

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, FEBRUARY 22, 2016, AT 7:00 P.M.**

Members present: Trenton G. Crewe, Jr., H. Judson Lambert, William B. Weisiger, Thomas F. Hundley

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 Robert P. Kaase, Marie B. Bishop, Becky Grubb, Danny Gordon with WYVE-AM/WXBX-FM/WLOY-AM, Police Officer Troy Cockram

RE: CALL TO ORDER, QUORUM, PLEDGE

Mayor Crewe called the meeting to order and established that a quorum of Council members was present. The Pledge of Allegiance was led by Councilman Lambert.

RE: CONSENT AGENDA

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting of February 8, 2016; the request of the Wytheville Lions Club for waiver of business license fees and inspection fees for the Annual Charity Carnival to be held July 18 through 23, 2016; and, the request of the Family Resource Center for waiver of fees for use of the Elizabeth Brown Memorial Park on April 1, 2016, for a Community Awareness Event. He inquired of the Council if there is a motion to approve the consent agenda as presented or consider the items separately. A motion was made by Councilman Weisiger and seconded by Councilman Lambert to approve the consent agenda consisting of the minutes of the regular meeting of February 8, 2016; the request of the Wytheville Lions Club for waiver of business license fees and inspection fees for the Annual Charity Carnival to be held July 18 through 23, 2016; and, the request of the Family Resource Center for waiver of fees for use of the Elizabeth Brown Memorial Park on April 1, 2016, for a Community Awareness Event. Mayor Crewe inquired if there is any discussion on the motion to approve the consent agenda, as presented. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., H. Judson Lambert, William B. Weisiger, Thomas F. Hundley. Against: None.

RE: CITIZENS' PERIOD

Mayor Crewe advised the next agenda item is Citizens' Period. He thanked Ms. Bishop and Ms. Grubb for attending the Council meeting, and noted that neither indicated on the sign in sheet that they wished to address the Council. There being no one to address the Council during Citizens' Period, Mayor Crewe proceeded with the agenda.

RE: OLD BUSINESS

Under Old Business, Town Manager Sutherland reported the following:

1. The Council Work Session will be held on Tuesday, February 23, 2016, at 7:00 a.m.
2. The Council Personnel Committee will meet on Friday, February 26, 2016, at 8:15 a.m., at the Wytheville Visitor's Center. He noted that this will be the last time for this group of employees, and the next meeting will begin a new group of employees.
3. The Wytheville Redevelopment and Housing Authority invited any member of the Town Council who is interested to attend a training session on Friday, March 4, 2016.
4. On March 7-8, 2016, the Department of Housing and Community Development will provide training in regard to a Main Street Program. He noted that if the Council members have any interest in attending either of the trainings to please let Town staff know so reservations can be made.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Councilman Weisiger, reporting for the Budget and Finance Committee, stated on Friday, February 5, 2016, the Town's bond counsel, Webster Day, and Paul Mylum, Senior Vice-President for National Bank, finalized the refinancing of existing debt. He remarked that this refinancing is the continuation of a process that began in the spring of 2015. Councilman Weisiger explained that at that time, the refinancing of approximately \$10 million of the total of \$12.5 million of indebtedness by the Town commenced by refinancing the initial \$10 million

amount. He remarked that the \$10 million amount is the limit for which municipalities can incur indebtedness in a calendar year. Councilman Weisiger stated as a result of that refinancing, the Town will save approximately \$8.5 million with the term of the bond. He noted that this year, the Town has completed the remaining amount of \$2.5 million being refinanced. Councilman Weisiger explained that these refinancing efforts require a considerable amount of paperwork and legal work, and the Council is pleased that all of this has been finalized. He advised that there is no additional action required of the Council, but the Budget and Finance Committee did want to make everyone aware that these refinancing efforts had been completed.

