



# MINUTES

## WYTHEVILLE TOWN COUNCIL MEETING

MONDAY, APRIL 10, 2023 AT 5:00 PM

MUNICIPAL BUILDING - 150 EAST MONROE STREET  
WYTHEVILLE, VA 24382

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### 1. RE: ATTENDANCE

#### **MEMBERS PRESENT:**

Mayor Beth Taylor, Vice-Mayor Cathy Pattison, Councilman Gary Gillman, Councilwoman Candice Johnson

#### **MEMBERS ABSENT:**

Councilwoman Holly Atkins

#### **OTHERS PRESENT:**

Town Manager Brian Freeman, Assistant Town Manager Elaine Holeyton, Town Clerk Sherry Corvin, Town Attorney Michelle Workman Clayton, Patrol Officer Ernest Williams, Downtown Wytheville, Inc. Assistant Charlie Jones, Denise Hatmaker, Louie Hatmaker, Kerry Eans, James Cohen, Dick Phillippi, Melissa McWhirter, Others

### 2. RE: CALL TO ORDER

Mayor Taylor called the meeting to order.

### 3. RE: ESTABLISHMENT OF QUORUM

Mayor Taylor established that a quorum of Council members was present.

### 4. RE: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice-Mayor Pattison.

### 5. RE: APPROVAL OF AGENDA

Mayor Taylor advised that the next agenda item is the Approval of the Agenda. She inquired if there was a motion to approve the agenda as presented.

Motion made by Councilman Gillman, Seconded by Councilwoman Johnson. Mayor Taylor inquired if there was any discussion on the motion to approve the agenda as presented. There being none, the motion was approved with the following voting results, by roll call vote: Voting Yea: Mayor Taylor, Vice-Mayor Pattison, Councilman Gillman, Councilwoman Johnson.

### 6. RE: SCHEDULED RECESS AT 6:00 P.M.

Mayor Taylor advised that for informational purposes, the agenda includes a 6:00 p.m. scheduled recess, if necessary.

### 7. RE: CONSENT AGENDA

A. Mayor Taylor presented the consent agenda consisting of the minutes of the regular meeting of March 27, 2023. She inquired if there was a motion to approve the minutes of the regular meeting of March 27, 2023, as presented or somehow be amended.

A motion was made by Vice-Mayor Pattison and seconded by Councilman Gillman to approve the minutes of the regular meeting of March 27, 2023, as presented. Mayor Taylor inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting results: Voting Yea: Mayor Taylor, Vice-Mayor Pattison, Councilman Gillman, Councilwoman Johnson.

**8. RE: PUBLIC HEARING - ORDINANCE REGARDING HAZARDOUS NUISANCES, MOWING GUIDELINE AMENDMENTS AND NEW CLUTTER REGULATIONS**

- A. Mayor Taylor advised that the meeting constituted a public hearing (due notice having been given) to consider an ordinance repealing and replacing Chapter 12. Solid Waste Collection and Disposal, Article VI. Condition of Premises, which includes regulations for hazardous nuisances, amendments to the mowing guidelines and new regulations regarding clutter. She inquired if there were any citizens present who wished to address the Council during the public hearing, and, if so, to please come to the podium and state his/her name and address for the recording of the minutes.

Ms. Melissa McWhirter was recognized and stated that she resides at 340 East Washington Street. She advised that she was attending the meeting to address the Council regarding lawns, particularly about what the Town has termed "alternative lawns." Ms. McWhirter expressed her thoughts regarding *Division 2. Removal of Weeds, Mowing, Etc., Sec. 12-93 Alternative landscaping of property*, with the Council and how she feels that the Town should change its way of thinking and become a leader that embraces, educates and promotes diversity in life and lawn. She stated that she is not advocating for the eradication of all grass but if we cut that lawn in half and planted native trees and shrubs, the positive impact would be enormous. Ms. McWhirter inquired if the Council would like a copy of her written comments and an example photo of a lawn, which she thinks is a perfect lawn. Town Manager Freeman asked that Ms. McWhirter give a copy to Town Clerk Corvin for the official records. Mayor Taylor thanked Ms. McWhirter for her comments and inquired if there were others who wished to speak during the public hearing.

