



AGENDA

WYTHEVILLE TOWN COUNCIL MEETING

MONDAY, SEPTEMBER 12, 2022 AT 6:00 PM
MUNICIPAL BUILDING - 150 EAST MONROE STREET
WYTHEVILLE, VA 24382

1. **INVOCATION** — VICE-MAYOR CATHY D. PATTISON
2. **CALL TO ORDER** — MAYOR BETH A. TAYLOR
3. **ESTABLISHMENT OF QUORUM** — MAYOR BETH A. TAYLOR
4. **PLEDGE OF ALLEGIANCE** — COUNCILMAN GARY L. GILLMAN
5. **APPROVAL OF AGENDA** - MAYOR BETH A. TAYLOR **(requires motion and vote)**
6. **CONSENT AGENDA**
 - A. Minutes of the regular meeting of August 22, 2022 **(requires motion and vote)**
7. **CITIZENS' PERIOD**
8. **REPORTS**
 - A. **Budget and Finance Committee (requires motion and roll call vote)**
 - B. **Staff Report(s) - TOWN MANAGER T. BRIAN FREEMAN**
9. **NEW BUSINESS** - TOWN MANAGER T. BRIAN FREEMAN
10. **OTHER BUSINESS**
 - A. Set a public hearing to consider the request of Kenneth and Jennifer Peeples for a Special Exception Permit to use property located on the north side of North Fourth Street between Tremough Drive and Fairfield Lane, Tax Parcel 24A-1-49, as pasture for four (4) horses, in an R-3 Residential Zoning District **(requires motion and vote)**
11. **ADJOURNMENT**



MINUTES
WYTHEVILLE TOWN COUNCIL MEETING
MONDAY, AUGUST 22, 2022 AT 6:00 PM
MUNICIPAL BUILDING - 150 EAST MONROE STREET
WYTHEVILLE, VA 24382

1. RE: ATTENDANCE

Members present: Beth A. Taylor, Cathy D. Pattison, Mark J. Bloomfield, Gary L. Gillman

Members absent: Holly E. Atkins

Others present: Town Manager T. Brian Freeman, Assistant Town Manager Elaine R. HOLETON, Town Clerk Sharon G. Corvin, Town Attorney Michelle Workman Clayton, Police Chief Joel Hash, Patrol Officer Kyle Counts, Donna Leonard

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 Bloomfield.

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 or to somehow be amended.

Motion made by Gillman, Seconded by Pattison.
Voting Yea: Taylor, Pattison, Bloomfield, Gillman.

6. RE: CONSENT AGENDA

A. Mayor Taylor presented the consent agenda consisting of the minutes of the regular meeting of August 8, 2022. She inquired if there was a motion to approve the consent agenda as presented or to somehow be amended.

Motion made by Bloomfield, Seconded by Gillman.
Voting Yea: Taylor, Pattison, Bloomfield, Gillman.

7. RE: OPENING OF BIDS AND PUBLIC HEARING FOR TELECABLE FRANCHISE RENEWAL

- A. Mayor Taylor advised that pursuant to Virginia Code Section 15.2-2102, she would now summarize the bids that have been received for a nonexclusive franchise to use and occupy the Town's streets and public rights-of-way for the purpose of constructing, installing, and maintaining network facilities for cable and telecommunications within and through the town:

One bid was received. Shentel has bid the following

- 15-year franchise
- Ability to re-negotiate terms if relevant law changes
- Provides all available but limited fees such as 5% franchise fee
- Provides complementary services to the Town as per federal law

Mayor Taylor inquired if there were any others who desired to submit a bid at this time. There being no other bids, Mayor Taylor advised that the bidding was closed.

Mayor Taylor advised that she will now open the public hearing concerning granting a nonexclusive franchise to use and occupy the Town's streets and public rights-of-way for the purpose of constructing, installing and maintaining network facilities for cable and communications services. She inquired if there were citizens who would like to speak during the public hearing. There being none, Mayor Taylor declared the public hearing closed and proceeded with the agenda.

Mayor Taylor stated that Town staff has evaluated the bid received from Shentel and has recommended that Shentel be granted the nonexclusive franchise. She advised that Council will take action on this matter later in the meeting.

