will be held on June 15, and the final day of the Festival will be held on Saturday, June 22. Councilman Bloomfield expressed 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. He remarked that the Public Works Committee 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. Councilman Bloomfield stated that the Public Works Committee does not anticipate a problem with any of these items. He remarked that the Committee would note that the Town has again, this year, applied for grant funds on the Arts Council's behalf. Councilman Bloomfield noted, 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. He

commented that the Council applauds the Wythe Arts Council's continued efforts in bringing quality entertainment to its citizens. Councilman Bloomfield advised that it is the recommendation of the Public Works 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 Councilman Bloomfield and seconded by Councilman Hand 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 Taylor 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: Beth A. Taylor, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison. Against: None.

Councilman Bloomfield, also, reported that as spring approaches, the Public Works Committee is starting to observe citizens placing signs on poles and other locations on the rights of way advertising yard sales and other types of private events. He explained that the posting of such signs is not permitted by the Town Code, but, also, it creates unsightly situations throughout the community. Councilman Bloomfield remarked that the Town Code specifically prohibits the attaching, nailing or pasting in any manner an advertisement sign or notice to any telegraph, telephone or electric power poles and from public property whatsoever in the town including trees along the streets and sidewalks in the town. He explained that the Town Council advised its Police Department, as well as the Public Works Department, to remove these signs when they are observed on the rights of way. Councilman Bloomfield stated that the Public Works Committee noted this because the Committee wanted to make everyone aware that placing signs on the rights of way is not only illegal, but it makes the town look unattractive. He noted that the Council would appreciate everyone attempting to comply with these regulations. A copy of the Public Works Committee report is attached and made part of these minutes.

Town Manager Sutherland stated that he would like to note that it is also illegal to place an advertisement or notice on the windshield of a vehicle. He commented that this may need to be noted in another report at another meeting because solicitors will place advertisements and notices under the windshield wipers on vehicles located in parking lots, which is also illegal.

**RE: ORDINANCE NO. 1356**

Mayor Taylor presented Ordinance No. 1356, an ordinance amending and reenacting Ordinance No. 640, generally known as the Town of Wytheville Zoning Ordinance, Article XVI - General Provisions, to add Section 16-19. Small-Lot/Small-Home Overlay Zone, and to make it eligible for placement in the following districts: Article V – Agricultural District A-1; Article VIII – Residential District R-3; Article X – Business District B-1; Article XI – Business District B-2; Article XI-A – Business District B-2 DT General Business District – Downtown; Article XII - Industrial District M-1; Article XIII – Industrial District M-2, on second reading. Mayor Taylor inquired if there is a motion regarding Ordinance No. 1356. A motion was made by Councilman Bloomfield and seconded Councilwoman Pattison to suspend the rules and adopt Ordinance No. 1356, an ordinance amending and reenacting Ordinance No. 640, generally known as the Town of Wytheville Zoning Ordinance, Article XVI - General Provisions, to add Section 16-19. Small-Lot/Small-Home Overlay Zone, and to make it eligible for placement in the following districts: Article V – Agricultural District A-1; Article VIII – Residential District R-3; Article X – Business District B-1; Article XI – Business District B-2; Article XI-A – Business District B-2 DT General Business District – Downtown; Article XII - Industrial District M-1; Article XIII – Industrial District M-2, on second and final reading. Mayor Taylor inquired if there was any discussion on the motion to adopt the ordinance on second and final reading. There being none, the motion was approved with the following voting in favor and there being no opposition:

FOR: Beth A. Taylor, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1356 was adopted on second and final reading.

**RE: ORDINANCE NO. 1357**

Mayor Taylor presented Ordinance No. 1357, an ordinance amending and reenacting Ordinance No. 1028, generally known as Personnel Rules, Regulations and Policies, of the Town of Wytheville, Virginia, so as to amend Section 4. Pay of Employees, Subsection 4.6 Overtime Pay, and Section 7. Employee Expenses, Subsection 7.1 Travel, Subsection C.

Mileage, on first reading. A motion was made by Councilman Bloomfield and seconded by Councilman Hand to suspend the rules and adopt Ordinance No. 1357, an ordinance amending and reenacting Ordinance No. 1028, generally known as Personnel Rules, Regulations and Policies, of the Town of Wytheville, so as to amend Section 4. Pay of Employees, Subsection 4.6 Overtime Pay, and Section 7. Employee Expenses, Subsection 7.1 Travel, Subsection C. Mileage, on first and final reading, but to amend Section 4. Pay of Employees, Subsection 4.6 Overtime Pay, number three (3), by replacing the wording of "Town Council" to "Town Manager." Mayor Taylor inquired if there was any discussion on the motion to adopt the ordinance on first and final reading, as amended. There being none, the motion was approved with the following voting in favor and there being no opposition:

FOR: Beth A. Taylor, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1357 was adopted on first and final reading, as amended.

