AGENDA

TOWN COUNCIL WORK SESSION

TUESDAY, AUGUST 26, 2025 AT 4:00 PM

COUNCIL CHAMBERS, 150 EAST MONROE STREET WYTHEVILLE, VA 24382

1. PERSONS SCHEDULED TO ATTEND

Beth Taylor - Mayor
Candice Johnson - Vice-Mayor
Cathy Pattison - Council Member
Holly Atkins - Council Member
Joseph Hand, Jr. - Council Member
Sherry Corvin - Interim Town Manager
Elaine Holeton - Assistant Town Manager
Paul Cassell - Town Attorney
Brandi Jones - Chief Deputy Clerk
Billy Anderson - Director of Public Utilities and Engineering
Ron Jude - Computer Operations Manager

2. INVOCATION - VICE-MAYOR CANDICE JOHNSON

3. ITEMS TO BE DISCUSSED

A. **Approval of Agenda** - MAYOR BETH TAYLOR **(requires motion and roll call vote)**

B. **Discussion regarding a sight obstruction on Peppers Ferry Road and possible realignment of the Oakwood Cemetery fence** - DIRECTOR OF PUBLIC UTILITIES AND ENGINEERING BILLY ANDERSON

C. **Review of Ordinance No. 1456, an ordinance amending and reenacting Chapter 7, License and Business Regulations, Article I. In General, Section 7.1 Agents, Canvassers or Solicitors for Door to Door Sales, Political Parties Exempted, of the Code of the Town of Wytheville, Virginia, to add an additional exemption for public service providers** - INTERIM TOWN MANAGER SHERRY CORVIN

D. **Review of Town Council Rules of Procedure for 2025** - INTERIM TOWN MANAGER SHERRY CORVIN

E. **Discussion regarding audio system speakers in the downtown area** - COMPUTER OPERATIONS MANAGER RON JUDE

F. **Discussion regarding a proposed joint meeting of the Wytheville Town Council and the Wytheville Planning Commission regarding the Unified Development Ordinance (UDO)** - ASSISTANT TOWN MANAGER ELAINE HOLETON

G. **Council Member Time**

4. ADJOURNMENT

DISCUSSION REGARDING SIGHT OBSTRUCTION, AND POSSIBLE FENCE REALIGNMENT

3-B

Staff Report

Prepared by: Billy J. Anderson, Director of Public Utilities and Engineering
Date prepared: 08-18-2025

Concern

Oakwood Cemetery Fence and Line of Sight at Revitalized 500 Peppers Ferry Rd facility.
The Department of Corrections is remodeling the old Fastenal Building and parking lot at 500 Peppers Ferry Rd.

History

This property was formerly owned by Emerson Electric which originally occupied 555 Peppers Ferry Road. In the later part of 1978, the Virginia Department of Transportation made improvements to Peppers Ferry Road along this corridor. These improvements included widening the road to its current 4 lane configuration and the installation of the curb inlet as it now exists near the common boundary line between the subject property and Oakwood Cemetery.

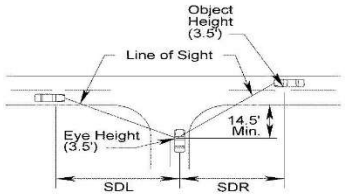
The structure built at 500 Peppers Ferry Road was originally constructed in 2005. The construction of this building also included the improvement of a parking lot and drive isles which connected the parking lot to both existing Cove Road and Peppers Ferry Road curb entrances.

From imagery and records, when the construction of this building was completed, the fence surrounding Oakwood Cemetery was a woven wire type fence line. This was similar to what can be found in an agricultural application. This fence contained vertical posts approximately 16’ apart, with open woven fence spanning between each post. In 2006, the Town of Wytheville installed the decretive metal fence as it now exists. This fence contains vertical posts every 8’, and vertical pickets approximately every 4”. This fence does extend internal to the Peppers Ferry Road right of way by several feet.

The concern regarding site distance at the existing entrance was brought to the Town’s attention in the first week of August 2025, during the rehabilitation of the property. This concern was brought to the developer’s attention via their grading contractor after utilizing the entrance to enter and exit the site during grading and construction activities.

Intersection Sight Distance

The following table shows intersection sight distance requirements for various speeds along major roads:



SDR = Sight Distance Right (For a vehicle making a left turn)
SDL = Sight Distance Left (For a vehicle making a right or left turn)

