

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, FEBRUARY 10, 2020, 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, Town Attorney Christopher R. Menerick, Gail Catron, Jennifer Morin, Paul Morin, Brenda Wittwer, George Wittwer, Raymond Mabry, Margaret White, Charlie White, Betsy Trevillian, Larry Anderson, David Taylor, Florecia Jenkins, W.L. Cornett, Alma Watson, Patrol Officer Bryan Bard

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 January 27, 2020; the request of the Wytheville Lions Club for waiver of business license fees and inspection fees for the Annual Charity Carnival to be held on July 13-18, 2020; and, the request of the American Heart Association for waiver of fees for use of Withers Park on Saturday, June 6, 2020, for a Heart Walk Fundraiser. 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 January 27, 2020; the request of the Wytheville Lions Club for waiver of business license fees and inspection fees for the Annual Charity Carnival to be held on July 13-18, 2020; and, the request of the American Heart Association for waiver of fees for use of Withers Park on Saturday, June 6, 2020, for a Heart Walk Fundraiser, 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, Jacqueline K. King, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison. Against: None.

PUBLIC HEARINGS – LORETTO HISTORIC MANSION, LLC SPECIAL EXCEPTION PERMIT REQUEST

Mayor Taylor advised that the meeting constituted a public hearing (due notice having been given) to consider the request of the 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 noted that there are several citizens listed on the sign in sheet who stated that they wished to address the Council during this public hearing, therefore, she would request those who are speaking to please come to the podium and state their name and address so that the minutes can be properly recorded. Mayor Taylor remarked that she would ask that each speaker stay within the five minute speaking limit, and to please remember that everyone is a member of the community.

Ms. Gail Catron was recognized and stated that she resides at 219 Golf Club Lane in Wytheville. Ms. Catron noted that she is attending the meeting in support of the Loretto Historic Mansion, LLC request for a Special Exception Permit. She continued to discuss with the Council her reasons for supporting the Loretto Historic Mansion, LLC request. Ms. Catron advised that she urged the Council to support the Morins' efforts in their request for a Special Exception Permit. She thanked the Council for allowing her to speak. Mayor Taylor thanked Ms. Catron for her comments.

Ms. Jennifer Morin was recognized and stated that she resides at 590 West Franklin Street in Wytheville. She explained that she is attending the public hearing as a representative of Loretto Historic Mansion, LLC. Ms. Morin continued to review the history of the Loretto Historic Mansion, LLC's previous request for a Special Exception Permit, which was approved in June 2018. She explained that due to the restrictions of the original Special Exception Permit, the majority of the use requests from prospective clients had to be declined for the past year and a half. Ms. Morin commented that the resulting loss of revenue opportunities, basically, shows that the original concept of Loretto Historic Mansion, LLC is not currently structured as a viable entity. She advised, therefore, Loretto Historic Mansion, LLC is requesting that the time, day and capacity restrictions be amended to allow broader use opportunities. Ms. Morin noted a list of the clients that had to be declined use of the Mansion for the past year and a half. She commented that it is the belief of Loretto Historic Mansion, LLC that the proposed amendments

to their Special Exception Permit will keep events, like the events that they had to decline, available. Ms. Morin summarized what they were proposing in their request for a Special Exception Permit to the Council. She stated that she and Dr. Morin certainly appreciate the concerns of the subdivision homeowners regarding any infringement on the peace and privacy of their homes and the need to protect their investment in their homes. She commented that they believe that allowing the Mansion some limited, carefully scheduled public exposure will enhance the 12 acre property of the Loretto Mansion, and, actually, protect and elevate the subdivision valuations for the future. Ms. Morin expressed that they desperately want to preserve the current character of the property and for it to remain intact as a 12 acre site. She thanked the Council for allowing her to speak and for the Council's consideration regarding the Loretto Historic Mansion, LLC's request for an amended Special Exception Permit. Ms. Morin stated that she especially appreciates the Council approving the original Special Exception Permit in 2018. Mayor Taylor inquired of Ms. Morin regarding two events that were denied use because of the restrictions in the original Permit, and, if those particular events would still be denied, should the Morins get Council's approval for their current request. Ms. Morin advised that due to the location on the property, she would still be required to deny those two events. Mayor Taylor inquired if there were any other questions for Ms. Morin. There being none, Mayor Taylor thanked Ms. Morin for her comments.