Town Manager Freeman inquired of Town Attorney Clayton if the changes that Ms. McWhirter brought to the Council's attention are included in the existing ordinance, and if there are actually no proposed changes to be considered in Ordinance No. 1420 in Section 12-93. Town Attorney Clayton stated that is correct. She noted that to her knowledge, there have not been very many applicants apply for alternative landscaping in the town. She expressed that she really appreciated Ms. McWhirter's comments.

Mr. Dick Phillippi was recognized and stated that he resides at 1840 West Ridge Road. Discussion ensued regarding all the areas that this particular ordinance covers. Town Manager Freeman noted that he and Mr. Phillippi have met several times, and Mr. Phillippi's concern is with the collection of trash, junk, etc. on citizens' properties. He explained that this ordinance will address the areas that Mr. Phillippi has expressed concern about. Mr. Phillippi inquired if the Town would be able to clean properties up if changes are made to the existing ordinance. Town Attorney Clayton explained the two year old State Code section that is being incorporated into the Wytheville Town Code regarding clutter, mowing regulations, etc. She continued to explain the amendments to the ordinance. Discussion ensued regarding the proposed changes to the ordinance. Mr. Phillippi stated that this was a waste of his time. Mayor Taylor thanked Mr. Phillippi for his comments. She inquired if there were any other citizens who wished to address the Council during this public hearing. There being none, she declared the public hearing closed and proceeded with the agenda.

**9. RE: CITIZENS' PERIOD**

Mayor Taylor advised that the next agenda item is Citizen's Period. She inquired if there was anyone who wished to address the Council during Citizen's Period. There being no one who wished to speak, Mayor Taylor proceeded with the agenda.

**10. RE: REPORTS**

**A. RE: STAFF REPORTS**

Town Manager Freeman presented the Staff Report, and a copy is attached and made part of the minutes.

## **11. RE: NEW BUSINESS**

1. The Wytheville Recreation Commission will meet on Wednesday, April 12, 2023, at 5:30 p.m., in the Conference Room at the Wytheville Community Center.
2. The Wytheville Planning Commission will meet on Thursday, April 13, 2023, at 6:00 p.m., in the Council Chambers of the Municipal Building.
3. Downtown Wytheville, Inc. (DTW) will meet on Monday, April 17, 2023, at 5:30 p.m., at the DTW Office on Main Street.
4. The Wytheville Economic Development Authority (WEDA) will hold their annual meeting on Wednesday, April 19, 2023, at 9:00 a.m., in the Council Chambers of the Municipal Building.
5. The Wytheville Redevelopment and Housing Authority will meet on Wednesday, April 19, 2023, at 12:00 p.m., at the Housing Authority Office.
6. The New River Regional Water Authority (NRRWA) will meet on Thursday, April 20, 2023, at 10:00 a.m., in Austinville.
7. The Town Council will need to set a time for the next Council Work Session, which is scheduled for Monday, April 24, 2023, in the Council Chambers of the Municipal Building. If the Council so desires, the meeting could be scheduled for 3:30 p.m. Town Manager Freeman advised that he would need a consensus of the Council to set the meeting time for the next Council Work Session.
8. The next regular meeting of the Wytheville Town Council will be held on Monday, April 24, 2023, at 5:00 p.m., in the Council Chambers of the Municipal Building.
9. Mayor Taylor inquired of Town Manager Freeman if he needed a vote of the Council to schedule the next Council Work Session for 3:30 p.m. on Monday, April 24, 2023. Town Manager Freeman advised that he would only need a consensus of the Council to set the meeting. It was the consensus of the Council to schedule the next Council Work Session for 3:30 p.m. on April 24, 2023, prior to the regular meeting of the Wytheville Town Council at 5:00 p.m., in the Council Chambers.