Councilman Weisiger, also, reported that in 1992, the Town Council appointed the original members to the Wall of Honor Committee. He noted that since that time, the Wall of Honor Committee has operated under a set of guidelines that the Committee believes need certain revisions. He advised that the Wall of Honor consists of three categories of honor: 1) The War Memorial; 2) The Civic Monument; and, 3) The Sports Hall of Fame, all three of which have monuments situated in Withers Park. Councilman Weisiger remarked that the Wall of Honor Committee is composed of seven members recommended by the Wall of Honor Committee, and appointments approved by both the Wytheville Town Council and the Wythe County Board of Supervisors. He explained that the Wall of Honor Committee is composed of one member each of the Wytheville Town Council and the Board of Supervisors, two members from veterans' organizations, one member from the Sports Hall of Fame, one member appointed from a civic or historical organization and one member from the Chamber of Commerce. Councilman Weisiger stated each year, the Wall of Honor Committee receives nominations of persons whose name will be engraved on one of the monuments, particularly the Civic Monument. He noted that, currently, the person who is recommended by the Wall of Honor Committee must also, subsequently, be approved by the Wytheville Town Council and the Wythe County Board of Supervisors. Councilman Weisiger commented that the Committee believes that this current process is cumbersome and often awkward in notifying the nominated persons. He remarked that the Wall of Honor Committee is proposing that this and certain other amendments be adopted, which change the appointing authority to the Wall of Honor Committee without the requirement of additional approvals by the Wytheville Town Council and the Wythe County Board of Supervisors. Councilman Weisiger advised that the revised document is in the package, and when it is considered later in the meeting, it would be the recommendation of the Budget and Finance Committee that these revisions to the Wall of Honor Committee guidelines be adopted. A copy of the Budget and Finance Committee report is attached and made part of these minutes.

RE: PUBLIC WORKS COMMITTEE REPORT

Councilman Lambert, reporting for the Public Works Committee, stated at a recent Design Committee meeting of Downtown Wytheville, Incorporated, they discussed the potential to allow businesses to place "sandwich signs" on the sidewalk in front of their businesses to further advertise to pedestrians and motorists. He noted that the Design Committee recommended that the maximum size for this sign would be 2' horizontal and 3' vertical. Councilman Lambert explained that the rules for the signs that are suggested would be that they can be on the sidewalk as long as they do not impede pedestrian traffic and can be placed on the sidewalk at the opening of the business day and removed upon closing. He remarked that the sign could be very simple such as a bulletin board to post sales, a restaurant could use a chalkboard so daily menus could be displayed or the signs could be professionally lettered business signs. Councilman Lambert commented that the Public Works Committee believes that this is a reasonable request and something that may be beneficial to downtown businesses. He advised that it would be the recommendation of the Public Works Committee that the Council approve the request of Downtown Wytheville, Incorporated to allow these sandwich signs. A motion was made by Councilman Lambert and seconded by Councilman Hundley to approve, in the B-2 DT General Business District, the use of sandwich signs on the sidewalk in front of businesses with restrictions such as for the sign size and hours of use, and, also, that the signs cannot impede pedestrian traffic. Mayor Crewe inquired if there is any discussion on the motion to approve the use of the sandwich signs. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., H. Judson Lambert, William B. Weisiger, Thomas F. Hundley. Against: None.

Councilman Lambert stated, also, in regard to signs, the Public Works Committee has reviewed its existing policies regarding temporary signs. He noted that the Public Works Committee believes that the policy should require a sign permit for temporary signs, banners, etc. Councilman Lambert explained, however, temporary permits will be issued at no cost. He remarked that temporary signs must be "on premises," and signs must not be on public property or public rights of way. Councilman Lambert commented that temporary signs that pose a safety hazard because they are blocking the view of motorists, or are placed on the public right of way, will be removed by the Police Department or Building Official. He stated temporary signs that have been displayed for more than 90 days, or that have become deteriorated, shall be

removed by the owner or permit holder. Councilman Lambert noted that if the owner or permit holder does not remove the sign within 90 days, the sign will be removed by the Police Department, Building Official or other designated Official of the Town, and the costs for removal and disposal will be assessed to the owner or permit holder. He explained that temporary signs cannot be used as permanent business signs. Councilman Lambert remarked that temporary signs may be used while new business signs are being designed and fabricated, however, as noted above, the temporary signs must be removed within 90 days. He advised that the Public Works Committee believes that these revisions to the Temporary Signs Guidelines will be helpful and would recommend that this policy be adopted and made effective immediately. A motion was made by Councilman Lambert and seconded by Councilman Hundley to approve revisions to the Temporary Sign Guidelines to include that there will be no permit fee, and temporary signs cannot be displayed longer than 90 days. Mayor Crewe inquired if there is any discussion on the motion to approve the use of the temporary signs. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., H. Judson Lambert, William B. Weisiger, Thomas F. Hundley. Against: None.

