



**AGENDA**  
**Wytheville Town Council**  
**July 24, 2017**  
**7:00 p.m.**  
**Wytheville Municipal Building**  
**150 East Monroe Street**  
**Wytheville, Virginia 24382**

- A. INVOCATION—VICE-MAYOR JACQUELINE K. KING**
- B. CALL TO ORDER—MAYOR TRENTON G. CREWE, JR.**
- C. ESTABLISHMENT OF QUORUM—MAYOR TRENTON G. CREWE, JR.**
- D. PLEDGE OF ALLEGIANCE—COUNCILWOMAN BETH A. TAYLOR**
- E. CONSENT AGENDA**
  - 1. Minutes of the regular meeting of July 10, 2017
  - 2. Request of Downtown Wytheville, Incorporated to conduct a Downtown Art Walk activity on the sidewalks of Main Street, from First Street to the Heritage Walkway, on Saturday, September 16, 2017, from 1:00 p.m. to 6:00 p.m.
- F. CITIZENS' PERIOD**
- G. OLD BUSINESS—TOWN MANAGER C. WAYNE SUTHERLAND, JR.**
- H. COMMITTEE REPORTS**
  - 1. Budget and Finance
    - a. Brush burning equipment
    - b. Amendments to Personnel Ordinance
  - 2. Public Works
    - a. East Main Street Improvement Project
    - b. Request of the Wytheville Redevelopment and Housing Authority to name the street and approve the addresses in the Freedom Lane Housing Project

**I. ORDINANCES/RESOLUTIONS**

1. Ordinance No. 1323, an ordinance amending and reenacting Ordinance No. 1028, generally known as Personnel Rules, Regulations and Policies, of the Town of Wytheville, Virginia, so as to amend Section 2. Employment, Subsection 2.10 Hours of Work, and Section 6. Benefits, Subsection 6.4 Retirement Benefits, on first reading
2. Ordinance No. 1324, an ordinance amending and reenacting Chapter 2, Administration, Article IV. Town Attorney, by removing Section 2-177. Compensation Generally, and Section 2-178. Reimbursement for Expenses, of the Code of the Town of Wytheville, Virginia, on first reading

**J. OTHER BUSINESS**

1. Recommendation from the Planning Commission regarding amending the Zoning Ordinance to include revisions to the definitions of "Automobile Graveyard" and "Junkyard"

**K. ADJOURNMENT**



<b>Meeting Date:</b>	Monday, July 24, 2017
<b>Item Name:</b>	Consent Agenda
<b>Item Number:</b>	E-2
<b>Subject:</b>	Downtown Wytheville, Inc. – Request for Downtown Art Walk Activity

**SUMMARY:**

The Town has received a request from Downtown Wytheville, Incorporated to conduct a Downtown Art Walk activity on Saturday, September 16, 2017, from 1:00 p.m. to 6:00 p.m. This activity will be held only on the sidewalks between First Street and the Heritage Walkway and will require no street closure.

# DOWNTOWN ART WALK – SEPTEMBER 16

## ART

The goal of this event is to showcase local and regional artisans and crafters in Downtown Wytheville.

In 2016 we hosted 18 artisans for the event's first run, and we hope to increase that in 2017!

We would like to encourage artisans to sell and demonstrate their craft, and Downtown merchants to participate by opening their businesses to the extra foot traffic on Main Street. We would also like to coordinate more children's activities this year.

Plan to have Jen Otey assist with locating and attracting vendors.

Charge \$25 per booth to keep costs low for vendors. Work to provide 10x10 tents for artisans that might not have their own. Review artisan contract.

## MUSIC

We plan to recruit musicians to perform along the street throughout the event. Encourage businesses to sponsor performances at \$100.

Jen Otey will work to organize the musicians and their sponsorship. Every musician will be compensated. Provide a small PA for musicians in front of Rockstar Gems

Derailed will be playing at the Bolling Wilson Hotel at 6pm on the patio.

### Possible Musicians

Misty Jackson  
Dan Wilner  
Adam Musick  
Nate Montgomery

## FOOD & BEER

**Food Considerations** – Rather than bringing in food trucks, the committee is planning to speak to each of the downtown restaurants about creating a short menu or menu item that would be unique to the event. We would encourage those food items be portable. Restaurants to contact: Cedar Bay, Coffee & Crumbs, Flourz, Graze on Main, Hannah's Attic, The Log House, Moondog, Skeeters

### Drinks

The Wythe-Bland Young Professionals will sell soft drinks and water.

We will apply for our ABC Banquet/Event License. VA Eagle will be providing beer for us that day. Work with ABC on a possible homebrew tasting concept. Graze on Main is looking into hosting our local distilleries on their patio under their ABC umbrella. We will also ask our local wineries to participate.

\$5 for an over-21 wristband and 1<sup>st</sup> beer, and \$4 for each additional beer. Limit 4 tabs/drinks.



Contact John Matthews  
(276) 620-0504 wythevillefestival@yahoo.com

**Location & Times**

Our initial plan is to host the Art Walk on September 16 from 1-6pm  
The committee would like to consider using the Main Street sidewalks between Church/Tazewell Street and 1<sup>st</sup> Street. We feel this is a more attractive option that increases event visibility and encourages passersby to stop and see what is happening. It will also consolidate our artisans. We are happy to follow up with business owners on that block to get feedback. The only concern would be the location of a beer truck. Any feedback or suggestions would be appreciated

**Town of Wytheville**

Make request to host the event within Downtown Wytheville.

**Committee**

John Matthews – Co-Chair	Todd Wolford
Jen Otey – Co-Chair	Sherri Case
Randy Pugh	Teresa King
Jennifer Williams	Sam Dukes
Jessica Martin	Shane Terry

**Sponsorship**

*Virginia Commission for the Arts –*  
*Virginia Tourism Corporation –*  
*Local & Main Street Businesses –*

Encourage them to be open on the day of the event to take advantage of the foot traffic we'll be bringing to their door!

**Marketing**

Post pictures daily of artists and crafters on the Facebook page to get people excited.

**Other**

Talk with town about having chalk buckets available for public art creations!  
2 Porta-Potties should be ordered, decide on their location  
**GET VOLUNTEER SIGNUP SHEET CIRCULATING – anyone interested can contact John Matthews**





<b>Meeting Date:</b>	Monday, July 24, 2017
<b>Item Name:</b>	Committee Reports
<b>Item Number:</b>	H-1
<b>Subject:</b>	Budget and Finance

**SUMMARY:**

The Budget and Finance Committee will report on the following matters:

- a. Brush burning equipment
- b. Amendments to Personnel Policy

## **BUDGET AND FINANCE COMMITTEE REPORT**

**JULY 24, 2017**

1. At our last meeting, we discussed that there was potential that under our Brush Disposal Program, we could acquire a piece of equipment that would assist in the disposal of brush collected. It was noted that one of the major problems associated with the program was the burning process that often creates smoke that is objectionable by the citizens. As a result of our research, we have found that there is a piece of equipment available that would eliminate this offensive smoke situation. This piece of equipment, known as a Refractory Lined Firebox, is manufactured by Air Burners, Incorporated, of Palm City, Florida, and is used extensively by various agencies of the Federal government. It has, also, been approved by the Environmental Protection Agency (EPA) and the Department of Environmental Quality (DEQ) for its environmental efficiency. Fire Burners, Incorporated has provided us with information showing that they are a sole source provider of this piece of equipment. This piece of equipment, including attachments and shipping charges, costs \$159,368.00. After our continued review of this equipment and our desire to reduce the environmental impact of our burning process, it would be the recommendation of the Budget and Finance Committee that the Town proceed with the procurement of the Refractory Lined Firebox from Air Burners, Incorporated, and we would also move that the Town Manager be authorized to execute all documents and purchase orders necessary to purchase this equipment.
2. During the May 22, 2017, meeting of Town Council, the Council approved an action that provided a Hazardous Duty Supplement under the Virginia Retirement