Height of Eye 3.5'									Height of Object 3.5'			
Design Speed (mph)**		**20**	**25**	**30**	**35**	**40**	**45**	**50**	**55**	**60**	**65**	**70**
SDL=SDR: 2 Lane Major Road	In Feet	225	280	335	390	445	500	555	610	665	720	775
SDR: 4 Lane Major Road (Undivided) or 3 Lane		250	315	375	440	500	565	625	690	750	815	875
SDL: 4 Lane Major Road (Undivided) or 3 Lane		240	295	355	415	475	530	590	650	710	765	825
SDR: 4 Lane Major Road (Divided – 18' Median)		275	340	410	480	545	615	680	750	820	885	955
SDL: 4 Lane Major Road (Divided – 18' Median)		240	295	355	415	475	530	590	650	710	765	825
SDR: 5 Lane Major Road (continuous two-way turn-lane)		265	335	400	465	530	600	665	730	800	860	930
SDL: 5 Lane Major Road (continuous two-way turn-lane)		250	315	375	440	500	565	625	690	750	815	875
SDR: 6 Lane Major Road (Divided – 18' Median)		290	360	430	505	575	645	720	790	860	935	1005
SDL: 6 Lane Major Road (Divided – 18' Median)		250	315	375	440	500	565	625	690	750	815	875
SDL: (Where left turns are physically restricted)		210	260	310	365	415	465	515	566	620	670	725

TABLE 2-5 INTERSECTION SIGHT DISTANCE

Source: 2018 AASHTO Green Book, Chapter 9, Section 9.5.3

An initial site visit was conducted to view the situation. A preliminary sight distance measurement was checked utilizing standards shown in Appendix F of the Virginia Department of Transportation Road Design Manual (See appendix F as attached). Per design standards, the sight distance left (SDL) and sight distance right (SDR) for a four-lane undivided major road with a posted 35 mile per hour speed limit is 415' and 440' respectively.

With the fence in its existing configuration, the sight distance left when viewing in the direction of Oakwood Cemetery from a point in the entrance about 10' off of the travel lane was approximately 100' – 125'. A sight distance check at the required distance of 14.5' off of the travel lane resulted in far less sight distance when viewing left.

A request was made by the developer to temporarily detach the picket portion of the existing perimeter fence from the corner post 8' northerly along the common line with the property located at 500 Peppers Ferry Road, and northeasterly 80' along Peppers Ferry Road to allow for sight distance measurements to be made and determine if there is a notable improvement.

With the approval to temporarily remove the requested portions of the fence, town staff conducted a second

sight distance measurement. With the picket portions of the existing perimeter fence removed, viewing left and forward of the first post 8' northerly along the common boundary line from the corner post, and taken from the require distance off the travel lane (14.5'), the recorded sight distance left (SDL) was 290' to a point in the center of the right lane and 372' to a point in the center of the left lane when traveling towards 11th Street. Recoded sight distance right (SDR) was measured at 460' in both right and left lane when traveling away from 11th Street.

Potential Option

To improve safety when exiting the existing entrance, the corner post could be relocated 8' northerly from its existing location. From this relocated corner post the approximately 80' section which runs parallel to Peppers Ferry Road could be relocated and tied back into the existing fence line at the specified location along Peppers Ferry Road. This proposed relocation would require investigation internal to the existing fence line near the corner post to identify any possible burial sites that would conflict with the proposed relocation of the perimeter fence.

Approval to relocate the partial section of the perimeter fence may also require the relocation of one of the three trees planted along the road frontage of Oakwood Cemetery.

Relocation of the existing perimeter fence would not produce all of the required sight distance needed for this entrance however, relocation would greatly increase the safety of motorist when attempting to exit the site and merge onto Peppers Ferry Road.

Photo 1

Photo 1 is taken with the perimeter fence in place, from a point in the existing entrance, where the location of the motorist attempting to pull onto Pepper Ferry Road is 10’ from the travel lane instead of the required 14.5’ as indicated in Appendix F of the Virginia Department of Transportation Road Design manual.

Viewing left in this scenario results in a sight distance of approximately 100’ to 125’, from a location closer to the travel lane than permitted by sight distance standards. When viewing from the required distance of 14.5’ from the travel lane, the sight distance left when attempting to pull onto Peppers Ferry Road is further reduced.

Photo 2

Photo 2 is taken with the perimeter fence removed, from a point in the existing entrance where the location of the motorist attempting to pull onto Pepper Ferry Road is 14.5’ from the travel lane as required in Appendix F of the Virginia Department of Transportation Road Design manual.

Viewing left in this scenario results in a sight distance of 290’ and 372’. With the perimeter fence removed only to a point 8’ from the corner post (indicted in red in photo 2,) the sight distance is increased 2.3 to 3.0 times, allowing the motorist a safer opportunity to pull onto Peppers Ferry Road.

Photo 3

Photo 3 indicates the proposed relocation of the fence to a point 8' northerly of the corner post. With this proposed relocation, one existing tree will fall outside of the cemetery perimeter fence, while the remaining two trees will still remain inside the cemetery perimeter fence.

REVIEW OF ORDINANCE NO. 1456

3-C

ORDINANCE NO. 1456

At a regular meeting of the Town Council of the Town of Wytheville, Virginia, held in the Council Chambers on September 8, 2025, at 6:00 p.m.

