

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, DECEMBER 9, 2019, AT 7:00 P.M.**

Members present: Beth A. Taylor, Joseph E. Hand, Jr., Jacqueline K. King, 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, Town Attorney Christopher R. Menerick, Marie B. Bishop, Heather Archer, Mike Forrest, Andy Kegley, Stephen Spangler, Dale Johnson, Ima Johnson, Mike Pugh, Patrol Officer John Shumate

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 November 25, 2019, and the request of Wythe County Public Schools Foundation for Excellence to conduct a Sandman Extreme Half Marathon and a Martin Luther King, Jr. 5K Run on Saturday, January 18, 2020, at 9:00 a.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 November 25, 2019, and the request of Wythe County Public Schools Foundation for Excellence to conduct a Sandman Extreme Half Marathon and a Martin Luther King, Jr. 5K Run on Saturday, January 18, 2020, at 9:00 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 results: For: Beth A. Taylor, Jacqueline K. King, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison. Against: None.

RE: PUBLIC HEARINGS – MARATHON REALTY CORPORATION REZONING REQUEST

Mayor Taylor advised that the meeting constituted a public hearing (due notice having been given) 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 and North 16th Streets, from B-1 Business and R-3 Residential to B-2 DT General Business District – Downtown. She stated that Mr. Stephen Spangler of Marathon Realty Corporation was listed on the sign in sheet to address the Council during this public hearing. Mayor Taylor asked that Mr. Spangler come to the podium to speak so that the minutes could be properly recorded.

Mr. Stephen Spangler was recognized and stated that he is the President of Marathon Realty Corporation and Vice-President of Real Estate and Site Development for K-VA-T Food Stores, Incorporated, which is Food City. He noted that Marathon is a subsidiary so that is the relationship between the two corporations. Mr. Spangler advised that his presentation would, basically, be the same presentation that he gave to the Wytheville Planning Commission, however, he made some changes based on recommendations from the Planning Commission and some citizens provided to their organization. He continued with the rezoning request

overview presentation to the Town Council. Mr. Spangler inquired of the Council if there were any questions that he could answer regarding the rezoning request. He thanked the Council for allowing him to speak during the public hearing. Mayor Taylor thanked Mr. Spangler for his presentation. She noted that she would like to thank his company for trusting the community, for wanting to locate in Wytheville and the sensitivity to the citizens' requests. Discussion ensued regarding the Food City Project, the progress that is being made, etc.

Mayor Taylor inquired if there were others attending the meeting who wished to address the Council regarding this public hearing. There being no citizens attending the meeting to address the Council during this public hearing, Mayor Taylor declared the public hearing closed and proceeded with the agenda.

RE: PUBLIC HEARINGS – MARATHON REALTY CORPORATION REQUEST TO CLOSE A PORTION OF NORTH 14TH STREET AND A PORTION OF AN ALLEYWAY

Mayor Taylor advised that the meeting constituted a public hearing (due notice having been given) to consider discontinuing and vacating North 14th Street, running parallel to North 12th and North 16th Streets between Main and Monroe Streets, and discontinuing and vacating a portion of an alleyway running parallel to Monroe and Main Streets, extending west from the westside of North 14th Street to a point at the westsides of Tax Parcel Numbers 41A-7-9-16 & 41A-7-9-6.

Mayor Taylor inquired if there were citizens attending the meeting who wished to address the Council regarding this public hearing. There being no citizens attending the meeting to address the Council during this public hearing, Mayor Taylor declared the public hearing closed and proceeded with the agenda.

RE: PUBLIC HEARINGS – CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Mayor Taylor advised that the meeting constituted a public hearing (due notice having been given) to consider renewing the Certificate of Public Convenience and Necessity during 2020 for 276 Express, LLC for the operation of taxicabs. Mayor Taylor inquired if there were citizens attending the meeting who wished to address the Council regarding this public hearing. There being no citizens attending the meeting to address the Council during this public hearing, Mayor Taylor declared the public hearing closed and proceeded with the agenda.