Mr. George Wittwer was recognized and stated that he resides at 580 Loretto Drive in Wytheville. Mr. Wittwer advised that he and his wife are wholeheartedly in support of the Morins' request for a Special Exception Permit at the Loretto Historic Mansion. He noted that he and his wife have attended two events at the Mansion that were most tastefully done, and, absolutely most unobtrusive to the rest of the neighborhood, even the parking. Mr. Wittwer commented that in his personal opinion, the Loretto Mansion is an asset to the Loretto neighborhood, and he and his wife are in full support of the request for a Special Exception Permit. Mr. Wittwer thanked the Council for allowing him to speak. Mayor Taylor thanked Mr. Wittwer for his comments.

Mr. Raymond Mabry was recognized and stated that he resides at 30 Jackson Circle in the Loretto Subdivision. He noted that he has lived there for 25 years, and his home was one of the first homes built in the neighborhood. Mr. Mabry commented that the bylaws and covenants of the subdivision have insured that the neighborhood will remain a highly regarded place to call home and continue to be inviting to newcomers of the community. He commented that as people enter the subdivision, they have to notice a large manicured lawn on the left, a driveway bordered by big trees with a winding road all the way to the Mansion. Mr. Mabry explained that it is the kind of history and elegance that people pay admission to see in places such as South Carolina and other southern states. He noted that he thinks Wytheville is blessed to have this treasure available for its citizens to use the Mansion for special occasions, etc. Mr. Mabry continued to express his thoughts regarding the Loretto Mansion's importance to the Wytheville area. He advised that he is attending the meeting in support of the Loretto Historic Mansion, LLC's request for a Special Exception Permit. Mr. Mabry continued to express his thoughts and support regarding the Morins' request for a Special Exception Permit at the Loretto Historic Mansion. He thanked the Council for allowing him to speak. Mayor Taylor thanked Mr. Mabry for his comments.

Ms. Margaret White was recognized and stated that she resides at 395 Loretto Drive in the Loretto Subdivision. She advised that she would like to note that she continues to support the Morins and their efforts regarding the Loretto Mansion. Ms. White explained that she has talked with a number of neighbors who are in support of the Morins. She remarked that Elaina and John White are in support of the Morins' request, and they had planned to attend the meeting to show their support, but they were unable to attend. Ms. White commented that she has a written comment on her iPad from Mr. and Mrs. White stating their support for the Morins, if the Council would like for her to show them. She thanked the Council for allowing her speak. Mayor Taylor thanked Ms. White for her comments.

Mr. Charlie White was recognized and stated that he resides at 395 Loretto Drive in the Loretto Subdivision. He advised that he is in favor of the Morins' request for a Special Exception Permit. Mr. White noted that he moved to the neighborhood in 2006, and he has a good relationship with the Morins. He explained that he thinks the Mansion is an asset to the community, and he has zero thoughts or reservations whatsoever about it affecting his property value negatively. Mr. White thanked the Council for allowing him to speak. Mayor Taylor thanked Mr. White for his comments.

Mayor Taylor inquired if there were any other citizens attending the meeting who wished to address the Council during the public hearing. There being none, Mayor Taylor declared the public hearing closed and proceeded with the agenda.

RE: PUBLIC HEARING - REZONING OF BLOCK OF PROPERTIES BOUNDED BY WEST RESERVOIR, WEST PINE, NORTH 24TH AND NORTH 26TH STREETS

Mayor Taylor advised that the meeting constituted a public hearing (due notice having been given) 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.

Ms. Florecia Jenkins was recognized and stated that she resides at 1400 West Reservoir Street in Wytheville. She advised that she is attending the meeting to inquire about the rezoning of the properties in her neighborhood. Mayor Taylor inquired if Assistant Town Manager Moore could explain the proposed rezoning to Ms. Jenkins. Assistant Town Manager Moore stated that the block of properties that is proposed to be rezoned is presently zoned B-2 Business and has been that way for a long time, but its entire use is residential, therefore, it is proposed to be rezoned to R-3 Residential, which allows multifamily residential use. Mayor Taylor inquired of Ms. Jenkins if this answers her questions. Ms. Jenkins stated that Mr. Moore did answer her question. Ms. Jenkins thanked the Council for allowing her to speak. Mayor Taylor thanked Ms. Jenkins for her comments.

