

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, OCTOBER 26, 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, David Johnston, Cody Mutter, Jamie Grubb, Santana Crowder, John Salmon, Sandra Salmon, Crystal Hylton, Charlene Abate, Zach Dillon, Lauren Dillon, Brandon Wolford, Kelsey Wolford, Members of the C. Shift Wytheville Fire and Rescue Department, Sheri Shelton, Rick Showalter, Marc Brade, Everett Lineberry, Janet Kirby, Patrol Officer Blaine Grubb, Corporal John Lackey

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 Atkins.

RE: CONSENT AGENDA

Mayor Taylor presented the consent agenda consisting of the minutes of the regular meeting of October 12, 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 Vice-Mayor Pattison and seconded by Councilman Bloomfield to approve the consent agenda consisting of the minutes of the regular meeting of October 12, 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: PRESENTATION OF CERTIFICATES OF APPRECIATION/THANK YOU CERTIFICATES

Mayor Taylor advised that the next agenda item is the presentation of Certificates of Appreciation. She noted that the employees involved with the lifesaving event of an individual at the Wytheville Recreation Center on September 29, 2020, have been asked to attend the Town Council meeting to be presented with Certificates of Appreciation for their heroic efforts. Mayor Taylor noted that the names of the four employees are as follows: Crystal Hylton, Brandon Wolford, Zach Dillon and Charlene Abate. She continued to express the Council's appreciation to those four individuals. Mayor Taylor explained that the Council would be recognizing three other individuals, as well, who are dispatchers for the Wythe County E-911 Center. She noted that those individuals are Santana Crowder, Jamie Grubb and Cody Mutter. Mayor Taylor commented that they are being recognized for their outstanding job performance following the E-911 call to the center. Mayor Taylor proceeded to recognize the Town of Wytheville Recreation employees and presented their Certificates of Appreciation, and a photo was taken.

Mr. John Salmon was recognized and stated that he would like to say a few words. He noted that he is attending the meeting to thank each of the first responders, dispatchers, etc. in the area for their commitment and long hours. He noted that he is the final product of their day's work. Mr. Salmon continued to express his gratitude to the first responders for saving his life. Mayor Taylor inquired if the Wythe County E-911 Center employees would please come forward when she called their names to receive their Thank You Certificates and to have a photo taken. She expressed the Council's deepest appreciation to all the first responders and to all who were involved. Mayor Taylor thanked all the citizens for attending, and she proceeded with the agenda.

RE: CITIZENS' PERIOD

Mayor Taylor advised that the next agenda item is Citizens' Period. She noted that Mr. David Johnston indicated on the sign in sheet that he wished to address the Council during Citizens' Period. Mayor Taylor asked Mr. Johnston to come to the podium so that the minutes could be properly recorded.

Mr. David Johnston was recognized and stated that he resides at 650 South 10th Street in Wytheville. He noted that he has been to the Municipal Building to speak to Town Manager Moore, Town Engineer Hackler and Building Official Spraker a couple of times regarding a property zoning issue. Mr. Johnston commented that before the Town was annexed from the