RE: CITIZENS' PERIOD – PRESENTATION OF PROCLAMATIONS – "HIKE THE APPALACHIAN TRAIL" WALKING/RUNNING INCENTIVE PROGRAM

Mayor Taylor advised that the next agenda item is Citizens' Period. She noted that during Citizens' Period, the Council would present the remaining three proclamations to the participants who completed the "Hike the Appalachian Trail" Walking/Running Incentive Program. She explained that there are only two of the three participants attending the Town Council meeting. Mayor Taylor advised that she would read each proclamation and would then request the participant to come forward for the presentation of the proclamation and to receive an appreciation gift. She presented proclamations to Ms. Heather Archer and Ms. Ima Johnson

who completed the "Hike the Appalachian Trail" Walking/Running Incentive Program. Mayor Taylor advised that Ms. Angela Myers was not present to receive her proclamation.

RE: CITIZENS' PERIOD

Mayor Taylor advised that the next agenda item is Citizens' Period. She stated that Mr. Mike Forrest is listed on the sign in sheet to address the Council regarding the rescue squad. Mayor Taylor asked Mr. Forrest to please come forward to the podium so that the minutes could be properly recorded.

Mr. Mike Forrest was recognized and stated that he resides at 630 Withers Road in Wytheville. He noted that he had in inquiry regarding the news articles about the Wythe County Rescue Squad being incorporated into the Town's system, and he was wondering if the Council could update the citizens about this subject. Mayor Taylor inquired of Town Manager Sutherland if he would like to elaborate on Mr. Forrest's request. Town Manager Sutherland advised that to date, no action has been taken by the Wytheville Town Council regarding the Town taking over the Wythe County Rescue Squad. He noted that, currently, there are ongoing discussions between the Town Council, Wythe County Rescue Squad and Wythe County in terms of the Town of Wytheville taking over the operations of the Rescue Squad. Town Manager Sutherland remarked that everyone is very receptive to the idea, but there are still some issues to work out with Wythe County. He commented that he thinks everyone is aware that the Rescue Squad has some problems and their continued operation is questionable. Town Manager Sutherland reiterated that no action has been taken at this time. Mr. Forrest inquired of Town Manager Sutherland if there is a timeline. Town Manager Sutherland stated that he would think that possibly after the first of the year, action will be taken regarding the Rescue Squad. Mr. Forrest thanked the Council for allowing him to speak. Mayor Taylor thanked Mr. Forrest for his comments.

She stated that there is no one else listed on the sign in sheet 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, December 10, 2019, at 7:00 a.m., in the Council Conference Room.
2. The final Council Work Session of the year will be held on Tuesday, December 17, 2019, at 7:00 a.m., in the Council Conference Room.
3. The Joint Industrial Development Authority of Wythe County will hold a Holiday Open House on Thursday, December 12, 2019, between 3:00 p.m. and 6:00 p.m., at their offices located on First Street in Wytheville.

4. The New River Regional Water Authority will meet on Thursday, December 19, 2019, at 10:00 a.m., in the Council Chambers.
5. The Town of Wytheville Municipal Offices will be closed, and all services curtailed on Tuesday, December 24; Wednesday, December 25; and, Wednesday, January 1, due to the Christmas holiday and New Year's Day.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Vice-Mayor King, reporting for the Budget and Finance Committee, stated that the Town has been approached by Wythe County Community Hospital to assist them in getting certain Medicaid reimbursements from the Commonwealth of Virginia. She explained that under new laws passed last year by the Virginia General Assembly, the Town can impose an assessment on the hospital, which can then be reimbursed to the hospital from State funds. Vice-Mayor King commented that this assessment, in no way, changes the cost to the patients, but it does allow the hospital to access additional Medicaid funding, through this fund established by the Commonwealth of Virginia, that can be used by the hospital for providing services. She noted that later in the meeting, the Council will consider an ordinance that implements such a program. Vice-Mayor King remarked that the Council has been very specific with Wythe County Community Hospital that this program can, in no way, impose any expenses on the Town of Wytheville. She commented that as a matter of fact, the Town has drafted a separate agreement that provides that all administrative expenses associated with the program will be reimbursed by Wythe County Community Hospital. Vice-Mayor King stated that the Council knows that there will be questions as the Town goes forward since this is a brand new program throughout the State. She noted that the Council does, however, believe that it would be beneficial to the local hospital, as well as provide additional healthcare services. Vice-Mayor King advised that it would be the recommendation of the Budget and Finance Committee that the ordinance be adopted on first and final reading.