8. RE: CITIZENS' PERIOD

Mayor Taylor stated that the next agenda item is Citizens' Period. She recognized Ms. Donna Leonard who stated that she lives at 345 East Monroe Street. She thanked the Town Council for having the speed limit sign installed on Monroe Street and for having it moved to a better location. She noted that the sign has verbiage that flashes for motorists to slow down if they are traveling too fast. Ms. Leonard inquired if there could be a Phase II for this project and if a speed limit sign could be posted on the opposite side of the street so that motorists traveling in the other direction could see a speed limit sign posted. She inquired about a 4-way stop sign possibly being installed at Third and Monroe Streets or Fifth and Monroe Streets. Ms. Leonard inquired about how she could formally make this request and the guidelines used for the installation of a 4-way stop sign. A brief discussion was held about the various locations where 4-way stop signs are currently installed. Town Manager Freeman stated that he will ask Town staff to study the pros and cons of installing a 4-way stop sign at Third and Tazewell Streets or Fifth and Tazewell Streets, and he will report back to the Town Council. Mayor Taylor thanked Ms. Leonard for her comments and for attending the meeting.

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

9. **RE: STAFF REPORTS**

A. The Staff Report was entered into the record as follows:

Procurement of Financial and Human Resources (HR) Software: The Town has released a Request for Proposal (RFP) to solicit vendors for new financial and human resources software. The software replacement project will transform the Town’s accounting system by providing cloud-based integration across all departments with near real-time reporting capabilities. The goal is to incorporate a user-friendly, self-service portal that allows citizens the capacity to digitally receive, track and pay for Town utility bills, taxes, business licenses and other Town fees from the comfort of their home, with receipts and payments correlating with the Town’s general ledger. Budgeting, invoicing, financial planning, recordkeeping and reporting services will modernize our approach to fiscal management and improve efficiency across multiple departments. On the human resource personnel management side, the goal is to provide a platform for employee self-service that can integrate with digital timekeeping, leave balances and payroll. Providing employees with a log in portal to both view and interact with timecards and request leave, personal information and insurance options that will increase the efficiency of our personnel office. Long term recordkeeping, reporting functions and tracking of personnel metrics are benefits of the new system. The program will provide a wide range of options to transform the personnel management system into a modern and comprehensive solution.

The successful vendor will provide support services for product implementation, transition assistance, training and long-term support/hosting of the platform. This project involves multiple departments who will work together over the course of this year to implement the new program. The project team is comprised of the Town Manager, Assistant Town Manager, Town Treasurer, Human Resources Manager and Computer Operations Manager. Proposals are due on September 1, 2022, and we anticipate vendor selection by October 1, 2022.

Water Leak: On Thursday, August 11, 2022, at approximately 11:30 a.m., the Town of Wytheville Water Treatment Plant’s monitoring and telemetry system showed a severe drop in pressure, which typically indicates a leak within the distribution system. Within 30 minutes, the Public Utilities Department had located a major leak at the intersection of South 6th Street and Union Street. Water was shut off in the impacted area to mitigate water loss and further property damage from occurring. Unfortunately, the older valves were incapable of completely closing, making the conditions for repair more difficult. By 8:00 p.m., the crew had excavated the leak and determined that a failure was in a 10 x 10 cross fitting. This is not a common configuration found within the Town’s system, and a back-up part was not available until 8:00 a.m. the next morning. By 7:30 p.m. on Friday, August 12, the system was repaired, and water had been restored to the affected area. Following service restoration, a boil water notice was issued by the Virginia Department of Health. Subsequent sampling of the system over the next two days demonstrated that no contamination was present, and at 10:00 a.m. on Monday, August 15, 2022, the boil water notice was lifted.

Many thanks are in order. I want to thank the Town of Wytheville Public Utilities Department for their tireless work in difficult conditions to make this repair and our Water Treatment staff for recognizing the problem, assisting with valve closure and

working extra shifts to maintain water supply levels. I also want to thank Town Engineer Trevor Hackler for his assistance and coordination efforts and Wythe County staff for providing us with the fitting we needed to make the repair.

I would like to thank the Wytheville Fire and Rescue Department for going door-to-door throughout the impacted area to provide water. I also want to thank the Public Works Department for providing bottled water and non-potable water to the area during the outage, the Municipal Office Staff for filtering the numerous telephone calls throughout the event and our Council Members who joined in the effort. This was an unfortunate circumstance and an inconvenience to many, but I am pleased with the response and teamwork of our dedicated employees to restore service to the impacted area.

