



MINUTES

WYTHEVILLE TOWN COUNCIL MEETING

MONDAY, APRIL 24, 2023 AT 5:00 PM

MUNICIPAL BUILDING - 150 EAST MONROE STREET
WYTHEVILLE, VA 24382

1. RE: ATTENDANCE

MEMBERS PRESENT:

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

MEMBERS ABSENT:

None

OTHER PRESENT:

Town Manager Brian Freeman, Assistant Town Manager Elaine Holeyton, Town Clerk Sherry Corvin, Town Attorney Michelle Clayton, Patrol Officer Blaine Grubb, Downtown Wytheville, Inc. Assistant Charlie Jones, Computer Operations Manager Ron Jude, Alma Watson, Thomas Bullock with VRSA, Gary Dillon with VRSA, James Cohen, Tina Repass, Julie Kause, Glenda Crockett-Eans, Kerry Eans, Jordan Stidham

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 Councilwoman Johnson.

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 Atkins. 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, Councilwoman Atkins, 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 work session and regular meeting of April 10, 2023; the request of the American Association of University Women/Wytheville, Virginia Branch for issuance of a raffle permit for calendar year 2023; the request of the Wythe County Historical Society for issuance of a raffle permit for calendar year 2023; and, the request of District Three Governmental Cooperative for waiver of fees for use of Withers Park on Thursday, June 15, 2023, for a Senior Day in the Park event. Mayor Taylor inquired if there was a motion to approve the consent agenda as presented or somehow be amended.

Councilwoman Atkins inquired if the consent agenda items could be approved separately since she was not at the last meeting for the approval of the minutes. Mayor Taylor advised that this would be acceptable. She stated that she would need a motion to approve the minutes of the work session and the regular meeting of April 10, 2023, as presented.

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

- B.** Mayor Taylor inquired if there is a motion to approve the request of the American Association of University Women/Wytheville, Virginia Branch for issuance of a raffle permit for calendar year 2023; the request of the Wythe County Historical Society for issuance of a raffle permit for calendar year 2023; and, the request of District Three Governmental Cooperative for waiver of fees for use of Withers Park on Thursday, June 15, 2023, for a Senior Day in the Park event, as presented.

Motion made by Councilwoman Atkins, Seconded by Councilwoman Johnson. Mayor Taylor inquired if there is any discussion on the motion. There being none, the motion was approved with the following voting results: Voting Yea: Mayor Taylor, Vice-Mayor Pattison, Councilwoman Atkins, Councilman Gillman, Councilwoman Johnson.

8. RE: PUBLIC HEARINGS - PROPOSED MEALS TAX INCREASE

- A.** Mayor Taylor advised that the meeting constituted a public hearing (due notice having been given) to consider Ordinance No. 1421, an ordinance amending and reenacting 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 inquired if there were any citizens present who wished to address the Council during the 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 Citizens' Period. She inquired if there was anyone who wished to address the Council during Citizens' Period. She stated that there is one citizen listed on the sign-in sheet who stated that they wished to address the Council during Citizens' Period, and she asked that Ms. Tina Repass please come to the podium and state her name and address for the recording of the minutes.

Ms. Tina Repass stated that she resides on Fairview Parkway in Wytheville. She stated that she recently learned that a large number of individuals and/or families have been denied housing due to the lack of funding. Ms. Repass commented that she has lived in a lot of towns and cities over the last few years, and, currently, she has returned to Wytheville. She stated, therefore, she would like to know if there is a place where she would be able to offer someone assistance and/or information about a local place that would allow them to safely rest and/or sleep for the night. Ms. Repass remarked that in other localities where she has lived, she picks up trash along the side of the road, and she tends to meet individuals looking for this type of information, therefore, she likes to have the information available, so she is able to help them. She continued to discuss how she would like to see an improvement for the Town of Wytheville regarding resources for people who may be struggling financially to pay their rent, needing a place to stay for a night while passing through, etc. Ms. Repass thanked the Council for allowing her to speak. Mayor Taylor thanked Ms. Repass for her comments. She stated that the Council has met with several individuals from HOPE, Incorporated, and there is a meeting scheduled with Ms. Betty Robinette, next week, regarding warming shelters. Mayor Taylor advised that, however, nothing has been made final, at this time, regarding the warming shelter. She inquired if there were any other citizens who wished to speak during Citizens' Period.

Town Attorney Clayton stated that there were visitors attending the meeting from the American Association of University Women, and she noted that they have already been approved for their raffle permit. She commented that what they are doing is really great, and she inquired if anyone from their Association would like to say a word about their project because she thinks it would be good.

