

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON TUESDAY, NOVEMBER 12, 2019, AT 7:00 P.M.**

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

Members absent: Joseph E. Hand, Jr.

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 Suthers, Dwight Arnold, Tyler Scott, Lucas Arnold, Daniel Goode, David Goode, Sarah Goode, Don Goode, Avery Mabe, Deanna Mabe, Wendy Dove, Johnny Beamer, Sarah Beamer, Grant Rosenbaum, Kelly Rosenbaum, Jamie Rosenbaum, Ray Blevins, Channing Blevins, Benson Blevins, Kay Blevins, Patrol Sergeant Lonnie Anders, Patrol Corporal Troy Cockram

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 Vice-Mayor King.

RE: CONSENT AGENDA

Mayor Taylor presented the consent agenda consisting of the minutes of the regular meeting of October 28, 2019, and the request of Downtown Wytheville, Incorporated to conduct the Annual Christmas Parade on Saturday, December 7, 2019, at 6:00 p.m. 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 Vice-Mayor King and seconded by Councilman Bloomfield to approve the consent agenda consisting of the minutes of the regular meeting of October 28, 2019, and the request of Downtown Wytheville, Incorporated to conduct the Annual Christmas Parade on Saturday, December 7, 2019, at 6:00 p.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, Jacqueline K. King, Mark J. Bloomfield, Cathy D. Pattison. Against: None.

RE: CITIZENS' PERIOD – RESOLUTION – GEORGE WYTHE HIGH SCHOOL GOLF TEAM

Mayor Taylor advised that the next agenda item is Citizens' Period. She noted that during Citizens' Period, the Council would consider the adoption of a resolution recognizing the George Wythe High School Golf Team and would then present the resolution to the Team. Mayor Taylor inquired if there is a motion to adopt the resolution recognizing the Team. A motion was made by Vice-Mayor King and seconded by Councilman Bloomfield to adopt a resolution recognizing the George Wythe High School Golf Team for their outstanding season. 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, Mark J. Bloomfield, Cathy D. Pattison. Against: None. She presented the resolution, which read as follows:

RESOLUTION

WHEREAS, the George Wythe High School Golf Team completed their 2019 season with an overall record of 14-1; and,

WHEREAS, the George Wythe High School Golf Team won the Region 1C Tournament Championship title; and,

WHEREAS, the George Wythe High School Golf Team advanced to the Virginia High School League (VHSL) Class 1 State Golf Tournament held on October 15, 2019, at the Pete Dye River Course at Virginia Tech where they earned the title of Class 1 State Champions with a winning score of 306; and,

WHEREAS, Channing Blevins brought great credit upon the Golf Team by earning the individual title of Class 1 State Golf Champion, making this his second individual title; and,

WHEREAS, the George Wythe High School Golf Team had several golfers who placed in the top ten in the State Tournament, and they include Daniel Goode who placed second; Benson Blevins who placed third; Grant Rosenbaum who placed fifth; and, Peyton Coe who placed eighth; and,

WHEREAS, the players and coaches of the George Wythe High School Golf Team, through their outstanding display of athletic ability, team play and sportsmanship, have reflected great credit upon the school and upon the Town.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Wytheville, Virginia, officially commends the George Wythe High School Golf Team, Head Coach Johnny Beamer, Assistant Coach Danny Suthers and other high school officials concerned for the outstanding accomplishment of the golf team.

BE IT FURTHER RESOLVED that copies of this resolution be presented to the George Wythe High School Golf Team, the coaches, other officials concerned and the news media.

In Witness Whereof, I have hereunto set my hand and caused the seal of the Town of Wytheville, Virginia, to be affixed this 12th day of November, two thousand nineteen.

Mayor Taylor requested the members of the golf team and coaches to come forward for the presentation of the resolution and to have a photo taken.

RE: CITIZENS' PERIOD

Mayor Taylor advised that the next agenda item is Citizens' Period. She stated that there is one citizen listed on the sign in sheet who noted that they wished to address the Council during Citizens' Period.

Mr. Don Goode was recognized and stated that he resides at 1110 Old Stage Road in Wytheville. He remarked that he appreciated the opportunity to address the Town Council. Mr. Goode commented that as the Golf Team was being recognized, he was wondering what kind of consideration could be given for the Town to put signs up, possibly at each entrance into the town, honoring not only the George Wythe High School Golf Team State Championships, but other accomplishments of the town high school. He noted other areas that recognize their high schools for such accomplishments. Mr. Goode stated that he would be happy to speak to whomever he needs to and try to get this accomplished for the town high school. Discussion ensued regarding money being raised or donated to help with the cost of the signs, etc. Town Manager Sutherland inquired of Mr. Goode if he was newly elected to the Wythe County School Board. Mr. Goode stated that is correct. He noted that he was elected to represent the West Wytheville District. Town Manager Sutherland congratulated Mr. Goode on his elected position. Mr. Goode thanked the Council for allowing him to speak. Mayor Taylor thanked Mr. Goode for his comments.