Present:

Absent:

AN ORDINANCE AMENDING AND REENACTING CHAPTER 7, LICENSES AND BUSINESS REGULATIONS, ARTICLE I. IN GENERAL, SECTION 7.1. AGENTS, CANVASSERS OR SOLICITORS FOR DOOR TO DOOR SALES; POLITICAL PARTIES EXEMPTED, OF THE CODE OF THE TOWN OF WYTHEVILLE, VIRGINIA, SO AS TO ADD AN EXEMPTION FOR PUBLIC SERVICE PROVIDERS

BE IT ORDAINED by the Town Council of the Town of Wytheville, Virginia, that Chapter 7. Licenses and Business Regulations, Article I. In General, Section 7.1 Agents, Canvassers or Solicitors for Door to Door Sales; Political Parties Exempted, of the Code of the Town of Wytheville, Virginia, be amended and reenacted, as follows:

CHAPTER 7. LICENSES AND BUSINESS REGULATIONS

ARTICLE I. IN GENERAL

Sec. 7-1. - Agents, canvassers or solicitors for door to door sales; political parties *and public service providers* exempted.

Each person desiring to go from one place of human habitation to another to engage in business in the town as an agent or canvasser for the sale of any item, other than newspapers and fresh farm products, shall register with the town treasurer and furnish such information concerning the conduct of such business as may be required by the town treasurer and a fee of $20.00 shall be paid by such person to defray the costs of the investigation of such person and of the companies which such person purports to represent. This section shall not apply to such activities when they are conducted on behalf of a nonprofit charitable, civic or religious organization.

Nothing herein shall be construed to apply to any person who, on behalf of any political party as defined in § 24.2-101 or any political campaign committee required to file a

report or statement of contributions and expenditures, engages in providing information, opinion-sampling, poll-taking or other similar canvassing activity. ***Nothing herein shall be construed to apply to any public service provider.***

REVIEW OF TOWN COUNCIL RULES OF PROCEDURE FOR 2025

3-D

WYTHEVILLE TOWN COUNCIL
RULES OF PROCEDURE FOR 2025

Be it resolved that the Wytheville Town Council does hereby accept and adopt these Rules of Procedure in order to facilitate its powers and duties in accordance with provisions of Title 15.2, Code of Virginia of 1950, as amended.

INTRODUCTION

These Rules of Procedure were designed and adopted for the benefit and convenience of the Wytheville Town Council. Their purpose is to help Town Council conduct its affairs in a timely and efficient manner. They incorporate the general principles of parliamentary procedure found in *Robert's Rules of Order Newly Revised* and applicable Virginia laws. The Rules of Procedure do not create substantive rights for third parties or participants in proceedings before Town Council. Further, the Town Council reserves the right to suspend or amend the Rules of Procedure whenever a majority of the Council decides to do so. When the Town Council's Rules of Procedure do not address a procedural issue, the Council may consider the most recent edition of *Robert's Rules of Order* for guidance. The failure of the Town Council to strictly comply with the Rules of Procedure shall not invalidate any action of the Town Council.

ARTICLE I. PURPOSE AND BASIC PRINCIPLES

1.1 Purpose of Rules of Procedure

A. To enable the Wytheville Town Council to transact business fully, expeditiously and efficiently while affording every opportunity to citizens to witness the operations of government;
B. To protect the rights of each individual Council member;
C. To preserve a spirit of cooperation among Council members; and,
D. To determine the will of Town Council on any matter.

1.2 Basic Principles Underlying Rules of Procedure

A. The business of the Town Council should proceed in the most efficient manner possible;
B. Town Council's Rules of Procedure must be followed consistently;
C. Town Council's actions should be the result of a decision on the merits and not a manipulation of the procedural rules;
D. Only one subject may claim the attention of Town Council at one time;
E. Each item presented for consideration is entitled to full and free discussion;
F. Every member has equal rights to participate and vote on all issues;
G. Every member must have equal opportunity to participate in decision making;
H. The will of the majority must be carried out, and the rights of the minority must be preserved; and,
I. The Council must act as a body.

ARTICLE II - TITLE

2.1 The official title of this Council shall be the **Wytheville Town Council**.

ARTICLE III - MEMBERS

3.1 The Town Council shall consist of five members, who all serve At-Large. The term of office for all Council shall be for four years on staggered terms

ARTICLE IV - OFFICERS

4.1 **Mayor.** The Mayor of the Council shall be elected every four years. The Mayor shall preside over all meetings, represent the Council at official functions and ceremonial events and make such appointments as are not required by law to be made by the Council as a body. The role of the Mayor includes, but is not limited to: (1) Acts as the official head of the Town for ceremonial purposes; (2) Chairs all Town Council meetings; (3) Maintains order and decorum and ensures the fair and equitable treatment of all speakers; (4) Keeps discussion and questions focused on the specific agenda item being discussed; (5) Serves as a spokesperson on all official Town Council positions; (6) Selects substitute Town representation when he/she cannot attend a function; (7) Strives to lead the Council into an effective, cohesive, working team; (8) Signs documents, not requiring the Town Manager's signature, on behalf of the Town.

4.2 **Vice-Mayor.** The Vice-Mayor of the Council shall be elected from its members at its organizational meeting. The Vice-Mayor shall preside in the absence of the Mayor and perform such other duties as may be assigned by the Council. The role of the Vice-Mayor includes, but is not limited to: (1) Performs the duties of the Mayor in his/her absence or is disabled in any way; (2) Chairs Council meetings in the Mayor's absence; (3) Represents the Town at ceremonial functions at the Mayor's request; (4) Makes routine motions on Town Council meeting agenda items.