Ms. Julie Kause was recognized and stated that she resides at 395 West Union Street in Wytheville. She noted that she has been a member of the American Association of University Women (AAUW) since 2010. Ms. Kause commented that the Wytheville AAUW has existed for over 50 years, and the National AAUW has existed since 1884. She discussed the STEM workshop that the Wytheville AAUW held at Wytheville Community College for approximately 50 young ladies of the Wythe and Bland County school system. Ms. Kause advised that the AAUW promotes equity for all women and all girls. She thanked the Council for allowing her to speak. Mayor Taylor thanked Ms. Kause for her comments.

Councilwoman Johnson inquired if she understood correctly that the raffle permit for the American Association of University Women (AAUW) had been approved. Mayor Taylor stated that is correct. Councilwoman Atkins and Councilwoman Johnson stated that they thought there was to be more discussion regarding raffle permits. Councilwoman Atkins stated that she thought the raffle permit requests were going to be split before approval because she had questions. Mayor Taylor stated that the three items were approved together. Councilwoman Johnson remarked that she thought that the Council was approving the agenda. Councilwoman Atkins agreed that she thought she was voting for approval of the agenda. Town Manager Freeman explained that item number five was the approval of the agenda and item number seven was the consent agenda which is where items are listed that are routine in nature that come before the Council for approval on a regular basis, as well as on an annual basis, such as requests for events, raffle permits, street closures, etc. He continued to explain to the Council how the consent agenda items were approved earlier in the meeting. Town Attorney Clayton advised that per the Town Code, raffles have been permitted by organizations for decades. Councilwoman Atkins inquired if there is a charge to conduct a raffle in town. Town Manager Freeman stated that there is, currently, no charge for a raffle permit, however, the Code of Virginia requires the Town to issue a raffle permit. Mayor Taylor advised that the organization requesting a raffle permit must be a nonprofit organization with a current 501(c)(3), etc. Councilwoman Atkins inquired if raffle permits could be eliminated because some people are getting permits and some are not, which means some are following the rules and some are not. Mayor Taylor stated that this is a discussion that can be held at another meeting. She noted that information has been given to the public regarding the requirements for a raffle permit in town. Discussion continued regarding raffle permits. Town Manager Freeman stated that, in the future, if there is something on the agenda in question, to please contact Staff for further information.

10. RE: REPORTS

A. RE: STAFF REPORTS

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

Pursuant to Section 58.1-3940 of the Code of Virginia, the Town is required to write off delinquent taxes. We received a listing from Town Treasurer Michael Stephens of delinquent Personal Property/Mobile Home/Machinery and Tool Taxes and Public Services Taxes that need to be written off the Town's books. The total value of the delinquent taxes for which the statute of limitations has expired is \$1,579.83, which includes 2017 Personal Property/Mobile Home/Machinery and Tool Taxes totaling \$1,554.24 and 2017 Public Services Taxes in the amount of \$25.59. Town Treasurer Stephens would request that the Town Council authorize him to remove these delinquent taxes from the Town's books. Mayor Taylor inquired if there is a motion to authorize Town Treasurer Stephens to write the following amounts off the Town books: \$1,554.24 of 2017 Personal Property/Mobile Home/Machinery and Tool Taxes and \$25.59 of 2017 Public Services Taxes. Motion made by Vice-Mayor Pattison, Seconded by Councilman Gillman. Mayor Taylor inquired if there was any discussion on the motion. Councilwoman Atkins inquired if Town staff has made every attempt to collect these taxes, which she is sure that they have done so. Town Manager Freeman stated that he is sure that Town staff has made every attempt to collect these taxes, and, typically, these are citizens who abandon properties, etc. 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, Councilwoman Atkins, Councilman Gillman, Councilwoman Johnson.

The Town of Wytheville Tree Advisory Committee has scheduled the Annual Arbor

Day Celebration for Friday, April 28, 2023, at 10:00 a.m., at McWane Pool. The Tree Advisory Committee will plant a tree to commemorate this occasion. We would like to invite everyone to attend the Annual Arbor Day Celebration and to use this day to plant, nurture and celebrate trees.