## **12. RE: APPOINTMENTS**

### **A. RE: WYTHEVILLE BOARD OF ZONING APPEALS**

Mayor Taylor advised that the next agenda item is to consider the appointment of a member to the Board of Zoning Appeals to fill the expired term of Mr. David Harrison (term expired September 10, 2022). She stated that the Council will need to make a motion to include a recommendation to the Circuit Court to make the appointment, which expires September 10, 2027. A motion was made by Councilwoman Johnson and seconded by Councilman Gillman to make a recommendation to the Circuit Court to appoint Ms. Patricia Austin as a full-time Board of Zoning Appeals member which expires September 10, 2027. Mayor Taylor inquired if there was any discussion on the motion. Vice-Mayor Pattison inquired of Town Clerk Corvin that since Ms. Austin is an alternate to the Board of Zoning Appeals, if the Council would be required to find another alternate to replace her. Town Clerk Corvin advised that the Board of Zoning Appeals currently has two alternates, but she and Town Attorney Clayton have discussed this issue and decided that there will not be a replacement and there will only be one alternate now on the Board of Zoning Appeals. Mayor Taylor inquired if there was any further discussion. There being none, the motion was approved with the following voting results: Voting Yea: Mayor Taylor, Vice-Mayor Pattison, Councilman Gillman, Councilwoman Johnson.

## **13. RE: ORDINANCES/RESOLUTIONS**

### **A. RE: ORDINANCE NO. 1420**

Mayor Taylor presented Ordinance No. 1420, an ordinance repealing and replacing Chapter 12. Solid Waste Collection and Disposal, Article VI. Condition of Premises, Division I. Generally, Division 2. Removal of Weeds, Etc., and Division 3. Unsanitary

Accumulations of Refuse, Etc., of the Code of the Town of Wytheville, Virginia, on second reading. She advised that the third and final reading of the ordinance will be held at the April 24, 2023, Town Council meeting. Mayor Taylor inquired if there is a motion to approve the ordinance on second, but not final, reading.

A motion was made by Vice-Mayor Pattison and seconded by Councilwoman Johnson to approve Ordinance No. 1420, an ordinance repealing and replacing Chapter 12. Solid Waste Collection and Disposal, Article VI. Condition of Premises, Division I. Generally, Division 2. Removal of Weeds, Etc., and Division 3. Unsanitary Accumulations of Refuse, Etc., of the Code of the Town of Wytheville, Virginia, on second, but not final, reading. Mayor Taylor inquired if there was any discussion on the motion. Vice-Mayor Pattison stated that she did not like Mr. Phillippi's comments and the fact that he felt that this was a waste of his time. She noted that she felt like Mr. Phillippi may not have understood the changes to the proposed ordinance. Mayor Taylor commented that she and Town Manager Freeman would talk to Mr. Phillippi regarding the proposed changes. Discussion continued regarding Mr. Phillippi's frustrations with the clutter issues. Mayor Taylor inquired if there was any other discussion regarding the motion. There being none, the motion was approved with the following voting results, by roll call vote: Voting Yea: Mayor Taylor, Vice-Mayor Pattison, Councilman Gillman, Councilwoman Johnson.

#### **14. RE: OTHER BUSINESS**

##### **A. RE: SET PUBLIC HEARING - INCREASE MEALS TAX**

Mayor Taylor advised that the next agenda item is to consider an ordinance to amend Chapter 14. Taxation, Article V. Meals Tax, Section 14-79. Levy of Tax, of the Code of the Town of Wytheville, Virginia, to increase the meals tax. She discussed the proposed increase with the Council and noted that the public hearing could be scheduled for the Town Council meeting on Monday, April 24, 2023, at 5:00 p.m. Mayor Taylor inquired if there is a motion to schedule the public hearing to consider an ordinance to amend Chapter 14. Taxation, Article V. Meals Tax, Section 14-79. Levy of Tax, of the Code of the Town of Wytheville, Virginia, to increase the meals tax for the Town Council meeting on Monday, April 24, 2023, at 5:00 p.m., in the Council Chambers.

Motion made by Councilwoman Johnson, Seconded by Vice-Mayor Pattison.  
Voting Yea: Mayor Taylor, Vice-Mayor Pattison, Councilman Gillman, Councilwoman Johnson.

##### **B. RE: TOWN COMMITTEE/BOARD VACANCIES/FUTURE VACANCIES**

Mayor Taylor advised that the next agenda item is the review of vacancies/future vacancies on Town Committees/Boards. Town Clerk Corvin explained the vacancies to the Town Council. Mayor Taylor inquired if there were any questions for Town Clerk Corvin. There being none, she proceeded with the agenda.

