

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, SEPTEMBER 14, 2020, AT 7:00 P.M.**

Members present: Beth A. Taylor, Cathy D. Pattison, Mark J. Bloomfield, Holly E. Atkins, Gary L. Gillman

Members absent: None

Others present: Town Manager Stephen A. Moore, Assistant Town Manager T. Brian Freeman, Town Clerk Sharon G. Corvin, Patrol Sergeant Lonnie Anders, Patrol Officer Blaine Grubb

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 Pattison.

RE: CONSENT AGENDA

Mayor Taylor presented the consent agenda consisting of the minutes of the regular meeting of August 24, 2020. Mayor Taylor inquired if there was a motion to approve the consent agenda as presented or to somehow be amended. A motion was made by Councilman Gillman and seconded by Councilman Bloomfield to approve the consent agenda consisting of the minutes of the regular meeting of August 24, 2020, 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, Cathy D. Pattison, Mark J. Bloomfield, Holly E. Atkins, Gary L. Gillman. Against: None.

RE: PUBLIC HEARING – MOTOR VEHICLE TOWING OR WRECKER SERVICE

Mayor Taylor advised that the meeting constituted a public hearing (due notice having been given) to consider the following amendments to the Town of Wytheville Zoning Ordinance regarding Motor Vehicle Towing or Wrecker Service: Article III, Definitions; Article XI-Business District B-2 (General), Section 11-1 Use Regulations; Article XII-Industrial District M-1, Section 12-1 Use Regulations; Article XII-M-Industrial District M-1M, Section 12-1M Use Regulations; and, Article XIII-Industrial District M-2, Section 13-1 Use Regulations. Mayor Taylor stated that there are no citizens attending the meeting to address the Council regarding this public hearing. Town Manager Moore advised that Town staff received some comments from Mr. Bill Smith earlier in the day regarding this particular ordinance. He noted that each Council member has been given a copy of Mr. Smith's comments. Town Manager Moore stated that Mr. Smith requested that the Council study the ordinance further or at least consider some of the items that he mentioned in his comments before adopting the ordinance. Mayor Taylor thanked Town Manager Moore for presenting Mr. Smith's comments to the Council, and she noted that his comments would be made a part of the meeting minutes. Mayor Taylor advised that there are no citizens attending the meeting to address the Council regarding this public hearing, therefore, she would declare the public hearing closed and proceed with the agenda.

RE: CITIZENS' PERIOD

Mayor Taylor advised that the next agenda item is Citizens' Period. She noted that, again, there are no citizens attending the meeting to address the Council during Citizens' Period, therefore,

she would proceed with the agenda. Mayor Taylor advised that if someone arrives later at the meeting, she will reserve the right to allow comments.

RE: OLD BUSINESS

Under Old Business, Town Manager Moore reported the following:

1. Currently, the Town of Wytheville Treasurer's Office is under renovation to provide a new reception counter and safety glass. He noted that the glass will be installed this week, and, periodically, the Treasurer's Office will be closed during this time. He noted that citizens are encouraged to use the drop box, mail or call to continue to make payments.
2. He reminded Vice-Mayor Pattison and Councilman Bloomfield that if they have not already been sworn in at the Wythe County Clerk of the Circuit Court's Office for the New River Regional Water Authority, to please do so before the next Authority meeting on Thursday, September 17, 2020. Town Clerk Corvin advised that once they have been sworn in, she will need a copy of each of their Oaths of Office.
3. The next Council Work Session will be held on Tuesday, September 15, 2020, at 7:00 a.m., in the Council Conference Room.
4. The New River Regional Water Authority will meet on Thursday, September 17, 2020, at 10:00 a.m., in the Council Chambers.
5. The Joint Industrial Development Authority of Wythe County will meet on Thursday, September 24, 2020, at 3:00 p.m., in the Council Chambers.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Councilman Bloomfield reported for the Budget and Finance Committee. The Budget and Finance Committee report was entered into the record as follows: The Town received notice from the Department of Housing and Community Development (DHCD), on behalf of Governor Northam, that the Town's application for Community Development Block Grant (CDBG) funds for the COVID-19 Response had been approved in the amount of \$800,000. The Town proposed to provide a Small Business Recovery Assistance Program with this funding that would be administered through Downtown Wytheville, Incorporated (DTW). The initial steps in receiving these grant funds will be the adoption of a resolution and the execution of Town documents such as the Non-Discrimination Policy, the Residential Anti-Displacement and Relocation Plan, the Business and Employment Plan, the Fair Housing Certification and the Grievance Procedure. Later in the meeting, the resolution and the documents will be presented for adoption by the Council.