10. RE: NEW BUSINESS

Under New Business, Town Manager Freeman reported the following:

1. The Joint Governing Bodies meeting scheduled for Monday, August 29, 2022, has been cancelled by Wythe County.
2. The Town of Wytheville Municipal Offices will be closed and all services curtailed on Monday, September 5, 2022, due to the Labor Day holiday.
3. The Wytheville Planning Commission will meet on Thursday, September 8, 2022, at 6:00 p.m., in the Council Chambers.
4. The next Council Work Session will be held on Monday, September 12, 2022, at 4:00 p.m., in the Council Conference Room followed by the Council meeting at 6:00 p.m., in the Council Chambers.

11. RE: RESOLUTION - TELECABLE FRANCHISE RENEWAL

- A. Mayor Taylor advised that the next agenda item is to consider a resolution to grant a non-exclusive telecable franchise, privilege, lease or right. She noted that the Town only received one bid, and it was from Shentel. She inquired if there is a motion to adopt the resolution and to authorize the Town Manager to execute the contract with Shentel.

Motion made by Bloomfield, Seconded by Gillman.

The motion was approved with the following voting results, by roll call vote: Voting Yea: Taylor, Pattison, Bloomfield, Gillman.

12. RE: RESCHEDULING TOWN COUNCIL MEETING

- A. Mayor Taylor advised that the next agenda item is to consider rescheduling the October 10, 2022, Town Council meeting due to the Columbus Day holiday. She noted that according to Section 5.2 of the newly adopted Council Rules and Procedures, since the meeting falls on a holiday, it should be rescheduled to Tuesday, October 11, 2022, at 6:00 p.m. Mayor Taylor inquired if there was a motion to reschedule the October 10, 2022, Town Council meeting due to the Columbus Day holiday.

Motion made by Bloomfield, Seconded by Pattison.
Voting Yea: Taylor, Pattison, Bloomfield, Gillman.

13. RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (6:20 p.m.)

Beth A. Taylor, Mayor

Sharon G. Corvin, CMC, Town Clerk

**WYTHEVILLE
TOWN COUNCIL**



**AGENDA ITEM
INFORMATION**

Meeting Date:	September 12, 2022
Subject:	Budget and Finance Committee Report

SUMMARY:

The Budget and Finance Committee will present their report on a proposed budget amendment. If the Council desires to approve this amendment, it will require a roll call vote by the Town Council.

TOWN OF WYTHEVILLE

COUNCIL-MANAGER FORM OF GOVERNMENT SINCE 1924

MAYOR
BETH A. TAYLOR

VICE-MAYOR
CATHY D. PATTISON

COUNCIL MEMBERS
HOLLY E. ATKINS
MARK J. BLOOMFIELD
GARY L. GILLMAN

TOWN ATTORNEY
MICHELLE WORKMAN CLAYTON
(276) 223-3393



Wytheville... there's only one!

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WYTHEVILLE, VIRGINIA 24382-0533
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TOWN MANAGER
T. BRIAN FREEMAN
(276) 223-3450

ASSISTANT TOWN MANAGER
ELAINE R. HOLETON, AICP
(276) 223-3352

TOWN TREASURER
MICHAEL G. STEPHENS, MGT
(276) 223-3333

CLERK OF COUNCIL
SHERRY G. CORVIN, CMC
(276) 223-3349

MEMORANDUM

TO: Wytheville Town Council

FROM: Budget and Finance Committee

DATE: September 12, 2022

SUBJECT: Recommendations

Downtown Wytheville, Incorporated was formed as a non-profit 501(c)(3) organization with the vision of making Downtown Wytheville the vibrant heart of the community and commerce for the region. Investment in this program, along with other physical improvements, have transformed Wytheville into a nationally recognized downtown revitalization success story in a relatively short period of time.

Downtown Wytheville, Incorporated is staffed with a full-time Executive Director and one support position, which prior to the COVID-19 Pandemic was also a full-time position. The change in economic conditions and reduction of Downtown Wytheville's programs and initiatives, however, led to this position being reduced to part-time. As we look toward a time of recovery, it will be necessary to restore this position to full-time employment to ensure Downtown Wytheville, Incorporated is adequately staffed to meet their programming goals and needs. It is the recommendation of the Budget and Finance Committee to amend and appropriate \$10,500 to account number 011010-5682 to restore the Main Street Program to full staffing level.