Vice-Mayor King, also, reported that the Council has been requested by the United States Census Bureau to assist with the upcoming census by appointing a local Census Committee. She explained that Wythe County has already established such a committee, and it is composed of many County representatives, including the constitutional officers and representatives from the school system and the Department of Social Services. Vice-Mayor King commented that, locally, the Council thinks it would be beneficial to provide assistance to the Census Bureau by establishing a Town of Wytheville Complete Count Census Committee. She remarked that the Council has discussed this in Work Session meetings, and they believe that the Mayor, the Town Manager, the Assistant Town Manager, the Town Attorney, the Assistant Director of Planning and Community Development and the Computer Operations Manager should serve on the Town's Complete Count Census Committee. Vice-Mayor King expressed that the Council has already begun the process of looking at some measures that can be used to assist during the census. She noted that the Town plans on having several laptop computers that are programmed to allow citizens to respond to the census questionnaire in an efficient manner. Vice-Mayor King stated that this time, the entire census process will be online, and there are no paper applications or questionnaires available to participants. She advised that it would be the recommendation of the Budget and Finance Committee that these

appointments be made and that the Town contact the Census Bureau and advise them of the development of this committee. A motion was made by Vice-Mayor King and seconded by Councilwoman Pattison to appoint the Mayor, the Town Manager, the Assistant Town Manager, the Assistant Director of Planning and Community Development and the Computer Operations Manager to serve on a Complete Count Census Committee and requested Town staff to contact the Census Bureau to advise them of the development of this committee. Mayor Taylor inquired if there was any discussion on the motion regarding the appointments for the Census Committee. Mayor Taylor commented that the Census Bureau will make available a phone or a mail applicant form, but mainly everything is online. She inquired if there is any further discussion. There being none, the motion was approved with the following voting results: For: Beth A. Taylor, Jacqueline K. King, 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 pursuant to a public hearing held earlier in the meeting, the Council will consider an ordinance later in the meeting that rezones property at 805 West Monroe Street, 810 West Main Street and 830 West Main Street. He explained that this rezoning request was received from Marathon Realty Corporation, and the purpose for which it is requested is for the construction of a new grocery store. Councilman Bloomfield remarked that the store, as described by the owners, will be a modern grocery store with many amenities, including a gasoline filling station. He commented that the Council believes that this would be a significant economic boost to the westside of town. Councilman Bloomfield advised that when this ordinance is considered later in the meeting, it would be the recommendation of the Public Works Committee that the Town Council approve the ordinance on first, but not yet final, reading.

Councilman Bloomfield reported that as the Public Works Committee just discussed, there is an application for the rezoning of property in the vicinity of 14th, Main and Monroe Streets for the purpose of constructing a new grocery store. He explained that to accommodate this request, Marathon Realty Corporation has sought the closing of 14th Street between Main and Monroe Streets and the closing of a portion of an alley situated between Main and Monroe Streets. Councilman Bloomfield remarked that the Public Works Committee was appointed by the Council as the viewers in this matter. He stated that the Town has, in fact, looked at the property and saw that no problems would occur with the vacation and abandonment of these portions of existing right of way. Councilman Bloomfield noted that these rights of way, when abandoned, cannot be conveyed directly to Marathon Realty Corporation, but they will be conveyed to the Joint Industrial Development Authority of Wythe County who can convey them, for economic development purposes, to Marathon Realty Corporation. He explained that this serves several purposes to protect the Town, and, most importantly, it does not allow for the conveyance of the property until Marathon Realty Corporation has made certain commitments to construct the facility. Councilman Bloomfield advised that when this ordinance is considered later in the meeting, it would be recommendation of the Public Works Committee 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.

None.

