

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL  
HELD IN THE COUNCIL CHAMBERS ON MONDAY, MARCH 28, 2016, AT 7:00 P.M.**

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

Others present: Town Manager C. Wayne Sutherland, Jr., Assistant Town Manager Stephen A. Moore, Town Clerk Sharon G. Corvin, Becky Grubb, Pat Snapp, Joseph Hand, Jr., Leslie Harwood, Danny Gordon with WYVE-AM/WXBX-FM/WLOY-AM, Police Officer Joel Crigger

**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 Hundley.

**RE: CONSENT AGENDA**

Mayor Crewe presented the consent agenda consisting of (a) the minutes of the regular meeting of March 14, 2016; (b) the request of the Spiller Elementary School PTA Board to conduct a 5K Run on Friday, May 6, 2016, at 7:00 p.m.; (c) the request of the Fort Chiswell High School After Prom for a Special Exception Facility Use Permit for their After-Prom Party Celebration to be held at the Recreation Center on May 7 and 8, 2016; (d) and, the request of the American Cancer Society Relay for Life Teams for issuance of a raffle permit for 2016. He inquired of the Council if there is a motion to approve the consent agenda as presented or to consider the items separately. A motion was made by Vice-Mayor King and seconded by Councilman Weisiger to approve the consent agenda consisting of (a) the minutes of the regular meeting of March 14, 2016; (b) the request of the Spiller Elementary School PTA Board to conduct a 5K Run on Friday, May 6, 2016, at 7:00 p.m.; (c) the request of the Fort Chiswell High School After Prom for a Special Exception Facility Use Permit for their After-Prom Party Celebration to be held at the Recreation Center on May 7 and 8, 2016; (d) and, the request of the American Cancer Society Relay for Life Teams for issuance of a raffle permit for 2016, as presented. 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., Jacqueline K. King, William B. Weisiger, H. Judson Lambert, Thomas F. Hundley. Against: None.

**RE: CITIZENS' PERIOD**

Mayor Crewe advised the next agenda item is Citizens' Period. He noted that there was no one listed on the sign in sheet who indicated that they wished to address the Council. Mayor Crewe stated if anyone had changed their mind, the Council would be glad to hear from them at this time. 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, March 29, 2016, at 7:00 a.m. Next week's Council Work Session will be held on Wednesday, April 6, 2016, at 7:00 a.m.
2. The deadline to purchase Town decals is Friday, April 15, 2016.

**RE: BUDGET AND FINANCE COMMITTEE REPORT**

Councilman Weisiger, reporting for the Budget and Finance Committee, stated at the last meeting of Council, an ordinance was considered that would place certain regulations on Homestay Establishments, also known as Airbnbs. He explained that as a result of the information received at that meeting, the Council has had the opportunity to give additional consideration to the proposed ordinance. Councilman Weisiger noted that the Virginia General Assembly addressed this topic during their past session and approved a Bill setting forth certain regulations, but then chose to put the matter in abeyance until 2017. He remarked that the framework that the State is proposing, primarily, develops a structure for remitting lodging taxes from these residential rentals. Councilman Weisiger expressed that the remainder of the legislation provides that no locality can impose standards on such establishments. He commented that the Town's proposed ordinance, similar to others across the Commonwealth, establishes standards for safety, density, off street parking, providing for inspections, etc.

Councilman Weisiger stated the ordinance, as proposed, does allow for these homestay rentals based on zoning districts compared to some communities who have completely outlawed such activity. He noted that this question was debated at length in the past General Assembly session when various statewide lodging organizations protested that they would be under standards not applicable to Homestay Establishments. Councilman Weisiger explained that the Council, also, had questions with regard to insurance coverage in these rental situations. He commented that as it turns out, Airbnb, one of the homestay internet providers, does provide certain insurance coverage for participants. Councilman Weisiger advised that later in the meeting, the Council will consider the adoption of the Airbnb ordinance, and it would be the recommendation of the Budget and Finance Committee that it be approved on second, but not final, reading. He stated that the Committee does acknowledge that Council may, yet, want to amend some of the language within the ordinance that could be accomplished during the adoption of the ordinance on third reading.