**WYTHEVILLE
TOWN COUNCIL**



**AGENDA ITEM
INFORMATION**

Meeting Date:	September 12, 2022
Subject:	Staff Report(s)

SUMMARY:

Town Manager Freeman will present the Staff Report(s).

STAFF REPORT
SEPTEMBER 12, 2022

A. **New Animal Control Officer Hired:** Officer Isaac Diamond assumed his duties as the Town’s new Animal Control Officer on Monday, August 22, 2022. Officer Diamond will work Monday - Friday, from 8:00 a.m. – 5:00 p.m. During these hours, Officer Diamond can be reached by telephone at (276) 223-3397 for all non-emergency animal control and welfare concerns. If he is occupied on a service call, please leave a voice message with your name, telephone number and the nature of your call, and Officer Diamond will return your call. You can reach Officer Diamond via email at wpdac@wytheville.org, as well.

Citizens are reminded to call 911 to report an animal emergency or an animal in distress.

**WYTHEVILLE
TOWN COUNCIL**



**AGENDA ITEM
INFORMATION**

Meeting Date:	September 12, 2022
Subject:	Peeples Special Exception Permit Request

SUMMARY:

Please find attached a request from Kenneth and Jennifer Peeples for a Special Exception Permit to use property located on the north side of North Fourth Street between Tremough Drive and Fairfield Lane, Tax Parcel 24A-1-49, as pasture for four (4) horses, in an R-3 Residential Zoning District. The recommendation from the Planning Commission will be presented at the meeting. It will be necessary for the Town Council to set a public hearing to consider this matter, which could be scheduled for the Tuesday, October 11, 2022, Town Council meeting.

Staff Report:

Peeples Farms LLC – Horse Pasture

Property Address: Near and Behind 490 Tremough Drive.
Tax Map Parcels: #24A-1-49.
Current Zoning: Partial R-2 Residential and Partial R-3 Residential.

Request:

A request for a Special Exception Permit to graze up to 4 horses on the

Site Conditions:

The conditions at the site were as follows when inspected by the Zoning Administrator:

1. Fences around the parcel appear to be sturdy and in good repair.
2. The pasture area was generally well groomed.
3. The existing barn appears to be in good condition.
4. Two horses were grazing in the pasture.

Special Exception Permit History for the Parcel:

1. The previous owner of the property was granted a Special Exception Permit to graze up to 12 cattle on this parcel and on an adjacent 11+ acre parcel. Fences were installed and well maintained by the previous owner of the property. When the property was sold, the previous Special Exception Permit became null and void. The new owner, (Peeples Farms LLC) was informed that a new Special Exception Permit would be required to continue to graze large animals on the property. This application represents the new owner’s efforts to secure the required Special Exception Permit.

Public Comment Received:

As of August 25, 2022, the only comment received was from a resident of the Fairfield Glade Community, who expressed concern that the new owners should obtain a Special Exception Permit to continue to use the property for grazing. This resident also noted that the horses and cattle that have been grazing on the land were not a problem and that they enjoyed watching them from their home.

Recommendations

The proposed use of the site to graze up to 4 horses is very similar to the use previously granted a Special Exception Permit. Approval of this use would be consistent with previous Special Exception Permit issued for the site.

Site Photos



Photo #1: The view from Fairfield Glade showing the visual scale of the pasture with horses. The gray and white home is the home of the applicant.



Photo #2: In this view, the pasture is located behind the rail fence in the center of the image. The site is difficult to see from this area.



Photo #3: The view from Tremough Drive looking past the applicant’s home. The pasture is behind the rail fence at the back of the parcel where the applicant’s residence is located.



Photo #4: This photo shows the gated entrance to the parcel that includes the pasture and barn.



Photo #5: This photo shows the existing barn and a typical view of the fencing that surrounds the horse pasture.



Photo #6: This photo shows the access area from Tremough Drive with the existing barn visible in the background.

