

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL  
HELD IN THE COUNCIL CHAMBERS ON MONDAY, SEPTEMBER 23, 2019, AT 7:00 P.M.**

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

Others present: Town Manager C. Wayne Sutherland, Jr., Assistant Town Manager Stephen A. Moore, Town Clerk Sharon G. Corvin, Patrol Officer Chastity Russell

**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 Councilman Hand.

**RE: CONSENT AGENDA**

Mayor Taylor presented the consent agenda consisting of the minutes of the regular meeting of September 9, 2019; the request of the HOPE, Inc. Open Door Café to conduct a Stuffed Strut 5K Run on Thursday, November 28, 2019, from 8:00 a.m. to 10:00 a.m.; the request of the Honor Flight Program for waiver of fees for use of the Fourth Street Civic Center on Friday, October 18, 2019, from 8:00 a.m. to 11:00 a.m. to honor military veterans; the request of Wytheville Baptist Church to close Church Street, between Spring and Franklin Streets, from 12:00 p.m. to 4:00 p.m., on Saturday, October 26, 2019, for a Fall Festival; and, the request of Downtown Wytheville, Inc. to close Main Street, from 4<sup>th</sup> Street to 7<sup>th</sup> Street, and to close Tazewell Street, from Main Street to Monroe Street, from 10:00 a.m. to 5:30 p.m., on Saturday, October 26, 2019, for the Zombie/Mayhem on Main Street event. Mayor Taylor inquired if there was a motion to approve the consent agenda as presented or to somehow be amended. A motion was made by Councilman Bloomfield and seconded by Vice-Mayor King to approve the consent agenda consisting of the minutes of the regular meeting of September 9, 2019; the request of the HOPE, Inc. Open Door Café to conduct a Stuffed Strut 5K Run on Thursday, November 28, 2019, from 8:00 a.m. to 10:00 a.m.; the request of the Honor Flight Program for waiver of fees for use of the Fourth Street Civic Center on Friday, October 18, 2019, from 8:00 a.m. to 11:00 a.m. to honor military veterans; the request of Wytheville Baptist Church to close Church Street, between Spring and Franklin Streets, from 12:00 p.m. to 4:00 p.m., on Saturday, October 26, 2019, for a Fall Festival; and, the request of Downtown Wytheville, Inc. to close Main Street, from 4<sup>th</sup> Street to 7<sup>th</sup> Street, and to close Tazewell Street, from Main Street to Monroe Street, from 10:00 a.m. to 5:30 p.m., on Saturday, October 26, 2019, for the Zombie/Mayhem on Main Street event, as presented. Mayor Taylor inquired if there was any discussion on the motion to approve the consent agenda as presented. Councilwoman Pattison inquired regarding the reason for the withdrawal of the request for the Zom-B-Q event. Town Manager Sutherland commented that he would discuss the letter that Town staff received from Downtown Wytheville, Incorporated explaining the reasons the event had been canceled, but he would note that, apparently, the event committee did not have enough participation to host the event. Mayor Taylor inquired if there was any further 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, Jacqueline K. King, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison. Against: None.

**RE: CITIZENS' PERIOD**

Mayor Taylor advised that the next agenda item is Citizens' Period. She noted that there are no citizens attending the meeting who 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. The next Council Work Session will be held on Tuesday, September 24, 2019, at 7:00 a.m., in the Council Conference Room.
2. The Joint Industrial Development Authority of Wythe County will meet on Thursday, September 26, 2019, at 3:00 p.m., in the Council Chambers.
3. Town Manager Sutherland advised that he would remind citizens that it is illegal to place political signs within the Town's rights of way, and, it is also illegal to place political signs in a resident's yard without their permission. He noted that the Town would encourage citizens to follow the rules regarding political signs.

