

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, MARCH 27, 2017, AT 7:00 P.M.**

Members present: Trenton G. Crewe, Jr., Thomas F. Hundley, Joseph E. Hand, Jr., Beth A. Taylor

Members absent: Jacqueline K. King

Others present: Town Manager C. Wayne Sutherland, Jr., Assistant Town Manager Stephen A. Moore, Town Clerk Sharon G. Corvin, Peggy Crosson, Jim Johnston, Frances Emerson, Rosa Lee Jude, Agnes Eades, Geoffrey Carter, Todd Mathews, Darren Umberger, Jeff Hall, Nathan Miller, Ethen Lavallee, Dewey Clemons, Police Officer Troy Cockram

RE: CALL TO ORDER, QUORUM, PLEDGE

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

RE: CONSENT AGENDA

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting of March 13, 2017; the request of Spiller Elementary PTA to conduct a Spiller 5K and Fun Run on Saturday, May 6, 2017, at 9:00 a.m.; the request of HOPE, Incorporated to conduct the Big Pencil to Big Walker Ride on Saturday, June 17, 2017, at 7:30 a.m.; the request of the American Cancer Society Relay for Life Teams for issuance of a raffle permit for 2017; and, the request of the Wytheville First Church of God for waiver of fees for use of the Elizabeth Brown Memorial Park on Saturday, September 23, 2017, for a Festival in the Park. 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 Councilman Hundley and seconded by Councilman Hand to approve the consent agenda consisting of the minutes of the regular meeting of March 13, 2017; the request of Spiller Elementary PTA to conduct a Spiller 5K and Fun Run on Saturday, May 6, 2017, at 9:00 a.m.; the request of HOPE, Incorporated to conduct the Big Pencil to Big Walker Ride on Saturday, June 17, 2017, at 7:30 a.m.; the request of the American Cancer Society Relay for Life Teams for issuance of a raffle permit for 2017; and, the request of the Wytheville First Church of God for waiver of fees for use of the Elizabeth Brown Memorial Park on Saturday, September 23, 2017, for a Festival in the Park, as presented. Mayor Crewe inquired if there was 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., Thomas F. Hundley, Joseph E. Hand, Jr., Beth A. Taylor. Against: None.

RE: PUBLIC HEARING – AMENDMENTS TO ZONING ORDINANCE – LOCATION OF CERTAIN MEDICAL FACILITIES

Mayor Crewe advised the meeting constituted a public hearing (due notice having been given) to consider amendments to Article III – Definitions; Article IX – Medical Arts District MA-1; Article X – Business District B-1; Article XI – Business District B-2 (General); Article XI-A – Business District B-2 DT General Business District – Downtown, of the Town of Wytheville Zoning Ordinance to add the definitions of Clinic – Medical, Psychiatric or Surgical; Medical Office; and, Outpatient Substance Abuse Treatment Center and to define the zoning districts in which these uses would be allowed. He noted that no one indicated on the sign in sheet that they wished to address the Council regarding this public hearing, however, if there is anyone who would like to address the Council regarding this agenda item, please come forward to the podium at this time. There being no one to address the Council in regard to the public hearing, Mayor Crewe declared the public hearing closed and proceeded with the agenda.

RE: CITIZENS' PERIOD – PRESENTATION – VIRGINIA GREAT VALLEY LEWIS & CLARK EASTERN LEGACY TRAIL

Mayor Crewe advised the next agenda item is Citizens' Period. He stated that Ms. Margaret Crosson of the Virginia Great Valley Lewis & Clark Eastern Legacy Trail is attending the Council meeting to make a presentation to the Council about her organization and its endeavors. He thanked Ms. Crosson for attending the Council meeting.

Ms. Crosson stated that she and Mr. Jim Johnston were glad to be attending the Council meeting. She continued to discuss with the Town Council her appreciation for being allowed to address the Council at this meeting because so much of where she has been was in northern Virginia and in the southern part of Smyth and Washington Counties, and she has not had the