As the Council may remember, in 1998, the General Assembly dispensed with the car tax, and to compensate localities for the loss in revenues generated by the personal property tax, the State agreed to pay the localities a portion of the tax based on the local tax rate and the assessed value of the vehicles. By 2002, the State was to have reimbursed the full value of the expected revenue to the localities, however, facing economic difficulties, the General Assembly froze the reimbursement rate. The rate has been adjusted every year since, with the reimbursement percentage dropping to just over 50 percent of the assessed value of the vehicles. During the budget document preparation, Town Treasurer Mike Stephens inserts the

rate from the prior year, and when the new rate is established, he requests the Council to adopt the newly computed rate. This year, the reimbursement rate was established at 53.10 percent, which is up slightly from the 50.50 percent that was placed in the budget. Town Treasurer Stephens would request, and we would recommend, that the Council take an action to establish the personal property tax reimbursement rate at 53.10 percent. Mayor Taylor stated that she would like to explain to the citizens that this means that they will pay less and not more. A motion was made by Councilman Bloomfield and seconded by Councilwoman Atkins to establish the personal property tax reimbursement rate at 53.10 percent. Mayor Taylor inquired if there was any discussion on the motion to establish the the personal property tax reimbursement rate at 53.10 percent. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Beth A. Taylor, Cathy D. Pattison, Mark J. Bloomfield, Holly E. Atkins, Gary L. Gillman. Against: None. A copy of the Budget and Finance Committee report is attached and made part of these minutes.

RE: PUBLIC WORKS COMMITTEE REPORT

Vice-Mayor Pattison reported for the Public Works Committee. The Public Works Committee report was entered into the record as follows: Earlier in the meeting, a public hearing was held to consider the recommendation of the Planning Commission to add "Motor Vehicle Towing or Wrecker Service" to the Definitions section of the Zoning Ordinance, and to add this as an incidental use to "Auto garages, sales and service" and, "Service stations (with major repair under cover)" in the B-2 Business District. Motor Vehicle Towing or Wrecker Services would also be added as a permitted use in M-1, M-1M and M-2 Industrial Zoning Districts. In these Industrial Zoning Districts, the requirements for screening would apply. The Planning Commission has worked diligently to legitimize and clarify this use so that appropriate regulations are in place to reduce the impact of these services to the Town. The Council will take action later in the meeting when they consider an ordinance to make these changes to the Zoning Ordinance.

One of the missions of the Wytheville Fire and Rescue Department has been to inventory fire hydrants in the town, verify their operation through flow testing, note the capacities of each, note their limitations and have appropriate maintenance performed on them, if necessary. In a fire emergency, it is critical that the fire personnel know what water capacity is available to them. During this inventory and testing process, the fire hydrants have been painted, and capacities have been coded with color bands. We wanted to alert our citizens that they may see Town Fire and Rescue Department and Water Department personnel working to replace or repair hydrants in their neighborhoods. Almost all fire hydrants are on the Town's rights-of-way, and a few have been obscured by well-meaning citizens planting shrubs, flowers and other obstructions. We wanted to let citizens know that Fire and Rescue Department personnel may be contacting them about removing these obstructions for the safety of the neighborhood. The Council would like to thank its Fire and Rescue, Water and Engineering Departments for their work to address critical safety infrastructure in our Town. A copy of the Public Works Committee report is attached and made part of these minutes.