11. RE: NEW BUSINESS

1. The Willow Brook Jackson/Umberger Homestead Museum Advisory Board will meet on Thursday, April 27, 2023, at 10:00 a.m., at the Jackson house.
2. The Joint Industrial Development Authority of Wythe County will meet on Thursday, April 27, 2023, at 3:00 p.m., in the Council Chambers of the Municipal Building.
3. The Town of Wytheville Tree Advisory Committee will host the 2023 Arbor Day Celebration on Friday, April 28, 2023, at 10:00 a.m., at McWane Pool. Everyone is invited to attend.
4. The next regular meeting of the Wytheville Town Council will be held on Monday, May 8, 2023, at 5:00 p.m., in the Council Chambers of the Municipal Building.

12. 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 1. 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 third and final reading. She explained that since the last meeting, several changes have been made to Section 12.93 *Alternative Landscaping of Property*. Mayor Taylor inquired if there is a motion to adopt Ordinance No. 1420, on third and final reading.

Motion made by Councilwoman Atkins, Seconded by Councilwoman Johnson. Mayor Taylor inquired if there was any discussion on the motion to adopt Ordinance No. 1420, on third and final reading. Vice-Mayor Pattison inquired of Town Attorney Clayton regarding the clutter section of the ordinance and if the Town is implementing what the Virginia Code states. Town Attorney Clayton explained the changes to the Council. Vice-Mayor Pattison inquired of Town Attorney Clayton if Town staff has addressed Ms. McWhirtter's comments from the last Council meeting. Mayor Taylor stated that Ms. McWhirtter's comments have been addressed with Assistant Town Manager Holeyton, Town Attorney Clayton and Planning Director Woods. Town Attorney Clayton continued to review the ordinance changes with the Council. 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, Councilwoman Atkins, Councilman Gillman, Councilwoman Johnson.

Mayor Taylor and Town Attorney Clayton explained the next steps the Town will follow now that Ordinance No. 1420 has been adopted. Discussion ensued regarding the new ordinance. Councilwoman Johnson thanked Town staff for contacting Mr. Dick Phillippi following the last meeting. Mayor Taylor advised that she would contact Mr. Phillippi following this meeting to update him of the ordinance adoption. There being no further discussion, Mayor Taylor proceeded with the agenda.

B. RE: ORDINANCE NO. 1421

Mayor Taylor presented Ordinance No. 1421, an ordinance amending and reenacting Chapter 14. Taxation, Article V. Meals Tax, Section 14-79. Levy of Tax, of the Code of the Town of Wytheville, Virginia, on first reading. She explained that this ordinance was the subject of a public hearing held earlier in the meeting. Mayor Taylor noted that if adopted, this ordinance would increase the meals tax from seven (7) percent to eight (8) percent on every meal served, sold or delivered in the town by a restaurant or caterer, and it would become effective on July 1, 2023. She inquired if there was a motion to adopt Ordinance No. 1421, on first and final reading.

Motion made by Councilman Gillman, Seconded by Vice-Mayor Pattison. Mayor Taylor inquired if there was any discussion to adopt Ordinance No. 1421, on first and final reading. There being none, the motion was adopted with the following voting results, by roll call vote: Voting Yea: Mayor Taylor, Vice-Mayor Pattison, Councilwoman Atkins, Councilman Gillman, Councilwoman Johnson.

13. RE: OTHER BUSINESS

A. RE: SET PUBLIC HEARING - HOPE INC. ALLEY CLOSING REQUEST

Mayor Taylor advised that the next agenda item is to set a public hearing to consider the request of HOPE, Incorporated, to close a public alley running parallel to West Monroe Street and West North Street, between 14th and 16th Streets. She noted that HOPE, Inc. is also requesting that the Town Council waive the \$14,229 fee, which is the fair market value of the property that they would normally pay the Town for the abandonment of the alley. Mayor Taylor stated that it will be necessary for the Town Council to set a public hearing to consider this request and to appoint viewers to determine that no inconvenience would result from the alley closing. She noted that a public hearing could be scheduled for the May 22, 2023, Town Council meeting. Mayor Taylor advised that in the past, the Town Council has appointed the Public Works Committee members as the viewers of the property, however, the Town Council can appoint three to five individuals to serve as the viewers. Town Manager Freeman stated that he would like to remind the Council that there are, already, three public hearings scheduled for the May 22, 2023, Town Council meeting. Discussion was held regarding HOPE, Inc.'s request to close the alley and the urgency of the request. Mr. Jordan Stidham with HOPE, Inc. was recognized and stated that they would not be breaking ground on the alley project until the end 2024, and then gave a brief overview of the project. He advised that this request is not urgent, however, they would like to inform their architects as soon as possible whether or not the project can be completed. A brief discussion continued regarding HOPE, Inc's request to close an alley. Mayor Taylor inquired if there was a motion to set the public hearing date for the June 26, 2023, Town Council meeting to consider the request of HOPE, Inc. to close a public alley running parallel to West Monroe Street and West North Street between 14th and 16th Streets.