ZEXC-22-1

Special Use Exception Permit Application

Status: Active

Date Created: Jul 20, 2022

Applicant

Kenneth Peebles, Jr.
hilltopautosalesandservice@gmail.com
490 Tremough Dr.
Wytheville, VA 24382
276-620-5317

Information Regarding Special Exception Permits

A special exception means a special use, which is a use not permitted in a particular district except by the issuance of a special exception permit granted under the provisions contained herein. The granting of a special exception permit shall be made under suitable regulations and safeguards as may be established by the Town Council who must consider in granting a special exception permit its relation to the public health, safety, morals, and general welfare of the community.

Applications for a special exception permit shall be made to the Zoning Administrator who shall forward them to the Planning Commission for review. The application for a special exception permit shall include all matters of pertinent information that may be required by the Town Council, Planning Commission, and Zoning Administrator in the course of their review.

The Planning Commission may recommend, and the Town Council may adopt at its discretion, suitable regulations, safeguards, requirements, or physical conditions or improvements which must be completed within a set timeframe of the granting of the special exception permit; and, if the regulations, safeguards, requirements, or physical conditions or improvements are not met within the set time, the special exception permit will be considered to be revoked and the use in violation of the Zoning Ordinance.

The Planning Commission shall conduct a public hearing at its discretion in the manner normally prescribed by law and shall forward its recommendation to the Town Council for their review. Likewise, the Town Council shall conduct a public hearing at its discretion on the matter, in a manner prescribed by law, and shall accept, deny, or modify their recommendation in any manner they deem appropriate in their sole discretion.

Acceptance of Terms

Kenneth G. Peeples, Jr.
07/20/2022

Applicant Information

Name of Applicant

Kenneth & Jennifer Peeples

Does the applicant own the property where the Special Exception is sought?

Yes

If the applicant is not the owner of the property, a description of the relationship between the applicant and the property owner is required.

Location & Property Information

Select the Zoning District for which the Special Exception is being requested.

R-3 Residential

Zoning Overlays

No, there are no zoning overlays

Acreage of the site

5.671

Can site meet the development standards?

Yes, the site will meet zoning standards

Tax Map Parcel Number(s) of Site

24a-1-49

Parcel Street Address or Location

490 Tremough Dr. Wytheville, VA

Special Exception Details

Describe the intended use as it relates to this request. Describe any improvements or structures which are proposed for this property.

Pasture for grazing for 4 horses

Is grading proposed to meet the end goals?

No, no grading is proposed

Describe proposed new water and sewer connections needed or modifications to water and sewer service.

None

New or improvements to site access?