Mayor Taylor noted that there were no other 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, November 19, 2019, at 7:00 a.m., in the Council Conference Room.
2. The Wytheville Planning Commission will meet on Thursday, November 14, 2019, at 6:00 p.m., in the Council Chambers. He noted that there are a number of agenda items, but one of the items is a rezoning request by Marathon Realty Corporation. Town Manager Sutherland stated that the Planning Commission will take action in regard to this request, but no matter what action is taken in regard to the request, the Council will need to hold a public hearing regarding the rezoning and street closing request. He advised that Town Clerk Corvin has stated that if the Council so desires, the public hearings can be scheduled for the December 9, 2019, Town Council meeting, to consider the request of Marathon Realty Corporation to rezone certain property and to close North 14th Street between Main and Monroe Streets. Mayor Taylor inquired if there is a motion to set the public hearings for December 9, 2019. A motion was made by Councilman Bloomfield and seconded by Councilwoman Pattison to set a public hearing for the December 9, 2019, Town Council meeting to consider the request of Marathon Realty Corporation to rezone property located at 805 West Monroe Street, 810 West Main Street and 830 West Main Street, which is located southeast of Monroe Street and northwest of Main Street between North 14th Street and North 16th Street, from B-1 Business and R-3 Residential to B-2 DT General Business District – Downtown and to close North 14th Street, running parallel to North 12th and North 16th Streets between Main and Monroe Streets, and to close an alley to the midway point west of North 14th

Street between Main and Monroe Streets. Mayor Taylor inquired if there was any discussion on the motion to set the public hearings. 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, Mark J. Bloomfield, Cathy D. Pattison. Against: None.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Vice-Mayor King, reporting for the Budget and Finance Committee, stated that this past week, the general election was held across Virginia, and both State and local representatives were elected. She noted that, locally, the town had several representatives elected to the General Assembly, including David R. Suetterlein and Todd Pillion elected as members of the Senate of Virginia. Vice-Mayor King commented that, also, elected was House of Delegate Member Jeff Campbell. She remarked that, locally, in the Commonwealth Attorney's race, Mike Jones was reelected, as was Sheriff W. Keith Dunagan. Vice-Mayor King advised that the Commissioner of the Revenue is Kathy Vaught, and the Treasurer Elect is Lori Crigger Guynn. She stated that the Wythe County Board of Supervisors has three new members including Stacy Terry, Rolland Cook, Jamie Smith and incumbent member Gene Horney. Vice-Mayor King commented that the Council would like to acknowledge the election of all these people, and the Budget and Finance Committee thinks it would be appropriate for the Wytheville Town Council to send a congratulatory note to them acknowledging their election and expressing the Council's hope to work together for the good of the community in the future.

Vice-Mayor King, also, reported that in the current year's budget, there were funds appropriated for the recodification of the Town's Code. She explained that this means that all the amendments that have been made through the years, as well as comparisons to State law, will be reviewed as the Code is reworked. Vice-Mayor King explained that the Town contracted these services through the Municipal Code Corporation, and they have now completed their very preliminary drafts of the new Code. She commented that following this, it will be necessary for the Town staff and the Town Attorney to carefully review all the proposed changes to ensure that they are in conformance with what has been adopted. Vice-Mayor King stated that once all those studies have been completed, it will be necessary for the Council to take an action acknowledging the recodification and to adopt the new Code. She noted that there is nothing required to be done at this time, but the Budget and Finance Committee did want everyone to be aware that this project is underway. Vice-Mayor King advised that it should greatly assist the Town staff and the Town citizens in reading and interpreting the Town's Code. 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 at the last meeting of the Council, an ordinance was considered regarding the creation of dog parks in industrial districts. He noted that at that meeting, the Council also had a discussion about the need to have additional regulations associated with such parks. Councilman Bloomfield explained that Town staff solicited ideas from other communities and found that the City of Radford, who has its own dog park, had some good ideas about the operation of a dog park. He stated that as the Public Works Committee discussed this idea more in Committee meetings, the Committee felt that the rules that the City of Radford imposed were very good, but they were more applicable to dog park owners/operators. Councilman Bloomfield remarked that since, in this specific situation, this is merely a zoning question as to where a dog park operation can be allowed, the Council believes that these other factors should be something that should be monitored by the owner/operator. He stated that having said all that, later in the meeting, the Council will consider, on third and final reading, the adoption of the dog park ordinance. Councilman Bloomfield advised that the Committee believes that there are other sufficient Town regulations that control much of these activities, and it would be the recommendation of the Public Works Committee that the ordinance be adopted on third and final reading without any other revisions.