4.3 **Term of Office.** The elected Mayor shall serve for four years, and the Vice-Mayor shall be selected for two-year terms.

4.4 **Appointed Officers.** The Town Council appoints a Town Manager, Town Attorney, Town Clerk and Town Treasurer. These officers shall hold their office at the pleasure of the Town Council, and shall qualify for their respective office as required by law.

ARTICLE V - MEETINGS

5.1 **Organizational Meeting.** The first meeting held after the newly elected members of the Council have qualified, and the first meeting in January held of each succeeding year shall be known as the organizational meeting. At such organizational meeting, the Council shall establish the days, times and places for

the regular meetings of the Council for the ensuing twelve months. (Section 15.2-1416, Code of Virginia, 1950, as amended)

5.2 **Regular Meetings.** The Council shall meet in regular session on the second and fourth Monday of each month at a time as prescribed by the Town Council. The Council shall meet as shown on the approved Meeting Calendar, and any subsequent revisions or by recessing any meeting and setting the date and time for continuation of that meeting will be by roll call vote. The Council may subsequently establish different days, times or places for such regular meetings by passing a resolution to that effect. However, when the day established as a regular meeting day falls on a legal holiday, the meeting shall be held on the next regular business day, without action of any kind by the Council. If a Council meeting is cancelled due to inclement weather or other conditions are such that it is hazardous for Council members to attend the regular meeting, the meeting shall be continued until the following Monday at the same time and in the same place. (Section 15.2-1416, Code of Virginia, 1950, as amended.)

5.3 **Special Meetings.** Special meetings may be called by the Clerk of the Council at the request of the Mayor or any three (3) Council members. Reasonable notice of each special meeting shall be given to each member of the Council. No business shall be transacted at a special meeting except that for which the special meeting is called, except by a majority vote of all of the members of the Council. (Section 15.2-1418 et al Code of Virginia, 1950, as amended.)

5.4 **Notice to Public.** The Town Clerk shall make out the notice of such meeting of the Council for each member, notify the general news media of the time and place of all meetings when three (3) or more members of the Council are scheduled to attend to conduct Town business.

5.5 **Public Hearings.** Public hearings shall be held after proper public notice has been given. (Section 15.2-1427(F), Code of Virginia, 1950, as amended.)

5.6 **Recessed Meetings.** Any regular or special meeting may be recessed by a majority of the members of the Council present to a date and time designated prior to the next regular meeting.

5.7 **Place of Meetings.** The location for the Town Council meetings shall be in the Council Chambers of the Town Municipal Building, 150 East Monroe Street, Wytheville, Virginia, unless a different meeting place shall have been established and notice published as required by the Code of Virginia, 1950, as amended.

5.8 **Open Meetings.** All meetings shall be open to the public, provided that the Council may, for purposes provided for in the Virginia Freedom of Information Act, upon motion made, seconded and duly adopted, meet in a closed meeting. No resolution, ordinance, rule, contract, regulation or motion shall be adopted in a closed meeting. All motions shall become effective only after it is properly voted

upon in an open meeting and a vote taken of the membership on such resolution, ordinance, rule, contract, regulation or motion.

ARTICLE VI – AGENDAS FOR TOWN COUNCIL MEETINGS

At each regular Town Council meeting, the first agenda item will be "Approval of Agenda." The Mayor or other presiding officer will entertain a motion for Council to approve the proposed regular session agenda, with or without modification as identified in the motion. The Clerk of Council will poll each Council member on such vote and, if necessary, successive votes will be taken until there is Council approval of both agendas. With a vote for approval of modification, Council may amend its regular session agenda at the beginning of the regular session, again with the Clerk of Council conducting an individual poll on the vote of each member of Council. There will be an agenda for each and every Council meeting, including occasional Work Sessions, and no matters which are not on the approved agendas will be discussed unless deemed an emergency. Notwithstanding any prior action of Council to the contrary, Council members may contact the Town Manager with any items desired to be on the agenda, if necessary. The proposed agenda items cut-off time will be ten (10) days preceding the Monday Town Council meeting. The Town Manager shall approve or disapprove the proposed agenda item according to the items already scheduled for the agenda, or if it is determined that the item requires further research by Town staff. All agenda items proposed by Council members that are disapproved shall be placed on the following meeting's agenda. The proposed agendas and back-up materials will be transmitted to Council members by Thursday afternoon prior to the meeting, absent special circumstances.

Agenda materials shall be compiled and delivered to the Clerk of Council by 12 noon on the Monday preceding the scheduled Council meeting for duplication and distribution, by whatever means as determined by Council (i.e., paper copies, electronically, etc.).

ARTICLE VII - QUORUM AND ACTIONS

7.1 **Quorum.** A majority of all the members of the Council shall constitute a quorum. The Mayor shall be included and counted in determining the presence or absence of a quorum.

