

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, JANUARY 13, 2020, 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, David D. Jones, Joe Wilkins, Millicent Rothrock with *The Wytheville Enterprise*, 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 Bloomfield.

RE: CONSENT AGENDA

Mayor Taylor presented the consent agenda consisting of the minutes of the regular meeting of December 9, 2019. 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 Councilwoman Pattison and seconded by Councilman Bloomfield to approve the consent agenda consisting of the minutes of the regular meeting of December 9, 2019, as presented. Mayor Taylor inquired if there was any discussion on the motion to approve the consent agenda. 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 that the next agenda item is Citizens' Period. She stated that there were two citizens listed on the sign in sheet who wished to address the Council during Citizens' Period. Mayor Taylor asked Mr. David Jones to please come forward to the podium so that the minutes could be properly recorded.

Mr. David D. Jones was recognized and stated that he resides at 1235 West Main Street in Wytheville. He noted that his house is located near the Moose Lodge and Grayson's Restaurant. Mr. Jones commented that one week, he works seven days and the next week, he works six days. He remarked that he has a daughter, which requires him to get up early each morning. Mr. Jones stated that the Town's Noise Ordinance is not being enforced on the end of town where he lives. He commented that at 1:00 a.m., his house is vibrating from the music at the Moose Lodge, which then requires him to turn on his television to drown out the noise. He noted that he has called the police, but, apparently, they are not aware of what the Noise Ordinance is or what time it happens to be. Mr. Jones remarked that he has both the Virginia and Town Code at his house. Mr. Jones commented that he has a camera system that is picking up vehicles leaving the Moose Lodge. He remarked that he has contacted the Moose Lodge and asked them to turn their music down, and they replied that they did not have to do so. Mr. Jones stated that he told the Moose Lodge staff that he would contact the Town authorities, and they replied that it would not help or fix anything. Mr. Jones stated that he has had eight vehicles fall victim to phantom hit and run. He noted that it is getting very expensive to keep fixing vehicles from the damage. Mr. Jones continued to express his frustrations with the parking lane in front of his house, the phantom hit and runs, the Moose Lodge, etc. Discussion ensued regarding Mr. Jones' concerns. Mr. Jones suggested a way to fix the parking lane in front of his house. Town Manager Sutherland explained to Mr. Jones that the Virginia Department of Transportation built the piece of roadway in front of his home. Discussion continued regarding the parking lane near Mr. Jones' home on West Main Street. Mr. Jones thanked the Council for allowing him to speak. Town Manager Sutherland noted that Town staff will check into this matter. Mayor Taylor thanked Mr. Jones for his comments.

Mayor Taylor asked Mr. Joe Wilkins to please come forward to the podium so that the minutes could be properly recorded. Mr. Joe Wilkins was recognized and stated that he resides at 15 Jackson Circle in Wytheville. He explained that on behalf of Wythe County Community Hospital, he wanted to attend the meeting and thank the Town Council for considering and adopting Ordinance No. 1367. Mr. Wilkins commented that from the hospital's standpoint, it is great to have the ability to have funds accessible to help the uncompensated patients. He noted that on an annual basis, the hospital spends about \$3 million on uncompensated care at the local facility, and that is what those funds will help them do. Mr. Wilkins remarked that the Council may be aware that in January 2019, the Medicaid expanded in Virginia, and that number will probably go down significantly. He noted that he is waiting on the final numbers. Mr. Wilkins stated that he wanted to make sure that he attended a Council meeting to thank them for

adopting the ordinance. He continued to note the new programs that the hospital is offering to patients at Wythe County Community Hospital, etc. Mr. Wilkins remarked that in Virginia, Wythe County Community Hospital may be the only one of two or three hospitals that has been able to get the support from their Town, and the hospital is now waiting for the General Assembly to do their part within the next couple of Sessions. Mr. Wilkins reiterated that Wythe County Community Hospital would, again, like to thank the Town Council for adopting Ordinance No. 1367. Mayor Taylor thanked Mr. Wilkins for his comments.