No, already have good site access

Certification and Signature

Signature

Kenneth G Peeples, Jr.
07/20/2022

Attachments



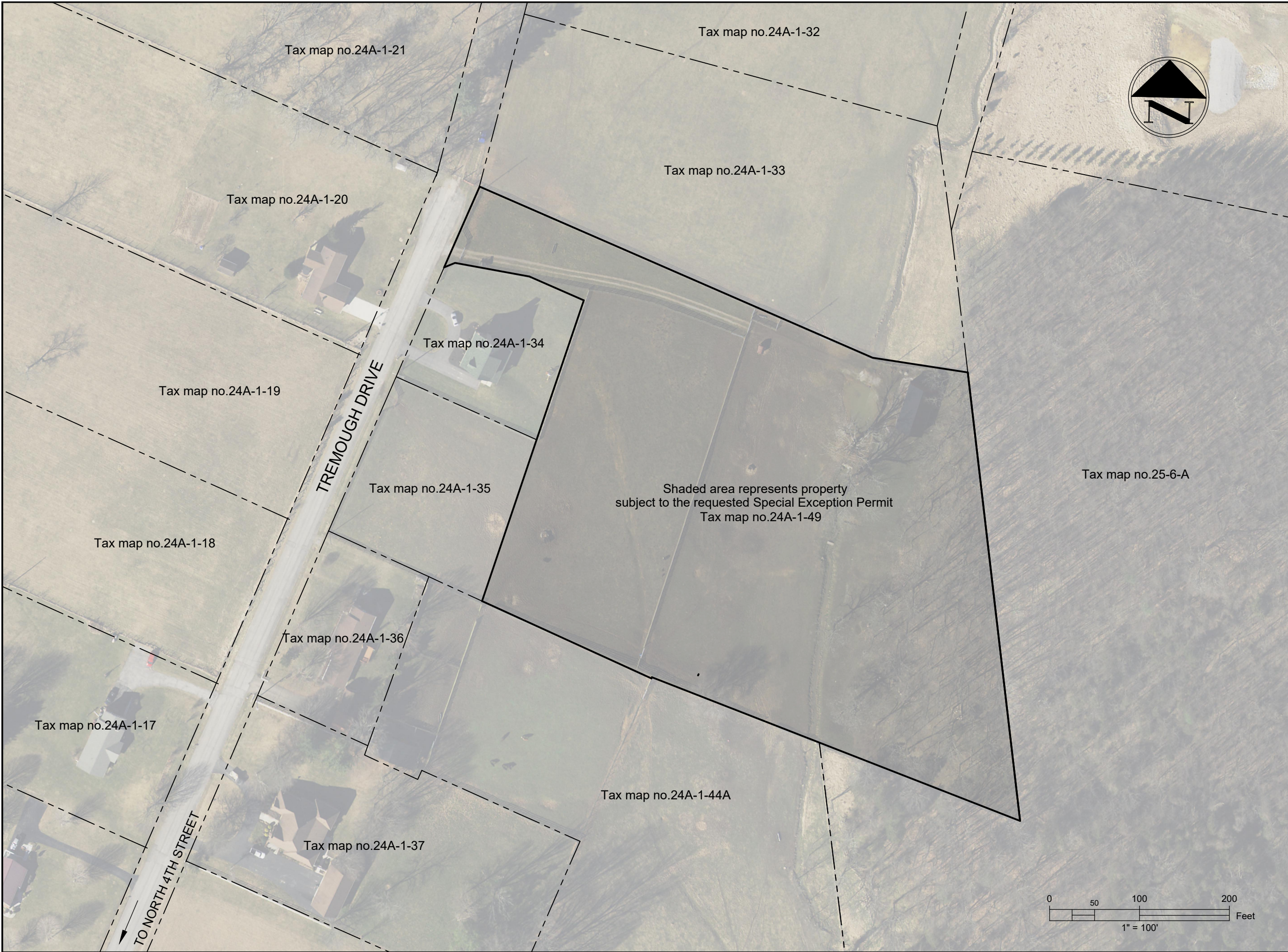
24A-1-49 - Near 490 Tremough Drive - Peeples Farms LLC Horse Pasture Special Exception - Site Plan.JPG

Uploaded by John Woods on Jul 21, 2022 at 8:57 am

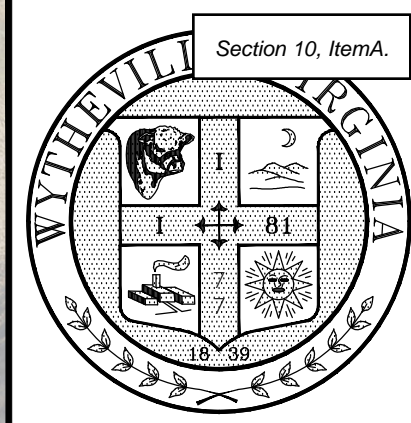
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24A-1-49 - Near 490 Tremough Drive - Peeples Farms LLC Special Exception Horse Grazing Narrative.docx

Uploaded by John Woods on Aug 18, 2022 at 2:37 pm



Shaded area represents property
subject to the requested Special Exception Permit
Tax map no. 24A-1-49



Special Exception Permit Area Map

PEEPLERS FARM LLC.
TAX MAP NO. 24A-1-49
TOWN OF WYTHEVILLE, VIRGINIA :
WEST WYTHEVILLE MAGISTERIAL DISTRICT

Special Exception Permit
Drawn By: BJA
Date: 08-16-2022
Scale: 1" = 100'

Sheet
1 of 1

Note: This Narrative was prepared by Town of Wytheville Staff and attached to the application file.

Peoples Farms LLC

RE: Special Exception Request ZEXC-22-1, Parcel ID: 24A-1-49.

The site is a 5.671-acre parcel with an existing barn on site. The existing barn is located within a FEMA "Zone A" designated flood zone. The parcel is fenced, and the fencing is in good condition. Approximately 3.2 acres of the site is zoned R-3 Residential and approximately 2.4 acres of the site is zoned R-2 Residential.

The proposed use is to provide grazing pasture for two horses.