Councilman Weisiger, also, reported that the Town has had several inquiries with regard to Town cemeteries and thought it may be helpful to provide reminders to citizens that the Town Code provides that dogs or other animals are prohibited in West End Cemetery, East End Cemetery and the Oakwood Cemetery. He explained that there have been some circumstances where there have been dogs allowed to run free within the cemeteries or there have been dogs on leashes taking a walking tour merely for exercise. Councilman Weisiger noted that the Council would remind everyone that allowing animals in the cemetery is prohibited. He commented that the Council would also note that, while not specifically prohibited, it is often disturbing or inconsiderate for people who are in the cemetery for the purpose of paying respect to loved ones to have people casually strolling through on a walk. Councilman Weisiger advised that the Council would encourage everyone to be observant and as respectful as possible to everyone in the cemeteries. 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 that there are a variety of ongoing activities in the downtown area. He noted that Town forces have completed certain interior renovations to the Farmers' Market building (previously the Hobert N. Grubb warehouse building). Councilman Lambert explained that Town forces are also, currently, performing construction on the exterior of the building. He remarked that the sidewalk on Spring Street, between Second and Fourth Streets, is being replaced to provide a better walkway for the new facility. Councilman Lambert explained that in addition, plans for the Heritage Walk Project have been submitted to the Virginia Department of Transportation, and the Public Works Committee anticipates that the Town will be released to start this project in the very near future. He remarked that a group is now proceeding with work on property owned by Mr. Joseph Hand, Jr., located at the corner of Main and First Streets, which will house the new Moon Dog Pizza establishment. Councilman Lambert stated, finally, the Council hopes that within the next month or so the Town will be able to bid all of the streetscape work in the downtown area. He explained that this project will consist of all new curb and gutter, brick sidewalks, street lighting and new signal lights in the downtown area. Councilman Lambert advised that the most recent occurrence is the visitation by the Department of Housing and Community Development and the Virginia Main Street Program to review the Town's plans for moving the economic enhancement of the downtown forward. He expressed that it was a very positive visit, and these organizations were very complimentary of the positive efforts being made by the Town and Downtown Wytheville, Incorporated. Councilman Lambert commented that the Council realizes that some of these improvements have taken longer than anticipated, but by using State and Federal grant funding, there are always certain regulations that slow a project. He explained that this summary is provided for informational purposes only, and there is no action required by the Council at this time. Mayor Crewe advised that the Council can amplify that a little by stating that, earlier in the day, the announcement was finally made that the Town of Wytheville has been accepted into the Virginia Main Street Program. He remarked that the visitation by the Department of Housing and Community Development was more than just a complimentary visit. Councilman Hundley commented that he was going to report on that later in the meeting.

Councilman Lambert reported that the Town has several applications before the Virginia Department of Transportation for grant funding for various street projects. He stated that the Town has its ongoing request before the Department to complete Community Boulevard from a point near the end of Cassell Road to Lithia Road. Councilman Lambert noted that this application seeks to complete the roadway that was constructed several years ago, of which only one half was funded. He commented that this is the first year that the Town has submitted a project under the new HB2 rules, and the Council thinks the Town has a very positive score, but the Commonwealth Transportation Board has yet to establish the formula under which projects will be awarded. Councilman Lambert expressed that, also, the Town has submitted

certain sections of streets to the Virginia Department of Transportation to be considered for paving. He stated the Virginia Department of Transportation provides certain funding for repaving portions of streets that they have identified to qualify. Councilman Lambert stated that qualifying streets must be part of the Federal Highway System. He noted that the streets that are eligible, and for which the Town has made application, are as follows: North 4<sup>th</sup> Street – Commonwealth Drive to Interstate 81; North 4<sup>th</sup> Street – Main Street to Ridge Road; East Main Street – Lithia Road to Cassell Road; and, West Lee Highway – 24<sup>th</sup> Street to Laural View Drive. Councilman Lambert advised that these projects will be valued at \$567,000.00, when funded. He stated the Town anticipates that an award of the paving fund should occur within 60 days. Councilman Lambert commented that the Committee would like to note that previously funded improvements to East Main Street are nearing the completion of the design phase. He explained that this project will install curb and gutter and a sidewalk along the portion of roadway between Cassell Road and the interstate. Councilman Lambert noted that the Town will, also, include new lighting fixtures and other enhancements. He commented that the Town looks forward to getting this project underway. Councilman Lambert advised that all of this is for informational purposes only, and there are no actions required by the Council at this time. A copy of the Public Works Committee report is attached and made part of these minutes.