System to our Public Safety personnel. During our deliberation of this added coverage, there were certain agreements made between the Police and Fire Department and the Town Council. In terms of the Police Department, it was agreed that the maximum number of sworn officers would be established at 24 and the normal work period for all police personnel, with arrest powers, would be established at 171 hours per 28 consecutive day period. In a similar situation for the Fire Department, it was agreed that the maximum number of firefighters would be established at six, and, likewise, the normal work period for non-exempt firefighters would be established at 212 hours per 28 consecutive day period. Both of these work periods are the same as established by the Fair Labor Standards Act. As in most situations, a change in the number of personnel requires the Town Council's approval. Also, it was agreed that the personnel eligible to receive the Hazardous Duty Supplement would not be eligible to receive the Retiree Benefit Program provided to other Town employees. Later in the meeting, the Council will consider an ordinance, which is an amendment to the Town's Personnel Policy, that will revise these sections of the policy. It would be the recommendation of the Budget and Finance Committee that this ordinance be adopted on first and final reading, and become effective immediately.

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Jacqueline K. King

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Beth A. Taylor





<b>Meeting Date:</b>	Monday, July 24, 2017
<b>Item Name:</b>	Committee Reports
<b>Item Number:</b>	H-2
<b>Subject:</b>	Public Works

**SUMMARY:**

The Public Works Committee will report on the following matters:

- a. East Main Street Improvement Project
- b. Request of the Wytheville Redevelopment and Housing Authority to name the street and approve the addresses in the Freedom Lane Housing Project

## **PUBLIC WORKS COMMITTEE REPORT**

**JULY 24, 2017**

1. Construction has commenced on East Main Street on a \$2.7 million improvement project, which is funded one half by the Virginia Department of Transportation and one half by the Town of Wytheville. The section of highway between Cassell Road and the interstate will be completely transformed with new curb and gutter, sidewalks, streetlights and extensive landscaping. The median will contain new landscaping, as well as new streetlighting and drainage structures for the project. To accommodate the work to be performed on the median, it was necessary to remove the trees in that area, however, new trees will be planted as a part of the project. East Main Street, when completed, will provide an esthetically pleasing roadway to serve business properties on the east end of Wytheville, as well as leading visitors to our downtown area. We would like to note that we are working with Wythe County and The Retail Coach to recruit businesses into the town. Hopefully, this new section of roadway will help entice these activities to occur. There is no action required of the Council at this time, but we did want citizens to understand what was taking place in this roadway project and the purpose for which it was being performed. In the long term, we think that this will be a great benefit to our community.
2. We are pleased to announce that the Freedom Lane Project, undertaken by the Wytheville Redevelopment and Housing Authority, is near completion. The concept for this project, which began over two years ago, was a 24-unit housing complex

designed to benefit veterans. The Town of Wytheville applied for, and received, funding from a Community Development Block Grant in the amount of \$505,625.00, which was used toward the Freedom Lane site development and infrastructure installation. The project located on Peppers Ferry Road is adjacent to the existing Wytheville Redevelopment and Housing Authority Hedgefield site. The project is very close to completion, and a ribbon cutting ceremony is scheduled for August 16, 2017. Governor McAuliffe is scheduled to be the featured speaker at this ceremony. One of the final remaining actions that needs to be taken by the Council on this project is the official naming of the street and the designated house numbers for the project. We have received a request from the Housing Authority asking that the street into the complex be named "Freedom Lane" and the units be designated with a number range of 101 to 125 Freedom Lane. We think that this request is appropriate, and it would be the recommendation of the Public Works Committee that we approve the request to name this portion of roadway Freedom Lane and to designate the units within this complex the numbers between 101 and 125.

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Thomas F. Hundley

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Joseph E. Hand, Jr.



P.O. Box 62  
 170 Hedgefield Lane  
 Wytheville, VA 24382  
 Phone (276) 228-6515  
 Toll Free (866) 530-6651  
 FAX (276) 228-8606  
 TDD: 1-800-828-1120  
 Email: wrha@earthlink.net



Randy Martin, Executive Director/CEO  
 Missy Delby, Deputy Director  
 Regina Pike, Admin Assistant/Finance  
 Bonnie Brewer, Director of Housing Management  
 Melanie Thornton, Housing Specialist  
 Brandy Monday, Accts Receivable

July 14, 2017

Wytheville Town Council  
 West Monroe Street  
 Wytheville, VA 24382

Dear Council Members:

Please consider for approval the following street name and addresses for our Freedom Lane development located at 467 Peppers Ferry Road, Wytheville:

- |                  |                  |
|------------------|------------------|
| 101 Freedom Lane | 114 Freedom Lane |
| 102 Freedom Lane | 115 Freedom Lane |
| 103 Freedom Lane | 116 Freedom Lane |
| 104 Freedom Lane | 117 Freedom Lane |
| 105 Freedom Lane | 118 Freedom Lane |
| 106 Freedom Lane | 119 Freedom Lane |
| 107 Freedom Lane | 120 Freedom Lane |
| 108 Freedom Lane | 121 Freedom Lane |
| 109 Freedom Lane | 122 Freedom Lane |
| 110 Freedom Lane | 123 Freedom Lane |
| 111 Freedom Lane | 124 Freedom Lane |
| 112 Freedom Lane | 125 Freedom Lane |
| 113 Freedom Lane |                  |

Thank you for your time and consideration of this matter. With best regards, I remain

Sincerely,

Randy Martin  
 Executive Director/CEO

RM/rp

Board of Commissioners

Sharon Alexander, Chairperson  
 Charles Conduff, Vice-Chairperson

Barbara Lambert  
 Cathy Pattison  
 Zareca Ward

Danny McDaniel  
 James Rosenbaum



<b>Meeting Date:</b>	Monday, July 24, 2017
<b>Item Name:</b>	Ordinances/Resolutions
<b>Item Number:</b>	I-1
<b>Subject:</b>	Ordinance No. 1323

**SUMMARY:**

Please find enclosed Ordinance No. 1323, an ordinance amending and reenacting Ordinance No. 1028, generally known as Personnel Rules, Regulations and Policies of the Town of Wytheville, Virginia, so as to amend Section 2. Employment, Subsection 2.10 Hours of Work, and Section 6. Benefits, Subsection 6.4 Retirement Benefits. This ordinance is before the Council on first reading.

**ORDINANCE NO. 1323**

At a regular meeting of the Town Council of the Town of Wytheville, Virginia, held in the Council Chambers on Monday, July 24, 2017, at 7:00 p.m.