Councilman Lambert, also, reported that over this past month, the town has had several significant snow events, and the Public Works Committee thought it may be helpful to remind everyone about the regulations pertaining to these events. He noted that, first, the Public Works Committee would like to remind everyone that Section 13-7 of the Town Code requires the owner, tenant or other occupant of any area zoned for business or industry to clear sidewalks adjacent to their property following a snow fall event. Councilman Lambert explained that this is particularly important in the downtown area where sidewalks are used to access multiple businesses. He remarked that the Code, also, provides that if the person responsible for doing the cleaning does not have the sidewalk clean, the Town may clean it and the expense incurred by the Town, along with a 10 percent penalty, will be imposed. Councilman Lambert stated, secondly, the Public Works Committee would encourage citizens to park their cars in off street parking areas whenever possible. He explained that plowing around cars parked along the roadways makes the plowing difficult and does not allow for a good cleanup effort. Councilman Lambert remarked that, obviously, everyone does not have an off street parking space, but those who do are encouraged to use it. He stated, finally, the Public Works Committee would like to congratulate Director of Public Works Tommy Seagle and the Public Works Crews for their outstanding efforts during these last snowfall events. Councilman Lambert noted that there are approximately 130 miles of roadway within the Town of Wytheville. He commented that contrary to cleaning interstates and other primary routes, the town has many intersections and other obstructions such as manhole covers and valve covers. Councilman Lambert advised that, in any event, the Public Works Committee appreciates the efforts of the Public Works Department and would ask the Town Manager to so advise the Department. Mayor Crewe commented that the Public Works Department did an exceptionally good job, as they usually do. He remarked that the message will be passed along to the Department. A copy of the Public Works Committee report is attached and made part of these minutes.

RE: APPOINTMENTS – WYTHEVILLE PLANNING COMMISSION

Mayor Crewe advised that the next agenda item is the reappointment of members to the Wytheville Planning Commission to fill the expiring terms of Dr. Terrance Suarez and Mrs. Cathy Pattison (terms expire March 2, 2016). He noted that both Dr. Suarez and Mrs. Pattison are eligible for reappointment, and each has indicated a willingness to serve again, if reappointed. Mayor Crewe inquired if there is a motion that Dr. Suarez and Mrs. Pattison either be reappointed or someone else be appointed to the Wytheville Planning Commission. A motion was made by Councilman Weisiger and seconded by Councilman Lambert to reappoint Dr. Terrance Suarez and Mrs. Cathy Pattison to the Wytheville Planning Commission for a four year term (which expires March 2, 2020). Mayor Crewe inquired if there is any discussion on the motion to reappoint Dr. Suarez and Mrs. Pattison. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., William B. Weisiger, H. Judson Lambert, Thomas F. Hundley. Against: None.

RE: WALL OF HONOR COMMITTEE RECOMMENDATION

Mayor Crewe advised the next agenda item is the recommendation from the Wall of Honor Committee regarding proposed revisions to their operating guidelines. He explained that, basically, what these revisions will do is remove the requirements the Wall of Honor Committee seeks to receive approval from the Wytheville Town Council and the Wythe County Board of Supervisors for nominees to the Wall of Honor. Mayor Crewe stated, if he understands correctly, the motion from the Budget and Finance Committee is that these revisions be approved. A motion was made by the Budget and Finance Committee, which does not require a second, to approve the revisions to the Wall of Honor Committee guidelines. Mayor Crewe inquired if there is any discussion on the motion to adopt the revisions to the guidelines, which will, basically,

remove the Wytheville Town Council's and the Wythe County Board of Supervisors' involvement. Councilman Hundley inquired of Mayor Crewe if the Board of Supervisors has already voted on the revisions to the guidelines. Mayor Crewe advised that the Board of Supervisors has not voted, however, the revisions to the Wall of Honor guidelines have been discussed. Mayor Crewe inquired if there is any further discussion in regard to the guidelines. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., William B. Weisiger, H. Judson Lambert, Thomas F. Hundley. Against: None.