#### **RE: VIRGINIA MAIN STREET PROGRAM**

Mayor Crewe stated that he did not intend to speak out of turn in regard to the Virginia Main Street Program before Councilman Hundley was able to discuss the topic first. Councilman Hundley assured Mayor Crewe that his comments were good, but that he did have some really great news to share. He explained that earlier in the day, Governor McAuliffe announced the designation of four communities into the Virginia Main Street Program. Councilman Hundley commented that the Town of Wytheville was the very first town mentioned in the announcement, which, also, included the Cities of Danville and Lexington and Gloucester County Court House in Gloucester County. He noted that this is big news for the Town of Wytheville. Councilman Hundley expressed that, personally, he would like to thank all of the Council for their support and effort over this six year process and the Downtown Wytheville, Incorporated Board members and volunteers for putting this together. He stated that, most importantly, he wanted to thank the Town staff for taking their time, efforts and talents to get the Town of Wytheville to the place where it qualifies for this prestigious honor of becoming a Virginia Main Street Program. Councilman Hundley expressed that he wanted to share the good news, and he thanked Mayor Crewe for bringing it to everyone's attention. Mayor Crewe apologized for addressing the subject before Councilman Hundley had a chance. Councilman Hundley stated that it is such good news, and he was happy to see the announcement first thing on a Monday morning. Mayor Crewe congratulated Councilman Hundley in regard to this accomplishment. He noted that like Councilman Hundley commented, it is a long process, but it will really open some doors for the community, make some big differences, etc. Mayor Crewe reiterated that he would like to congratulate Downtown Wytheville, Incorporated's efforts. He expressed that he speaks on behalf of the Town Council when he states that they are all glad they can play a small part in helping with this accomplishment, but Town staff has worked really hard on the project, and the Council really appreciates their work.

#### **RE: APPLICATIONS TO VDOT FOR REPAVING CERTAIN STREETS**

Town Manager Sutherland advised that he would note, in regard to the VDOT Projects that the Town made application, the streets that were identified and the funding that would be available is in addition and is not part of the Town's normal paving schedule. He commented that, if funded, this is free paving. Mayor Crewe expressed that this opens another door. He noted that he hopes the Town will get the funding needed.

#### **RE: ORDINANCE NO. 1306 – HOMESTAY ESTABLISHMENT OR AIRBNB**

Mayor Crewe presented Ordinance No. 1306, an ordinance amending and reenacting Ordinance No. 640, generally known as the Zoning Ordinance, by amending 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, on second reading. He remarked that the recommendation from the Budget and Finance Committee is to approve the ordinance on second, but not final, reading. Mayor Crewe stated that he was not sure if Ms. Leslie Harwood had any comments that she would like to make. He remarked that before Ms. Harwood arrived, Citizens' Period was already visited on the agenda. Mayor Crewe stated that he would be glad to hear from Ms. Harwood, if there is

something she wished to address the Council. He commented that the Council has researched the topic more since the last meeting and may still want to revise the ordinance. Ms. Harwood advised that she had no comments to make. A motion was made by Councilman Weisiger and seconded by Vice-Mayor King to approve Ordinance No. 1306, an ordinance amending and reenacting Ordinance No. 640, generally known as the Zoning Ordinance, by amending 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, on second, but not final, reading. Mayor Crewe inquired if there is any discussion on the motion to approve the ordinance on second, but not final, reading. There being none, the motion was approved with the following voting in favor and there being no opposition:

FOR: Trenton G. Crewe, Jr., Jacqueline K. King, William B. Weisiger, Thomas F. Hundley, H. Judson Lambert

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1306 was approved on second, but not final, reading.

#### **RE: RESOLUTION – GEORGE WYTHE HIGH SCHOOL BASKETBALL TEAM**

Mayor Crewe advised the next agenda item is a resolution commending the George Wythe High School Boys Basketball Team for an outstanding 2016 season. He inquired of Mr. Danny Gordon if he would like the resolution to be read for the radio because he can certainly read it if it helps Mr. Gordon. Mr. Gordon noted it was not necessary to read the resolution. Mayor Crewe inquired of the Council if there is a motion concerning the resolution for the basketball team's success. A motion was made by Councilman Weisiger and seconded by Vice-Mayor King to adopt a resolution recognizing the George Wythe High School Boys Basketball Team for an outstanding 2016 season. Mayor Crewe inquired if there is any discussion on the motion to adopt the resolution. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, William B. Weisiger, H. Judson Lambert, Thomas F. Hundley. Against: None.

#### **RE: RESOLUTION – GEORGE WYTHE HIGH SCHOOL WRESTLING TEAM**

Mayor Crewe advised the next agenda item is a resolution commending the George Wythe High School Wrestling Team for a successful 2016 season. He inquired of the Council if there is a motion to adopt the resolution for the Wrestling Team. A motion was made by Councilman Hundley and seconded by Councilman Lambert to adopt a resolution recognizing the George Wythe High School Wrestling Team for a successful 2016 season. Mayor Crewe inquired if there is any discussion on the motion to adopt the resolution to recognize the success of the Wrestling Team including the three State Champions. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, William B. Weisiger, H. Judson Lambert, Thomas F. Hundley. Against: None.

#### **RE: ADJOURNMENT**

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (7:17 p.m.).