Present:

Absent:

**AN ORDINANCE AMENDING AND REENACTING ORDINANCE NO. 1028, GENERALLY KNOWN AS PERSONNEL RULES, REGULATIONS AND POLICIES, OF THE TOWN OF WYTHEVILLE, VIRGINIA, SO AS TO AMEND SECTION 2. EMPLOYMENT, SUBSECTION 2.10 HOURS OF WORK, AND SECTION 6. BENEFITS, SUBSECTION 6.4 RETIREMENT BENEFITS**

**BE IT ORDAINED** by the Town Council of the Town of Wytheville, Virginia, that Ordinance No. 1028, generally known as Personnel Rules, Regulations and Policies, be amended and reenacted so as to amend Section 2. Employment, Subsection 2.10 Hours of Work, and Section 6. Benefits, Subsection 6.4 Retirement Benefits, as follows:

**SECTION 2. EMPLOYMENT**

**SUBSECTION 2.10 HOURS OF WORK**

The normal workweek for all employees, with exception of those set forth below and exempt employees, consists of a schedule of forty hours. The hours of work for all employees will be determined by the department head and subject to modification and/or approval by the Town Manager.

The normal work period for all police personnel, with arrest powers, shall be 171 hours per 28 consecutive day period, pursuant to Section 7 (K) of the Fair Labor Standards Act (29 U.S.C. § 207 (K)), for which they shall be paid a salary. This applies to all employees qualified to receive the Hazardous Duty Supplement from the Virginia Retirement System. The number of sworn police officers shall be a maximum of 24 employees. The maximum number of sworn police officers cannot be changed without Town Council approval.

The normal work period for non-exempt firefighters shall be 212 hours per 28 consecutive day period, pursuant to Section 7 (K) of the Fair Labor Standards Act (29 U.S.C. § 207 (K)), for which they shall be paid a salary. This applies to all employees qualified to receive the Hazardous Duty Supplement from the Virginia Retirement System. The number of paid firefighters shall be a maximum of 6 firefighters. The maximum number of paid firefighters cannot be changed without Town Council approval.

The department head will determine the schedule of hours for his/her department. Employees will be informed in advance of any changes in the schedule of hours.

Department heads may schedule overtime or extra shifts when it is deemed necessary. Employees are not permitted to work overtime without the prior approval of their supervisor or department head.

Working unauthorized overtime or holidays is a violation of this policy and may result in disciplinary action including dismissal.

Employee attendance at lectures, meetings, and training programs will be considered hours of work if management requests such attendance.

## **SECTION 6. BENEFITS**

### **SUBSECTION 6.4 RETIREMENT BENEFITS**

The Town is a member of the Virginia Retirement System (VRS). All full-time employees of the Town are required to enroll in the system, and are thus entitled to receive all benefits offered by the Plan. This benefit is at a five percent (5%) cost to the employee and will be deducted from the employee's paycheck on a pre-tax basis for federal and state taxes in accordance with Section 414(h) of the Internal Revenue Code. Effective July 1, 2017, personnel who meet the VA Code of Hazardous Duty in their job description will receive the Hazardous Duty Supplement using the 1.7% benefit multiplier.

Full-time employees become eligible for enrollment on the first day of the month in which he/she was hired if it is within the first pay period of the month, otherwise, they become eligible the second calendar month following the date of hire.

Effective March 25, 2013, certain employees who retire from the Town of Wytheville shall be eligible for a portion of their retiree health insurance to be paid according to the following guidelines and conditions:

1. The employee must have worked for the Town of Wytheville for twenty-five (25) consecutive years or longer; however, during this twenty-five (25) year period, should an employee be deployed for active duty with the military, this time will also be counted toward the 25 years.
2. The employee must be eligible to retire under the Virginia Retirement System (VRS).
3. The employee must be employed as a full-time employee on or after March 25, 2013, to be eligible.
4. The employee must remain on the Town's health insurance plan and pay his/her portion of the premium by the first of each month.
5. The Town will pay 50% of the insurance premium per month but in no case more than \$300 per month.

6. Upon the employee's retirement, the Town will pay the amount set forth above for a period of five (5) years or until the employee is Medicare eligible, whichever comes first.

7. Any employee who has commenced receiving the benefits outlined above in Items 1-6 will be eligible to continue receiving the benefits should the plan be terminated; however, those employees who had not commenced receipt of the benefits will not be eligible should the plan be terminated.

Effective July 1, 2017, any personnel eligible for the Hazardous Duty Supplement will not be eligible to receive the retiree insurance benefit.





<b>Meeting Date:</b>	Monday, July 24, 2017
<b>Item Name:</b>	Ordinances/Resolutions
<b>Item Number:</b>	1-2
<b>Subject:</b>	Ordinance No. 1324

**SUMMARY:**

Please find enclosed Ordinance No. 1324, an ordinance amending and reenacting Chapter 2, Administration, Article IV. Town Attorney, by removing Section 2-177. Compensation Generally, and Section 2-178. Reimbursement for Expenses of the Town Code. Once these sections are removed, the remaining sections of this Article will be renumbered. This ordinance is, likewise, before the Town Council on first reading.

**ORDINANCE NO. 1324**

At a regular meeting of the Town Council of the Town of Wytheville, Virginia, held in the Council Chambers on the 24th day of July, 2017, at 7:00 p.m.

Present:

Absent:

**AN ORDINANCE AMENDING AND REENACTING CHAPTER 2, ADMINISTRATION, ARTICLE IV. TOWN ATTORNEY, BY REMOVING SECTION 2-177. COMPENSATION GENERALLY, AND SECTION 2-178. REIMBURSEMENT FOR EXPENSES, OF THE CODE OF THE TOWN OF WYTHEVILLE, VIRGINIA**

BE IT ORDAINED by the Town Council of the Town of Wytheville, Virginia, that Chapter 2, Administration, Article IV. Town Attorney, be amended and reenacted by removing Section 2-177. Compensation Generally, and Section 2-178. Reimbursement for Expenses, and renumbering the Article as follows:

**CHAPTER 2**

**ADMINISTRATION**

**ARTICLE IV. TOWN ATTORNEY**

**Section 2-176. - Establishment of office; appointment and term.**

The office of town attorney is hereby established. The town council may, whenever it considers it necessary or proper to do so, appoint a competent attorney or firm of attorneys to such position, which attorney or firm of attorneys shall serve during the pleasure of the council.

**Section 2-177. - Legal advice to council, etc.**

When required by the council to do so, the town attorney shall advise the council and its members upon any question of law for the guidance of the council or of any officer, agent or committee of the town.

**Section 2-178 - Preparation of bonds, deeds, etc.**

It shall be the duty of the town attorney to prepare for the town all bonds, deeds, contracts or other documents normally prepared by attorneys.

**Section 2-179. - Reports to council.**

Whenever requested by the council, the town attorney shall prepare and duly deliver to the council a report showing the conditions of all cases handled by him and the conditions of all cases pending in which the town is interested.

**Section 2-180. - Additional duties and functions.**

The town attorney shall perform such duties and functions, in addition to those set out in this article, as the council may direct.

**Sections. 2-181—2-195. - Reserved.**



<b>Meeting Date:</b>	Monday, July 24, 2017
<b>Item Name:</b>	Other Business
<b>Item Number:</b>	J-1
<b>Subject:</b>	Planning Commission Recommendation – Proposed Zoning Ordinance Amendments

**SUMMARY:**

Please find enclosed a recommendation from the Planning Commission to make amendments to the Zoning Ordinance for the definitions of "Automobile Graveyard" and "Junkyard." These proposed amendments will make these two definitions parallel State Code. It will be necessary for the Town Council to set a public hearing to consider these amendments, which can be scheduled for the August 14, 2017, Town Council meeting.