County, there were only rights of way and no alleyways. He noted that he is having an issue with his neighbor and the alley near his property. He stated that former Town Manager Sutherland had given him permission to clean the alleyway behind his property. Mr. Johnston noted that it is not right for his neighbor to access the alley to bring in junk vehicles, etc. Mr. Johnston continued to express his hindrances with his neighbor using the alley behind his property. He inquired of the Council if there is any way for the alley to be closed so that his neighbor cannot access it from his property. Mayor Taylor inquired of Mr. Johnston if she is hearing Mr. Johnston's inquiry correctly in that he would like to close the alley so that one individual cannot access it, or if he wants to close the alley all together. Mr. Johnston stated that is correct. Mayor Taylor remarked that she is not sure if that is possible or legal. Mr. Johnston commented that his neighbor's property does not join the alley property line. Assistant Town Manager Freeman stated that in 1877 the Town of Wytheville was not annexed from the County of Wythe as Mr. Johnston remarked earlier in the meeting, and he depicted a Thomas J. Boyd map to the Council and the other citizens. Discussion ensued regarding the annexation. Assistant Town Manager Freeman noted that as Mr. Johnston commented earlier, former Town Manager Sutherland did allow Mr. Johnston to clean the alley, which only allowed his neighbor to use the alley more freely, however, his neighbor does have the right to public use of the alley for ingress and egress to his lot. He explained that in October 2020, Mr. Bradley Tate, who is a certified Land Surveyor, surveyed Mr. Hale's property. Assistant Town Manager Freeman expressed that the survey shows that Mr. Hale's property is directly connected to the alleyway. He continued to depict the plat to the Council and Mr. Johnston. He commented that a survey from 2006 performed by Mr. Douglas Casey also shows that Mr. Hale's property is connected to the alleyway. Mr. Johnston stated that the back of Mr. Hale's property is three feet away from the property line that is near the alleyway. Assistant Town Manager Freeman inquired of Mr. Johnston what he was basing his information on. Mr. Johnston stated that he was basing it on the right of way markers. Assistant Town Manager Freeman expressed that he would not base anything on the right of way markers, but, rather, the official plat prepared by the surveyor. Discussion continued regarding the alleyway. Mayor Taylor stated that regarding Mr. Johnston's inquiry of closing a public alleyway, she thinks it requires the permission of all abutting property owners, and she is not sure of the other requirements. Mr. Johnston inquired of Mayor Taylor if the Council would review the picture of the alley located behind his house. Mayor Taylor thanked Mr. Johnston for addressing the Council during Citizens' Period and presenting his information to the Council in regard to the alley behind his house located at 650 South 10th Street. She reiterated that the Council would need to discuss Mr. Johnston's issue further, and if he is serious about closing the public alley, this would require more information, etc. Mr. Johnston inquired of the Council if there is any type of ordinance regarding citizens keeping their property lots clean, etc. Mayor Taylor advised that it is hard to state what one citizen considers yard art and what another citizen considers junk. She noted, however, it is her understanding that brush is allowed to be placed at the curb on brush day, but it is not allowed to be placed in the public alley. Town Manager Moore stated that there are property maintenance codes, and Town Staff will check into these issues. Mr. Johnston commented that Mr. Hale's property is located on Railroad Avenue, and the alley is located off of Jefferson Street. Mayor Taylor advised, however, Mr. Hale's property connects directly to the alley as does Mr. Johnston's property. Discussion continued regarding Mr. Johnston's issue with his neighbor using the public alley and a possible solution. Mayor Taylor thanked Mr. Johnston for attending the meeting. Mr. Johnston thanked the Council for allowing him to speak during Citizens' Period.

Councilwoman Atkins inquired of Town Manager Moore as to who was responsible for maintaining alleyways for the Town. Town Manager Moore advised that the Town does not necessarily maintain alleyways. He explained that from time to time when requests come in, the Public Works Department will clean an alleyway, if someone needs access through it, but for the most part, the adjacent property owners keep the alleys clean. Assistant Town Manager Freeman stated that is correct, if the adjacent property owners want an ingress and egress. Discussion continued regarding the maintenance of Town alleyways. Town Clerk Corvin advised that there is a process to close an alley. Councilman Bloomfield inquired of Town Staff if a property owner is allowed to park in an alley and block it. Town Clerk Corvin advised that no one is allowed to park in a public alley. Further discussion ensued regarding the Town's public alleyways.

There being no other citizens attending the meeting to address the Council during Citizens' Period, Mayor Taylor proceeded with the agenda.

RE: OLD BUSINESS

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

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: In July 2020, the Town received its share of the first round of CARES Act Funding from Wythe County in the amount of \$700,719, and we have requested the second round of funding for the same amount. Therefore, with the requirement for the expenditure of all funds before December 30, 2020, Town staff will have to work diligently to ensure that the \$1,401,438, in funds are spent. To be sure that purchases of equipment and projects are eligible under the CARES Act, we have asked Brown Edwards to review the requests before the money is spent. There is one area of concern, and that is the renovation of the existing Rescue Squad Building to meet the new COVID-19 requirements. Because of the limited timeframe for this major construction project, we are awarding this project under the small purchases provision of the Town's procurement procedure, which allows the purchase of services or goods without competitive sealed bidding if the total amount is under the \$200,000 threshold. It would be the recommendation of the Budget and Finance Committee for the Town Council to authorize the award of the contract for this work in the amount of \$138,930 to Building and Design of Virginia and to authorize them to proceed with the project. A motion was made by Councilman Bloomfield and seconded by Councilwoman Atkins to authorize the award of the contract for this work in the amount of \$138,930 to Building and Design of Virginia and to authorize them to proceed with the project. 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.

The Budget and Finance Committee has received notification from Town Treasurer Michael Stephens that Personal Property and Real Property Tax Tickets have been sent. We would like to remind all taxpayers that taxes are due no later than December 5, 2020. Taxes that are paid after this date will accrue interest and penalty charges. Taxpayers are advised that taxes that have not been paid by January 31, 2021, will be collected by a number of methods including the Debt Set Off Collection Program with the Virginia Department of Taxation, which captures State Income Tax refunds, and the DMV Registration Withholding Program, which freezes vehicle registration renewals. Citizens should be aware that these collection methods have additional fees and penalties added to the total tax bill. Town Treasurer Michael Stephens will discuss setting up a tax payment plan for those who cannot pay by the deadline, however, those arrangements will include applied interest and penalties but will likely not include additional fees that would be charged if the taxes are collected through other means. The Budget and Finance Committee urges those who may have a problem with paying their taxes to contact Town Treasurer Stephens before the deadline to discuss setting up a payment plan. A copy of the Budget and Finance Committee report is attached and made part of these minutes.