RE: NEW BUSINESS

Under New Business, Town Manager Moore advised that he did not have anything to report to the Council.

RE: ORDINANCE NO. 1388

Mayor Taylor presented Ordinance No. 1388, an ordinance amending and reenacting Ordinance No. 640, generally known as the Zoning Ordinance, to amend Article III, Definitions; Article XI-Business District B-2 (General), Section 11-1 Use Regulations; Article XII-Industrial District M-1, Section 12-1 Use Regulations; Article XII-M-Industrial District M-1M, Section 12-1M Use Regulations; and, Article XIII-Industrial District M-2, Section 13-1 Use Regulations, on first reading. A motion was made by Councilman Bloomfield and seconded by Councilman Gillman to table Ordinance No. 1388, an ordinance amending and reenacting Ordinance No. 640, generally known as the Zoning Ordinance, to amend Article III, Definitions; Article XI-Business District B-2 (General), Section 11-1 Use Regulations; Article XII-Industrial District M-1, Section 12-1 Use Regulations; Article XII-M-Industrial District M-1M, Section 12-1M Use Regulations; and, Article XIII-Industrial District M-2, Section 13-1 Use Regulations, on first reading, and send it back to the Wytheville Planning Commission for further study. Mayor Taylor inquired if there was any discussion on the motion to table the ordinance and send it back to the Planning Commission for further study. She commented that she would like to note that she thinks this is the right decision due to there being some concerns about this ordinance. She remarked that the Planning Commission has spent a lot of time on this ordinance, and they can review it one more time. Mayor Taylor stated that the Council appreciates all of the Commissioners' hard work. She inquired if there was any further discussion regarding the motion to table the ordinance on first reading and send it back to the Planning Commission for further study. There being none, the motion was approved with the following voting in favor and there being no opposition:

FOR: Beth A. Taylor, Mark J. Bloomfield, Cathy D. Pattison, Holly E. Atkins, Gary L. Gillman

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1388 was tabled on first reading.

RE: RESOLUTION – SMALL BUSINESS RECOVERY ASSISTANCE PROGRAM

Mayor Taylor advised that the next agenda item is to consider a resolution and other pertinent documents approving funding not to exceed \$800,000 from the Department of Housing and Community Development for the Small Business Recovery Assistance Program. She inquired if there is a motion to adopt the resolution and documents required by the Department of Housing and Community Development needed for the program. A motion was made by Councilman Bloomfield and seconded by Vice-Mayor Pattison to adopt a resolution and other pertinent documents approving funding not to exceed \$800,000 from the Department of Housing and Community Development for the Small Business Recovery Assistance Program. Mayor Taylor inquired if there was any discussion on the motion to adopt the resolution and other pertinent documents for the program. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Beth A. Taylor, Cathy D. Pattison, Mark J. Bloomfield, Holly E. Atkins, Gary L. Gillman. Against: None.

RE: APPOINTMENTS – FREEDOM OF INFORMATION OFFICERS

Mayor Taylor advised that the next agenda item is the appointment of Freedom of Information Officers. She continued to explain the State Code requirement, procedure and background of the Freedom of Information Officer(s). A motion was made by Councilman Gillman and

seconded by Vice-Mayor Pattison to appoint Town Clerk Sherry Corvin and Police Chief Joel Hash as Town of Wytheville Freedom of Information Officers. Mayor Taylor inquired if there was any discussion on the motion to appoint Town Clerk Corvin and Police Chief Hash as the Town of Wytheville Freedom of Information Officers. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Beth A. Taylor, Cathy D. Pattison, Mark J. Bloomfield, Holly E. Atkins, Gary L. Gillman. Against: None.