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

Mayor Taylor inquired if there was a motion to appoint the Public Works Committee as viewers to determine with the assistance from the Engineering staff, that no inconvenience would result from the alley closing.

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

B. RE: SET PUBLIC HEARING - CONSIDER INCREASES TO ZONING FEES, UTILITY RATES AND OTHER VARIOUS TOWN FEES

Mayor Taylor advised that the next agenda item is to set a public hearing to consider increases to zoning fees, utility rates and other various Town fees. She noted that the public hearing could be scheduled for the Town Council meeting on May 22, 2023. Mayor Taylor inquired if there was a motion to schedule the public hearing to consider increases to the zoning fees, utility rates and other various Town fees for the Monday, May 22, 2023, Town Council meeting.

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

C. 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 has anything to discuss with the Council. Assistant Town Manager Holeton stated that she did not.

D. RE: COUNCIL COMMITTEE REPORTS

Mayor Taylor advised that the next agenda item is Council Committee Reports, and she inquired if anyone had anything to report during this time. Councilwoman Atkins stated that she had requested some information regarding District Three Governmental Cooperative be given to the Council members with their packets. She then thanked Staff for making sure that information was given to the Council members.

E. RE: COUNCIL MEMBER TIME

Mayor Taylor advised that the next agenda item is Council Member Time. She inquired if Councilwoman Atkins had anything to discuss during Council Member Time. Councilwoman Atkins stated that she would like to apologize for any confusion she may have caused earlier in the meeting.

Councilwoman Atkins inquired Town staff if could look at the sign on 4th Street coming into town honoring a former Town employee that passed away. Town Manager Freeman stated that he will look into that.

Mayor Taylor inquired if Councilwoman Johnson had anything she would like to discuss during Council Member Time. Councilwoman Johnson stated that she believes Town Manager Freeman is still looking into posting the Town Council meetings on YouTube. She advised that she has looked at Wythe County's meetings that have been posted on YouTube, and that they do have a fair number of viewers. Councilwoman Johnson stated that she thinks the Town citizens deserve to have the Town Council meetings posted, and that she would like to thank Town Manager Freeman for his research on this topic.

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 inquired if anything could be done to the stop light at the Rock House. He stated that people are running that red light very frequently. Town Manager Freeman stated that he will speak with the Police Department and see if there is anything they can do.

Mayor Taylor advised that she had the pleasure of meeting with 38 mayors from Southwest Virginia. She noted that most of the mayors stated that their localities are having some of the same issues as Wytheville. Mayor Taylor commented that Wytheville will host the mayors of Southwest Virginia in August.

Councilwoman Atkins stated that she would like to mention that the Wall of Honor Committee met recently and that Mayor Beth Taylor, Joseph Hand and Dewey Clemons, Jr. were added to the Wall of Honor. Mayor Taylor stated that she appreciated being chosen for the Wall of Honor. Councilwoman Johnson inquired if there was going to be a ceremony for the people who were added. Councilwoman Atkins stated that a ceremony has been scheduled for the honorees.

14. RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting. (5:48 p.m.)

Beth A. Taylor, Mayor

Sharon G. Corvin, CMC, Town Clerk

STAFF REPORT

APRIL 24, 2023

1. Pursuant to Section 58.1-3940 of the Code of Virginia, the Town is required to write off delinquent taxes. We received a listing from Town Treasurer Michael Stephens of delinquent Personal Property/Mobile Home Taxes and Public Services Taxes that need to be written off the Town's books. The total value of the delinquent taxes for which the statute of limitations has expired is \$1,579.83, which includes 2017 Personal Property/Mobile Home Taxes totaling \$1,554.24 and 2017 Public Services Taxes in the amount of \$25.59. Town Treasurer Stephen would request that the Town Council authorize him to remove these delinquent taxes from the Town's books.
2. The Town of Wytheville Tree Advisory Committee has scheduled the Annual Arbor Day Celebration for Friday, April 28, 2023, at 10:00 a.m. at McWane Pool. The Tree Advisory Committee will plant a tree to commemorate this occasion. We would like to invite everyone to attend the Annual Arbor Day Celebration and to use this day to plant, nurture and celebrate trees.