RE: PLANNING COMMISSION RECOMMENDATION – HOMESTAY ESTABLISHMENTS

Mayor Crewe advised the next agenda item is the recommendation from the Planning Commission regarding amending the Town of Wytheville Zoning Ordinance, Article III – Definitions, to add Section 3-42.2 Homestay Establishment or Airbnb; and to amend the following Articles to add the use of Homestay Establishment or Airbnb: Article V–Agricultural District A-1; Article VI–Residential District R-1; Article VI-A–Residential District R-1A; Article VI-M–Residential District R-1M; Article VII–Residential District R-2; Article VIII–Residential District R-3; Article VIII–A–Residential District R-3MH; Article X–Business District B-1; Article XI–Business District B-2 (General); Article XI-A–Business District B-2DT General Business District–Downtown. He noted that the Council will need to conduct a public hearing to consider amending the ordinance, which could be held at the March 14, 2016, Town Council meeting. Mayor Crewe explained that this date would meet all of the proper advertising deadlines. He inquired if any of the Council members had any issues with holding the public hearing on March 14, 2016. There being no objection, it was the consensus of the Council to schedule a public hearing for Monday, March 14, 2016, at 7:00 p.m., to consider amending the Town of Wytheville Zoning Ordinance, Article III – Definitions, to add Section 3-42.2 Homestay Establishment or Airbnb; and to amend the following Articles to add the use of Homestay Establishment or Airbnb: Article V–Agricultural District A-1; Article VI–Residential District R-1; Article VI-A–Residential District R-1A; Article VI-M–Residential District R-1M; Article VII–Residential District R-2; Article VIII–Residential District R-3; Article VIII–A–Residential District R-3MH; Article X–Business District B-1; Article XI–Business District B-2 (General); Article XI-A–Business District B-2DT General Business District–Downtown. Mayor Crewe commented that this may not be necessary, if the Bill in the Legislature passes. He noted that he thinks it passed the Senate and has moved to the House or it may be the opposite, but either way, one body of government passed the Bill that State Law would take over and preempt any local regulations. Mayor Crewe advised that the Council may not be able to amend the ordinance at all, but, hopefully, the Council will know by March 14, 2016, if they can do so. Councilman Weisiger stated that he hopes the Council will know by March 14. Mayor Crewe advised that he hopes to know if State Law would allow a locality to have or to not have regulatory control over a Homestay Establishment or Airbnb. Councilman Weisiger stated that the State would regulate these properties. Mayor Crewe explained that, actually, the way the Bill is right now, there would be no regulations. He noted that property owners do not have to register, they do not have to have a permit, they do not have to have inspections, etc. Mayor Crewe expressed that they do not have to declare that they are renting their home. He stated that, basically, the owners would be non-existent, and no one would know that a person was running a Homestay Establishment or Airbnb in their home. Mayor Crewe commented that the Council would have to wait to see what happens with it in the State Legislature.

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (7:16 p.m.).

Trenton G. Crewe, Jr., Mayor

Sharon G. Corvin, Town Clerk

BUDGET AND FINANCE COMMITTEE REPORT

FEBRUARY 22, 2016

1. On Friday, February 5, 2016, our bond counsel, Webster Day, and Paul Mylum, Senior Vice-President for National Bank, finalized our refinancing of existing debt. This refinancing is the continuation of a process that began in the spring of 2015. At that time, the refinancing of approximately \$10 million of the total of \$12.5 million of indebtedness by the Town commenced by refinancing the initial \$10 million amount. The \$10 million amount is the limit for which municipalities can incur indebtedness in a calendar year. As a result of that refinancing, the Town will save approximately \$8.5 million with the term of the bond. This year, we have completed the remaining amount of \$2.5 million being refinanced. These refinancing efforts require a considerable amount of paperwork and legal work, and we are pleased that all of this has been finalized. There is no additional action required of the Council, but we did want to make everyone aware that these refinancing efforts had been completed.