## WYTHEVILLE PLANNING COMMISSION RECOMMENDATION TO COUNCIL

### **Request:**

Amend the Town Zoning Ordinance to include revisions to the definitions of "Automobile Graveyard" and "Junkyard."

### **Attendees at Planning Commission Meeting Speaking Regarding this Request:**

William J. Smith

### **Recommendation to Town Council:**

After thoroughly reviewing the proposed Zoning Ordinance amendments, and noting that these revisions parallel State Code, it would be the recommendation of the Planning Commission that the Town Council amend the Zoning Ordinance definitions for "Automobile Graveyard" and "Junkyard."



## **Zoning Ordinance Revisions to Definitions for Automobile Graveyards and Junkyards**

### **Staff Report**

**Zoning Ordinance revision to Article III, Definitions, to provide for updated definitions regarding “Automobile Graveyards” and “Junkyards.”**

#### **Background**

Town staff has recently been approached about the accumulation of inoperable automobiles in several areas of town and has been asked to have them removed. In addition, Town Council has become more proactive relative to improving the appearance of the town by not only improving or removing dilapidated structures, but, also, enhancing all areas of town. These issues have prompted the Town's Planning Staff to review the Town's Zoning Ordinance relative to sections that affect the town's appearance. One such review included the definition of Automobile Graveyards and Junkyards. It was discovered that these sections do not reflect State Code. The proposed changes bring these definitions to mirror State Code and assist enforcement efforts.

#### **Discussion**

The attached proposed revisions will reflect State Code on these issues and potentially assist the Town in enforcement efforts. In many cases where enforcement is handled by the State, the Town simply passes violation information on to the appropriate agency and assists them in their efforts to enforce the State Code.

3-12 AUTOMOBILE GRAVEYARD: Any lot or place ~~which~~ **that** is exposed to the weather upon which more than five (5) motor vehicles of any kind, ~~that~~ **are** incapable of being operated, and which it would not be economically practical to make operative, ~~and~~ **are** placed, located or found. ***The movement or rearrangement of vehicles within an existing lot or facility does not render this definition inapplicable. The provisions established by this subsection shall begin with the first day that the vehicle is placed on the subject property.*** (Section ~~33-279-3~~ **32.2-804** Code of Virginia of 1950 as amended in 1968.)

3-46 JUNK YARD: ~~The use of any area of land lying within one hundred (100) feet of a State highway, a public street or the use of more than two hundred (200) square feet of land area in any location for the storage, keeping or abandonment of junk including scrap metals or other scrap materials.~~ ***An establishment or place of business that is maintained, operated or used for storing, keeping, buying or selling junk for the maintenance or operation of an automobile graveyard. "Junkyard" includes garbage dumps, sanitary landfills and automobile graveyards. No junkyard shall be established, any portion of which is within 1,000 feet of the nearest edge of the right of way of any National Highway System highway or primary highway or within 500 feet of the nearest edge of the right of way of any other highway or town street, except with exclusions as listed in Section 33.2-804, Code of Virginia.***

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL  
HELD IN THE COUNCIL CHAMBERS ON MONDAY, JULY 10, 2017, AT 7:00 P.M.**

Members present: Trenton G. Crewe, Jr., Jacqueline K. King, Thomas F. Hundley, Joseph E. Hand, Jr.

Members absent: Beth A. Taylor

Others present: Town Manager C. Wayne Sutherland, Jr., Town Clerk Sharon G. Corvin, Assistant Town Manager Stephen A. Moore, Madeline Brown, Jennifer Anders, Bobby Anders, Brenda Borders, Larry Sharitz, Robin Snavelly, Dakota Brown, Wayne Holliday, Rebecca Beamer, Terry Beamer, Jack Singleton, Nick Edwards, Ethan Lavalley, Tim Reeves, Linda Donaldson, Gary Donaldson, John Claypool, Jamie Claypool, Beverly Showalter, Rick Showalter, Rhonda Sechrest, Barbara Anders, Wenda Campbell, David Kause, Millicent Rothrock with *The Wytheville Enterprise*, Police Officer Darren Umberger

**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 Hand.

**RE: CONSENT AGENDA**

Mayor Crewe presented the consent agenda consisting of the minutes of the special meeting of June 26, 2017; the minutes of the regular meeting of June 26, 2017; and, the request of Wytheville Community College to conduct a WCC Sprint for Scholarships 5K Run/Walk on Friday, September 22, 2017, at 6:00 p.m. He inquired of the Council if there was a motion to approve the consent agenda as presented or to somehow be amended. A motion was made by Vice-Mayor King and seconded by Councilman Hand to approve the consent agenda consisting of the minutes of the special meeting of June 26, 2017; the minutes of the regular meeting of June 26, 2017; and, the request of Wytheville Community College to conduct a WCC Sprint for Scholarships 5K Run/Walk on Friday, September 22, 2017, at 6:00 p.m., as presented. Mayor Crewe inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, Thomas F. Hundley, Joseph E. Hand, Jr. Against: None.

**RE: PUBLIC HEARING – LARRY K. SHARITZ SPECIAL EXCEPTION PERMIT REQUEST**

Mayor Crewe advised that the meeting constituted a public hearing (due notice having been given) to consider the request of Mr. Larry K. Sharitz for a special exception permit to operate an auto repair shop at 140 Hillcrest Road, which is located on the north side of Hillcrest Road between Cove Road and the Town Corporate Limits, in a B-1 Business District. He noted that it is the recommendation of the Wytheville Planning Commission that the request be approved. Mayor Crewe stated that the sign in sheet did not indicate that there were citizens who wished to address the Council during this public hearing. He inquired if there were citizens who wished to address the Council during this public hearing. Mayor Crewe noted that Mr. Sharitz is not required to speak, however, if he wished to do so, this is the time to address the Council in regard to his request. There being no one who wished to address the Council, Mayor Crewe declared the public hearing closed and proceeded with the agenda.

**PUBLIC HEARING – CREATIVE K-9 DESIGNS SPECIAL EXCEPTION PERMIT REQUEST**

Mayor Crewe advised that the meeting constituted a public hearing (due notice having been given) to consider the request of Creative K-9 Designs for a special exception permit to operate a dog boarding/grooming business at 195 Calhoun Street, which is located on the east side of Calhoun Street between Jefferson Street and Withers Road, in an R-3 Residential District. He noted that the recommendation of the Wytheville Planning Commission is that the request be denied. Mayor Crewe stated that the sign in sheet indicated that there were citizens who wished to address the Council during this public hearing, therefore, he would begin with the first name listed on the sign in sheet who noted that they wished to speak.

