



MINUTES

WYTHEVILLE TOWN COUNCIL MEETING

MONDAY, SEPTEMBER 11, 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

OTHERS PRESENT:

Town Manager Brian Freeman, Assistant Town Manager Elaine Holeyton, Town Clerk Sherry Corvin, Interim Town Attorney Paul Cassell, Computer Operations Manager Ron Jude, Planning Director John Woods, Parks and Recreation Director Josh Sharitz, Downtown Wytheville, Incorporated Executive Director Todd Wolford, Police Chief Joel Hash, Police Sergeant Jerrod Sadler, Police Officer Ernie Williams, Thalia Rodriguez, Megan Woods, Judy Buck, Dean Pratt, Scott Mecimore, Donnie Buck, Jim Cohen, Kevin Wallington, Kerry Eans, Glenda Crockett-Eans, Nancy Martin, Kirk Chamberlain, Julia Stephens

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 Councilman Gillman.

5. RE: APPROVAL OF AGENDA

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

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

6. RE: CONSENT AGENDA

A. Mayor Taylor presented the consent agenda consisting of the minutes of the work session and the regular meeting of August 28, 2023. She inquired if there was a motion to approve the minutes of the work session and the regular meeting of August 28, 2023, as presented.

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

7. RE: PRESENTATIONS TO TOWN COUNCIL

A. RE: PRESENTATION REGARDING FACADE PROGRAM

Mayor Taylor advised that the next agenda item is a presentation by Downtown Wytheville, Incorporated Executive Director Todd Wolford regarding the Facade Program. Executive Director Wolford stated that he did not have a presentation because he had already presented the information to the Town Council but noted that he is attending the meeting to answer any questions about the Facade Program that the Council may have from the information they received in their packets. Councilwoman Johnson thanked Mr. Wolford for his hard work on the information he had presented to the Council. Councilwoman Atkins inquired of Mr. Wolford as to when the applications would be available and when an applicant would be able to start. Mr. Wolford advised that as soon as the program is reinstated by the Council, the applications will be sent out on a first come first served basis. Mayor Taylor inquired if there were any other questions for Mr. Wolford.

Mayor Taylor advised that it would now be necessary for the Council to consider reinstating the Facade Program. She inquired if there was a motion to approve reinstating the Facade Program.

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

8. RE: CITIZENS' PERIOD

Mayor Taylor advised that the next agenda item is Citizens' Period. She stated that there is one citizen who stated on the sign-in sheet that they wished to address the Council during Citizens' Period. She requested that when she calls the name on the sign-in sheet for that person to please come to the podium to speak and state his or her name and address for the recording of the minutes.

Ms. Thalia Rodriguez was recognized and stated that she resides at 210 West Spring Street in Wytheville. She noted that she is attending the meeting to address the Council as the Market Manager of the Board of Directors of the Wytheville Farmers Market. Ms. Rodriguez stated that she is attending the meeting to address a matter that came to their knowledge just two days prior to the meeting. She remarked that they have come to the understanding that the Farmers Market building has been requested to be used as a warming shelter. Ms. Rodriguez advised that the Farmers Market Board is not opposed to a warming shelter in the community to help address people who are experiencing homelessness, but the Farmers Market Board of Directors believes that this could significantly disrupt their market operations for several reasons. She continued to discuss the reasons why the Farmers Market Board of Directors feels that a warming shelter would not be a good fit for the Wytheville Farmers Market building. Ms. Rodriguez thanked the Council for allowing her to speak on this matter. Mayor Taylor and the other Council members thanked Ms. Rodriguez for her comments.

Mayor Taylor inquired if there were any others who wished to address the Council during Citizens' Period. There being none, she proceeded with the agenda.