Mayor Taylor advised 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, January 14, 2020, at 7:00 a.m., in the Council Conference Room.
2. The New River Regional Water Authority will meet on Thursday, January 16, 2020, at 10:00 a.m., in the Council Chambers.
3. The Council Personnel Committee will meet on Friday, January 17, 2020, at 8:15 a.m., at the Wytheville Meeting Center.
4. The Homestead Museum Advisory Board will meet on Thursday, January 23, 2020, at 10:00 a.m., in Conference Room A of the Municipal Building.
5. The Joint Industrial Development Authority of Wythe County will meet on Thursday, January 23, 2020, at 3:00 p.m., in the Council Chambers.
6. Town Manager Sutherland advised that the Council has before them a request of St. John's Episcopal Church Preschool for issuance of a raffle permit for calendar year 2020. Mayor Taylor inquired if there is a motion to approve the request of St. John's Episcopal Church Preschool for issuance of a raffle permit for calendar year 2020. A motion was made by Councilman Hand and seconded by Councilwoman Pattison to approve the request of St. John's Episcopal Church Preschool for the issuance of a raffle permit for 2020. Mayor Taylor inquired if there was any discussion on the motion to approve the raffle permit. Councilman Bloomfield inquired of Town Manager Sutherland if he should abstain from voting since he signed the request. Town Manager Sutherland advised that Councilman Bloomfield should abstain from the vote. Mayor Taylor inquired if there was any further discussion. There being none, the motion was approved with the following voting results: For: Beth A. Taylor, Joseph E. Hand, Jr., Cathy D. Pattison. Against: None. Abstention: Mark J. Bloomfield. Councilman Bloomfield explained that he abstained from voting because he signed the application for St. John's Episcopal Church Preschool for issuance of a raffle permit for 2020.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Councilwoman Pattison, reporting for the Budget and Finance Committee, stated that the Town is a recipient of State and Federal funding, and it must provide certain assurances to the State and Federal governments that the Town is complying with various facets of law. She explained that one of the assurances that the Town Council must provide is that the Town endorses the concept of fair housing and calls upon the citizens of Wytheville, along with those in the banking and housing industries, to join and work together in observance of free and equal housing treatment for all. Councilwoman Pattison advised that later in the meeting, a resolution will be considered by the Council endorsing these concepts, and it would be the recommendation of the Budget and Finance Committee that it be adopted.

Councilwoman Pattison, also, reported that earlier this year, the Town contracted with Municode for the codification of its ordinances. She explained that Municode performed this service 32 years ago, and it was, clearly, time that the Town updated the Town Code book. Councilwoman Pattison stated that this codification effort merely reviews all of the Town's current ordinances and makes sure that they parallel and/or conform with State law. She commented that Town Attorney Chris Menerick advises that this process is well underway and that the Town should anticipate a total review of the Town ordinances being completed by this spring. Councilwoman Pattison noted that Mr. Menerick has reviewed a rough draft from Municode and discussed the proposed changes with each affected department. She expressed that following the receipt of the draft of the codifications, the Council will have the opportunity to adopt these as the Town's

official Code of Ordinances. Councilwoman Pattison stated that for convenience, Municode will provide to the Council one ordinance that will incorporate all of the proposed changes. She advised that there is no action that needs to be taken at this time by the Council, but the Budget and Finance Committee did want to make everyone aware that these activities were ongoing. 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 later in the meeting, the Council will consider an ordinance which makes certain amendments to the Town Code with regard to the Wytheville Fire Department. He noted that under the language as it existed, the Fire Department is described as a volunteer organization and makes no reference to any other emergency services. Councilman Bloomfield explained that the Town, of course, now has a full time Fire Chief and Fire Department, and, as the Town moves forward, it appears that Wytheville may be moving into providing emergency medical services, also. He stated that it is important for State certifications that the Code designates the Fire and Rescue Department as authorized to provide emergency medical services. Councilman Bloomfield advised that when this ordinance is considered later in the meeting, it would be the recommendation of the Public Works Committee that it be adopted on first and final reading.