RE: PUBLIC WORKS COMMITTEE REPORT

Councilman Gillman reported for the Public Works Committee. The Public Works Committee report was entered into the record as follows: Over the past several months, the Council has heard from citizens who live on Withers Road about the speeding of vehicles and the amount of truck traffic traveling on Withers Road. The Public Works Committee and the Public Works Department have tried to address this situation with changes in traffic patterns at the intersection of Calhoun Street and Withers Road, and by installing more "No Through Trucks" signs. The Wytheville Police Department has also been monitoring speeding and, on occasion, using radar to enforce the speed limit. Recent data collected by the Police Department indicates that approximately 70 percent of the traffic is exceeding the speed limit of 25 miles per hour. The Town Council has also heard from businesses located primarily along Railroad Avenue and in this vicinity that the "No Through Trucks" signs have increased the difficulty in receiving shipments of goods used in their businesses. The Public Works Committee wants to make everyone in these areas aware that they are continuing to study the problems, and that upon collection of more data, they will be meeting with the interested parties and suggesting some ways to improve the situation for everyone.

The Virginia Enterprise Zone (VEZ) Program is a partnership between State and Local government that encourages job creation and private investment. VEZ designates Enterprise Zones throughout the State and provides two grant-based incentives, the Job Creation Grant (JCG) and the Real Property Investment Grant (RPIG), to qualified investors and job creators within those zones. We were informed, last week, by Assistant Director John Matthews of the Joint Industrial Development Authority that they have applied for expansion of the Enterprise Zone in Wytheville. The expansion was strategically requested to include some major investments in our community which would allow these businesses to take advantage of State incentives and Town of Wytheville incentives. The Enterprise Zone expansion in town would

include the new Food City, Huff Ford, Grubb Funeral Home, the Acrylife building, Carter Bank & Trust and the new car wash, which will be located behind Sheetz at Exit 70. We expect to hear, officially, of this Enterprise Zone expansion in the next few months. We are pleased that these incentives have significantly improved the business opportunities in Wytheville and that they have already begun to make major changes in Wytheville's aesthetics. 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 reported the following:

1. The next Council Work Session will be held on Tuesday, October 27, 2020, at 7:00 a.m., in the Council Chambers.
2. Food City will conduct a Groundbreaking Ceremony on Tuesday, October 27, 2020, at 11:00 a.m.
3. The Wytheville-Wythe-Bland Chamber of Commerce Annual Membership and Awards Dinner Meeting will be held on Monday, November 2, 2020, at 6:00 p.m., at the Wohlfahrt Haus Dinner Theatre.
4. Mr. Peter Stephenson of the Virginia Municipal League will conduct a training session with the Council and Town Staff on Wednesday, October 28, 2020, at 4:00 p.m., at the Wytheville Meeting Center.
5. Recently, the Town of Wytheville Treasurer's Office received accreditation from the Virginia Treasurer's Association. He continued to explain the details of the accreditation to the Council. Town Manager Moore congratulated Town Treasurer Stephens and his staff for this achievement.
6. Mayor Taylor stated that she would like to remind citizens about the Halloween guidelines recommended by the CDC.

RE: APPOINTMENTS – WYTHEVILLE RECREATION COMMISSION

Mayor Taylor advised that the next agenda item is the appointment of a member to the Wytheville Recreation Commission to fill the expiring term of Mr. Kenny Sayers (term expires December 31, 2020). She noted that Mr. Sayers is not eligible for reappointment. A motion was made by Vice-Mayor Pattison and seconded by Councilman Gillman to appoint Ms. Brittney Litton to the Wytheville Recreation Commission for a three year term, which expires December 31, 2023. Mayor Taylor inquired if there was any discussion on the motion to appoint Ms. Litton to the Wytheville Recreation Commission. 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 – WYTHEVILLE RECREATION COMMISSION

Mayor Taylor advised that the next agenda item is the reappointment of a member to the Wytheville Recreation Commission to fill the expiring term of Mr. Michael Mitchell (term expires December 31, 2020). She noted that Mr. Mitchell is eligible for reappointment and has expressed a willingness to serve again, if reappointed. A motion was made by Councilman Bloomfield and seconded by Councilman Gillman to reappoint Mr. Michael Mitchell to the Wytheville Recreation Commission for a three year term, which expires December 31, 2023. Mayor Taylor inquired if there was any discussion on the motion to reappoint Mr. Mitchell to the Wytheville Recreation Commission. 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 RECOMMENDATION – MCROBERTS AUTO, LLC AND DONALD W. COOK, JR. – SPECIAL EXCEPTION PERMIT REQUEST