7.2 **Required Absence.** No action shall be taken by the Council unless there shall be present at least a quorum, provided, however, that the temporary absence from the meeting room of members sufficient to constitute a quorum shall not be deemed to prevent the hearing of presentations or the discussion of matters submitted to the Council. The Clerk shall suggest the absence of a quorum prior to the taking of any action by the Council. Failure of the Clerk, or any member of the Council, to suggest the absence of a quorum shall not be deemed to alter the effect of this rule requiring a quorum as a prerequisite to any action.

7.3 **Remote Participation in Council Meetings.** Council members may participate in meetings of the Wytheville Town Council or a Wytheville Town Council

Committee/Board by electronic means as permitted by Virginia Code §2.2-3708.3 and in compliance with the Town of Wytheville Electronic Meeting Participation Policy. This applies to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

Whenever an individual member wishes to participate from a remote location, the law requires a quorum of the Town Council to be physically assembled at the primary or central meeting location, and there must be arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

For purposes of determining a quorum when a member is participating through electronic means, the member's remote participation shall count toward a quorum as if the member is physically present when (1) any member participates remotely due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance; or (2) a medical condition of a member of the member's family requires the member to provide care that prevents the member's physical attendance or when the member is a caregiver who must provide care for a person with a disability at the time the public meeting is being held thereby preventing the member's physical attendance.

When such individual participation is due to a personal matter, such participation is limited by law to two meetings or 25 percent of the meetings of the public body per member each calendar year, whichever is fewer.

A Council member wishing to participate from a remote location in a meeting of the Council shall notify the Mayor on or before the date of the meeting that the Council member is unable to attend, identify with specificity the nature of the personal matter. The Town Clerk shall record in the minutes the specific nature of the personal matter and a general description of the remote location from which the absent Council member participated.

During a disaster and/or declared state of emergency from the Governor or the locality in which the public body is located, and it is impracticable or unsafe for a quorum of the Council to assemble in one location then the Council may conduct its meetings electronically to assure the continuity of its government. (See Code of Virginia §2.2-3708.2(A)(3), §44-146.17, §15.2-1413, and §44-146.21.)

7.4 **Action of the Council.** Action of the Council shall be taken in one of the following ways:

1. Ordinances. Where required by law, action shall be by the adoption of ordinances. Ordinances shall be proposed for adoption, notice given and adoption accomplished as provided for by general law.

2. Resolutions. Where it is not required by law or desired by the Council to act by the adoption of an ordinance, action may be taken by the adoption of a resolution. Resolutions shall be proposed in writing and a copy shall be delivered to the Clerk and all members of the Council prior to the proposal of adoption.

3. Contracts. In certain instances, action may be required by contract. Contracts shall be proposed in writing; and a copy shall be delivered to the Clerk and all members of Council prior to the proposing of adoption.

4. Motions. Where action of the Council is required on a matter simply stated, action may be taken by voice vote. A call for the vote is nondebatable and ends all discussion. The vote shall be taken immediately.

7.5 **Voting.** Votes shall be taken on all motions made and seconded.

7.6 **Roll Call Vote.** A roll call vote shall be taken at the request of any member when such a request is made prior to the taking up of any other business. A roll call vote shall be taken on the final vote on any ordinance, resolution (except congratulatory resolutions), land use, contract or money matter.

7.7 **Restating the Question.** The Mayor shall restate the question prior to the taking of a vote, however, the Mayor may request that another member restate the question if in the Mayor's opinion that will expedite the decision thereof.

7.8 **Consensus Items.** Where no formal action is required, and no objection is heard, a request of a member may be deemed to have a consensus of the Council regarding the request. The deemed consensus of the Council shall be reflected in the meeting minutes.

7.9 **Tie vote**. A tie vote fails. No tiebreaker is appointed. Failed votes resulting from the lack of a quorum due to Virginia Conflict of Interest Act actual abstentions may, in rare circumstances, be permitted to move forward pursuant to Virginia Code Sec. 2.2-3112(D).

7.10 **Second, discussion, vote.** A second to a primary or substitute motion is required to formally discuss and/or vote upon the motion. Voting shall be by voice vote. The Mayor and Town Clerk shall summarize the vote upon conclusion of an Action of Record, noting by individual name those Council members abstaining or voting in the minority on the Item of Business. Actions of Record are matters requiring the roll call vote of the members.

7.11 **Motion to reconsider.** If a primary or substitute motion is made at a Council meeting where at least four (4) members are present and the motion is voted on

and fails, the same or a substantively similar motion cannot be reconsidered by the Council during that meeting except by a primary or substitute motion to reconsider made by a member of the Council who voted on the prevailing side where there are no less than four (4) Council members present, and only if two-thirds (2/3) of the Council members present vote in favor of the motion to reconsider the action previously decided. A motion to reconsider may be made only during the same meeting at which the subject motion was acted upon.

7.12 **Motion to rescind.** A motion to rescind may be made for the intent to change an action voted upon at an earlier meeting. The motion to rescind may be made by any member of the Council. If advance written notice is provided in the agenda of the intent to make a motion to rescind, then a simple majority in favor is required for it to be successful. If no advance written notice is provided, then it shall succeed only if two-thirds (2/3) of the Board members present vote in favor of the motion to rescind.