9. RE: PUBLIC HEARINGS, REQUESTS, RESOLUTIONS, COUNCIL DECISIONS

A. RE: CHURCH STREET TRUNK OR TREAT EVENT

Mayor Taylor advised that the next agenda item is to consider the request of the Wytheville Police Department and the Wytheville Fire and Rescue Department to close a portion of Spring and Church Streets on October 31, 2023, from 4:30 p.m. to 9:30 p.m. for the Church Street Trunk or Treat Event. Assistant Town Manager Elaine Holeyton briefly reviewed the request with the Town Council. She advised that the Safety and Events Committee has reviewed this request and recommends that the request be approved. Mayor Taylor inquired if this event is still under the umbrella of the Town's insurance policy. Assistant Town Manager Holeyton stated that this is a partnership between the Public Safety Departments and the original founder of the event, Ms. Bonnie Wright. She inquired of Town Clerk Corvin to confirm that the event was covered under the Town's insurance policy. Town Clerk Corvin stated that

is correct. Mayor Taylor inquired if there was a motion to approve the request of the Wytheville Police Department and the Wytheville Fire and Rescue Department to close a portion of Spring and Church Streets on October 31, 2023, from 4:30 p.m. to 9:30 p.m. for the Church Street Trunk or Treat Event.

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

B. RE: DOWNTOWN WYTHEVILLE, INCORPORATED 2023 MAYHEM ON MAIN STREET EVENT

Mayor Taylor advised that the next agenda item is to consider the request of Downtown Wytheville, Incorporated to close Main Street, from 5th Street to 4th Street, and a portion of Church Street, Tazewell and First Streets, on Saturday, October 28, 2023, from 9:00 a.m. to 5:00 p.m. for the 2023 Mayhem on Main Street Event. Assistant Town Manager Holeton briefly reviewed the request with the Council. She noted that the Safety and Events Committee has reviewed the request and recommends that it be approved. Mayor Taylor inquired if there was a motion to approve the request of Downtown Wytheville, Incorporated to close Main Street, from 5th Street to 4th Street, and a portion of Church Street, Tazewell and First Streets, on Saturday, October 28, 2023, from 9:00 a.m. to 5:00 p.m. for the 2023 Mayhem on Main Street Event.

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

C. RE: DEPARTMENT OF MUSEUMS STREET CLOSURE REQUEST

Mayor Taylor advised that the next agenda item is to consider the request of the Town of Wytheville Department of Museums to close Tazewell Street, from its intersection with Monroe Street to the Boyd Museum, on Wednesday, September 13, 2023, from 9:00 a.m. to 11:00 a.m. for the Rock House Reopening and 200th Birthday Celebration. Assistant Town Manager Holeton briefly explained the request to the Town Council. She noted that the Safety and Events Committee has reviewed the request and recommends that it be approved. Mayor Taylor inquired if there was a motion to approve the request of the Town of Wytheville Department of Museums to close Tazewell Street, from its intersection with Monroe Street to the Boyd Museum, on Wednesday, September 13, 2023, from 9:00 a.m. to 11:00 a.m. for the Rock House Reopening and 200th Birthday Celebration.

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

D. RE: WYTHEVILLE RECREATION COMMISSION YOUTH APPOINTMENT

Mayor Taylor advised that the next agenda item is to consider a youth appointment to the Wytheville Recreation Commission to fill the expired term of Ms. McKenzie Tate (term expired August 1, 2023). She stated that Town Clerk Sherry Corvin would report on this item. Town Clerk Corvin noted that the Council has one application in their package for consideration of appointment for the youth member. She commented that it would be for a one-year term, expiring August 1, 2024. Town Clerk Corvin advised that the Council could either make the appointment at this meeting or they could schedule a Meet and Greet Session with the applicant. Vice-Mayor Pattison inquired of the other Council members if there needed to be a Meet and Greet Session scheduled. She noted that she did not know the applicant. Discussion ensued regarding whether the Council should schedule the Meet and Greet Session. It was the consensus of the Council to not schedule a Meet and Greet Session for the

applicant. Mayor Taylor inquired if there was a motion to appoint Ms. Eden N. Miller as a youth member to the Wytheville Recreation Commission (term expires August 1, 2024).