Mayor Taylor inquired if there were any other citizens attending the meeting who wished to address the Council during the public hearing. There being none, Mayor Taylor declared the public hearing closed and proceeded with the agenda.

RE: CITIZENS' PERIOD

Mayor Taylor advised that the next agenda item is Citizens' Period. She stated that there is one citizen listed who wished to address the Council during Citizens' Period. Wytheville Police Officer Bryan Bard was recognized and stated that he would like remind the Council and the citizens of Wytheville that February is Heart Awareness Month. He explained that sudden cardiac arrest is the leading causing of death in the United States claiming an estimated 325,000 lives each year. Officer Bard continued to review statistics involved with Heart Awareness Month. He noted that the Police Department has several CPR/First Aid/AED training classes scheduled in the coming months, and he would encourage the Council and others to register for the classes. Mayor Taylor inquired if the Police Department teaches other Town departments in CPR/First Aid/AED. Officer Bard advised that the Police Department trains all of the Town employees in all three classes. Officer Bard thanked the Council for allowing him to speak. Mayor Taylor thanked Officer Bard for his comments.

Mayor Taylor advised that there were no other citizens 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, February 11, 2020, at 7:00 a.m., in the Council Conference Room.
2. The Town of Wytheville Municipal Offices will be closed and all services curtailed on Monday, February 17, 2020, in observance of the President's Day holiday.
3. The New River Regional Water Authority will meet on Thursday, February 20, 2020, at 10:00 a.m., in the Council Chambers.
4. Town Manager Sutherland advised that the Council has before them information regarding a request from Mr. Tommy Hundley and Mr. Larry Anderson, who are attending the meeting and are willing to answer any questions that the Council may have regarding the request. He noted that Mr. Hundley is requesting a decrease in a utility easement so that he may construct a garage in his rear yard, but there is currently an existing 20 foot public utility easement that would preclude that from occurring. He explained that Town staff is not aware of any particular need, at this point in time, of anything that needs to be in the easement, but, certainly, as time goes forward, there could be the opportunity for something that needs to go in that easement. Town Manager Sutherland advised that Town staff would propose that a minimum of five (5) feet of utility easement along the rear lines of Mr. Hundley be established and that a construction easement of the residual between the utility easement and the garage be designated as construction easement. He remarked that the Council can do this by a mere motion. Mayor Taylor inquired if there were any questions for Mr. Hundley. There being none, a motion was made by Vice-Mayor King and seconded by

Councilman Bloomfield to approve reducing the utility easement behind 30 Lee Circle to a minimum of five (5) feet and any easement left between the construction of the garage on this property and the utility easement would be kept by the Town as a construction easement. 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.

Mr. Hundley inquired if this easement includes Mr. Larry Anderson's property. Town Manager Sutherland advised that Mr. Anderson's property was not shown on the plat. Mr. Hundley expressed that he is satisfied with the Council's decision. Mayor Taylor stated that she would proceed with the agenda.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Councilwoman Pattison, reporting for the Budget and Finance Committee, stated that over the last several months, leadership from the Town, Wythe County and the Wythe County Rescue Squad have held discussions about the provision of emergency medical services in the community. She noted that the determination of all involved is that the Town would undertake those services, benefiting the residents within the coverage area by having cross-trained fire and rescue personnel. Councilwoman Pattison explained that the joint action by the Town, Wythe County and the Wythe County Rescue Squad requires that certain terms be set in an agreement. She remarked that Town Attorney Chris Menerick has worked on the terms of this Agreement, with great help and input from Fire Chief Marc Brade and his staff. Councilwoman Pattison expressed that the Emergency Services Agreement that is before the Town Council requires that a resolution be approved and that the Town Manager execute the Agreement. She advised that it would be the recommendation of the Budget and Finance Committee that when the resolution is considered later in the meeting that it be adopted, and the Town Manager be authorized to execute the Emergency Services Agreement as presented.