#### **RE: RESOLUTION – PRE-DISASTER HAZARD MITIGATION PLAN**

Mayor Taylor advised the next agenda item is to consider a resolution adopting a Pre-Disaster Hazard Mitigation Plan. She continued to explain the resolution to the Council. Mayor Taylor inquired if there is a motion to adopt the resolution. A motion was made by Councilman Hand and seconded by Councilwoman Pattison to adopt a Pre-Disaster Hazard Mitigation Plan from the Mount Rogers Planning District Commission. Mayor Taylor 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: Beth A. Taylor, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison. Against: None.

#### **RE: RESCHEDULING TOWN COUNCIL MEETING**

Mayor Taylor advised the next agenda item is to consider rescheduling the May 27, 2019, Town Council meeting until Tuesday, May 28, 2019, due to the Memorial Day holiday. Mayor Taylor inquired of the Council if there was any objection to rescheduling this meeting. It was the consensus of the Wytheville Town Council to reschedule the May 27, 2019, Town Council meeting to Tuesday, May 28, 2019, due to the Memorial Day holiday.

#### **RE: ADJOURNMENT**

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (7:16 p.m.).

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Beth A. Taylor, Mayor

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Sharon G. Corvin, CMC, Town Clerk

## **BUDGET AND FINANCE COMMITTEE REPORT**

**APRIL 8, 2019**

1. Later in the meeting, the Council will consider an ordinance making certain amendments to the Town Personnel Policy. The first matter relates to the times when overtime can be charged for work during catastrophic events. This is a topic that was brought to our attention at a Council Personnel Committee meeting. On occasion, employees have used earned leave time early in the week only to end up working through the weekend and not receiving any overtime pay. While technically this is correct, we understand that it often seems unfair to an employee. As such, we have proposed a revision to the Personnel Policy that would allow, upon a directive of the Town Council, that annual leave can be credited toward the calculation for overtime or compensatory time under certain situations. We do not anticipate that this revision would be used on any type of routine basis, but we do think that it is important to have it available, in the event that we have a catastrophic situation, and employees work excessive periods of time. Secondly, we would like to note that the Personnel Policy is proposed to be amended to the extent that it will allow our payment for mileage reimbursement on a private vehicle to match that allowed by the Internal Revenue Service (IRS). Heretofore, we have been amending our Personnel Policy from time to time to reflect changes in the IRS Policy. We think that the best course of action would be to merely adopt, by reference, the then current IRS mileage standard rate. Later in the meeting when this ordinance is considered, 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.

2. As we had previously reported, we have received notice from our health insurance provider, Anthem Blue Cross and Blue Shield, which is administered by the Commonwealth of Virginia, that we will be facing a 2.8 percent increase in premiums this upcoming year. The pool in which we participate is a large pool and includes both local and State employees. Currently, the Town provides three levels of health insurance to our employees. The programs are known as Key Advantage 250, which establishes a deductible of \$250; Key Advantage 500, which has a \$500 deductible; and, a higher deductible health plan where the deductibles are a minimum of \$2,800. The Town pays 90 percent of the premium for the employees' health care coverage, and the employee pays all expenses associated with spouse or family coverage. As compared to last year, the rate increase that the Town will be facing is not nearly as significant as it has been in past years. We are, currently, in the middle of the budget development process and we have not finalized the amount that will be paid by the Town toward an employee's health insurance. We do, however, have to give the Commonwealth of Virginia notice that it is our intent to renew, and that we would seek an extension of time until we can establish the exact amount of the ratio of the premium paid by the employee and the Town. Also, as a part of this study, we are exploring the development of a Health Savings Account for employees who choose to select the high deductible health care plan. Having said that, it would be the recommendation of the Budget and Finance Committee that we give

notice to the Commonwealth of Virginia of our intent to renew our program and to seek a thirty day extension on submitting the ratio of payment between the employee and the employer.

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Jacqueline K. King

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Cathy D. Pattison

## **PUBLIC WORKS COMMITTEE REPORT**

**APRIL 8, 2019**

1. 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 15, and the final day of the Festival will be held on Saturday, June 22. 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 has again, this year, applied 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.

We applaud the Wythe Arts Council's continued efforts in bringing quality entertainment to our citizens. It is the recommendation of the Public Works 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.

- 2. As spring approaches, we are starting to observe citizens placing signs on poles and other locations on the rights of way advertising yard sales and other types of private events. The posting of such signs is not permitted by the Town Code, but, also, it creates unsightly situations throughout the community. The Town Code specifically prohibits the attaching, nailing or pasting in any manner an advertisement sign or notice to any telegraph, telephone or electric power poles and from a public property whatsoever in the town including trees along the streets and sidewalks in the town. We advised our Police Department, as well as the Public Works Department, to remove these signs when they are observed on the rights of way. We note this because we want to make everyone aware that placing signs on the rights of way is not only illegal, but it makes our town look unattractive. We would appreciate everyone attempting to comply with these regulations.

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Joseph E. Hand, Jr.

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Mark J. Bloomfield