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

E. RE: SCHEDULING SPECIAL TOWN COUNCIL MEETING AND PUBLIC HEARING

Mayor Taylor advised that the next agenda item is the consideration of scheduling a Special Town Council Meeting on Wednesday, October 11, 2023, at 5:00 p.m., and scheduling a public hearing for this meeting to consider a bond in the maximum amount of \$843,000 to be used to acquire a refuse truck and a dehumidification unit for the Town. Town Manager Brian Freeman summarized the reason for Town staff requesting that the Town Council schedule the Special Meeting so that a public hearing could be held to consider the issuance of the bond. Discussion ensued regarding the date and time that the public hearing needed to be scheduled. Mayor Taylor inquired if there was a motion to schedule a Special Town Council Meeting on Wednesday, October 11, 2023, at 4:00 p.m., and to schedule a public hearing for this meeting to consider a bond in the maximum amount of \$843,000 to be used to acquire a refuse truck and a dehumidification unit for the Town.

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

F. RE: DRAFT POLICY GUIDANCE ON EVENT SAFETY, STREET CLOSURES & TRAFFIC CONTROL

Mayor Taylor advised that the next agenda item is the continued review of the Policy Guidance on Event Safety, Street Closures & Traffic Control. Assistant Town Manager Holeton discussed the draft policy. She noted that at the last meeting, a Work Session was held to go through the Policy Guidance to discuss the items that the Council liked and/or disliked with some potential edits to the document. Assistant Town Manager Holeton advised that the Council has the revised version of the document in their packets. She stated that she is happy to revisit any items that the Council is still not satisfied with in the policy. Assistant Town Manager Holeton advised that her hope is that the Council will consider a motion to adopt the revised policy if they are satisfied with it, however, there is no hurry. She inquired if there were any questions for her at this time. Councilwoman Johnson inquired as to why on Page 5, Number 13, the first sentence had been changed from Town Council to Town leadership. Discussion ensued regarding the reason why there was a change made to this section of the policy. Councilwoman Atkins inquired of Assistant Town Manager Holeton if event applications are already approved before the Town Council has a chance to approve them. Assistant Town Manager Holeton stated that is not correct. She stated that the Safety and Events Committee is very upfront with the event applicants that the Town Council has the final approval. Councilwoman Atkins inquired if there is somewhere in the policy where it can state that an event is not to be advertised prior to the Council approving the event. Assistant Town Manager Holeton stated that it certainly can be written into the policy. She noted that she will amend the policy to state that the recommendation is that event organizers withhold all advertising until there is final approval from the Town Council. Mayor Taylor inquired if there were any other questions or concerns regarding the policy. There being none, Mayor Taylor inquired if there was a motion to approve the Policy Guidance on Event Safety, Street Closures & Traffic Control, as amended.

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

10. RE: REPORTS

A. RE: STAFF REPORTS

Town Manager Freeman presented his Staff Report, as follows:

20TH STREET BRIDGE: Town Manager Freeman stated that one of the biggest developments over the last couple of weeks was the closure of the 20th Street bridge. He noted that this was as a result of a call he received on Wednesday, August 30, 2023, from the Virginia Department of Transportation (VDOT) Bristol District Bridge Safety Inspection Manager, who indicated that they felt the bridge was unsafe and should be closed. Town Manager Freeman advised that out of an abundance of caution, the Town closed the bridge immediately. He explained that the Town anticipates that it will remain closed indefinitely. Town Manager Freeman continued to give an update regarding the next steps for the repair and replacement of the bridge. Mayor Taylor inquired if Town Manager Freeman could give the Town citizens who live across the bridge some peace regarding access in case of an emergency. Town Manager Freeman stated that there is gated access from Lee Street, and the Town has been given verbal permission to utilize that road. He commented that the other thing to keep in mind is in discussing access with safety personnel, they have the ability to have ingress in an emergency situation even without approval. Discussion ensued regarding if the road is in good condition and, if it is not, making some quick improvements to it because it is a farm road.

