

**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.