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

Councilwoman Pattison, reporting for the Budget and Finance Committee, stated that the Council has been contacted by both the Town Police Department and the Town Fire Department to appropriate funds to their accounts for revenues which have been received outside of the normal budgetary process. She explained that the Town has received a check in the amount of \$8,000.00 from an insurance company for damages to a police car that was involved in an accident. Councilwoman Pattison noted that these funds received from the insurance company should be applied to that account for the repair of the vehicle. She remarked, also, that the Town has received a check in the amount of \$2,000.00 from the Wythe Arts Council for security provided by the Fire Department during the Chautauqua Festival. Councilwoman Pattison stated that the Fire Department has requested that these funds be appropriated to the line item in the budget denoted as uniforms. She advised that the Committee agrees that the funds in both cases should be applied to their respected departments and it would be the recommendation of the Budget and Finance Committee that the Council authorize the Town Treasurer to make these adjustments. A motion was made by Councilwoman Pattison and seconded by Vice-Mayor King to authorize the Town Treasurer to make budget adjustments to the Police and Fire Departments' budgets to apply funds received from insurance claims and donations. Mayor Taylor inquired if there was any discussion on the motion regarding the budget adjustments. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Beth A. Taylor, Jacqueline K. King, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison. Against: None.

Councilwoman Pattison, also, reported that the Virginia Department of Transportation is, again, gathering resolutions from communities that are interested in participating in the Transportation Alternatives Program. She stated that this is money that has been established by the Federal Highway Administration and administered through the State Highway Division, and, ultimately, to users in the community. Councilwoman Pattison explained that the program is intended to help communities fund projects that expand nonmotorized travel choices and enhance the transportation experience by improving the cultural, historical and environmental aspects of the transportation infrastructure that is being built. She remarked that it was never intended that this money be used for additional road projects. Councilwoman Pattison stated that later in the meeting, the Council will consider a resolution acknowledging to the Commonwealth Transportation Board that the Town is interested in participating in the Transportation Alternatives Program. She noted that while a specific program has not been identified, it is necessary that the Council begin the process with the adoption of this resolution. Councilwoman Pattison advised that when it is considered later in the meeting, it would be the motion of the Budget and Finance Committee that the Council adopt the resolution, as presented, and forward it to the Virginia Department of Transportation. 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 as it has been reported before, there are certain policy and operational changes being explored at the Town's Recycling Facility. He commented that the Town has been notified by its vendor, who accepts its recyclables, that certain products are no longer eligible to be a part of a recycling stream. Councilman Bloomfield explained that the Public Works Committee has noted these changes in the Mayor's Corner published in *The Wytheville Enterprise*, as well as provided information in the Town's water billings about what materials were acceptable. He remarked that the Town has, also, been experiencing problems with people who are depositing items at the facility that are nothing more than trash. Councilman Bloomfield stated, as such, the Town is moving towards opening the facility only when there is an attendant available to review the products that are being left at the facility. He advised that beginning next Monday, September 30, 2019, the Town will have new standard operating hours for the facility. Councilman Bloomfield noted that the Recycling Facility will be open 9:00 a.m. to 6:00 p.m. on Monday, Tuesday, Thursday and Friday; 9:00 a.m. to 2:00 p.m. on Wednesday; 9:00 a.m. to 4:00 p.m. on Saturday; and, 1:00 p.m. to 4:00 p.m. on Sunday. He expressed that the Public Works Committee would like to remind everyone that this facility was created for the recycling of residential products only. Councilman Bloomfield commented that it was never intended that this serve as a facility for commercial recycled materials. He stated that the Committee would, also, like to note that the Town empties the bins routinely, but, there are occasions when the Town's vendor has no space available and will not allow the Town to deliver its bins to his facility. Councilman Bloomfield explained that sometimes this creates a problem for the Town's users when the bins are found to be full. He stated that the Town is working very diligently to maintain the Recycling Facility, but the Council thinks that everyone should realize that recycling is on a decline throughout the nation, and there are many communities that are abandoning their recycling activities because of the lack of market for those products. Councilman Bloomfield advised that,

in any event, the Town is attempting to create an efficient facility that is compatible with the desires of its citizens.