INDOOR POOL CLOSURE: Town Manager Freeman stated that the indoor pool at the Wytheville Community Center closed on Saturday, September 9, 2023, due to the replacement of the dehumidifier system. He noted that it will remain closed until October 2, 2023. Town Manager Freeman advised that during this time, McWane Pool will be open to the public for day passes and available to those with both a Gold and Silver Pass Plan. He noted that McWane Pool hours will be Monday through Friday, 6:00 a.m. to 12:00 p.m.; and, 4:00 p.m. to 8:00 p.m.; and, Saturday, 10:00 a.m. to 7:00 p.m.; and, Sunday, 1:00 p.m. to 5:30 p.m., weather permitting. Councilwoman Atkins inquired if this could be a possibility for next year, due to the hot weather even after Labor Day. Town Manager Freeman stated that it would definitely be appropriate during budget times to discuss this topic.

LODGING TAX FOLLOW-UP: Town Manager Freeman stated that during the last meeting, there was a request from the Council to refine the projections for Lodging Tax Revenues based on the 2022-23 Fiscal Year Actuals. He noted that the 2022-23 Fiscal Year Actuals for Lodging Tax were \$2,177,607.72, which breaks down to \$272,200.97, per penny of tax. He stated that the conservative estimate for 2023-24 budgeting purposes was \$1,953,101, or about \$244,137, per penny. He explained that Town staff used this number during the previous discussion because that is what the budget is based on, and Town staff did not want to confuse the discussion with two different numbers. Town Manager Freeman advised that during the last meeting, he reported that the tax rate for Bristol, Virginia, was nine percent. He explained that he got that number from the City's Municipal Code, which was apparently not up to date. Town Manager Freeman expressed that several media outlets reported that the city increased their lodging tax rate to 13 percent during the 2023-24 budgeting process, therefore, Town staff wanted to make sure to report this updated information.

MUSEUM HVAC: Town Manager Freeman stated that in the last week or so, the Town lost a heat pump at the Heritage Preservation Center. He commented that the unit was over twenty years old. Town Manager Freeman noted that there is quote for a replacement, and he has instructed Museum Director Grant Gerlich to move forward with getting the replacement scheduled. He explained that the quoted price is just under \$10,000, and this was an unbudgeted item that will come back to the Council at the next meeting with a request to amend the budget and appropriate the funds for the repair.

B. RE: UPCOMING MEETINGS

Town Clerk Corvin presented the upcoming meetings, as follows:

1. The Wytheville Planning Commission will meet on Thursday, September 14, 2023,

at 6:00 p.m., in the Council Chambers.

2. Downtown Wytheville, Incorporated (DTW) will meet on Monday, September 18, 2023, at 5:30 p.m., at the DTW Office.

3. The Wytheville Redevelopment and Housing Authority will meet on Wednesday, September 20, 2023, at 12:00 p.m., at the Housing Authority Office.

4. The New River Regional Water Authority (NRRWA) will meet on Thursday, September 21, 2023, at the 10:00 a.m., at the NRRWA Plant.

5. District III will meet on Thursday, September 21, 2023, at 6:00 p.m., at the Marion Office.

6. The next regular scheduled meeting of the Wytheville Town Council will be held on Monday, September 25, 2023, at 5:00 p.m., in the Council Chambers.

11. RE: OTHER BUSINESS

A. RE: COUNCIL MEMBER TIME

Mayor Taylor advised that the next agenda item is Council Member Time. She updated the Council regarding the 9/11 Commemoration event held earlier in the day. She thanked the Council and all of the churches for their input and help for a successful event. Mayor Taylor advised that she would like to also thank Councilwoman Johnson who is also a first responder for her efforts and for her service, and for also helping with the planning of this event. Councilwoman Johnson stated that she would also like to thank Mayor Taylor because she did a good job. Mayor Taylor thanked SignGypsi for the sign that was placed for the event.

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

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

Mayor Taylor read a thank you dedicated to the first responders of the Town of Wytheville and Wythe County.