opportunity to speak to Wythe County about the history and connection it has with the Lewis & Clark Trail. Ms. Crosson depicted to the Council on the slide presentation a symbol which is the symbol of the Mountain Valley Preservation Alliance that is the existing nonprofit organization that is housing the Lewis & Clark Trail Project at this time. She continued to explain to the Town Council the Lewis & Clark Trail Project. Ms. Crosson noted that the core of the Lewis & Clark Core of Discovery Expedition was from May 1804 until September 1806. She commented that she thinks the Council will find the number of times that the explorers were in this area is amazing, and most people do not even realize it. Ms. Crosson continued to explain the life history of Lewis and Clark to the Council. She noted that for the last seven years, a study has been taking place to determine whether or not to extend the National Historic Trail eastward, which is the westward trail. Ms. Crosson expressed that no one predicted that tourism was going to be threefold as it did when the National Historic Trail was implemented. She noted that the question is not when is the trail going to be implemented, but, rather, will the area be ready. Ms. Crosson continued to depict on the map the Lewis & Clark Legacy Trail to the Council. She noted that she and Mr. Johnston went to Delegate Terry Austin, who is the Delegate for the Counties of Botetourt, Allegany and Bedford, and asked him for his help regarding a Bill for the adoption of the Virginia Great Valley Lewis & Clark Eastern Legacy Trail by the Commonwealth of Virginia. She noted that, by law, the trail is an officially adopted trail by the Commonwealth of Virginia. Ms. Crosson explained to the Council that the Virginia Trail begins in Washington County and ends in Albemarle County, which is approximately 260 miles. She continued to explain to the Council the reason behind the Trail and any relation to Wytheville by Lewis and Clark. Ms. Crosson explained to the Council the purpose of the Trail Implementation Committee and how the Committee would help the tourism efforts of the State of Virginia. She noted that the Committee is still drafting a resolution supporting their efforts. Ms. Crosson expressed that the Committee is working on criteria of which sites should receive the signs offered by the Foundation. She stated that the question is how can the Town of Wytheville help. Ms. Crosson noted that if the Town would like to be included and actively participate, it would designate a person to serve as a contact. She noted that Ms. Jude agreed to do so, however, she is not sure if that is official. Ms. Crosson explained the other ways the Town could help such as providing a kiosk. She inquired of the Council if there were any questions or comments. Mayor Crewe inquired if Ms. Crosson's presentation would be presented to the County. Ms. Crosson stated that she would be happy to do a presentation for the County. Mayor Crewe thanked Ms. Crosson for her presentation.

Mayor Crewe noted that no one else indicated on the sign in sheet that they wished to address the Council during Citizens' Period, therefore, 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, March 28, 2017, at 7:00 a.m.
2. The 10th Anniversary of the Wytheville Community Center will be held on Sunday, April 2, 2017, from 1:00 p.m. to 6:00 p.m.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Councilwoman Taylor, reporting for the Budget and Finance Committee, stated that over the past two years, the Town of Wytheville has been the recipient of Revenue Sharing Funds from the Virginia Department of Transportation (VDOT) for various projects. She noted that in these projects, VDOT matches one half of the cost of a project. Councilwoman Taylor explained that the largest project that is underway, which utilizes Revenue Sharing Funds, is the East Main Street Improvements Project. She remarked that this project will be bid on March 28, 2017, and work is scheduled to commence this spring. Councilwoman Taylor commented that the other project that the Town received Revenue Sharing Funds for was the installation of asphalt paving in two locations within the town, including the East Main Street Project. She explained that because these projects have taken some time to develop, the Virginia Department of Transportation has requested that the Town Council adopt a resolution noting that it would still like to utilize these Revenue Sharing Funds. Councilwoman Taylor stated that later in the meeting, the Town Council will consider the resolution that will communicate this message to the Virginia Department of Transportation. She advised that it would be the recommendation of the Budget and Finance Committee that this resolution be adopted and the Town Manager be authorized to execute any necessary agreements for these revenue sharing funds.

Councilwoman Taylor, also, reported that over the years, there have been several situations regarding certain medical facilities, particularly those clinics involved in pain medications, that have resulted in concern from abutting property owners. She noted that the Town's Zoning

Ordinance is not definitive in describing various medical offices, clinics and treatment facilities and where they may be located. Councilwoman Taylor commented that this topic came before the Planning Commission in November 2016, and the Planning Commission discussed a proposed change to the Zoning Ordinance that would create three new definitions: 1) Medical Office; 2) Clinic – Medical, Psychiatric or Surgical; and, 3) Outpatient Substance Abuse Treatment Center. She expressed that the Planning Commission, subsequently, developed definitions to define the level and type of service to be rendered at each facility making it easier to classify them. Councilwoman Taylor stated that the ordinance, as it is presented, contains these definitions that set forth the various zoning districts where these facilities can be located. She noted that later in the meeting, an ordinance will be considered that will amend the Town's Zoning Ordinance to make these revisions. Councilwoman Taylor advised that it would be the recommendation of the Budget and Finance Committee that this ordinance be adopted on first and final reading and that the provisions therein become effective immediately. 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, currently, the Town's Personnel Policy requires that all prospective employees must submit to a drug/alcohol test, as well as be subject to the review of his/her criminal history record. He noted that the Town's Personnel Policy also goes on to provide that the Town's employees are subject to random drug/alcohol testing, and there are provisions within the Personnel Policy to take an action as deemed appropriate for any found violations. Councilman Hundley explained that recent news stories have led the Council to believe that criminal background investigations on all staff, either employees or volunteers, for the Town of Wytheville should occur on a more routine basis. He commented that like all Town employees, the Town requires its volunteers to submit to a criminal background check before volunteering their time with the Town of Wytheville. Councilman Hundley remarked that volunteers and employees, prior to this time, have not been subject to subsequent background checks although, clearly, their status could have changed over a period of time. He expressed that the Council believes that it is in the best interest of the Town to proceed to revise the policy to require all employees and volunteers be subject to a criminal background investigation every three years. Councilman Hundley stated that the Council realizes that there will be a period of transition into this new system, but the Council believes that it is the duty to assure its citizens that the Town is not jeopardizing anyone's welfare or safety with an employee or a volunteer. He advised that the Council would ask that the Human Resource Manager develop a plan of action that would implement these policies. He stated that the Council, also, anticipates that there will be certain amendments to the Town's Personnel Policy to reflect these changes. Councilman Hundley noted that Council will report, in the near future, about its plans for proceeding with this revision. A motion was made by Councilman Hundley and seconded by Councilman Hand to request the Human Resource Manager to develop a plan of action and a proposed Personnel Policy revision whereby all employees and volunteers will be subject to a criminal background investigation every three years. Mayor Crewe inquired if there was any discussion on the motion to request the Human Resource Manager to develop a plan of action and a proposed Personnel Policy revision. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Thomas F. Hundley, Joseph E. Hand, Jr., Beth A. Taylor. Against: None.

