

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, JANUARY 8, 2018, 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, Town Attorney Christopher R. Menerick, Millicent Rothrock with *The Wytheville Enterprise*, Danny Gordon, Police Officer Jonathan Lackey

RE: CALL TO ORDER, QUORUM, PLEDGE

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

RE: CONSENT AGENDA

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting of December 11, 2017. 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 Councilwoman Taylor and seconded by Councilman Hand to approve the consent agenda consisting of the minutes of the regular meeting of December 11, 2017, as presented. Mayor Crewe inquired if there was any discussion on the motion to approve the consent agenda. 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: CITIZENS' PERIOD

Mayor Crewe advised that the next agenda item is Citizens' Period. He noted that no one stated on the sign in sheet that they wished to address the Council during Citizens' Period, however, he would reserve the right to revisit Citizens' Period should someone come in later who wishes to address the Council. He thanked everyone for attending the meeting. Mayor Crewe advised that there being no one to address the Council, he would proceed 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, January 9, 2018, at 7:00 a.m., in the Council Conference Room.
2. The Council Personnel Committee will meet on Friday, January 19, 2018, at 8:15 a.m., at the Police Department.
3. The New River Regional Water Authority will meet on Thursday, January 18, 2018, at 9:30 a.m., in the Council Chambers.
4. The Town of Wytheville Municipal Offices will be closed and all services curtailed on Monday, January 15, 2018, in observance of the Martin Luther King holiday.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Councilwoman Taylor, reporting for the Budget and Finance Committee, stated that at the meeting in December, the Council considered the Certificates of Public Convenience and Necessity for taxicab operations within the corporate limits. She explained that at that time, it was noted that all of the applicants met the required insurance thresholds, but it was noted that the Council believed the minimum insurance requirements should be raised. Councilwoman Taylor remarked that the Council feels that companies operating here who are transporting the public should have sufficient insurance coverage to handle situations if they should occur. She commented that as such, the Council believes that the minimum threshold limit should be at least \$1 million. Councilwoman Taylor stated that this evening, the Council will consider an ordinance that changes the existing threshold and raises it to a standard minimum limit of \$1 million. She noted that the companies that were approved in December will not be subject to these new standards until they apply for renewal in December 2018. Councilwoman Taylor remarked that the companies that make application to operate from this point forward, assuming

that the ordinance is adopted, will necessarily have to meet the standards. She advised that it would be the recommendation of the Budget and Finance Committee that Ordinance No. 1332 be adopted on first and final reading.

Councilwoman Taylor, also, reported that during the past year, provisions that allowed breweries, microbrewies and distilleries were considered as an addition to the Zoning Ordinance. She stated, currently, these are permitted uses in the B-2 DT Business Zoning District, as well as M-1 Industrial and M-2 Industrial Zoning Districts. Councilwoman Taylor explained that given the popularity of these operations, the Council believes that it is reasonable that these uses be permitted in other districts such as the B-1 Business and B-2 Business Zoning Districts. She remarked that the Town has received several inquiries about developing microbrewies, and the Council would like to accommodate these requests. Councilwoman Taylor noted that to do so, it would require that the Zoning Ordinance be amended to allow breweries, microbreweries and distilleries in both of those business districts. She stated that the Budget and Finance Committee would like to expedite this as much as possible and would suggest that the Council hold a public hearing with the Planning Commission. Councilwoman Taylor remarked that the earliest that the Council could accommodate such a meeting, and meet the publication standards, would be February 8, 2018. She advised that it would be the recommendation of the Budget and Finance Committee that the Council schedule a joint public hearing with the Planning Commission for February 8, 2018. Mayor Crewe inquired if there were any objections to scheduling a joint public hearing with the Wytheville Planning Commission on Thursday, February 8, 2018, at 7:00 p.m., in the Council Chambers to consider adding the uses of (a) Brewery; (b) Brewery, Craft or Pub; Brewery, Micro; and, (c) Distillery; Distillery, Alcoholic Beverage in B-1 Business and B-2 Business Zoning Districts. There being none, it was the consensus of the Council to set a joint public hearing with the Wytheville Planning Commission for Thursday, February 8, 2018, at 7:00 p.m., in the Council Chambers to consider adding the uses of (a) Brewery; (b) Brewery, Craft or Pub; Brewery, Micro; and, (c) Distillery; Distillery, Alcoholic Beverage in B-1 Business and B-2 Business Zoning Districts. 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 the Town is a recipient of State and Federal funding, and it must provide certain assurances to the State and Federal governments that the Town is complying with various facets of law. He explained that one of the assurances that the Town Council must provide is that the Town endorses the concept of fair housing and calls upon the citizens of Wytheville, along with those in the banking and housing industries, to join and work together in observance of free and equal housing treatment for all. Councilman Hundley advised that later in the meeting, a resolution will be considered by the Council endorsing these concepts, and it would be the recommendation of the Public Works Committee that it be adopted.