Mayor Taylor inquired if Councilwoman Atkins had anything to discuss during Council Member Time. Councilwoman Atkins stated that she did not have anything to discuss at this time.

Mayor Taylor inquired if Councilwoman Johnson had anything to discuss during Council Member Time. Councilwoman Johnson stated that she did not have anything to discuss at this time.

12. RE: CLOSED MEETING

- A.** Mayor Taylor advised that it will now be necessary for the Council to go into a closed meeting pursuant to Section 2.2-3711 (A.) (1.) Discussion regarding the Town Attorney position; Section 2.2-3711 (A.) (3.) Discussion regarding the acquisition/disposition of real property to be used for a public purpose; Section 2.2-3711 (A.) (7.) Consultation with legal counsel pertaining to probable litigation; Section 2.2-3711 (A.) (1.) Discussion regarding the performance and salaries of appointed employees. She inquired if there was a motion to go into a closed meeting.

Motion made by Councilwoman Johnson, Seconded by Councilwoman Atkins. Mayor Taylor 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: Voting Yea: Mayor Taylor, Vice-Mayor Pattison, Councilwoman Atkins, Councilman Gillman, Councilwoman Johnson. (5:44 p.m.)

- B. Mayor Taylor advised that it was necessary to certify the closed meeting. She noted that it was also necessary to reconvene into open session. Mayor Taylor inquired if there was a motion to certify the closed meeting held pursuant to Section 2.2-3711 (A.) (1.) Discussion regarding the Town Attorney position; Section 2.2-3711 (A.) (3.) Discussion regarding the acquisition/disposition of real property to be used for a public purpose; Section 2.2-3711 (A.) (7.) Consultation with legal counsel pertaining to probable litigation; Section 2.2-3711 (A.) (1.) Discussion regarding the performance and salaries of appointed employees, and that only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification applies, and only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council.

Motion made by Vice-Mayor Pattison, Seconded by Councilman Gillman. Mayor Taylor inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting results, by roll call vote: Voting Yea: Councilwoman Johnson, Councilwoman Atkins, Mayor Taylor, Vice-Mayor Pattison, Councilman Gillman. (7:44 p.m.)

RE: AMENDMENT TO AGENDA - AMEND TOWN CLERK SALARY

A motion was made by Councilwoman Atkins and seconded by Councilwoman Johnson to amend the agenda to discuss a pay increase for extra duties for Town Clerk Sherry Corvin, who is an appointed employee. Mayor Taylor inquired if there is any discussion on the motion. Councilwoman Atkins stated that she is requesting an increase in pay for Town Clerk Corvin for compensation as an extra job duty as the Freedom of Information Act (FOIA) Officer. She explained that the Council has learned that after the raises were given to appointed employees that the Town Council can also change the amount or give a raise, and she would like to see some extra compensation given to Ms. Corvin because she does, from her understanding, do an excellent job on FOIA requests. Councilwoman Atkins explained that it is not a raise just for her job, but she does not think she has been supplemented for this, but she could be wrong. She commented that the Council was advised that there needed to be compensation for this or in some cases, in other localities, there is a full-time employee who takes on the responsibility of the FOIA Officer. Councilwoman Johnson stated that she agrees with Councilwoman Atkins and that if the FOIA Officer is a full-time position in other localities, then Town Clerk Corvin needs to be compensated for the job that she is doing, if she has not been compensated. She noted that she wants to do the right thing when it comes to the Town's employees. Councilwoman Atkins stated that in the past, there was a large sum of raises given to different appointed employees, and she is asking that this be justified as an extra job duty that Town Clerk Corvin does, and not just as a raise. She noted that she wanted to clarify that because, from her understanding, the Town Council is capable of making that decision, which they were just made aware of this not too long ago. Councilwoman Atkins apologized to Town Clerk Corvin for putting her on the spot in the meeting, however, the Council has tried to discuss this, but could not come to an agreement. Mayor Taylor stated that there is a motion on the floor. She inquired if there is a dollar number to the salary increase. Interim Town Attorney Paul Cassell stated that the motion and second is only to amend the agenda. Mayor Taylor inquired if there is any further discussion on the motion. There being none, the motion was approved with the following voting results, by roll call vote: Voting Yea: Councilman Gillman, Vice-Mayor Pattison, Mayor Taylor, Councilwoman Atkins, Councilwoman Johnson.