Councilman Bloomfield, also, reported that the Virginia Department of Transportation (VDOT) has conducted yet another training session on Smart Scale Projects. He explained that this concept was created, in 2014, by the General Assembly and directed by the Commonwealth Transportation Board to develop and use a prioritization process to select transportation projects that would be funded by the Commonwealth. Councilman Bloomfield commented that the legislation was intended to remove all political components from the roadmaking building decision and rely solely on the merits of the project that is proposed. He remarked that the State Transportation Funding is intended to be divided as equal as possible across the State by funding projects that meet criteria addressing topics such as economic development, land use coordination and accessibility of other transportation systems. Councilman Bloomfield stated, each year, since 2014, there have been revisions to the application process attempting to make the process more objective and based on a fair analysis, which then provides the maximum benefits for tax dollars spent. He noted that VDOT held another training session this past week, and the Public Works Committee discussed potential projects and the fashion in which the Town should submit them under the Smart Scale criteria. Councilman Bloomfield explained that this is a matter that the Public Works Committee will be discussing over the next few weeks because it will be necessary that the Town make application on the Smart Scale process by March 2020. He advised that once the Committee has identified those projects that are potentially eligible for State funding, we will share that information with the Council. A copy of the Public Works Committee report is attached and made part of these minutes.

#### **RE: RESOLUTION – HERITAGE WALK MUSEUM CONNECTOR PROJECT**

Mayor Taylor advised that the next agenda item is to consider a resolution for the Virginia Department of Transportation for the Heritage Walk Museum Connector Project. She proceeded to read the resolution to the Council. A motion was made by Councilwoman Pattison and seconded by Vice-Mayor King to adopt a resolution regarding the Virginia Department of Transportation Heritage Walk Museum Connector Project. 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, Jacqueline K. King, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison. Against: None.

#### **RE: PLANNING COMMISSION RECOMMENDATION – KEVIN VARNEY SPECIAL EXCEPTION PERMIT REQUEST**

Mayor Taylor advised the next agenda item is to consider a recommendation from the Planning Commission regarding the request of Mr. Kevin Varney for a Special Exception Permit to operate a Warehouse and Type 1 Warehouse at 2190 West Ridge Road (former A-1 Flea Market property), which is located on the north side of West Ridge Road between the Town Corporate Limit Line and Knollwood Lane, in a B-1 Business Zoning District. She noted that it is necessary to set a public hearing for the Town Council to consider this request, which could be held at the October 14, 2019, Town Council meeting. Mayor Taylor inquired of the Council if there was any objection to scheduling the public hearing for the October 14, 2019, Town Council meeting. It was the consensus of the Wytheville Town Council to schedule a public hearing for the October 14, 2019, Town Council meeting, at 7:00 p.m., in the Council Chambers of the Wytheville Municipal Building to consider a recommendation from the Planning Commission regarding the request of Mr. Kevin Varney for a Special Exception Permit to operate a Warehouse and Type 1 Warehouse at 2190 West Ridge Road (former A-1 Flea Market property), which is located on the north side of West Ridge Road between the Town Corporate Limit Line and Knollwood Lane, in a B-1 Business Zoning District. Mayor Taylor advised that the public hearing will be held on October 14, 2019, and Town staff would advertise accordingly.

#### **RE: PLANNING COMMISSION RECOMMENDATION – TEMPORARY FAMILY HEALTH CARE STRUCTURE**

Mayor Taylor advised the next agenda item is to consider a recommendation from the Planning Commission regarding amendments to the Zoning Ordinance, Article III - Definitions, to add Section 3-20A Caregiver, Section 3-57C Mentally or Physically Impaired Person and Section 3-81B Temporary Family Health Care Structure; and, to add the use of Temporary Family Health Care Structure to the following Zoning Districts: Article V – Agricultural District A-1; Article VI – Residential District R-1; Article VI-A – Residential District R-1A; Article VI-M – Residential District R-1M; Article VII – Residential District R-2; Article VII-A – Residential District R-2 FH; Article VIII – Residential District R-3; Article VIII-A – Residential District R-3 MH; Article X – Business District B-1; Article XI – Business District B-2 (General); Article XI-A – Business