Mr. Wayne Holliday was recognized and stated that he lives at 115 East Withers Road. He thanked the Council for allowing the citizens to voice their opinions. Mr. Holliday noted that his property is the first property east of the proposed special exception permit location. He remarked that he has lived in his residence for approximately 31 years. Mr. Holliday discussed with the Council the different issues that his family has had to deal with over the years while



living in this location. He explained that while the livestock market was open, his family had to endure the traffic, smell, noise, etc. Mr. Holliday commented that in regard to the proposed dog boarding/grooming business, whether a dog is located inside or outside, if it hears another dog barking, it is going to bark, too. He remarked that his concern is that because of the numerous dogs in the neighborhood, if they hear the dogs inside of the business barking, they will begin to bark, as well. Mr. Holliday expressed his concern with the size of the business and the number of proposed dogs to be housed. He remarked that his next concern is the fencing. Mr. Holliday commented that his vision of a dog run is a concrete pad with drains in the pad and a six to eight foot high fence. He noted that the only place to locate the run on the property would be visible from Calhoun Street and a small portion of Fourth Street, which he does not think would appeal to citizens. Mr. Holliday noted what the Town Code Noise Ordinance states. He continued to express his concern with the noise surrounding his property over the past 31 years. Mr. Holliday remarked that it is not his intention to discourage a business owner in this business environment from operating or expanding an operation, however, in this case, he cannot endorse the approval of Creative K-9 Designs. He thanked the Council for allowing him to speak. Mayor Crewe thanked Mr. Holliday his remarks.

Mr. Jack Singleton was recognized and stated that he lives at 260 West Jefferson Street. He noted that his property abuts the property with the proposed special exception permit request. Mr. Singleton remarked that he is the closest house to the business. He stated that he would have to concur with Mr. Holliday in regard to the livestock market. Mr. Singleton expressed that issues do not bother him as much as they do others. He noted that the livestock market was zoned correctly for its business and he knew the business was there when he purchased his home, therefore, a person lives with what they choose to move near. Mr. Singleton expressed his thoughts in regard to the barking issue. He noted that since the Planning Commission meeting, he has been listening to the noises with his windows open. Mr. Singleton explained that the main noises he has heard are the truck brakes, loud mufflers, trains from the railroad, dogs up and down Jefferson Street and along the creek, etc. He noted that he has been very close to the business property and has never smelled an odor or heard the sound of the dogs barking coming from the building. He continued to express his thoughts regarding the smell of the property. Mr. Singleton explained that his neighbors, the Krowders, who live in Alabama, contacted him on Sunday, July 9, and noted that they will be staying in Alabama and will not be retiring in Wytheville. He remarked that they have their property for sale, which consists of the large area of woods and a rental house near the proposed kennel. Mr. Singleton stated that Mr. Krowder's only issue with the business is the barking dogs at night. He expressed that he would much rather have a dog boarding/grooming business located next to him rather than another market type business because of the clientele. Mr. Singleton continued to note the discussions he heard at the Planning Commission meeting. He noted the one thing that he kept hearing as a discussion topic was property values. Mr. Singleton stated that everyone is so concerned with the business hurting their property values, but they should be concerned about the Showalters' house instead. He expressed his feelings in regard to the state of the Showalter home. Mr. Singleton noted that his house also had to be painted, but the difference is that he never complained about any of the other residences, etc. in the neighborhood. Mr. Singleton expressed that Creative K-9 Designs has been a good neighbor. He stated he would like to see a restriction put in place for the barking, and a noise restriction would solve the concern of the Krowders, as well. He thanked the Council for allowing him to speak. Mayor Crewe thanked Mr. Singleton for his comments.

#### **RE: CITIZENS PERIOD – AFTER HOURS CONCERT SERIES RULES**

Mr. Nick Edwards was recognized and stated that he would like to speak regarding vendors at the After Hours Summer Concert Series. He noted that he is one of the few vendors at the concerts. Mr. Edwards expressed his concern with the rules that are being enforced at the concerts, and he noted that they are hurting his business. He commented that the concerts have been treated as a "non-compete," for the last several years. Mr. Edwards explained that vendors are only allowed to sell their one specialized item. He stated that his issue is that during the July 4<sup>th</sup> Celebration in downtown, he was selling drinks and was informed by another vendor that per his contract, he was not allowed to sell drinks. He explained that he has sold drinks at the July 4<sup>th</sup> Celebration for the last three years, and his issue is that he has customers who have waited in his line for a while and they order a sandwich but they also want to order a drink. Mr. Edwards stated that he then has to explain to his customers that due to the non-compete clause, which actually is not listed in the vendor's contract, he cannot sell them a drink. He noted that he has to explain to customers that they have to go wait in another line to get their drinks, which really upsets people. Mr. Edwards inquired of the Council if they would consider amending the rules for the vendors so that everyone can sell drinks. He noted that it would be different if he were trying to sell another specialty item like candy or popcorn, but he is not. Mr. Edwards stated that he has reviewed this contract and expressed his concern with the Town of Wytheville Recreation Department for several years asking for them to change the contract, but

he has not been successful, therefore, that is why he is addressing the Council. It was the consensus of the Council to request the Recreation Commission to review the rules governing food vendors for the After Hours Concert Series events.

### **PUBLIC HEARING – CREATIVE K-9 DESIGNS SPECIAL EXCEPTION PERMIT REQUEST**

Ms. Linda Donaldson was recognized and stated that she lives at 280 South 11<sup>th</sup> Street. She advised the Council that she is in favor of the request of Creative K-9 Designs. Ms. Donaldson thanked the Council for allowing her to speak. Mayor Crewe thanked Ms. Donaldson.

Mr. Rick Showalter was recognized and stated that he lives at 690 South Fourth Street. He thanked the Council for allowing him to speak. Mr. Showalter noted that he is not attending the meeting to debate whether the proposed business would be good or not but, in his opinion, the location is not right for the business because it is located in a residential district. He commented that Mr. Holliday mentioned several good points. Mr. Showalter stated that he loves dogs, and he boards them here in town when he goes out of town. He reiterated that the location of the proposed kennel is not the right place with it being located in a residential neighborhood. Mr. Showalter continued to express his concerns in regard to the kennel. He noted that the *New York Times* wrote an article in regard to dog noise and property values. Mr. Showalter stated that the business is a 24 hour business, and he is sure the staff will keep the dogs quiet during the day, however, they will not be at the facility during the night. He reiterated the two issues he has are the property value and noise. Mr. Showalter thanked the Council for allowing him to speak. Mayor Crewe thanked Mr. Showalter for addressing the Council.