RE: WYTHEVILLE PLANNING COMMISSION ANNUAL REPORT

Mayor Taylor advised that the next agenda item is the review of the Wytheville Planning Commission 2019-20 Annual Report. She stated that Vice-Mayor Pattison serves as the Council liaison on the Planning Commission, therefore, she can help answer any questions that the Council may have regarding the 2019-20 Annual Report. Mayor Taylor noted that the report looked very nice. She inquired if there is a motion to adopt the Wytheville Planning Commission 2019-20 Annual Report. A motion was made by Councilman Gillman and seconded by Vice-Mayor Pattison to adopt the Wytheville Planning Commission 2019-20 Annual Report. Mayor Taylor inquired if there was any discussion on the motion to adopt the report. Vice-Mayor Pattison stated that in the report, some of the objectives are short term and a lot of them are long term. She commented that this is why the Council will see goals in the report that have taken months to complete and some still are not completed. Vice-Mayor Pattison explained that when the Council reads the report, she does not want them to think that the Planning Commission is falling behind because they are not, but noted that projects take time. Mayor Taylor noted that some of the projects take years to complete. Vice-Mayor Pattison stated that is correct. Discussion continued regarding the report. Mayor Taylor inquired if there were any other comments. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Beth A. Taylor, Cathy D. Pattison, Mark J. Bloomfield, Holly E. Atkins, Gary L. Gillman. Against: None.

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (7:18 p.m.).

Beth A. Taylor, Mayor

Sharon G. Corvin, CMC, Town Clerk

PUBLIC WORKS COMMITTEE REPORT

SEPTEMBER 14, 2020

1. Earlier in the meeting, a public hearing was held to consider the recommendation of the Planning Commission to add “Motor Vehicle Towing or Wrecker Service” to the Definitions section of the Zoning Ordinance, and to add this as an incidental use to “Auto garages, sales and service” and, “Service stations (with major repair under cover)” in the B-2 Business District. Motor Vehicle Towing or Wrecker Services would also be added as a permitted use in M-1, M-1M and M-2 Industrial Zoning Districts. In these Industrial Zoning Districts, the requirements for screening would apply.

The Planning Commission has worked diligently to legitimize and clarify this use so that appropriate regulations are in place to reduce the impact of these services to the Town. The Council will take action later in the meeting when they consider an ordinance to make these changes to the Zoning Ordinance.

2. One of the missions of the Wytheville Fire and Rescue Department has been to inventory fire hydrants in the town, verify their operation through flow testing, note the capacities of each, note their limitations and have appropriate maintenance performed on them, if necessary. In a fire emergency, it is critical that the fire personnel know what water capacity is available to them.

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capacities have been coded with color bands. We wanted to alert our citizens that they may see Town Fire and Rescue Department and Water Department personnel working to replace or repair hydrants in their neighborhoods. Almost all fire hydrants are on the Town's rights-of-way, and a few have been obscured by well-meaning citizens planting shrubs, flowers and other obstructions. We wanted to let citizens know that Fire and Rescue Department personnel may be contacting them about removing these obstructions for the safety of the neighborhood. The Council would like to thank its Fire and Rescue, Water and Engineering Departments for their work to address critical safety infrastructure in our Town.

Cathy D. Pattison

Gary L. Gillman

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SEPTEMBER 14, 2020

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2. As the Council may remember, in 1998, the General Assembly dispensed with the car tax, and to compensate localities for the loss in revenues generated by the personal property tax, the State agreed to pay the localities a portion of the tax based on the local tax rate and the assessed value of the vehicles. By 2002, the State was to have reimbursed the full value of the expected revenue to the localities, however, facing economic difficulties, the General Assembly froze the reimbursement rate. The rate has been adjusted every year since, with the reimbursement percentage dropping to just over 50 percent of the assessed

value of the vehicles. During the budget document preparation, Town Treasurer Mike Stephens inserts the rate from the prior year, and when the new rate is established, he requests the Council to adopt the newly computed rate.

This year, the reimbursement rate was established at 53.10 percent, which is up slightly from the 50.50 percent that was placed in the budget. Town Treasurer Stephens would request, and we would recommend, that the Council take an action to establish the personal property tax reimbursement rate at 53.10 percent.

Mark J. Bloomfield

Holly E. Atkins