Councilman Bloomfield reported that all across Virginia and, actually, the country, there has been an influx of scooters being placed along public rights of way. He explained that this issue has been a matter of topic at recent conferences. Councilman Bloomfield remarked that this past year, the Virginia General Assembly drafted some legislation that would allow communities to deal with the influx of these scooters, also known as shared mobility devices, in the event that they arrive in a community. He commented that Town Attorney Chris Menerick has drafted an ordinance that would parallel State law and allows for regulations to be imposed, if such mobile devices were to come to town. Councilman Bloomfield stated that the basic provisions will require that all these devices have insurance and that there be taxes and other normal local requirements imposed on them. He noted, currently, there is no problem in Wytheville with any of these devices, but the General Assembly has provided that action imposed on these devices

must be implemented prior to the beginning of 2020. Councilman Bloomfield remarked, therefore, the Public Works Committee thought it was important, whether the Council ultimately uses this legislation or not, to adopt these regulations. He advised, therefore, it would be the recommendation of the Public Works Committee that when this ordinance is considered later in the meeting that it be adopted on first and final reading. A copy of the Public Works Committee report is attached and made part of these minutes.

RE: APPOINTMENTS – WYTHEVILLE INDUSTRIAL DEVELOPMENT AUTHORITY

Mayor Taylor advised that the next agenda item is to consider the appointment/reappointment of members to the Wytheville Industrial Development Authority to fill the expiring terms of Mr. Joseph H. Bean and Ms. Linda R. Nye (terms expire December 12, 2019). She explained that both are eligible for reappointment, however, Mr. Bean does not wish to be reappointed, but Ms. Nye has expressed her willingness to serve again. Mayor Taylor inquired if there is a motion regarding these reappointments/appointments. A motion was made by Vice-Mayor King and seconded by Councilwoman Pattison to appoint Mr. John D. White and reappoint Ms. Linda R. Nye to the Wytheville Industrial Development Authority for a four year term (expires December 12, 2023). Mayor Taylor inquired if there was any discussion on the motion to reappoint Ms. Nye and appoint Mr. White to the Wytheville Industrial Development Authority. 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, Mark J. Bloomfield, Cathy D. Pattison. Against: None.

RE: ORDINANCE NO. 1371

Mayor Taylor presented Ordinance No. 1371, an ordinance amending and reenacting Ordinance No. 640, generally known as the Zoning Ordinance, to amend 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, on third and final reading. A motion was made by the Public Works Committee, which does not require a second, to adopt Ordinance No. 1371, an ordinance amending and reenacting Ordinance No. 640, generally known as the Zoning Ordinance, to amend 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, on third and final reading. Mayor Taylor inquired if there was any discussion on the motion to adopt the ordinance on third 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, Jacqueline K. King, Mark J. Bloomfield, Cathy D. Pattison

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1371 was adopted on third and final reading.

RE: ORDINANCE NO. 1373

Mayor Taylor presented Ordinance No. 1373, an ordinance amending and reenacting Chapter 13, Streets, Sidewalks and Improvements, of the Code of the Town of Wytheville, Virginia, by adding Article VI. Shared Mobility Devices, on first reading. A motion was made by the Public Works Committee, which does not require a second, to suspend the rules and adopt Ordinance No. 1373, an ordinance amending and reenacting Chapter 13, Streets, Sidewalks and Improvements, of the Code of the Town of Wytheville, Virginia, by adding Article VI. Shared Mobility Devices, on first and final reading. Mayor Taylor 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: Beth A. Taylor, Jacqueline K. King, Mark J. Bloomfield, Cathy D. Pattison

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1373 was adopted on first and final reading.

RE: RESOLUTION – LEWIS & CLARK EASTERN LEGACY TRAIL

Mayor Taylor advised that the next agenda item is to consider a resolution of support for Virginia's Great Valley Lewis & Clark Eastern Legacy Trail. A motion was made by Vice-Mayor

King and seconded by Councilman Bloomfield to adopt a resolution of support for Virginia's Great Valley Lewis & Clark Eastern Legacy Trail. 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, Mark J. Bloomfield, Cathy D. Pattison. Against: None.