Town Attorney Menerick stated that the Emergency Services Agreement located in the Council package contains the terms that the Council discussed at the Work Session last week. He noted that he sent those terms to County Administrator Stephen Bear, who was out of town last week, however, this morning, he and Town Manager Sutherland received a telephone call to discuss the terms of the Agreement. Town Attorney Menerick explained that the County wanted to change the annual payment escalator, which is the way it evolves each year. He noted that he circulated a new version of the Agreement, earlier this evening, to each Council member with the changes. Town Attorney Menerick stated that if the Council would like to consider the language of the Agreement that is not included in their package, they could table their decision until the Work Session tomorrow morning, or, if they choose the current terms of the Agreement, then the Council can continue with the version that is included in the package. Councilman Bloomfield inquired if a motion is required to continue with one of those two choices. Mayor Taylor stated that action would be taken later in the meeting when the resolution is considered for adoption.

Councilwoman Pattison, also, reported that the Council is proud to announce that as of March 1, 2020, the Wytheville Fire & Rescue Department will begin to provide emergency medical services to citizens in the community. She explained that it is the Town's goal that the transition from the Wythe County Rescue Squad to the Wytheville Fire & Rescue Department be as seamless as possible. Councilwoman Pattison noted that citizens living within the coverage area, whether in the town limits or in the county, will not see any decline in their services. She commented that, in fact, the Council believes the provision of cross-trained fire and rescue personnel will improve services because every truck on every call will have someone who is trained to save a life, regardless if the call is for fire or for EMS. Councilwoman Pattison advised that there is no action required of the Town Council at this time, but the Budget and Finance Committee wanted the Council and citizens to be aware of the upcoming changes. 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 this evening, the Council will consider an ordinance later in the meeting that rezones a block of properties bounded by West Pine, West Reservoir, North 24th and North 26th Streets, from B-2 Business to R-3 Residential. He noted that the rezoning will align the current residential use of these properties with the appropriate R-3 Residential Zoning. 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, at a recent Work Session meeting, the Public Works Committee reviewed the 2-hour parking on Main Street and other various side streets in the downtown area. He noted that this review was conducted due to comments the Town has received from some of the downtown merchants. Councilman Bloomfield stated that the Committee reviewed and discussed the 2-hour parking on Church Street, between Main and Spring Streets, and it was the consensus of the Committee that the 2-hour parking on this section of Church Street be eliminated. He advised that it would be the recommendation of the Public Works Committee that the 2-hour parking on Church Street, between Main and Spring Streets, should be eliminated and that Town staff be instructed to remove the 2-hour parking signs on this portion of Church Street. A motion was made by Councilman Bloomfield and seconded by Councilman Hand to eliminate the 2-hour parking on Church Street, between Main and Spring Streets, and to instruct Town staff to remove the 2-hour parking signs on this portion of Church Street. Mayor Taylor inquired if there was any discussion on the motion to eliminate the 2-hour parking and remove the signs. 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. A copy of the Public Works Committee report is attached and made part of these minutes.

RE: ORDINANCE NO. 1378

Mayor Taylor presented Ordinance No. 1378, an ordinance amending and reenacting Ordinance No. 640, generally known as the Zoning Ordinance, to rezone 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, on first reading. Mayor Taylor advised that the motion from the Public Works Committee is to approve the ordinance on first, but not yet final, reading. A motion was made by Councilman Bloomfield and seconded by Councilman Hand to approve Ordinance No. 1378, an ordinance amending and reenacting Ordinance No. 640, generally known as the Zoning Ordinance, to rezone 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, on first, but not final, reading. Mayor Taylor inquired if there was any discussion on the motion to adopt the ordinance on first, but not 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. 1378 was approved on first, but not final, reading.