RE: ORDINANCE NO. 1374 – MARATHON REALTY CORPORATION REZONING REQUEST

Mayor Taylor presented Ordinance No. 1374, an ordinance amending and reenacting Ordinance No. 640, generally known as the Zoning Ordinance, 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 and North 16th Streets, from B-1 Business and R-3 Residential to B-2 DT General Business District – Downtown, on first reading. Mayor Taylor advised that the motion from the Public Works Committee, which does not require a second, is to approve the ordinance on first, but not final, reading. Councilman Bloomfield stated that the Public Works Committee would like to amend their motion and adopt the ordinance on first and final reading. A motion was made by Councilman Bloomfield and seconded by Councilman Hand to suspend the rules and adopt Ordinance No. 1374, an ordinance amending and reenacting Ordinance No. 640, generally known as the Zoning Ordinance, 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 and North 16th Streets, from B-1 Business and R-3 Residential to B-2 DT General Business District – Downtown, on first and final reading. Mayor Taylor inquired if there was any further 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, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1374 was adopted on first and final reading.

RE: ORDINANCE NO. 1375 – MARATHON REALTY CORPORATION REQUEST TO DISCONTINUE AND VACATE A PORTION OF NORTH 14TH STREET AND A PORTION OF AN ALLEYWAY

Mayor Taylor presented Ordinance No. 1375, an ordinance discontinuing and vacating North 14th Street, running parallel to North 12th and North 16th Streets between Main and Monroe Streets, and discontinuing and vacating a portion of an alleyway running parallel to Monroe and Main Streets, extending west from the westside of North 14th Street to a point at the westsides of Tax Parcel Numbers 41A-7-9-16 & 41A-7-9-6, on first reading. A motion was made by Councilman Bloomfield and seconded by Councilman Hand to suspend the rules and adopt Ordinance No. 1375, an ordinance discontinuing and vacating North 14th Street, running parallel to North 12th and North 16th Streets between Main and Monroe Streets, and discontinuing and vacating a portion of an alleyway running parallel to Monroe and Main Streets, extending west from the westside of North 14th Street to a point at the westsides of Tax Parcel Numbers 41A-7-

9-16 & 41A-7-9-6, on first and final reading, and to accept the proffer of a fence and the submitted plans. Mayor Taylor inquired if there was any discussion on the motion to adopt the ordinance on first and final reading, and to accept the proffer of a fence and the submitted plans. 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

ABSTENTIONS: None

Ordinance No. 1375 was adopted on first and final reading.

RE: ORDINANCE NO. 1376 – LOCAL HOSPITAL PROVIDER ASSESSMENT ORDINANCE

Mayor Taylor presented Ordinance No. 1376, an ordinance amending and reenacting Chapter 14, Taxation, of the Code of the Town of Wytheville, Virginia, by adding Article VIII. Local Hospital Provider Assessment, on first reading. A motion was made by Vice-Mayor King and seconded by Councilwoman Pattison, to suspend the rules and adopt Ordinance No. 1376, an ordinance amending and reenacting Chapter 14, Taxation, of the Code of the Town of Wytheville, Virginia, by adding Article VIII. Local Hospital Provider Assessment, 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, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1376 was adopted on first and final reading.

RE: CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Mayor Taylor advised the next agenda item is to consider renewing the Certificate of Public Convenience and Necessity during 2020 for the operation of taxicabs. Mayor Taylor inquired if there is a motion regarding the renewing of the Certificate of Public Convenience and Necessity during 2020 for the operation of taxicabs. A motion was made by Vice-Mayor King and seconded by Councilman Hand to renew the Certificate of Public Convenience and Necessity during 2020 for 276 Express, LLC, for the operation of taxicabs. Mayor Taylor 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: Beth A. Taylor, Jacqueline K. King, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison. Against: None.

RE: CORRESPONDENCE TO MAYOR TAYLOR

Mayor Taylor advised that when she arrived at her office this evening, a thank you note was attached to her door. She continued to read the card from Ms. Anne Laing to the Council.

RE: HAPPY HOLIDAYS

Mayor Taylor advised that before the Council adjourned for 2019, she would like to wish everyone a Merry Christmas and Happy Holidays. She noted that the Town Council would see everyone on Monday, January 13, 2020.