7.13 **Abstention From Casting Vote:** All members of Council present shall vote upon all questions that a vote must be taken, unless excused by the Council (unless the member has an immediate personal or financial interest in the matter). Requests by a member to abstain from voting or to announce the intention not to vote because of personal or other financial interest shall be made to the presiding officer of Council prior to the placing of the matter before Council for vote. Council need take no further action to allow the abstention in the case of a member's personal or other financial interest in the matter, consistent with the requirements of the Virginia State and Local Government Conflict of Interests Act.

A Council member may also abstain from a vote without further Council action if the Council member believes that voting upon a matter may create the appearance of a conflict of interest. The Council member shall state the general reason that the member believes the appearance of a conflict of interest exists.

Additionally, a Council member may abstain from a vote to approve meeting minutes without further Council action if the Council member did not attend the meeting for which minutes approval is being considered.

The Council shall consider a request to abstain from a vote for other reasons and may grant the request if a majority of the members present (excluding the member requesting the abstention) votes in favor of granting the request.

ARTICLE VIII - ORDER OF BUSINESS

8.1 **Commencement of Meeting.** All regular meetings of the Council shall begin at a time as prescribed by the Town Council and at the specified hour for recessed or special meetings. The Mayor, or Vice-Mayor in the Mayor's absence, shall call

the meeting to order, and direct the Clerk to note the presence or absence of members. A quorum shall be required to commence the meeting at the appointed hour.

8.2 **Agenda.** The Town Manager shall prepare an agenda for each meeting. The Town Manager shall consult with the Mayor for any items that need to be addressed or brought forth by the citizens of the Town of Wytheville. Any member having matters he desires to have considered shall submit them to the Town Manager and Mayor of the Wytheville Town Council for inclusion in the appropriate agenda at least ten (10) days prior to the meeting where it is to be considered. No matters concerning any department of the Town or agency funded by the Town shall be considered at a Council meeting unless the matter has been presented to the Town Manager for consideration and has been handled as all other requests. Any emergency matter requiring Council action shall be presented to the Town Manager prior to the meeting so that adequate information can be provided to Council for their consideration.

8.3 **Citizens' Period.** There shall be an agenda item known as Citizens' Period to allow Town of Wytheville citizens to address the Council regarding any matter that is not an agenda item. Each citizen shall be allocated five (5) minutes to address the Council. No one shall be allowed to exceed the time limit specified in other sections of the Rules of Procedure, unless at the discretion of the Town Council, a speaker is allowed more time to speak. Any person not a citizen of the Town of Wytheville may request through the Town Manager to be placed on the regular agenda.

8.4 **Town Manager Reports.** There may be an agenda item known as Staff Reports, and the Town Manager shall provide his reports to the Town Council.

8.5 **Administrative and Informational Matters.** Administrative and Informational Matters shall not be placed on the agenda or considered by the Council until the interested Council member has ascertained from the Town Manager that all administrative actions have been taken, or following a request for action until an unreasonable time has elapsed and insufficient administrative action has been taken. Matters having to do with actions or failures to act by the Administrative Staff shall not be placed on the agenda or considered by the Council until the Town Manager shall have been given a reasonable opportunity to furnish the interested member or members with an explanatory statement.

8.6 **Order on Agenda.** The Mayor, in consultation with the Town Manager, may amend the order of the agenda, taking into account the need for staff or other presentations, and probable public interest, in order to maximize convenience to the public and minimize adverse impact on performance of normal staff functions, insofar as it is practicable.

8.7 **Minutes.** The Town Clerk shall keep the minutes of the meetings of the Town Council. At the request of any member made at the time of said presentation of discussion, the minutes shall include a summary of the substance of the presentation or debate. The Clerk shall maintain for five years an electronic recording of the proceedings of all Council meetings except the Closed Meetings. An electronic copy of the minutes of the transcribed proceedings shall be kept on file in the Town Clerk's Office for the general public.

8.8 **Approval of Minutes.** The Town Clerk's Office shall promptly transcribe the minutes following completion of the meeting. The minutes shall be placed on the next Council meeting agenda for approval upon their completion and review by the Town Clerk. The minutes shall be approved or corrected and approved without reading.

8.9 **Matters Having to do With Agencies.** Agencies which are not under the administrative supervision of the Town Manager shall not be placed on the agenda or considered by the Council until the affected agency shall have been given a reasonable opportunity to furnish the Town Manager and interested members of the Council with background information or data. Any department of the Town government, agency or organization who wishes to submit a request for funds that have not been budgeted will submit their request in writing to the Town Manager at least ten (10) days prior to a regularly scheduled Council meeting so that it can be placed on the agenda. Agency heads and its employees shall not be allowed to speak during Citizens' Period until they have followed all the procedures set forth in this document unless the item deals with issues outside the workplace.