Councilman Hundley, also, reported that there are several locations within the town where automobile and other types of tires are sold and the old tires are being stored onsite awaiting disposal. He commented that oftentimes, the storage of these old tires is in an area subject to public view and creates an unsightly area. Councilman Hundley explained that the Public Works Committee understands that the disposal of old tires is a problem. He noted that the Committee also understands that control over the storage of tires is administered through the Department of Environmental Quality, which allows up to 100 tires to be stored before being in violation. Councilman Hundley stated that even though the storage of these tires is not a violation, it does create an unattractive situation to the traveling public. He advised that the Public Works Committee would ask that the Town of Wytheville Planning Commission review the potential for adding regulations within the Zoning Ordinance that would require the storage of used tires within public view to be screened in a manner that prevents them from being seen. Councilman Hundley commented that the Public Works Committee feels that this would be a worthwhile revision to the Zoning Ordinance, and it would improve the esthetics throughout the community. A motion was made by Councilman Hundley and seconded by Councilman Hand to direct the Wytheville Planning Commission to review the potential to add regulations to the Zoning Ordinance that would require the storage of used tires within public view to be screened in a manner that prevents them from being seen. Mayor Crewe inquired if there was any discussion on the motion to request the Wytheville Planning Commission to review the potential to add regulations regarding used tires to the Zoning Ordinance. There being none, the motion was

approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Thomas F. Hundley, Joseph E. Hand, Jr., Beth A. Taylor. Against: None. A copy of the Public Works Committee report is attached and made part of these minutes.

RE: ORDINANCE NO. 1315

Mayor Crewe presented Ordinance No. 1315, an ordinance amending and reenacting Article III – Definitions; Article IX – Medical Arts District MA-1; Article X – Business District B-1; Article XI – Business District B-2 (General); Article XI-A – Business District B-2 DT General Business District – Downtown, of the Town of Wytheville Zoning Ordinance to add the uses and definitions of Clinic – Medical, Psychiatric or Surgical; Medical Office; and, Outpatient Substance Abuse Treatment Center. A motion was made by the Budget and Finance Committee, which does not require a second, to suspend the rules and adopt Ordinance No. 1315, an ordinance amending and reenacting Article III – Definitions; Article IX – Medical Arts District MA-1; Article X – Business District B-1; Article XI – Business District B-2 (General); Article XI-A – Business District B-2 DT General Business District – Downtown, of the Town of Wytheville Zoning Ordinance to add the uses and definitions of Clinic – Medical, Psychiatric or Surgical; Medical Office; and, Outpatient Substance Abuse Treatment Center, on first and final reading. Mayor Crewe inquired if there was any discussion on the motion to suspend the rules and adopt the ordinance on first 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., Thomas F. Hundley, Joseph E. Hand, Jr., Beth A. Taylor

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1315 was adopted on first and final reading. He noted that the ordinance is effective immediately.

RE: RESOLUTION - REVENUE SHARING PROGRAM

Mayor Crewe advised the next agenda item is a resolution from the Virginia Department of Transportation regarding their Revenue Sharing Program. A motion was made by the Budget and Finance Committee, which does not require a second, to adopt a resolution from the Virginia Department of Transportation noting the Town’s desire to continue to participate in the Revenue Sharing Program and authorizing the Town Manager to execute any necessary documents regarding the program. Mayor Crewe inquired if there was 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., Thomas F. Hundley, Joseph E. Hand, Jr., Beth A. Taylor. Against: None.