RE: CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Mayor Taylor advised that the next agenda item is to consider scheduling a public hearing to consider renewing the Certificates of Public Convenience and Necessity during 2020 for 276 Express, LLC for the operation of taxicabs. She advised that the public hearing could be scheduled for the December 9, 2019, Council meeting. It was the consensus of the Council to set a public hearing for the December 9, 2019, Town Council meeting to consider renewing the Certificate of Public Convenience and Necessity during 2020 for 276 Express, LLC, for the operation of taxicabs.

RE: DISPENSING WITH MEETING

Mayor Taylor advised that the next agenda item is to consider dispensing with the December 23, 2019, Town Council meeting due to the Christmas holidays. Mayor Taylor inquired if there was any objection to dispensing with the December 23, 2019, meeting. There being none, it was the consensus of the Council to dispense with the December 23, 2019, Town Council meeting due to the Christmas holidays.

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.).

Beth A. Taylor, Mayor

Sharon G. Corvin, CMC, Town Clerk

BUDGET AND FINANCE COMMITTEE REPORT

NOVEMBER 12, 2019

1. This past week, the general election was held across Virginia, and both State and local representatives were elected. Locally, we had several representatives elected to the General Assembly, including David R. Suetterlein and Todd Pillion elected as members of the Senate of Virginia. Also, elected was House of Delegate Member Jeff Campbell. Locally, in the Commonwealth Attorney's race, Mike Jones was reelected, as was Sheriff W. Keith Dunagan. The Commissioner of the Revenue is Kathy Vaught, and the Treasurer Elect is Lori Crigger Guynn. The Wythe County Board of Supervisors has three new members including Stacy Terry, Rolland Cook, Jamie Smith and incumbent member Gene Horney. We would like to acknowledge the election of all these people, and we think it would be appropriate for the Wytheville Town Council to send a congratulatory note to them acknowledging their election and expressing our hope to work together for the good of the community in the future.
2. In the current year's budget, there were funds appropriated for the recodification of the Town's Code. This means that all the amendments that have been made through the years, as well as comparisons to State law, will be reviewed as the Code is reworked. We contracted these services through the Municipal Code Corporation, and they have now completed their very preliminary drafts of the new Code. Following this, it will be necessary for the Town staff and the Town

Attorney to carefully review all the proposed changes to ensure that they are in conformance with what has been adopted. Once all those studies have been completed, it will be necessary for the Council to take an action acknowledging the recodification and to adopt the new Code. There is nothing required to be done at this time, but we did want everyone to be aware that this project is underway. It should greatly assist our Town staff and the Town citizens in reading and interpreting the Town's Code.

Jacqueline K. King

Cathy D. Pattison

PUBLIC WORKS COMMITTEE REPORT

NOVEMBER 12, 2019

1. At the last meeting of the Council, an ordinance was considered regarding the creation of dog parks in industrial districts. At that meeting, we also had a discussion about the need to have additional regulations associated with such parks. We solicited ideas from other communities and found that the City of Radford, who has its own dog park, had some good ideas about the operation of a dog park. As we discussed this idea more in Committee meetings, we felt that the rules that the City of Radford imposed were very good, but they were more applicable to dog park owners/operators. Since, in this specific situation, this is merely a zoning question as to where a dog park operation can be allowed, we believe that these other factors should be something that should be monitored by the owner/operator. Having said all that, later in the meeting, the Council will consider on third and final reading the adoption of the dog park ordinance. We believe that there are other sufficient Town regulations that control much of these activities, and it would be the recommendation of the Public Works Committee that the ordinance be adopted on third and final reading without any other revisions.
2. All across Virginia and, actually, the country, there has been an influx of scooters being placed along public rights of way. This issue has been a matter of topic at recent conferences. This past year, the Virginia General Assembly drafted some legislation that would allow communities to deal with the influx of these scooters, also known as shared mobility devices, in the event that they arrive in a community.

Town Attorney Chris Menerick has drafted an ordinance that would parallel State law and allows for regulations to be imposed, if such mobile devices were to come to town. The basic provisions will require that all these devices have insurance and that there be taxes and other normal local requirements imposed on them. Currently, there is no problem in Wytheville with any of these devices, but the General Assembly has provided that action imposed on these devices must be implemented prior to the beginning of 2020. Therefore, we thought it was important, whether we ultimately use this legislation or not, to adopt these regulations. Therefore, it would be the recommendation of the Public Works Committee that when this ordinance is considered later in the meeting that it be adopted on first and final reading.

Joseph E. Hand, Jr.

Mark J. Bloomfield