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (7:27 p.m.).

Beth A. Taylor, Mayor

Sharon G. Corvin, CMC, Town Clerk

BUDGET AND FINANCE COMMITTEE REPORT

DECEMBER 9, 2019

1. The Town has been approached by Wythe County Community Hospital to assist them in getting certain Medicaid reimbursements from the Commonwealth of Virginia. Under new laws passed last year by the Virginia General Assembly, the Town can impose an assessment on the hospital, which can then be reimbursed to the hospital from State funds. This assessment, in no way, changes the cost to the patients, but it does allow the hospital to access additional Medicaid funding, through this fund established by the Commonwealth of Virginia, that can be used by the hospital for providing services. Later this evening, the Council will consider an ordinance that implements such a program. We have been very specific with Wythe County Community Hospital that this program can, in no way, impose any expenses on the Town of Wytheville. As a matter of fact, we have drafted a separate agreement that provides that all administrative expenses associated with the program will be reimbursed by Wythe County Community Hospital. We know that there will be questions as we go forward since this a brand new program throughout the State. We do, however, believe that it would be beneficial to the local hospital, as well as provide additional healthcare services. It would be the recommendation of the Budget and Finance Committee that the ordinance be adopted on first and final reading.

2. We have been requested by the United States Census Bureau to assist with the upcoming census by appointing a local Census Committee. Wythe County has already established such a committee, and it composed of many County representatives, including the constitutional officers and representatives from the school system and the Department of Social Services. Locally, we think it would be beneficial to provide assistance to the Census Bureau by establishing a Town of Wytheville Complete Count Census Committee. We have discussed this in Work Session meetings, and we believe that the Mayor, the Town Manager, the Assistant Town Manager, the Town Attorney, the Assistant Director of Planning and Community Development and the Computer Operations Manager should serve on the Town's Complete Count Census Committee. We have already begun the process of looking at some measures that can be used to assist during the census. We plan on having several laptop computers that are programmed to allow citizens to respond to the census questionnaire in an efficient manner. This time, the entire census process will be online, and there are no paper applications or questionnaires available to participants. It would be the recommendation of the Budget and Finance Committee that these appointments be made and that we contact the Census Bureau and advise them of the development of this committee.

Jacqueline K. King

Cathy D. Pattison

PUBLIC WORKS COMMITTEE REPORT

DECEMBER 9, 2019

1. Pursuant to a public hearing held earlier in the meeting, the Council will consider an ordinance later in the meeting that rezones property at 805 West Monroe Street, 810 West Main Street and 830 West Main Street. This rezoning request was received from Marathon Realty Corporation, and the purpose for which it is requested is for the construction of a new grocery store. The store, as described by the owners, will be a modern grocery store with many amenities, including a gasoline filling station. We believe that this would be a significant economic boost to the westside of town. When this ordinance is considered later in the meeting, it would be the recommendation of the Public Works Committee that the Town Council approve the ordinance on first, but not yet final, reading.
2. As we just discussed, there is an application for the rezoning of property in the vicinity of 14th, Main and Monroe Streets for the purpose of constructing a new grocery store. To accommodate this request, Marathon Realty Corporation has sought the closing of 14th Street between Main and Monroe Streets and the closing of a portion of an alley situated between Main and Monroe Streets. The Public Works Committee was appointed by the Council as the viewers in this matter. We have, in fact, looked at the property and saw that no problems would occur with the vacation and abandonment of these portions of existing right of way. These rights of way, when abandoned, cannot be conveyed directly to Marathon Realty Corporation, but they will be conveyed to the Joint Industrial Development Authority

of Wythe County who can convey them, for economic development purposes, to Marathon Realty Corporation. This serves several purposes to protect the Town, and, most importantly, it does not allow for the conveyance of the property until Marathon Realty Corporation has made certain commitments to construct the facility. When this ordinance is considered later in the meeting, it would be recommendation of the Public Works Committee that it be adopted on first and final reading.

Joseph E. Hand, Jr.

Mark J. Bloomfield