RE: DISCUSS AMENDING TOWN CLERK SALARY

Mayor Taylor advised that the next agenda item is to discuss amending the Town Clerk's salary. Councilwoman Atkins clarified that she is not asking for a raise for Town Clerk Corvin's job, but, rather, for the extra duty as the Freedom of Information Act (FOIA) Officer. A motion was made by Councilwoman Atkins and seconded by Councilwoman Johnson to amend Town Clerk Sherry Corvin's salary for the extra duty as the Freedom of Information Act Officer. Mayor Taylor inquired if there was any discussion on the motion. Interim Town Attorney Paul Cassell inquired as to the amount the salary is being requested in the motion. He noted that the motion only stated that it was for the compensation of salary for FOIA Officer. Councilwoman Atkins advised that in previous conversations, \$10,000 was the amount given as a

raise to a couple of previous appointed employees. She noted that this was her understanding, but she could be wrong, and she only wanted to state this for the record. Mr. Cassell advised that Mayor Taylor needed to confirm the motion. Mayor Taylor stated that the motion and second is to amend Town Clerk Sherry Corvin's salary for the extra duty as the Freedom of Information Act (FOIA) Officer. Councilwoman Atkins inquired of Town Clerk Corvin as to how many years she has been the FOIA Officer and done the requests. Town Clerk Corvin stated that it is hard to remember exactly, however, she did the job before, and when former Town Attorney Chris Mennerick came, he did the job for about a year. She noted that when former Town Attorney Michelle Clayton came, she did not want the job duties, so the job came back to her several years ago. Councilman Gillman inquired of Town Clerk Corvin if and when she took over the job duty as FOIA Officer, was she compensated extra for that. Town Clerk Corvin advised that she does not recall. She stated that there were several Closed Meetings held about salaries that she was excluded from, and she was given compensation in 2021, but on the form it only states "reevaluation of job duties." She reiterated that she is not aware of what all was discussed during the Closed Meetings. Councilwoman Atkins inquired of Town Clerk Corvin if she was performing the job duty as FOIA Officer prior to 2021. Town Clerk Corvin stated that is correct. Mayor Taylor inquired if there was any further discussion. Councilwoman Atkins advised that she would be open to a different dollar amount if any of the other Council members would like to discuss another amount for those who are not in agreement. Discussion ensued regarding the topic being discussed in the open session. Mayor Taylor inquired if there was any other discussion on the motion. There being none, the motion was denied with the following voting results, by roll call vote: Voting Yea: Councilwoman Atkins, Councilwoman Johnson. Voting Nay: Mayor Taylor, Vice-Mayor Pattison, Councilman Gillman.

RE: JOB DUTIES REMOVED FROM TOWN CLERK DUTIES

Councilwoman Atkins inquired if discussion could be held regarding removing the FOIA Officer job duty from Town Clerk Corvin's job description. Mr. Cassell stated that this will need to be discussed at another meeting due to it not being on this meeting agenda. Councilwoman Atkins thanked Mr. Cassell.

RE: AMENDMENT TO AGENDA - DISCUSS APPOINTED OFFICIALS' SALARIES

Councilwoman Johnson stated that from this meeting further, any appointed salaries need to be made by the Town Council. She commented that they need to be discussed by the Council. Mr. Cassell stated, again, this will need to be discussed at another Council meeting or make a motion to amend tonight's meeting agenda. A motion was made by Councilwoman Johnson and seconded by Councilwoman Atkins to amend the agenda to include discussion that all appointed officials' salaries shall be discussed and voted upon by the Town Council. Mayor Taylor inquired if there is any discussion on the motion. There being none, the motion was approved with the following voting results, by roll call vote: Voting Yea: Councilman Gillman, Vice-Mayor Pattison, Mayor Taylor, Councilwoman Atkins, Councilwoman Johnson.