Ms. Jennifer Anders was recognized and stated that she would like to thank the Council for allowing her to speak and the citizens for expressing their concern. She noted that she would like to present the Council and citizens with a short presentation based on some of the issues that have been discussed. Ms. Anders expressed that her intent is not to bring down property values because she would not want that done to her. She commented that she does not want her business to be a nuisance in the neighborhood because, again, she would not want anyone to be a nuisance to her. Ms. Anders explained that she and her staff wanted to know how their clients felt about the proposed dog boarding/grooming business, therefore, they conducted an online petition and a petition in the shop, as well. She proceeded to hand a copy of the petitions to the Council members for their review. Ms. Anders advised that the online petition is not able to have the comments edited or deleted, therefore, none of the comments have been edited or deleted. She noted that the two back pages are clients who signed the petition in her shop. Mayor Crewe inquired of Ms. Anders as to how long the petition circulated. Ms. Anders stated that the petition began circulating on Friday. Mayor Crewe inquired if Ms. Anders was referring to one week ago on Friday, June 30, or this past Friday, July 7. Ms. Anders stated Friday, July 7. He noted that Ms. Anders' petition has been circulating for four days. Ms. Anders commented that she wants the Council to be aware of the last few pages because they are handwritten. She reiterated that those comments and signatures were brought into her shop. Ms. Anders explained that the red star beside of some of the names is depicting the property owners who touch the business property. She noted that the property owners who have signed her petition surrounding her location are residential property owners, and the only signature she does not have on the petition is Mr. Singleton's, but he is attending this meeting and is in support of the business. Mayor Crewe stated that Ms. Anders could proceed with her presentation while the Council reviews the petition. Ms. Anders stated that she would like to explain to everyone the difference between a kennel and what she plans to do. She noted that she plans to offer resort style boarding, which is a new concept and is not the traditional indoor/outdoor runs. Ms. Anders continued to explain to the Council her concept of the resort style boarding for pets. She depicted on the screen the ideas she has for her business plan. Ms. Anders stated in regard to the concerns that have been discussed including noise, traffic, safety, smell and devaluing surrounding properties, she would like to speak on each of those briefly. She continued to discuss with the Council each of the concerns. Ms. Anders depicted to a YouTube video of different noise decibels. She presented the Council with the volumes test. Vice-Mayor King inquired of Ms. Anders if the Planning Commission was presented with the same information. Ms. Anders stated that they were not, but since the Planning Commission meeting, she has combined her research for a presentation. She continued to explain to the Council the test she performed to get a reading in regard to the decibel level of the coyotes barking from outside. Ms. Anders stated that the next concern she would talk about is the business hours. She noted that she will only be allowing pickup of boarding dogs during regular business hours, which she considers to be 7:45 a.m. – 5:30 p.m. Ms. Anders continued to explain to the Council her plan in regard to hours of operation. She noted that they will offer boarding services to pets weighing 35 pounds or less and who are grooming clientele, unless they build a fence later. Ms. Anders explained to the Council the process she and her staff use when they take an animal outdoors to use the restroom. Ms. Anders noted that for the past several years, the business has been a dog grooming business and an estimated 10,000 dogs have been in and out of the grooming

salon. She remarked that in that time period, there has never been a complaint in regard to the smell. Ms. Anders stated in regard to devaluing residential property, from the research she has performed, the number one cause for a property to be devalued is schools. She continued to express her thoughts in regard to properties losing value because of her business. Ms. Anders noted some of the businesses or other structures that could possibly go in the location where her business is located, if she were to move out of the building. She stated that she would think low income housing, beer stores, vape stores, etc. would devalue property a lot more than a dog boarding/grooming salon. Ms. Anders explained to the Council that one of the benefits of the resort is that it is a new concept, which is also a new concept to Wytheville. She remarked that the service has been requested by the residents and the correct clients. Ms. Anders continued to explain to the Council the clientele to which she provides service. She stated that what she would like for the Council to do to hopefully alleviate some people's concerns is consider a six month trial period. Ms. Anders noted that if no valid issues arise after six months that she cannot easily curtail, the Council can then revoke the special exception permit. She continued to explain to the Council her plans for the business, if the request is approved. Mayor Crewe inquired of the Council if anyone had any questions for Ms. Anders. Town Manager Sutherland inquired of Ms. Anders if she could email her presentation to Town staff. She stated that she would do so. Mr. Singleton inquired of Ms. Anders if she could play the coyotes barking from the televisions in the Council Chambers. Ms. Anders explained that the sound is going to be very loud and that her presentation noted the decibel level. She noted that the sound of the "coyote counter" is equivalent to the sound decibel of an emergency vehicle, which runs at 115 decibels. A discussion ensued regarding the volume of the decibel reader. Mayor Crewe inquired if there were any further questions. Vice-Mayor King inquired of Ms. Anders if she is correct that she heard Ms. Anders state that the Planning Commission had not heard any of the information that Ms. Anders presented at this meeting. Ms. Anders stated that is correct. She noted that there were a lot of concerns during the Planning Commission meeting, therefore, she felt the need to address the concerns. Councilman Hand stated that he would like to say a few things about each of the topics Ms. Anders mentioned. He noted that in the Planning Commission meeting, Ms. Anders addressed some of his concerns. He advised that it is a proven fact that dog kennels devalue property. Councilman Hand explained that he has been in the real estate business for 17 years, and it is a known fact about dog kennels devaluing property. He continued to explain the reason why it devalues property. A discussion ensued regarding the smell and other issues concerning the proposed dog boarding salon. He stated that, to him, the property simply is not zoned correctly for the business Ms. Anders wants to provide. Mayor Crewe inquired if there were any further comments or questions for Ms. Anders. Vice-Mayor King stated that she feels that this request should be referred back to the Planning Commission so that they can hear Ms. Anders' presentation. Mayor Crewe remarked that he would like to finish the public hearing before a motion is made.

Ms. Beverly Showalter was recognized and stated that she lives at 690 South Fourth Street. She noted that she addressed the Planning Commission during their last meeting. Ms. Showalter commented that the Council can refer to the Planning Commission meeting minutes to see her concerns. She remarked that her biggest concern is that the proposed business will devalue property for the homeowners who live around the dog kennel. Ms. Showalter stated that Councilman Hand, who is also a realtor, noted that it is a fact that it will devalue properties. She continued to express her concerns in regard to the properties around the proposed kennel being devalued. Ms. Showalter remarked that she wanted to make sure that people are listening to Councilman Hand when he advises that the proposed kennel will devalue properties. She thanked the Council for allowing her to speak. Mayor Crewe thanked Ms. Showalter for her comments.

Mr. Jack Singleton was recognized and stated that he would like to add one more comment. He explained to the Council that he researched all of the property assessments surrounding the proposed kennel. He stated that when the dog grooming business opened in 2011, the Bascoptes' property assessment decreased \$5,300, the Showalters' property assessment increased \$10,000, Mr. Billy Barker's property assessment increased \$6,800, Ms. Duncan's property assessment increased \$6,900 and his own property decreased in value, which was a special situation due to the derelict property enforcement officer taking action against his property, which made it impossible for him to sell his property. He noted that there are mixed assessments to include some increased values and some decreased values. Mr. Singleton remarked that before the grooming business was at the location, the building sat empty, and, before that, the store that was there was a ghetto type store. He commented that the dog grooming business is a lot better neighbor than the ghetto business. Mayor Crewe thanked Mr. Singleton for his comments.

Mr. David Kause was recognized and stated that he lives at 395 West Union Street, which is around the corner from the dog grooming business. He noted that he wanted to state that he did not even know that the business was open, therefore, if the business is open for dog grooming

at this time, he did not know it. Mr. Kause commented that the only thing he can see from his house is the vending machine outside of the building because he can see the light from his kitchen window. He reiterated that if the business has been in operation for four or five years in that location with animals, etc., he had no idea that it was there. Mr. Kause stated that he does not see the business as being a problem. Mayor Crewe thanked Mr. Kause for his comments. He inquired if there are others who wished to address the Council in regard to this public hearing. There being none, Mayor Crewe declared the public hearing closed and proceeded with the agenda.

#### **RE: RECOMMENDATION - CREATIVE K-9 DESIGNS SPECIAL EXCEPTION PERMIT**

Mayor Crewe advised that he would give the Council the option to move on with the agenda or to make a motion to refer the Creative K-9 Designs special exception permit request back to the Wytheville Planning Commission. A motion was made by Vice-Mayor King and seconded by Councilman Hundley to refer the request of Creative K-9 Designs for a special exception permit to operate a dog boarding/grooming business at 195 Calhoun Street, which is located on the east side of Calhoun Street between Jefferson Street and Withers Road, in an R-3 Residential District, back to the Planning Commission for further review. Mayor Crewe inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting results: For: Trenton G. Crewe, Jr., Jacqueline K. King, Thomas F. Hundley. Against: Joseph E. Hand, Jr. Mayor Crewe explained to Ms. Anders the process that will take place, and that it will go before the Planning Commission again to be reviewed.