District B-2 DT General Business District – Downtown; and, Article XII – Industrial District M-1. She noted that it is necessary to set a public hearing for the Town Council to consider these changes, which could be held at the October 14, 2019, Town Council meeting. Discussion ensued regarding the amendments paralleling State Code. Mayor Taylor inquired of the Council if there was any objection to scheduling the public hearing for the October 14, 2019, Town Council meeting. It was the consensus of the Wytheville Town Council to schedule a public hearing for the October 14, 2019, Town Council meeting, at 7:00 p.m., in the Council Chambers of the Wytheville Municipal Building to consider a recommendation from the Planning Commission regarding amendments to the Zoning Ordinance, Article III - Definitions, to add Section 3-20A Caregiver, Section 3-57C Mentally or Physically Impaired Person and Section 3-81B Temporary Family Health Care Structure; and, to add the use of Temporary Family Health Care Structure to the following Zoning Districts: Article V – Agricultural District A-1; Article VI – Residential District R-1; Article VI-A – Residential District R-1A; Article VI-M – Residential District R-1M; Article VII – Residential District R-2; Article VII-A – Residential District R-2 FH; Article VIII – Residential District R-3; Article VIII-A – Residential District R-3 MH; Article X – Business District B-1; Article XI – Business District B-2 (General); Article XI-A – Business District B-2 DT General Business District – Downtown; and, Article XII – Industrial District M-1. Mayor Taylor advised that the public hearing will be held on October 14, 2019, and Town staff would advertise accordingly.

#### **RE: PLANNING COMMISSION RECOMMENDATION – DOG PARK**

Mayor Taylor advised the next agenda item is to consider a recommendation from the Planning Commission regarding amendments to the Zoning Ordinance, Article III - Definitions, to add Section 3-25A Dog Park; and to amend Article XII – Industrial District M-1 and Article XIII – Industrial District M-2 to add the use of dog park. She noted that it is necessary to set a public hearing for the Town Council to consider the changes, which could be held at the October 14, 2019, Town Council meeting. Mayor Taylor inquired of the Council if there was any objection to scheduling the public hearing for the October 14, 2019, Town Council meeting. It was the consensus of the Wytheville Town Council to schedule a public hearing for the October 14, 2019, Town Council meeting, at 7:00 p.m., in the Council Chambers of the Wytheville Municipal Building to consider a recommendation from the Planning Commission regarding amendments to the Zoning Ordinance, Article III - Definitions, to add Section 3-25A Dog Park; and to amend Article XII – Industrial District M-1 and Article XIII – Industrial District M-2 to add the use of dog park. Mayor Taylor advised that the public hearing will be held on October 14, 2019, and Town staff would advertise accordingly.

#### **RE: WYTHEVILLE PLANNING COMMISSION 2018-19 ANNUAL REPORT**

Mayor Taylor advised that the next agenda item is the review of the Wytheville Planning Commission 2018-19 Annual Report. She inquired of the Council if there was a motion to accept or decline the report. A motion was made by Vice-Mayor King and seconded by Councilman Hand to approve the Wytheville Planning Commission 2018-19 Annual Report. Mayor Taylor inquired if there was any discussion on the motion regarding the report. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Beth A. Taylor, Jacqueline K. King, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison. Against: None.

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

Mayor Taylor advised that the next agenda item is to consider rescheduling the Town Council meeting of Monday, November 11, 2019, to Tuesday, November 12, 2019, due to the Veterans Day holiday. It was the consensus of the Council to reschedule the Town Council meeting of Monday, November 11, 2019, to Tuesday, November 12, 2019, due to the Veterans Day holiday.