2. In 1992, the Town Council appointed the original members to the Wall of Honor Committee. Since that time, the Wall of Honor Committee has operated under a set of guidelines that we believe need certain revisions. The Wall of Honor consists of three categories of honor: 1) The War Memorial; 2) The Civic Monument; and, 3) The Sports Hall of Fame, all three of which have monuments situated in Withers Park. The Wall of Honor Committee is composed of seven members recommended by the Wall of Honor Committee, and appointments

approved by both the Wytheville Town Council and the Wythe County Board of Supervisors. The Wall of Honor Committee is composed of one member each of the Wytheville Town Council and the Board of Supervisors, two members from veterans' organizations, one member from the Sports Hall of Fame, one member appointed from a civic or historical organization and one member from the Chamber of Commerce. Each year, the Wall of Honor Committee receives nominations of persons whose name will be engraved on one of the monuments, particularly the Civic Monument. Currently, the person who is recommended by the Wall of Honor Committee must also, subsequently, be approved by the Wytheville Town Council and the Wythe County Board of Supervisors. We believe that this current process is cumbersome and often awkward in notifying the nominated persons. We are proposing that this and certain other amendments be adopted, which change the appointing authority to the Wall of Honor Committee without the requirement of additional approvals by the Wytheville Town Council and the Wythe County Board of Supervisors. The revised document is in the package, and when it is considered later this evening, it would be the recommendation of the Budget and Finance Committee that these revisions to the Wall of Honor Committee guidelines be adopted.

Jacqueline K. King

William B. Weisiger

PUBLIC WORKS COMMITTEE REPORT

FEBRUARY 22, 2016

1. At a recent Design Committee meeting of Downtown Wytheville, Incorporated, they discussed the potential to allow businesses to place “sandwich signs” on the sidewalk in front of their businesses to further advertise to pedestrians and motorists. The Design Committee recommended that the maximum size for this sign would be 2’ horizontal and 3’ vertical. The rules for the signs that are suggested would be that they can be on the sidewalk as long as they do not impede pedestrian traffic and can be placed on the sidewalk at the opening of the business day and removed upon closing. The sign could be very simple such as a bulletin board to post sales, a restaurant could use a chalkboard so daily menus could be displayed or the signs could be professionally lettered business signs. We believe that this is a reasonable request and something that may be beneficial to downtown businesses. It would be the recommendation of the Public Works Committee that we approve the request of Downtown Wytheville, Incorporated to allow these sandwich signs.

Also, in regard to signs, we have reviewed our existing policies regarding temporary signs. We believe that the policy should require a sign permit for temporary signs, banners, etc. However, temporary permits will be issued at no cost. Temporary signs must be “on premises,” and signs must not be on public property or public rights of way. Temporary signs that pose a safety hazard because they are blocking the view of motorists, or are placed on the public right of way, will be removed by the

Police Department or Building Official. Temporary signs that have been displayed for more than 90 days, or that have become deteriorated, shall be removed by the owner or permit holder. If the owner or permit holder does not remove the sign within 90 days, the sign will be removed by the Police Department, Building Official or other designated Official of the Town, and the costs for removal and disposal will be assessed to the owner or permit holder.

Temporary signs cannot be used as permanent business signs. Temporary signs may be used while new business signs are being designed and fabricated, however, as noted above, the temporary signs must be removed within 90 days.

We believe that these revisions to the Temporary Signs Guidelines will be helpful and would recommend that this policy be adopted and made effective immediately.

2. Over this past month, we have had several significant snow events, and we thought it may be helpful to remind everyone about the regulations pertaining to these events. First, we would like to remind everyone that Section 13-7 of the Town Code requires the owner, tenant or other occupant of any area zoned for business or industry to clear sidewalks adjacent to their property following a snow fall event. This is particularly important in the downtown area where sidewalks are used to access multiple businesses. The Code, also, provides that if the person responsible for doing the cleaning does not have the sidewalk clean, the Town may clean it and the expense incurred by the Town, along with a 10 percent penalty, will be imposed.

Secondly, we would encourage citizens to park their cars in off street parking areas whenever possible. Plowing around cars parked along the roadways makes the plowing difficult and does not allow for a good cleanup effort. Obviously, everyone does not have an off street parking space, but those who do are encouraged to use it.

Finally, we would like to congratulate Director of Public Works Tommy Seagle and the Public Works Crews for their outstanding efforts during these last snowfall events. There are approximately 130 miles of roadway within the Town of Wytheville. Contrary to cleaning interstates and other primary routes, the town has many intersections and other obstructions such as manhole covers and valve covers. In any event, we appreciate the efforts of the Public Works Department and would ask the Town Manager to so advise the Department.

H. Judson Lambert

Thomas F. Hundley