#### **RE: CITIZENS' PERIOD**

Mayor Crewe inquired if there are others who wished to address the Council. He explained that Mr. Edwards was the only other person listed on the sign in sheet who stated that they wished to address the Council in regard to another topic besides the public hearing for Creative K-9 Designs. There being no others who wished to address the Council, he 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, July 11, 2017, at 7:00 a.m.
2. A conference call is scheduled with The Retail Coach on Thursday, July 13, 2017, at 3:00 p.m.
3. The Beautification Task Force will meet on Wednesday, July 19, 2017, at 2:30 p.m., in Conference Room A of the Municipal Building.
4. The New River Regional Water Authority will meet on Thursday, July 20, 2017, at 9:30 a.m., in the Council Chambers.
5. The Council Personnel Committee will meet on Friday, July 21, 2017, at 8:15 a.m., at the Water Treatment Plant. He noted that Vice-Mayor King has a conflict with the date, therefore, Councilman Hundley may want to reschedule the meeting. Councilman Hundley stated that Thursday, July 20, 2017, at 8:15 a.m., would work for him. The meeting will be held on Thursday, July 20, 2017, at 8:15 a.m.
6. Councilman Hundley stated that he would like to address the June 12, 2017, Town Council meeting. He noted that out of respect for this office and the citizens of the Town of Wytheville, he has responded to *The Wytheville Enterprise* concerning Mayor Crewe's response to baseless accusations. Mayor Crewe advised that Councilman Hundley's comment is duly noted.

#### **RE: BUDGET AND FINANCE COMMITTEE REPORT**

Vice-Mayor King, reporting for the Budget and Finance Committee, stated that for a number of years, the Town has permitted hunting to occur on the Town owned land on Sand Mountain. She noted because of the volume of requests that is received, it was determined that the number of permits to hunt on this land would be restricted to 50. Vice-Mayor King remarked that each year, the Town gives public notice of the opportunity for hunters to make application to hunt on this land, and the 50 successful candidates are chosen by lottery. She explained that people who receive a permit to hunt on Town owned land must be Wythe County residents and comply with all Department of Game and Inland Fisheries' rules and regulations. Vice-Mayor

King commented that the Budget and Finance Committee believes that the regulations that the Town has in place have been effective and would suggest that the same regulations be imposed on the hunters for the upcoming season. Vice-Mayor King advised that it would be the recommendation of the Budget and Finance Committee that the Town continue the hunting program on Sand Mountain under the regulations that were in place last year and that public notification be given of the opportunity to make application for such a permit. A motion was made by the Budget and Finance Committee, which does not require a second, to approve continuing with the hunting program on Sand Mountain under the regulations that were in place last year and that public notification be given of the opportunity to make application for such a permit. Town Manager Sutherland noted that citizens have already started to inquire about the permits. Mayor Crewe inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, Thomas F. Hundley, Joseph E. Hand, Jr. Against: None.

Vice-Mayor King, also, reported that at the last meeting, the Town Council approved an expansion on the collection of brush from residential properties to be monthly in the summer months. She stated this is a slightly different schedule than the previous schedule, which provided for bi-monthly collection. Vice-Mayor King noted that having said that, the Town collects enormous volumes of brush, and the only practical way to eliminate these large volumes of brush is by burning. She advised that the Town is within the State's guidelines for burning and has a permit to burn the brush. Vice-Mayor King explained that Town staff attempts to watch weather conditions, prevailing winds, etc. before starting a fire in an effort to have the smoke move away from the populated areas of town. She stated, unfortunately, that does not always occur. Vice-Mayor King noted that the Council has asked members of the Town's staff to look at alternative methods for disposing of this brush. She commented that Town staff had originally looked to pursue providing the brush in chip form to manufacturers of wood products for wood stoves. Vice-Mayor King noted, however, that market has disappeared, and this concept is no longer an option. She explained that Town staff has found an open air burning system that is being used by the United States government at many locations throughout the country as a possible alternative. Vice-Mayor King remarked that these are self contained systems where brush is burned so efficiently that it emits virtually no smoke. She stated that these systems are approved by the Environmental Protection Agency and the United States Army Corps of Engineers. Vice-Mayor King advised that the Council is going to continue its evaluation of this new equipment and, hopefully, be in a position where the Town can provide brush collection services to citizens and be able to dispose of this brush in an environmentally friendly method. She stated that the Budget and Finance Committee will have more information on this topic in the near future. A copy of the Budget and Finance Committee report is attached and made part of these minutes.

#### **RE: PUBLIC WORKS COMMITTEE REPORT**

Councilman Hundley, reporting for the Public Works Committee, stated that as a part of the ongoing efforts to improve the downtown area, the Town has made certain improvements at the intersection of Tazewell and Monroe Streets that should be beneficial to pedestrians. He commented that Town staff has, recently, painted new crosswalks that are clearly visible to the motoring public. Councilman Hundley explained that, also, this past week, Town staff has purchased solar powered pedestrian crossing signs that will be installed at this intersection. He stated that these new signs will require no electrical power and will utilize high efficiency LED lights. Councilman Hundley noted that there is a growing amount of traffic at this intersection, and the Council wants to make it as safe as possible. He advised that the new signs should be installed within the next couple of weeks.

Councilman Hundley, also, reported that work is about to commence on East Main Street between Cassell Road and the interstate. He explained that this section of highway will be completely transformed with new curb and gutter, sidewalks, streetlights and extensive landscaping. Councilman Hundley advised that the successful bidder for the project was Inland Construction Company of Abingdon, Virginia. He noted that Inland Construction Company has been given the Notice to Proceed, and they have commenced with the preliminary work needed to start the project. Councilman Hundley explained that they have been surveying the project area and have installed signs and other items needed for the construction to commence. He stated that in the median between the two sets of travel lanes, there will be new curb and guttering, streetlights and landscaping installed. Councilman Hundley noted that as the construction moves forward, there will probably be single lane closures at one location or another, but it should not negatively impact the flow of traffic. He expressed that the Public Works Committee is anxious to get this project started and has waited for it for several years. Councilman Hundley stated that the project is funded by both the Town of Wytheville and the Virginia Department of Transportation under the Revenue Sharing Program. He advised that the

total cost for the project is \$2.7 million. Councilman Hundley explained that the Town has also received Virginia Department of Transportation funding to repave this portion of East Main Street once the construction is complete. He commented that on a related note, it is the Council's intent to repave Main Street, between Fifth and Sixth Streets, this fall under the Town's normal paving schedule. Councilman Hundley stated that this area, of course, is the location of the Downtown Wytheville Improvements Project, and the milling and paving of this area will be very beneficial. A copy of the Public Works Committee report is attached and made part of these minutes.

Councilman Hundley stated that the Public Works Committee would like to thank the Town of Wytheville for their cooperation, and the Public Works Department for their hard work, during the Fourth of July event. He noted that the event was a success.