Councilman Bloomfield reported that as the Committee just mentioned, there is the potential for the Town to start providing certain emergency medical services. He noted that, in essence, this would mean that the Town would be providing those services now performed by the Wythe County Rescue Squad. Councilman Bloomfield explained that as the Town moves forward at looking at this activity, it is required that the Town receive certain permits, etc. from the Commonwealth of Virginia. He stated that one of the standards that is required by the Commonwealth is an Emergency Response Plan and a Response Time Interval Standard. Councilman Bloomfield noted that this standard must be met on 90 percent of the Town's EMS calls. He commented that for now, the Town has chosen 15 minutes, although it intends to be much quicker. Councilman Bloomfield remarked that the Town's proposed coverage area includes remote areas of the county, and as the Town collects data from actual response times, this standard can be amended. He advised that these are attached, and the Public Works Committee would recommend that they be adopted by the Council. Councilman Bloomfield stated assuming that the Town moves forward with the establishment of an emergency medical services unit within the Fire Department, the Town will be prepared with these standards. A motion was made by Councilman Bloomfield and seconded by Councilman Hand to adopt the EMS Response Plan and the Response Time Interval Standard for the Wytheville Fire and Rescue Department. Mayor Taylor inquired if there was any discussion on the motion to adopt the EMS Response Plan and the Response Time Interval Standard for the Wytheville Fire and Rescue Department. 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 Public Works Committee report is attached and made part of these minutes.

RE: ORDINANCE NO. 1377 – WYTHEVILLE FIRE DEPARTMENT

Mayor Taylor presented Ordinance No. 1377, an ordinance amending and reenacting Chapter 6, Fire Prevention and Protection, by replacing Article II. Fire Department, Division 1. Generally, Sections 6-16. Composition, Qualifications, Appointment and Terms of Members of Fire Department; 6-17. Safety Program; 6-18. Assignment of Duties to Members; 6-19. Election of Officers; 6-20. Duty in Event of Riot; 6-21. Compensation of Members; 6-22. Duty of Chief During Fires, Parades, Emergencies; 6-23. Devolution of Command at Fire, Parade, Emergency; and, 6-24. Interfering with Firemen, and by deleting Section 6-25. Equipment, of the Code of the Town of Wytheville, Virginia, on first reading. Mayor Taylor advised that the motion from the Public Works Committee is to 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. 1377, an ordinance amending and reenacting Chapter 6, Fire Prevention and Protection, by replacing Article II. Fire Department, Division 1. Generally, Sections 6-16. Composition, Qualifications, Appointment and Terms of Members of Fire Department; 6-17. Safety Program; 6-18. Assignment of Duties to Members; 6-19. Election of Officers; 6-20. Duty in Event of Riot; 6-21. Compensation of Members; 6-22. Duty of Chief During Fires, Parades, Emergencies; 6-23. Devolution of Command at Fire, Parade, Emergency; and, 6-24. Interfering with Firemen, and by deleting Section 6-25. Equipment, of the Code of the Town of Wytheville, Virginia, 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, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1377 was adopted on first and final reading.

RE: RESOLUTION – FAIR HOUSING ACT

Mayor Taylor advised the next agenda item is a resolution regarding the Federal Fair Housing Act. A motion was made by the Budget and Finance Committee, which does not require a second, to adopt the annual resolution regarding the Federal Fair Housing Act. Mayor Taylor inquired if there was any discussion on the motion to adopt the Federal Fair Housing Act 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: SPECIAL EXCEPTION PERMIT REQUEST – LORETTO HISTORIC MANSION, LLC

Mayor Taylor advised that the next agenda item is to consider scheduling a public hearing to consider the request of Loretto Historic Mansion, LLC for a Special Exception Permit to extend the venue hours and visitor capacity and to use the terrace and front porch areas of the mansion for their operations located at 205 Loretto Drive, which is located on the west side of Loretto Drive between Peppers Ferry Road and Mountain View Drive, in an R-1 Residential District. She advised that the public hearing could be scheduled for the February 10, 2020, Council meeting. It was the consensus of the Council to set a public hearing for the February 10, 2020, Town Council meeting, at 7:00 p.m., in the Council Chambers to consider the request of Loretto Historic Mansion, LLC for a Special Exception Permit to extend the venue hours and visitor capacity and to use the terrace and front porch areas of the mansion for their operations located at 205 Loretto Drive, which is located on the west side of Loretto Drive between Peppers Ferry Road and Mountain View Drive, in an R-1 Residential District.