#### **RE: ADJOURNMENT**

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (7:15 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**

**SEPTEMBER 23, 2019**

1. We have been contacted by both the Town Police Department and the Town Fire Department to appropriate funds to their accounts for revenues which have been received outside of the normal budgetary process. We have received a check in the amount of \$8,000.00 from an insurance company for damages to a police car that was involved in an accident. These funds received from the insurance company should be applied to that account for the repair of the vehicle. Also, we have received a check in the amount of \$2,000.00 from the Wythe Arts Council for security provided by the Fire Department during the Chautauqua Festival. The Fire Department has requested that these funds be appropriated to the line item in the budget denoted as uniforms. We agree that the funds in both cases should be applied to their respected departments and it would be the recommendation of the Budget and Finance Committee that we authorize the Town Treasurer to make these adjustments.
2. The Virginia Department of Transportation is, again, gathering resolutions from communities that are interested in participating in the Transportation Alternatives Program. This is money that has been established by the Federal Highway Administration and administered through the State Highway Division, and, ultimately, to users in the community. The program is intended to help communities fund projects that expand nonmotorized travel choices and enhance

the transportation experience by improving the cultural, historical and environmental aspects of the transportation infrastructure that is being built. It was never intended that this money be used for additional road projects. Later in the meeting, the Council will consider a resolution acknowledging to the Commonwealth Transportation Board that the Town is interested in participating in the Transportation Alternatives Program. While a specific program has not been identified, it is necessary that we begin the process with the adoption of this resolution. When it is considered later in the meeting, it would be the motion of the Budget and Finance Committee that the Council adopt the resolution, as presented, and forward it to the Virginia Department of Transportation.

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Jacqueline K. King

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Cathy D. Pattison

## **PUBLIC WORKS COMMITTEE REPORT**

**SEPTEMBER 23, 2019**

1. As it has been reported before, there are certain policy and operational changes being explored at the Town's Recycling Facility. We have been notified by our vendor, who accepts our recyclables, that certain products are no longer eligible to be a part of a recycling stream. We have noted these changes in the Mayor's Corner published in *The Wytheville Enterprise*, as well as provided information in the Town's water billings about what materials were acceptable. We have, also, been experiencing problems with people who are depositing items at the facility that are nothing more than trash. As such, we are moving towards opening the facility only when there is an attendant available to review the products that are being left at the facility. Beginning next Monday, September 30, 2019, we have new standard operating hours for the facility. The Recycling Facility will be open 9:00 a.m. to 6:00 p.m. on Monday, Tuesday, Thursday and Friday; 9:00 a.m. to 2:00 p.m. on Wednesday; 9:00 a.m. to 4:00 p.m. on Saturday; and, 1:00 p.m. to 4:00 p.m. on Sunday. We would like to remind everyone that this facility was created for the recycling of residential products only. It was never intended that this serve as a facility for commercial recycled materials. We would, also, like to note that we empty the bins routinely, but, there are occasions when our vendor has no space available and will not allow us to deliver our bins to his facility. Sometimes this creates a problem for our users when the bins are found to be full. We are working very diligently to maintain the Recycling Facility, but we think that everyone should realize that recycling is on a decline throughout the nation, and there are many

communities that are abandoning their recycling activities because of the lack of market for those products. In any event, we are attempting to create an efficient facility that is compatible with the desires of our citizens.

2. The Virginia Department of Transportation (VDOT) has conducted yet another training session on Smart Scale Projects. This concept was created, in 2014, by the General Assembly and directed by the Commonwealth Transportation Board to develop and use a prioritization process to select transportation projects that would be funded by the Commonwealth. The legislation was intended to remove all political components from the roadmaking building decision and rely solely on the merits of the project that is proposed. The State Transportation Funding is intended to be divided as equal as possible across the State by funding projects that meet criteria addressing topics such as economic development, land use coordination and accessibility of other transportation systems. Each year, since 2014, there have been revisions to the application process attempting to make the process more objective and based on a fair analysis, which then provides the maximum benefits for tax dollars spent. VDOT held another training session this past week, and we discussed potential projects and the fashion in which we should submit them under the Smart Scale criteria. This is a matter that we will be discussing over the next few weeks because it will be necessary that we make application on the Smart Scale process by March 2020. Once we have identified those projects that are potentially eligible for State funding, we will share that information with you.



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Joseph E. Hand, Jr.

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Mark J. Bloomfield