**RE: ORDINANCE NO. 1322**

Mayor Crewe presented Ordinance No. 1322, an ordinance amending and reenacting Ordinance No. 640, generally known as the Zoning Ordinance, to amend and reenact Article XVI, General Provisions, Section 16-3, Special Exceptions, on third and final reading. Mayor Crewe inquired if there is a motion concerning Ordinance No. 1322. A motion was made by Vice-Mayor King and seconded by Councilman Hundley to adopt Ordinance No. 1322, an ordinance amending and reenacting Ordinance No. 640, generally known as the Zoning Ordinance, to amend and reenact Article XVI, General Provisions, Section 16-3, Special Exceptions, on third and final reading. Mayor Crewe inquired if there was any discussion on the motion to adopt the ordinance on third and 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, Thomas F. Hundley, Joseph E. Hand, Jr.

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1322 was adopted on third and final reading.

**RE: SHARITZ SPECIAL EXCEPTION PERMIT**

Mayor Crewe advised the next agenda item is to consider issuing a special exception permit to Mr. Larry K. Sharitz for a special exception permit to operate an auto repair shop at 140 Hillcrest Road, which is located on the north side of Hillcrest Road between Cove Road and the Town Corporate Limits, in a B-1 Business District. He noted that the recommendation from the Wytheville Planning Commission is that the special exception permit be issued with five stipulations. Mayor Crewe read the recommended stipulations to the Council. He noted that it was his understanding that Mr. Sharitz was willing to comply with the proposed stipulations. Mr. Sharitz stated that is correct. Mayor Crewe inquired if there is a motion concerning the issuance of Mr. Sharitz's special exception permit. A motion was made by Councilman Hundley and seconded by Councilman Hand to issue a special exception permit to Mr. Larry K. Sharitz for a special exception permit to operate an auto repair shop at 140 Hillcrest Road, which is located on the north side of Hillcrest Road between Cove Road and the Town Corporate Limits, in a B-1 Business District, with the following stipulations: 1.) The number of vehicles awaiting repair and outside the garage shall not exceed two vehicles, and shall not be allowed for more than 30 days; 2.) A time limit of five years shall be placed on the special exception permit, after which time it must be renewed through the public hearing process or some form of neighborhood review process. The application fee shall be waived, but the advertising cost shall be the responsibility of Mr. Sharitz; 3.) The special exception permit shall not be transferred and shall be granted only to Mr. Sharitz. The subsequent owners will need to apply for a special exception permit, if the service were to continue; 4.) The hours of operation shall be Monday – Friday, 8:00 a.m. to 5:00 p.m., and Saturday, 9:00 a.m. – 12:00 p.m.; and, 5.) Failure to comply with these conditions shall be grounds for rescinding this special exception permit. The Zoning Ordinance provides that if this permit has not been acted upon after a period of two (2) years after the issuance date, it shall become null and void. Mayor Crewe inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, Thomas F. Hundley, Joseph E. Hand, Jr. Against: None.

**RE: CREATIVE K-9 DESIGNS SPECIAL EXCEPTION PERMIT**

Mayor Crewe advised the next agenda item is to consider issuing a special exception permit to Creative K-9 Designs for a special exception permit to operate a dog boarding/grooming

business at 195 Calhoun Street, which is located on the east side of Calhoun Street between Jefferson Street and Withers Road, in an R-3 Residential District. He explained that this matter would not be before the Council at this time based on the vote earlier in the meeting to refer the request back to the Wytheville Planning Commission for review. Mayor Crewe advised that the Council will not act on this recommendation at this meeting.

**RE: ADJOURNMENT**

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (8:05 p.m.).

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Trenton G. Crewe, Jr., Mayor

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Sharon G. Corvin, Town Clerk

## **BUDGET AND FINANCE COMMITTEE REPORT**

**JULY 10, 2017**

1. For a number of years, the Town has permitted hunting to occur on the Town owned land on Sand Mountain. Because of the volume of requests that is received, it was determined that the number of permits to hunt on this land would be restricted to 50. Each year, we give public notice of the opportunity for hunters to make application to hunt on this land, and the 50 successful candidates are chosen by lottery. People who receive a permit to hunt on Town owned land must be Wythe County residents and comply with all Department of Game and Inland Fisheries' rules and regulations. We believe that the regulations that we have in place have been effective and would suggest that the same regulations be imposed on the hunters for the upcoming season. It would be the recommendation of the Budget and Finance Committee that we continue the hunting program on Sand Mountain under the regulations that were in place last year and that public notification be given of the opportunity to make application for such a permit.
2. At our last meeting, the Town Council approved an expansion on the collection of brush from residential properties to be monthly in the summer months. This is a slightly different schedule than the previous schedule, which provided for bi-monthly collection. Having said that, the Town collects enormous volumes of brush, and the only practical way to eliminate these large volumes of brush is by burning. We are within the State's guidelines for burning and have a permit to



burn the brush. We attempt to watch weather conditions, prevailing winds, etc. before starting a fire in an effort to have the smoke move away from the populated areas of town. Unfortunately, that does not always occur. We have asked members of the Town's staff to look at alternative methods for disposing of this brush. We had originally looked to pursue providing the brush in chip form to manufacturers of wood products for wood stoves. However, that market has disappeared, and this concept is no longer an option. We have found an open air burning system that is being used by the United States government at many locations throughout the country as a possible alternative. These are self contained systems where brush is burned so efficiently that it emits virtually no smoke. These systems are approved by the Environmental Protection Agency and the United States Army Corps of Engineers. We are going to continue our evaluation of this new equipment and, hopefully, be in a position where we can provide brush collection services to citizens and be able to dispose of this brush in an environmentally friendly method. We will have more information on this topic in the near future.

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Jacqueline K. King

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Beth A. Taylor

## **PUBLIC WORKS COMMITTEE REPORT**

**JULY 10, 2017**

1. As a part of the ongoing efforts to improve the downtown area, we have made certain improvements at the intersection of Tazewell and Monroe Streets that should be beneficial to pedestrians. We have, recently, painted new crosswalks that are clearly visible to the motoring public. Also, this past week, we have purchased solar powered pedestrian crossing signs that will be installed at this intersection. These new signs will require no electrical power and will utilize high efficiency LED lights.

There is a growing amount of traffic at this intersection, and we want to make it as safe as possible. The new signs should be installed within the next couple of weeks.

2. Work is about to commence on East Main Street between Cassell Road and the interstate. This section of highway will be completely transformed with new curb and gutter, sidewalks, streetlights and extensive landscaping. The successful bidder for the project was Inland Construction Company of Abingdon, Virginia. Inland Construction Company has been given the Notice to Proceed, and they have commenced with the preliminary work needed to start the project. They have been surveying the project area and have installed signs and other items needed for the construction to commence. In the median between the two sets of travel lanes, there will be new curb and guttering, streetlights and landscaping installed. As the construction moves forward, there will probably be single lane closures at one location or another, but it should not negatively impact the flow of traffic. We are

anxious to get this project started and have waited for it for several years. The project is funded by both the Town of Wytheville and the Virginia Department of Transportation under the Revenue Sharing Program. The total cost for the project is \$2.7 million. We have also received Virginia Department of Transportation funding to repave this portion of East Main Street once the construction is complete. On a related note, it is our intent to repave Main Street, between Fifth and Sixth Streets, this fall under the Town's normal paving schedule. This area, of course, is the location of the Downtown Wytheville Improvements Project, and the milling and paving of this area will be very beneficial.

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Thomas F. Hundley

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Joseph E. Hand, Jr.