RE: REZONING OF CERTAIN PROPERTIES

Mayor Taylor advised that the next agenda item is to consider scheduling a public hearing to consider rezoning the block of properties bounded by West Pine Street, West Reservoir Street, North 24th Street and North 26th Street from B-2 Business to R-3 Residential. She advised that the public hearing could be scheduled for the February 10, 2020, Council meeting. It was the consensus of the Council to set a public hearing for the February 10, 2020, Town Council meeting, at 7:00 p.m., in the Council Chambers to consider rezoning the block of properties bounded by West Pine Street, West Reservoir Street, North 24th Street and North 26th Street from B-2 Business to R-3 Residential.

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (7:22 p.m.).

Beth A. Taylor, Mayor

Sharon G. Corvin, CMC, Town Clerk

BUDGET AND FINANCE COMMITTEE REPORT

JANUARY 13, 2020

1. The Town is a recipient of State and Federal funding, and we must provide certain assurances to the State and Federal governments that the Town is complying with various facets of law. One of the assurances that the Town Council must provide is that the Town endorses the concept of fair housing and calls upon the citizens of Wytheville, along with those in the banking and housing industries, to join and work together in observance of free and equal housing treatment for all. Later in the meeting, a resolution will be considered by the Council endorsing these concepts, and it would be the recommendation of the Budget and Finance Committee that it be adopted.
2. Earlier this year, the Town contracted with Municode for the codification of our ordinances. Municode performed this service 32 years ago, and it was, clearly, time that we updated our Town Code book. This codification effort merely reviews all of our current ordinances and makes sure that they parallel and/or conform with State law. Town Attorney Chris Menerick advises that this process is well underway and that we should anticipate a total review of our ordinances being completed by this spring. Mr. Menerick has reviewed a rough draft from Municode and discussed the proposed changes with each affected department. Following the receipt of the draft of the codifications, the Council will have the opportunity to adopt these as the Town's official Code of Ordinances. For convenience, Municode will provide to the Council one ordinance that will

incorporate all of the proposed changes. There is no action that needs to be taken at this time by the Council, but we did want to make everyone aware that these activities were ongoing.

Jacqueline K. King

Cathy D. Pattison

PUBLIC WORKS COMMITTEE REPORT

JANUARY 13, 2020

1. Later this evening, the Council will consider an ordinance which makes certain amendments to the Town Code with regard to the Wytheville Fire Department. Under the language as it existed, the Fire Department is described as a volunteer organization and makes no reference to any other emergency services. We, of course, now have a full time Fire Chief and Fire Department, and, as we move forward, it appears that we may be moving into providing emergency medical services, also. It is important for State certifications that our Code designates the Fire and Rescue Department as authorized to provide emergency medical services. When this ordinance is considered later this evening, it would be the recommendation of the Public Works Committee that it be adopted on first and final reading.
2. As we just mentioned, there is the potential for the Town to start providing certain emergency medical services. In essence, this would mean that the Town would be providing those services now performed by the Wythe County Rescue Squad. As we move forward at looking at this activity, it is required that we receive certain permits, etc. from the Commonwealth of Virginia. One of the standards that is required by the Commonwealth is an Emergency Response Plan and a Response Time Interval Standard. This standard must be met on 90 percent of our EMS calls. For now, we have chosen 15 minutes, although we intend to be much quicker. Our proposed coverage area includes remote areas of the county, and as we collect data from

actual response times, this standard can be amended. These are attached, and we would recommend that they be adopted by the Council. Assuming that we move forward with the establishment of an emergency medical services unit within the Fire Department, we will be prepared with these standards.

Joseph E. Hand, Jr.

Mark J. Bloomfield