Mayor Taylor advised that the next agenda item is to set a public hearing to consider the request of McRoberts Auto, LLC and Donald W. Cook, Jr. for a Special Exception Permit to operate a Towing Service Storage Lot on property located on the northwest side of Cassell Road running parallel to Longview Drive, in a B-2 Business District. She noted that the hearing could be set for the November 23, 2020, Council meeting. It was the consensus of the Council to set a public hearing for the November 23, 2020, Town Council meeting to consider the request of McRoberts Auto, LLC and Donald W. Cook, Jr. for a Special Exception Permit to

operate a Towing Service Storage Lot on property located on the northwest side of Cassell Road running parallel to Longview Drive, in a B-2 Business District.

RE: WYTHEVILLE PLANNING COMMISSION RECOMMENDATION – REZONING OF CERTAIN PROPERTIES ON FAIRVIEW ROAD

Mayor Taylor advised that the next agenda item is to set a public hearing to consider the rezoning of 675, 705, 725, 745, 765 and 795 Fairview Road, which is located on the west side of Fairview Road between Ager Drive and North Fourth Street, from M-1 Industrial to R-3 Residential. She noted that the hearing could be set for the November 23, 2020, Council meeting. It was the consensus of the Council to set a public hearing for the November 23, 2020, Town Council meeting to consider the rezoning of 675, 705, 725, 745, 765 and 795 Fairview Road, which is located on the west side of Fairview Road between Ager Drive and North Fourth Street, from M-1 Industrial 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 (7:43 p.m.).

Beth A. Taylor, Mayor

Sharon G. Corvin, CMC, Town Clerk

BUDGET AND FINANCE COMMITTEE REPORT

OCTOBER 26, 2020

1. In July 2020, the Town received its share of the first round of CARES Act Funding from Wythe County in the amount of \$700,719, and we have requested the second round of funding for the same amount. Therefore, with the requirement for the expenditure of all funds before December 30, 2020, Town staff will have to work diligently to ensure that the \$1,401,438, in funds are spent. To be sure that purchases of equipment and projects are eligible under the CARES Act, we have asked Brown Edwards to review the requests before the money is spent. There is one area of concern, and that is the renovation of the existing Rescue Squad Building to meet the new COVID-19 requirements. Because of the limited timeframe for this major construction project, we are awarding this project under the small purchases provision of the Town's procurement procedure, which allows the purchase of services or goods without competitive sealed bidding if the total amount is under the \$200,000 threshold. It would be the recommendation of the Budget and Finance Committee for the Town Council to authorize the award of the contract for this work in the amount of \$138,930 to Building and Design of Virginia and to authorize them to proceed with the project.
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Mark J. Bloomfield

Holly E. Atkins

PUBLIC WORKS COMMITTEE REPORT

OCTOBER 26, 2020

1. Over the past several months, the Council has heard from citizens who live on Withers Road about the speeding of vehicles and the amount of truck traffic traveling on Withers Road. The Public Works Committee and the Public Works Department have tried to address this situation with changes in traffic patterns at the intersection of Calhoun Street and Withers Road, and by installing more “No Through Trucks” signs. The Wytheville Police Department has also been monitoring speeding and, on occasion, using radar to enforce the speed limit. Recent data collected by the Police Department indicates that approximately 70 percent of the traffic is exceeding the speed limit of 25 miles per hour. The Town Council has also heard from businesses located primarily along Railroad Avenue and in this vicinity that the “No Through Trucks” signs have increased the difficulty in receiving shipments of goods used in their businesses.

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incentives, the Job Creation Grant (JCG) and the Real Property Investment Grant (RPIG), to qualified investors and job creators within those zones. We were informed, last week, by Assistant Director John Matthews of the Joint Industrial Development Authority that they have applied for expansion of the Enterprise Zone in Wytheville. The expansion was strategically requested to include some major investments in our community which would allow these businesses to take advantage of State incentives and Town of Wytheville incentives. The Enterprise Zone expansion in town would include the new Food City, Huff Ford, Grubb Funeral Home, the Acrylife building, Carter Bank & Trust and the new car wash, which will be located behind Sheetz at Exit 70. We expect to hear, officially, of this Enterprise Zone expansion in the next few months. We are pleased that these incentives have significantly improved the business opportunities in Wytheville and that they have already begun to make major changes in Wytheville's aesthetics.

Cathy D. Pattison

Gary L. Gillman