RE: VOTE ON APPOINTED OFFICIALS' SALARIES

A motion was made by Councilwoman Johnson and seconded by Councilwoman Atkins that all appointed officials' salaries shall be discussed and voted upon by the Town Council. Mayor Taylor inquired if there was any discussion on the motion. Vice-Mayor Pattison stated, respectfully, she thinks management sets the salary or the range and Council gives the final blessing. She noted that as far as she is concerned, that is what has been taking place. She remarked that she has been a member of the Council for five years, and that is what she has experienced. Councilwoman Atkins inquired of Vice-Mayor Pattison if there have been any appointed employees come in and ask for a raise and the Council approved it. Vice-Mayor Pattison advised that she is stating that management has handled it in a manner where they determined the salary range and he/she presented that to the Council, and the Council votes. She remarked that this is the way it has been presented for the last five years. Town Manager Freeman commented that he has only been a part of this since 2020, when these took place. He noted that the appointed employees have absolutely come into the Council Chambers during a Closed Meeting, and it was discussed by the Town Council. Town Manager Freeman explained that outside of that, there have not been

any other pay increases, other than the Compensation Study, for appointed Officials, except for what the Council voted on, unanimously, five to zero to approve back in March 2023. Discussion ensued regarding an appointed employee asking Town Manager Freeman for a pay increase and the majority of the Council agreeing to give the employee an increase. Councilwoman Johnson inquired as to what procedure was followed to give the pay increase to the former appointed employee. Town Manager Freeman stated that there was a discussion during a Closed Meeting that it was going to happen. Councilwoman Johnson stated that it should then have been voted on in open session because that is the procedure so that the public could know what was going on. She remarked that in the future, that procedure needs to be followed, if that is the procedure. Councilwoman Atkins commented that at that time, she was not in agreement with giving the appointees raises because that was the year of supposedly no adjustments. She stated that for no justification, there were raises given, from her understanding, but, yet she is asking for an employee who does an extra job duty to be granted a raise, and it was denied. Town Manager Freeman explained why the appointed employee received compensation after a six-month probationary period evaluation. Councilwoman Johnson commented that in the future, it needs to be discussed in open session. Discussion continued regarding appointed employees' salaries in the future. Mr. Cassell advised Mayor Taylor that the motion is that all appointed officials' salaries shall be discussed and voted upon by the Town Council. Town Clerk Corvin stated that is correct. Mayor Taylor inquired if there is any further discussion on the motion. Discussion ensued regarding the Code Section that Mr. Cassell referenced for this discussion. Mr. Cassell stated that he would get the information for Councilwoman Johnson and Councilwoman Atkins. Town Clerk Corvin clarified that the motion on the floor is that all appointed officials' salaries shall be discussed and voted upon by the Town Council. Mayor Taylor inquired if there was any further discussion on the motion. Councilwoman Atkins stated that she wants the Council to approve the salaries of the appointed employees. Vice-Mayor Pattison clarified that Councilwoman Atkins does not want the Town Management to make any decisions or have any say regarding the salaries of the appointed employees period. Councilwoman Atkins stated that is correct, and that she wants to follow the Code. Mr. Cassell advised that the Code is already the law, and that there is no motion needed to follow the Code because it is already in effect. He advised that there is already a motion and second before the Council, and that Parliamentary Procedure wise, they could continue to have discussion, but the Council is bound by what the original motion was that the Town Clerk has read to the Council. He explained that the Council can make additional motions throughout the meeting, but, at this time, the Council has to address the motion as it was read by the Town Clerk. He reiterated that Town Clerk Corvin has read the motion to the Council, and at this time that is what the Council is voting on after discussion. Vice-Mayor Pattison inquired of Town Clerk Corvin if she would please read the motion again. Town Clerk Corvin advised that the motion is that all appointed officials' salaries shall be discussed and voted upon by the Town Council. Mayor Taylor inquired if there was any further discussion on the motion. There being none, the motion was approved with the following voting results, by roll call vote: Voting Yea: Councilman Gillman, Vice-Mayor Pattison, Mayor Taylor, Councilwoman Atkins, Councilwoman Johnson.