ARTICLE IX - ORDER IN THE CONDUCT OF BUSINESS

9.1 **Persons Addressing the Council.** The time for addressing the Council will be monitored, and the Town Council shall limit the speaking time at its discretion. Insofar as is practicable, persons addressing the Council shall furnish the Town Clerk and members of the Council with a written copy of their remarks.

9.2 **Public Hearings.** In instances where persons address the Town Council, through the Mayor without having first been placed on the agenda, they shall limit their remarks as follows, except in extraordinary circumstances:

1. Person speaking for himself or his immediate neighborhood - Five (5) minutes.
2. Person speaking for an organization whose membership is representative of an entire group – Seven (7) minutes.
3. Person speaking for an organization whose membership is representative of the entire town – Ten (10) minutes.

9.3 **Recognition.** Acknowledgement shall be given only by the Mayor, or the Vice-Mayor in the Mayor's absence. No person shall address the Council without having first been recognized and coming forth stating their name and address. When all public testimony has concluded, and the Council is considering and discussing the matter, no person shall thereafter be recognized to address the Council.

9.4 **Cumulative or Repetitive Testimony.** Repeating the same testimony shall not be permitted on any matter, and persons of the same position as a previous speaker shall state their name and the position with which they agree.

9.5 **Questions.** Council members shall reserve questions insofar as possible for the end of a presentation to avoid interrupting the speaker, disrupting the time-keeping process and duplicating ground the speaker may cover.

9.6 **Discussion and Debate by the Council.** Following the presentation of testimony on the item of business pending, discussion and debates shall proceed. Members shall not speak to the item until recognized by the Mayor, members shall not speak more than ten minutes at one time, nor more than twice upon the same question, without the permission of the Town Council. A member who has spoken to the item shall not again be recognized until each other member desiring to speak shall have an opportunity to speak. After the Council shall have acted, any member shall have the right to state a protest against the action, and his/her reasons therefore, for a time not to exceed two (2) minutes. Members of the audience shall not be allowed to address the Council unless a clarification is requested by the Mayor.

ARTICLE X - DECORUM

10.1 **Decorum Of Council Members.** In order to expedite disposition of the business before the Council, questions and remarks shall be limited to those relevant to the pending business. Members shall not converse with other members or with other persons in any manner having a disturbing effect on the conduct of business. Consultation with Staff about the meeting is permitted, as necessary. Members shall address all remarks to the Mayor as the presiding officer.

10.2 **Decorum Of Other Person(s).** The Mayor, who may request such assistance as appears necessary, shall maintain decorum at meetings. Persons addressing the Council shall limit their remarks to those relevant to the pending items and to answering questions. They shall address the Council as a whole, unless answering an individual member's questions. The Mayor, or Vice-Mayor in the Mayor's absence, shall call the speaker to order, if out-of-order remarks or other indecorous conduct persists, and the Mayor, or Vice-Mayor in the Mayor's absence, shall order the speaker from the lectern. The order with gavel, if not heeded, will then cause a Wytheville Police Officer to carry out the order.

Persons whose allotted time to speak has expired shall be warned by the Mayor, or the Vice-Mayor in the Mayor's absence, to conclude in one minute, after which such person shall leave the lectern, unless he is asked to remain to answer questions from the Council. No persons in attendance shall be allowed to voice remarks except as recognized by the Mayor, or the Vice-Mayor in the Mayor's absence, after audibly stating their name, address and who they represent. Groups in the audience creating an atmosphere detrimental or disturbing the conduct of the meeting will be asked to leave by the Mayor. Taping of the meeting shall be permitted from the rear of the Council Chambers.

ARTICLE XI – COMMUNICATIONS BETWEEN TOWN COUNCIL, TOWN MANAGER AND TOWN STAFF

A. **Roles.** As provided in Sections 2 and 5 of the Town Charter, the government of the Town is vested in the Town Council and its administration in the Town Manager who directs the day-to-day operations of the Town. The Mayor of the Town has a close working relationship with the Town Manager and helps keep Council informed, respond to questions and honor the majority's direction while respecting the minority viewpoint. Council Members' chief role is to develop good public policy, engage and educate citizens and build trust in government.

B. **Channels of communication.** The normal channel for Town Council questions and requests should be to the Town Management who will respond to the member of Council with information, explanation or action, as appropriate. The Town Manager shall determine that action should be taken, if at all, after formal consideration and vote of Council. All Town Council members are discouraged from making irregular requests for information or services of employees without including a member of Town Management (Town Manager, Assistant Town Manager, Town Clerk, Town Treasurer or Town Attorney) in the request.

C. **Official tours.** All Town Council members interested in an "official tour" of various departments of Town government to observe operations and ask questions are strongly requested to contact the Town Manager or Assistant Town Manager in advance to coordinate with the Department Head and best utilize member and staff time effectively and efficiently. An official tour or visit is one that would likely involve meeting with more than one staff member and taking over one hour for observation and questions.

D. **Informal visits.** Town Council members are welcome and encouraged to visit Town departments informally to meet and greet employees from time to time, but they are respectfully requested to limit such visits to no more than one hour.

E. **Matters of concern.** Any matter of concern brought to a Town Council member by a citizen or employee should be promptly communicated to the Town Management for consideration and action.