Councilman Hundley, also, reported that Virginia State law recently changed and now requires that all State inspection stickers be placed on the bottom left hand side of the windshield as viewed from inside the vehicle. He explained that the Town's Code, currently, provides that Town decals shall be affixed to the vehicle at a location prescribed by the superintendent of the Virginia State Police. Councilman Hundley stated that given that the State inspection sticker will now be relocated, it is necessary that the Town amend its local ordinance to parallel the new State law. He noted that later in the meeting, the Council will consider an ordinance which will require that the Town's vehicle decal be affixed on the bottom left hand side of the windshield and placed to the immediate right of the Virginia State inspection sticker when viewed from inside the vehicle. Councilman Hundley remarked that State inspection stickers will go through this relocation process during the entire calendar year of 2018. He commented that the effective date for the relocation of the State inspection sticker must be completed by January 1, 2019. Councilman Hundley expressed that this will give Town citizens until January 1, 2019, to relocate the Town vehicle decal. He advised that when Ordinance No. 1333 is considered later in the meeting, it would be the recommendation of the Public Works Committee that it be approved on the first of three readings. A copy of the Public Works Committee report is attached and made part of these minutes.

RE: ORDINANCE NO. 1332

Mayor Crewe presented Ordinance No. 1332, an ordinance amending and reenacting Chapter 7, Licenses and Business Regulations, Article III. Taxicabs, Division 1. Generally, Section 7-83. Liability Insurance, of the Code of the Town of Wytheville, Virginia, on first reading. A motion was made by the Budget and Finance Committee, which does not require a second, to suspend the rules and adopt Ordinance No. 1332, an ordinance amending and reenacting Chapter 7, Licenses and Business Regulations, Article III. Taxicabs, Division 1. Generally, Section 7-83.

Liability Insurance, of the Code of the Town of Wytheville, Virginia, on first and final reading. Mayor Crewe inquired if there was any discussion on the motion to adopt the ordinance on first and final reading. Councilman Hundley thanked Town Attorney Menerick for researching this because it will be doing the Town citizens due diligence. Mayor Crewe inquired if there was any further discussion on the motion to adopt the 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

ABSTENTIONS: None

Ordinance No. 1332 was adopted on first and final reading. Mayor Crewe noted that the ordinance is effective immediately.

RE: ORDINANCE NO. 1333

Mayor Crewe presented Ordinance No. 1333, an ordinance amending and reenacting Chapter 8, Motor Vehicles and Traffic, Article II. Local Vehicle License, Section 8-40. License Tags or Plates, Stickers or Decals, of the Code of the Town of Wytheville, Virginia, on first reading. A motion was made by Councilman Hundley and seconded by Councilman Hand to approve Ordinance No. 1333, an ordinance amending and reenacting Chapter 8, Motor Vehicles and Traffic, Article II. Local Vehicle License, Section 8-40. License Tags or Plates, Stickers or Decals, of the Code of the Town of Wytheville, Virginia, on first, but not final, reading. Mayor Crewe inquired if there was any discussion on the motion to adopt the ordinance on first, but not final, reading. Mr. Danny Gordon inquired if he could address the Council at this time. Mayor Crewe requested Mr. Gordon to please come forward and address the Council. Mr. Gordon noted that so many localities have a small decal that goes along with the State inspection sticker in the corner of the windshield. He noted that even the Police Officer will attest that a lot of people who live in town do not purchase Town stickers. Mr. Gordon commented that the Council should consider including the cost of the Town sticker with the personal property tax and eliminate the Town sticker, and the Town would make more money because there would be more citizens to pay for stickers this way since they are not purchasing them otherwise. Mr. Gordon continued to express his concerns regarding the sticker. Mayor Crewe stated that the Council has discussed eliminating the decals, which led to discussions with the County and the Department of Motor Vehicles about how registrations get switched. He noted that there are a lot of vehicles that are physically located in the town, but the registration states Wythe County. He noted, therefore, Wythe County is getting the taxes from those and not the Town. Mayor Crewe continued to explain the situation to Mr. Gordon regarding the decals. Mr. Gordon remarked that he would like for the Town to advertise this a little more and get the word out because a lot of citizens have no idea the Town is considering this change. He noted that he talked to a lot of people who do not even know that the State inspection stickers are going to be moved. Mayor Crewe commented that he is aware of that, and that is why the Council is trying to adopt this ordinance in three readings, which would basically mean that this change would not be effective until next January. Discussion continued between Mr. Gordon and Mayor Crewe regarding the decals. Town Manager Sutherland commented that as Mayor Crewe stated, this ordinance is only noting where the decal shall be located. Mayor Crewe thanked Mr. Gordon for his comments. Councilman Hundley inquired of the other members of Council if the ordinance should be adopted on the first and final reading. Mayor Crewe noted that it needs to be considered in three readings so that citizens know about it and have the chance to comment. Councilman Hand commented that he finds it hard to believe that citizens are going to care where the sticker is required to be located. A discussion ensued regarding the moving of the decal. Mr. Gordon stated that he is only asking that the Council continue with the three readings. Mayor Crewe noted that the motion from the Public Works Committee is to approve the ordinance on first, but not final, reading. Councilman Hundley advised that he would not change his motion. Mayor Crewe inquired if there was any further discussion on the motion to approve the ordinance on first, but not final, reading. There being none, the motion was approved with the following voting in favor and there being no opposition:

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

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1333 was adopted on first, but not final, reading.