##### **C. RE: PUBLIC TRANSPORTATION IN THE EVENING HOURS**

Mayor Taylor advised that the next agenda item is discussion regarding public transportation in the evening hours. Town Manager Freeman commented that this is a discussion that he and Councilwoman Johnson had, and, unless Councilwoman Johnson has more to add, this is something that Town staff wanted the other Council members to know and that the Town staff is going to explore. He continued to comment on this topic, and he noted that he would be meeting with the Director of District Three in the near future and will report back to the Council afterward. Discussion ensued regarding the varying routes, hours of operation, etc. of the District Three transportation system. Councilwoman Johnson expressed her concerns and the reason she discussed the public transportation issue with Town Manager Freeman. Mayor Taylor inquired if there was any other discussion regarding the public transportation issues. There being none, Mayor Taylor continued with the agenda.

##### **D. RE: TOWN COUNCIL MEETINGS ON YOUTUBE**

Mayor Taylor advised that the next agenda item is the discussion to place Town

Council meetings on YouTube. She explained that during the COVID-19 Pandemic, the Town Council meetings were live on Facebook, however, most of the people watching the live meetings on Facebook were not Town or even Wythe County citizens. Discussion ensued regarding whether or not the Town should post the meetings online for citizens to view. Councilwoman Johnson advised that she was approached by a citizen inquiring as to the reason why the Town Council was not voting on this agenda item. Vice-Mayor Pattison stated that she would like more information before voting on the topic. She inquired as to what it would take to put the meetings on YouTube, what the cost would be, etc. Mayor Taylor remarked that it would be nice to hear Councilwoman Atkins' thoughts before voting, as well. She stated that there are different guidelines when posting live meetings. Discussion continued regarding live meetings of the Council. Town Manager Freeman advised that there would be two different platforms for posting meetings and those would be live streaming and/or recording and then posting the meetings on the website. He noted that Wythe County does not live stream, but, records meetings and then posts them on YouTube afterwards. Town Manager Freeman stated that he would work with Computer Operations Manager Jude to get cost estimates, etc. and report back to the Council.

**E. RE: COUNCIL MEMBER TIME**

Mayor Taylor advised that the next agenda item is Council Member Time. She inquired if Councilwoman Johnson had anything to discuss during Council Member Time. Councilwoman Johnson stated that she would like to thank the Town employees and the great job that they do.

Mayor Taylor stated that the police speed car that is located on Monroe Street needs to be relocated to another area of town.

Mayor Taylor inquired if Vice-Mayor Pattison had anything to discuss during Council Member Time. Vice-Mayor Pattison stated she did not.

Mayor Taylor inquired if Councilman Gillman had anything to discuss during Council Member Time. Councilman Gillman stated that he did not.

**F. RE: ASSISTANT TOWN MANAGER TIME**

Mayor Taylor advised that the next agenda item is Assistant Town Manager Time. She inquired if Assistant Town Manager Holeton had anything to discuss. Assistant Town Manager Holeton stated that she did not.

**15. RE: ADJOURNMENT**

There being no further business to be discussed, a motion was made, seconded and carried to adjourn the meeting. (5:40 p.m.)

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Beth A. Taylor, Mayor

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Sharon G. Corvin, CMC, Town Clerk

## STAFF REPORT

APRIL 10, 2023

1. Annually the town must make a decision regarding the renewal of its property, general liability and workers' compensation insurance policy. The Town is currently insured by Virginia Risk Sharing Association (VRSA). This year the Town is also seeking a proposal from VAcorp, which is another large public entity risk pool serving localities around the State. These proposals should arrive in May and town and will review them thoroughly so the Council can make an informed decision about which risk pool best serves the Town's insurance needs. Staff will keep you apprised on this matter and share the information from the proposals once they are received.
2. On Wednesday March 29, the Town of Wytheville Museums conducted a ribbon cutting for the opening of the Homestead Museum. This project that has been decades in the making and I'd like to take a moment to recognize our Museum Staff, with special mention to former Director of Museums Frances Emerson, and current staff member, Michael Gilman for seeing this project through.

I'd like to thank the Jackson Family for their time and generous donation and to past and present members of Homestead Advisory Board for dedicating their time and expertise to this project. Last but not least to the members of our Public Works staff that have put in countless hours maintaining this facility for many years prior to its opening and for the work they continue for its upkeep. Tours of the property and decorative arts museum will be open Wednesday through Friday from 10 a.m. until 4 p.m. and we encourage everyone to go out and see it all for themselves.