13. RE: ADJOURNMENT

There being no further business to be discussed a motion was made, seconded and carried to adjourn the meeting. (8:11 p.m.)

Beth A. Taylor, Mayor

Sharon G. Corvin, CMC, Town Clerk

STAFF REPORT SEPTEMBER 11, 2023

20TH STREET BRIDGE

One of the biggest developments over the last couple of weeks was the closure of the 20th street Bridge. This was as the result of a call I received on August 30th from the VDOT Bristol District Bridge Safety Inspection Manger indicating that the felt the bridge was unsafe and should be closed. Out of an abundance of caution, we closed the bridge immediately. We anticipate that it will remain closed for indefinitely.

At this time, we are working diligently to identify the next steps for repair or replacement of the bridge. As many of you know the bridge's steel and masonry structure was constructed around 1911 by Norfolk Southern, who maintains ownership and control of everything below the bridge deck, including most deteriorated and unsafe structural elements forcing its closure. Lacking total ownership of the bridge does complicate matters, but we are committed to seeking every alternative available to remedy the situation.

In the interim, the safety of the adjoining neighborhood and those reliant upon the bridge to access their homes and properties is our number one concern. As such, we are developing plans and exploring all available options to ensure that emergency response is not compromised for the citizens in this area. Of utmost importance is ensuring that multiple paths for ingress and egress are available in the event W Railroad Avenue was unpassable. These options include the potential completion of W Madison Street and working with private property owners to develop an alternative route for emergency

access and evacuation.

We are also exploring options to make the ingress and egress from US Route 21 safer for motorists as this will almost certainly increase the number of people.

We will keep these citizens apprised of our progress through direct correspondence and through these meetings. As we work through these challenges, we humbly ask for the community's patience.

INDOOR POOL CLOSURE

The Indoor pool at the Wytheville Community Center will close on September 9 to begin replacement of the dehumidifier system. The indoor pool will remain closed until October 2. During this time McWane pool will be open to the public for day passes and available to those with both a Silver and Gold Pass Plan.

McWane pool hours will be:

Monday - Friday: 6 a.m. – 12 p.m.; 4 - 8 p.m.

Saturday: 10 a.m. – 7 p.m.

Sunday: 1 p.m. - 5:30 p.m., weather permitting.

LODGING TAX FOLLOW-UP

During our last meeting, there was a request from the Council to refine the projections for Lodging Tax Revenues, based on the 2022-23 Fiscal Year Actuals. We have done so and would like to report those to you. 2022-23 actuals for lodging tax were \$2,177,607.72 That breaks down to \$272,200.97 per penny of tax.

Our conservative estimate for 2023-24 budgeting purposes was \$1,953,101, or about \$244,137 per penny. We used this number during our previous discussion, because that's what the budget was based on, and we did not want to confuse the discussion with two different numbers.

I also reported during the last meeting that the tax rate for Bristol, VA was 9%. I pulled that number from the City's municipal code, which is apparently not updated. Several Media outlets are reporting that the city increased their lodging tax rate to 13% during the 2023-24 Budgeting Process, so we wanted to make sure we reported that correctly.

MUSEUM HVAC

In the last week or so, we lost a heat pump at the Heritage Preservation center. The unit was over twenty years old and beyond. We have a quote for a replacement, and I've instructed the Museum Director to move forward with getting the replacement scheduled. There is really very little choice when these things occur. The quoted price is just under \$10,000 and this was an unbudgeted item. We will come back to the Council at our next meeting with a request to amend the budget and appropriate the funds for the repair.