RE: RESOLUTION - FEDERAL FAIR HOUSING ACT

Mayor Crewe advised the next agenda item is a resolution regarding the Federal Fair Housing Act. A motion was made by Councilman Hundley and seconded by Councilman Hand to adopt the annual resolution regarding the Federal Fair Housing Act. He advised that this comes as a motion from the Public Works Committee that the resolution be adopted. He noted that by adopting this resolution, the Town endorses the concept of providing fair housing. Mayor Crewe inquired if there was any discussion on the motion to adopt the Federal Fair Housing Act 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 (7:17 p.m.).

Trenton G. Crewe, Jr., Mayor

Sharon G. Corvin, CMC, Town Clerk

BUDGET AND FINANCE COMMITTEE REPORT

JANUARY 8, 2018

1. At our meeting in December, we considered the Certificates of Public Convenience and Necessity for taxicab operations within the corporate limits. At that time, it was noted that all of the applicants met the required insurance thresholds, but it was noted that the Council believed the minimum insurance requirements should be raised. We feel that companies operating here who are transporting the public should have sufficient insurance coverage to handle situations if they should occur. As such, we believe that the minimum threshold limit should be at least \$1 million. This evening, the Council will consider an ordinance that changes the existing threshold and raises it to a standard minimum limit of \$1 million. The companies that were approved in December will not be subject to these new standards until they apply for renewal in December 2018. The companies that make application to operate from this point forward, assuming that the ordinance is adopted, will necessarily have to meet the standards. It would be the recommendation of the Budget and Finance Committee that Ordinance No. 1332 be adopted on first and final reading.
2. During the past year, provisions that allowed breweries, microbrewies and distilleries were considered as an addition to the Zoning Ordinance. Currently, these are permitted uses in the B-2 DT Business Zoning District, as well as M-1 Industrial and M-2 Industrial Zoning Districts. Given the popularity of these operations, we believe that it is reasonable that these uses be permitted in other

districts such as the B-1 Business and B-2 Business Zoning Districts. We have received several inquiries about developing microbreweries, and we would like to accommodate these requests. To do so, it would require that the Zoning Ordinance be amended to allow breweries, microbreweries and distilleries in both of those business districts. We would like to expedite this as much as possible and would suggest that the Council hold a public hearing with the Planning Commission. The earliest that we could accommodate such a meeting, and meet the publication standards, would be February 8, 2018. It would be the recommendation of the Budget and Finance Committee that we schedule a joint public hearing with the Planning Commission for February 8, 2018.

Jacqueline K. King

Beth A. Taylor

PUBLIC WORKS COMMITTEE REPORT

JANUARY 8, 2018

1. The Town is a recipient of State and Federal funding, and we must provide certain assurances to the State and Federal governments that the Town is complying with various facets of law. One of the assurances that the Town Council must provide is that the Town endorses the concept of fair housing and calls upon the citizens of Wytheville, along with those in the banking and housing industries to join and work together in observance of free and equal housing treatment for all. Later in the meeting, a resolution will be considered by the Council endorsing these concepts, and it would be the recommendation of the Public Works Committee that it be adopted.
2. Virginia State law recently changed and now requires that all State inspection stickers be placed on the bottom left hand side of the windshield as viewed from inside the vehicle. The Town's Code, currently, provides that Town decals shall be affixed to the vehicle at a location prescribed by the superintendent of the Virginia State Police. Given that the State inspection sticker will now be relocated, it is necessary that we amend our local ordinance to parallel the new State law. Later this evening, the Council will consider an ordinance which will require that the Town's vehicle decal be affixed on the bottom left hand side of the windshield and placed to the immediate right of the Virginia State inspection sticker when viewed from inside the vehicle. State inspection stickers will go through this relocation process during the entire calendar year of 2018. The effective date for the relocation

of the State inspection sticker must be completed by January 1, 2019. This will give Town citizens until January 1, 2019, to relocate the Town vehicle decal. When Ordinance No. 1333 is considered later this evening, it would be the recommendation of the Public Works Committee that it be approved on the first of three readings.

Thomas F. Hundley

Joseph E. Hand, Jr.