RE: RESOLUTION - GEORGE WYTHE HIGH SCHOOL GIRLS’ BASKETBALL TEAM

Mayor Crewe advised the next agenda item is a resolution commending the George Wythe High School Girls’ Basketball Team for a successful season. Mayor Crewe inquired if there is a motion to adopt the resolution. A motion was made by Councilman Hundley and seconded by Councilwoman Taylor to adopt a resolution commending the George Wythe High School Girls’ Basketball Team for a successful season. Mayor Crewe inquired if there was 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., Thomas F. Hundley, Joseph E. Hand, Jr., Beth A. Taylor. Against: None.

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (7:47 p.m.).

Trenton G. Crewe, Jr., Mayor

Sharon G. Corvin, Town Clerk

BUDGET AND FINANCE COMMITTEE REPORT

MARCH 27, 2017

1. Over the past two years, the Town of Wytheville has been the recipient of Revenue Sharing Funds from the Virginia Department of Transportation (VDOT) for various projects. In these projects, VDOT matches one half of the cost of a project. The largest project that is underway, which utilizes Revenue Sharing Funds, is the East Main Street Improvements Project. This project will be bid tomorrow, and work is scheduled to commence this spring. The other project that the Town received Revenue Sharing Funds for was the installation of asphalt paving in two locations within the town, including the East Main Street Project. Because these projects have taken some time to develop, the Virginia Department of Transportation has requested that the Town Council adopt a resolution noting that it would still like to utilize these Revenue Sharing Funds. Later in the meeting, the Town Council will consider the resolution that will communicate this message to the Virginia Department of Transportation. It would be the recommendation of the Budget and Finance Committee that this resolution be adopted and the Town Manager be authorized to execute any necessary agreements for these revenue sharing funds.
2. Over the years, there have been several situations regarding certain medical facilities, particularly those clinics involved in pain medications, that have resulted in concern from abutting property owners. The Town's Zoning Ordinance is not definitive in describing various medical offices, clinics and treatment facilities and

where they may be located. This topic came before the Planning Commission in November 2016, and the Planning Commission discussed a proposed change to the Zoning Ordinance that would create three new definitions: 1) Medical Office; 2) Clinic – Medical, Psychiatric or Surgical; and, 3) Outpatient Substance Abuse Treatment Center. The Planning Commission, subsequently, developed definitions to define the level and type of service to be rendered at each facility making it easier to classify them. The ordinance, as it is presented, contains these definitions that set forth the various zoning districts where these facilities can be located. Later in the meeting, an ordinance will be considered that will amend the Town's Zoning Ordinance to make these revisions. It would be the recommendation of the Budget and Finance Committee that this ordinance be adopted on first and final reading and that the provisions therein become effective immediately.

Jacqueline K. King

Beth A. Taylor

PUBLIC WORKS COMMITTEE REPORT

MARCH 27, 2017

1. Currently, the Town's Personnel Policy requires that all prospective employees must submit to a drug/alcohol test, as well as be subject to the review of his/her criminal history record. The Town's Personnel Policy also goes on to provide that the Town's employees are subject to random drug/alcohol testing, and there are provisions within the Personnel Policy to take an action as deemed appropriate for any found violations. Recent news stories have led us to believe that criminal background investigations on all staff, either employees or volunteers, for the Town of Wytheville should occur on a more routine basis. Like all Town employees, the Town requires its volunteers to submit to a criminal background check before volunteering their time with the Town of Wytheville. Volunteers and employees, prior to this time, have not been subject to subsequent background checks although, clearly, their status could have changed over a period of time. We believe that it is in the best interest of the Town that we proceed to revise the policy to require all employees and volunteers be subject to a criminal background investigation every three years. We realize that there will be a period of transition into this new system, but we believe that it is our duty to assure our citizens that we are not jeopardizing anyone's welfare or safety with an employee or a volunteer. We would ask that the Human Resource Manager develop a plan of action that would implement these policies. We, also, anticipate that there will be certain amendments to the Town's Personnel

Policy to reflect these changes. We will report, in the near future, about our plans for proceeding with this revision.

2. There are several locations within the town where automobile and other types of tires are sold and the old tires are being stored onsite awaiting disposal. Oftentimes, the storage of these old tires is in an area subject to public view and create an unsightly area. We understand that the disposal of old tires is a problem. We also understand that control over the storage of tires is administered through the Department of Environmental Quality, which allows up to 100 tires to be stored before being in violation. Even though the storage of these tires is not a violation, it does create an unattractive situation to the traveling public. We would ask that the Town of Wytheville Planning Commission review the potential for adding regulations within the Zoning Ordinance that would require the storage of used tires within public view to be screened in a manner that prevents them from being seen. We feel that this would be a worthwhile revision to the Zoning Ordinance, and it would improve the esthetics throughout the community.

Thomas F. Hundley

Joseph E. Hand, Jr.