RE: RESOLUTION – EMERGENCY SERVICES AGREEMENT

Mayor Taylor advised the next agenda item is a resolution authorizing the Town Manager to sign an Emergency Services Agreement with the County of Wythe and the Wythe County Rescue Squad. Mayor Taylor noted that this resolution was discussed during the Budget and Finance Committee Report. She explained that there are two options for this resolution which include to table the resolution until the next Council Work Session for further discussion or Council can proceed with the Agreement as discussed earlier in the week. Mayor Taylor inquired if there is a motion on the floor. A motion was made by Councilman Bloomfield and seconded by Councilwoman Pattison to adopt the resolution authorizing the Town Manager to execute the Emergency Services Agreement located in the Council package with the County of Wythe and the Wythe County Rescue Squad. Mayor Taylor inquired if there was any discussion on the motion to adopt the Emergency Services Agreement 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: ISSUANCE OF SPECIAL EXCEPTION PERMIT – LORETTO HISTORIC MANSION, LLC

Mayor Taylor advised the next agenda item is the issuance of a Special Exception Permit to Loretto Historic Mansion, LLC 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. Mayor Taylor inquired if there is a motion regarding the issuance of the permit. A motion was made by Vice-Mayor King and seconded by Councilman Bloomfield to issue a Special Exception Permit to Loretto Historic Mansion, LLC 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, with the following stipulations: 1.) Extend the Monday through Friday hours an additional three hours until 8:00 p.m.; 2.) Extend the days to include Saturday and Sunday from 8:00 a.m. to 5:00 p.m.; 3.) Allow the use of the front porch and terrace for exterior activities.; 4.) Increase the maximum number of guests from 50 to 75.; and, 5.) Failure to comply with these conditions shall be grounds for rescinding this Special Exception Permit. Mayor Taylor inquired if there was any discussion on the motion to issue the Special Exception Permit with the stipulations recommended by the Wytheville Planning Commission. 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: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (7:30 p.m.).

Beth A. Taylor, Mayor

Sharon G. Corvin, CMC, Town Clerk

BUDGET AND FINANCE COMMITTEE REPORT

FEBRUARY 10, 2020

1. Over the last several months, leadership from the Town, Wythe County and the Wythe County Rescue Squad have held discussions about the provision of emergency medical services in the community. The determination of all involved is that the Town would undertake those services, benefiting the residents within the coverage area by having cross-trained fire and rescue personnel. The joint action by the Town, Wythe County and the Wythe County Rescue Squad requires that certain terms be set in an agreement. Town Attorney Chris Menerick has worked on the terms of this Agreement, with great help and input from Fire Chief Marc Brade and his staff. The Emergency Services Agreement that is before the Town Council this evening requires that a resolution be approved and that the Town Manager execute the Agreement. It would be the recommendation of the Budget and Finance Committee that when the resolution is considered later in the meeting that it be adopted, and the Town Manager be authorized to execute the Emergency Services Agreement as presented.
2. We are proud to announce that as of March 1, 2020, the Wytheville Fire & Rescue Department will begin to provide emergency medical services to citizens in the community. It is the Town's goal that the transition from the Wythe County Rescue Squad to the Wytheville Fire & Rescue Department be as seamless as possible. Citizens living within the coverage area, whether in the town limits or in the county, will not see any decline in their services. In fact, we believe the

provision of cross-trained fire and rescue personnel will improve services because every truck on every call will have someone who is trained to save a life, regardless if the call is for fire or for EMS. There is no action required of the Town Council at this time, but we wanted the Council and citizens to be aware of the upcoming changes.

Jacqueline K. King

Cathy D. Pattison

PUBLIC WORKS COMMITTEE REPORT

FEBRUARY 10, 2020

1. Pursuant to a public hearing held earlier this evening, the Council will consider an ordinance later in the meeting that rezones a block of properties bounded by West Pine, West Reservoir, North 24th and North 26th Streets, from B-2 Business to R-3 Residential. The rezoning will align the current residential use of these properties with the appropriate R-3 Residential Zoning. 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. At a recent Work Session meeting, we reviewed the 2-hour parking on Main Street and other various side streets in the downtown area. This review was conducted due to comments the Town has received from some of the downtown merchants. The Committee reviewed and discussed the 2-hour parking on Church Street, between Main and Spring Streets, and it was the consensus of the Committee that the 2-hour parking on this section of Church Street be eliminated. It would be the recommendation of the Public Works Committee that the 2-hour parking on Church Street, between Main and Spring Streets, should be eliminated and that Town staff be instructed to remove the 2-hour parking signs on this portion of Church Street.

Joseph E. Hand, Jr.

Mark J. Bloomfield