ARTICLE XII – FREEDOM OF INFORMATION ACT REQUESTS

For the purposes of complying with Freedom of Information Act (FOIA) requests for Council member public records, the Town shall be considered the custodian for all Council member public record transmissions including those sent and received through the Town's email network.

A. Upon the expiration of their term in office, a Council member shall provide electronically copies of all of their public records other than those sent and received through the Town network and related to the transaction of public business on a thumb drive provided by the Town Information Technology Department. This thumb drive will be provided to the Town's FOIA Officer. The Town's FOIA Officer will use the copies to fulfill all further FOIA requests for Council member emails, and will maintain the copies in accordance with the Virginia Public Records Act. For purposes of this Memorandum, "public business" encompasses those matters over which the Wytheville Town Council has supervision, control, jurisdiction or advisory power.

B. Council members shall comply with the Library of Virginia's Records Retention Schedule pursuant to the Virginia Public Records Act.

ARTICLE XIII - MISCELLANEOUS

11.1 **Robert's Rules of Order.** Newly revised Robert's Rules of Order shall govern the conduct of all meetings of the Council to the extent that they are not inconsistent with these rules and the laws of the Commonwealth of Virginia. The Town Clerk shall make available at all meetings a copy of the newly revised Robert's Rules of Order. The failure of the Council to strictly comply with Robert's Rules of Order shall not invalidate any action of Council.

11.2 **Amendment of the Rules.** May be accomplished by a majority vote of the entire membership, provided that such amendment may not be voted upon at any meeting unless the text of the proposed amendment has been presented to at least one previous meeting at which the date for a vote has also been established. Any proposed amendment shall be subject to further amendment at the meeting at which the vote is taken.

11.3 **Suspension of the Rules.** May occur whenever the Council shall by a majority vote adopt a motion to suspend the rules with respect to the specific matter or question.

11.4 **Conduct with the Media.** The Mayor, or the Vice-Mayor in the Mayor's absence, will serve as the official spokesperson representing the position of the Council as a whole, and individual Council members can speak to the news media on their own behalf, but not on behalf of the Town Council. The Mayor may speak to the news media or send a press release to the news media, if the entire Town Council is notified and in agreement. The Town Public Information Officer(s) and Department Heads can speak to the news media on behalf of the Town, but not on behalf of individual Council members or the Town Council as a whole.

11.5 **Conduct with Town Boards/Commissions/Authorities.** The following shall apply to the Mayor and Council members who attend Board, Commission and Authority meetings when not a member of the Board, Commission and Authority. The Mayor and Council members should be careful not to express personal opinions when asked. The Mayor and Council members should sit in the audience as other members of the public. The presence of an elected official changes the dynamic of a meeting and the free flow of conversation. The Mayor and Council members should limit contact with the Town Board, Commission and Authority members to only questions for clarification and should not lobby. The Town Boards, Commissions and Authorities serve the community and not individual Council members. Please show respect when diverse opinions are expressed.

11.6 **Endorsement of Candidates and Campaigning During Meetings.** Council members, as individuals, have the right to endorse candidates for elected offices. It is inappropriate to mention endorsements during Council meetings or other Town official meetings. Council members campaigning on behalf of themselves should not campaign during Council meetings.

Adopted this 21st day of January, 2025

Beth A. Taylor, Mayor

Attest:

Sharon G. Corvin, CMC, Clerk of Council

Adoption/Revision Dates:
Adopted August 8, 2022
Revised/Adopted January 23, 2023
Revised/Adopted July 8, 2024
Revised/Adopted January 21, 2025

G:\COUNCIL\Other\Town Council Rules of Procedure Proposed January 2025.docx

DISCUSSION REGARDING JOINT MEETING OF THE TOWN COUNCIL AND PLANNING COMMISSION

3-F

From: Elaine Holeton <elaine.holeton@wytheville.org>
Sent: Tuesday, August 19, 2025 4:08 PM
To: Sherry Corvin <sherryc@wytheville.org>
Cc: Brandi Jones <brandij@wytheville.org>
Subject: Item Description for Work session item G

As you recall a request was made by the Planning Commission to meet with the Town Council at a special called joint meeting to discuss the Unified Development Ordinance (UDO). We have had a difficult time finding a time and date in August to schedule this meeting. It is staff's recommendation that we host the meeting at the Wytheville Meeting Center. Staff further recommends that as a working meeting we do not videotape the meeting. This will allow each member the space to feel comfortable with conversations around zoning policy.

If the council agrees with this approach, staff will send out a Doodle Poll for a range of days and times in September or October, that are available for the members of both the Planning Commission and Town Council to consider. Each member of the Planning Commission and the Town Council can then respond, using the Doodle Poll platform, as to what days and times will work best for them. On the date of the response deadline, we can then pick a meeting day and time that has the highest percentage of participants who are able to attend.

Staff would like to know if this is an acceptable method to pick a day and time for the joint meeting. Thank you.

Elaine R. Holeton, AICP, CFM, CZA
Assistant Town Manager