---

Trenton G. Crewe, Jr., Mayor

---

Sharon G. Corvin, Town Clerk

## **BUDGET AND FINANCE COMMITTEE REPORT**

**MARCH 28, 2016**

1. At our last meeting of Council, an ordinance was considered that would place certain regulations on Homestay Establishments, also known as Airbnbs. As a result of the information received that evening, we have had the opportunity to give additional consideration to the proposed ordinance. The Virginia General Assembly addressed this topic during their past session and approved a Bill setting forth certain regulations, but then chose to put the matter in abeyance until 2017. The framework that the State is proposing, primarily, develops a structure for remitting lodging taxes from these residential rentals. The remainder of the legislation provides that no locality can impose standards on such establishments. Our proposed ordinance, similar to others across the Commonwealth, establishes standards for safety, density, off street parking, providing for inspections, etc. The ordinance, as proposed, does allow for these homestay rentals based on zoning districts compared to some communities who have completely outlawed such activity. This question was debated at length in the past General Assembly session when various statewide lodging organizations protested that they would be under standards not applicable to Homestay Establishments. We, also, had questions with regard to insurance coverage in these rental situations. As it turns out, Airbnb, one of the homestay internet providers, does provide certain insurance coverage for participants.

Later this evening, the Council will consider the adoption of the Airbnb ordinance, and it would be the recommendation of the Budget and Finance Committee that it be approved on second, but not final, reading. We do acknowledge that we may, yet, want to amend some of the language within the ordinance that could be accomplished during the adoption of the ordinance on third reading.

2. We have had several inquiries with regard to Town cemeteries and thought it may be helpful to provide reminders to citizens that the Town Code provides that dogs or other animals are prohibited in West End Cemetery, East End Cemetery and the Oakwood Cemetery. There have been some circumstances where there have been dogs allowed to run free within the cemeteries or there have been dogs on leashes taking a walking tour merely for exercise. We would remind everyone that allowing animals in the cemetery is prohibited. We would also note that, while not specifically prohibited, it is often disturbing or inconsiderate for people who are in the cemetery for the purpose of paying respect to loved ones to have people casually strolling through on a walk. We would encourage everyone to be observant and as respectful as possible to everyone in the cemeteries.

---

William B. Weisiger

---

Jacqueline K. King

## **PUBLIC WORKS COMMITTEE REPORT**

**MARCH 28, 2016**

1. There are a variety of ongoing activities in the downtown area. Town forces have completed certain interior renovations to the Farmers' Market building (previously the Hobert N. Grubb warehouse building). Town forces are also, currently, performing construction on the exterior of the building. The sidewalk on Spring Street, between Second and Fourth Streets, is being replaced to provide a better walkway for the new facility. In addition, plans for the Heritage Walk Project have been submitted to the Virginia Department of Transportation, and we anticipate that we will be released to start this project in the very near future. A group is now proceeding with work on property owned by Mr. Joseph Hand, Jr., located at the corner of Main and First Streets, which will house the new Moon Dog Pizza establishment. Finally, we hope that within the next month or so we will be able to bid all of the streetscape work in the downtown area. This project will consist of all new curb and gutter, brick sidewalks, street lighting and new signal lights in the downtown area. The most recent occurrence is the visitation by the Department of Housing and Community Development and the Virginia Main Street Program to review our plans for moving the economic enhancement of the downtown forward. It was a very positive visit, and these organizations were very complimentary of the positive efforts being made by the Town and Downtown Wytheville, Incorporated. We realize that some of these improvements have taken longer than anticipated, but by using State and Federal grant funding, there are always certain regulations that

slow a project. This summary is provided for informational purposes only, and there is no action required by the Council at this time.

2. We have several applications before the Virginia Department of Transportation for grant funding for various street projects. We have our ongoing request before the Department to complete Community Boulevard from a point near the end of Cassell Road to Lithia Road. This application seeks to complete the roadway that was constructed several years ago, of which only one half was funded. This is the first year that we have submitted a project under the new HB2 rules, and we think we have a very positive score, but the Commonwealth Transportation Board has yet to establish the formula under which projects will be awarded. Also, we have submitted certain sections of streets to the Virginia Department of Transportation to be considered for paving. The Virginia Department of Transportation provides certain funding for repaving portions of streets that they have identified to qualify. Qualifying streets must be part of the Federal Highway System. The streets that are eligible, and for which we have made application, are as follows: North 4<sup>th</sup> Street – Commonwealth Drive to Interstate 81; North 4<sup>th</sup> Street – Main Street to Ridge Road; East Main Street – Lithia Road to Cassell Road; and, West Lee Highway – 24<sup>th</sup> Street to Laural View Drive. These projects will be valued at \$567,000.00, when funded. We anticipate that an award of the paving fund should occur within 60 days. We would like to note that previously funded improvements to East Main Street are nearing the completion of the design phase. This project will install curb and gutter and a sidewalk along the portion of roadway between Cassell Road and the



interstate. We will, also, include new lighting fixtures and other enhancements. We look forward to getting this project underway. All of this is for informational purposes only, and there are no actions required by the Council at this time.

---

Thomas F. Hundley

---

H. Judson Lambert