



AGENDA

WYTHEVILLE TOWN COUNCIL MEETING

TUESDAY, OCTOBER 11, 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** — VICE-MAYOR CATHY D. PATTISON
5. **APPROVAL OF AGENDA** - MAYOR BETH A. TAYLOR **(requires motion and vote)**
6. **CONSENT AGENDA**
 - A. Minutes of the regular meeting of September 26, 2022 **(requires motion and vote)**
7. **PUBLIC HEARINGS**
 - A. Consider the request of Kenneth G. and Jennifer D. Peebles 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
8. **CITIZENS' PERIOD**
9. **REPORTS**
 - A. **Budget and Finance Committee (requires motion and vote)**
10. **NEW BUSINESS** - TOWN MANAGER T. BRIAN FREEMAN
11. **ORDINANCES/RESOLUTIONS**
 - A. Ordinance No. 1415, an ordinance amending and reenacting Chapter 2, Administration, Article VIII. Technology Zone, Section 2-242. Tax Incentives for Technology Businesses, of the Code of the Town of Wytheville, Virginia, on first reading **(requires motion and roll call vote)**
 - B. Ordinance No. 1416, an ordinance amending and reenacting Chapter 9, Offenses - Miscellaneous, Article I. In General, Division 1. Generally, Section 9-26. Trespassing Upon, Damaging Property - Town Property, of the Code of the Town of Wytheville, Virginia, on first reading **(requires motion and roll call vote)**
12. **OTHER BUSINESS**

- A.** Consider the issuance of a Special Exception Permit to Kenneth G. and Jennifer D. Peebles 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 roll call vote)**
- B.** Establishment of the Personal Property Tax Reimbursement Rate **(requires motion and roll call vote)**

13. ADJOURNMENT



MINUTES
WYTHEVILLE TOWN COUNCIL MEETING
MONDAY, SEPTEMBER 26, 2022 AT 6:00 PM
MUNICIPAL BUILDING - 150 EAST MONROE STREET
WYTHEVILLE, VA 24382

1. UNAPPROVED MINUTES

RE: ATTENDANCE

MEMBERS PRESENT:

Mayor Beth Taylor (electronically)
Vice-Mayor Cathy Pattison
Councilman Mark Bloomfield
Councilwoman Holly Atkins

ABSENT:

Councilman Gary Gillman

OTHERS:

Town Manager T. Brian Freeman
Assistant Town Manager Elaine R. HOLETON
Town Clerk Sharon G. Corvin
Town Attorney Michelle Workman Clayton
Patrol Officer Aaron Williams
James Cohen

2. RE: CALL TO ORDER AND APPROVAL FOR MEMBER TO PARTICIPATE ELECTRONICALLY

Vice-Mayor Pattison advised that Mayor Taylor desired to participate electronically in the meeting from her home due to a personal illness. She inquired if there was a motion to approve Mayor Taylor to participate electronically in the Town Council meeting.

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

In the physical absence of Mayor Taylor, Vice-Mayor Pattison called the meeting to order.

3. RE: ESTABLISHMENT OF QUORUM

Vice-Mayor Pattison established that a quorum of Council members was present.

4. RE: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilwoman Atkins.

5. **RE: APPROVAL OF AGENDA**

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

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

6. **RE: CONSENT AGENDA**

A. Vice-Mayor Pattison presented the consent agenda consisting of the minutes of the regular meeting of September 12, 2022. She inquired if there was a motion to approve the consent agenda as presented.

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

7. **RE: CITIZENS' PERIOD**

Vice-Mayor Pattison advised that the next agenda item is Citizens' Period. She noted that there are no citizens attending the meeting who wished to address the Council during Citizens' Period, therefore, she would proceed with the agenda.

8. **RE: REPORTS**

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

Force Main Project Completion: As you may recall, the Lithia Road and Chapman Road force mains began failing about 18 months ago, necessitating more than 100 costly emergency repairs. Fortunately, last week, the replacement of these lines was completed, and I am happy to report that we were able to do so at significantly lower than anticipated cost. The Industry Road force main had a preliminary cost estimate of \$538,000 and construction was completed for \$362,938.62 or about \$175,000 under budget. The Lithia Road force main replacement had a preliminary cost estimate of \$452,000 and construction was completed for about \$392,000 or about \$60,000 under budget.

I would like to thank the Public Utilities Department that kept these lines operational, despite the onerous hours and repair conditions. I would like to thank our Engineering staff for their ability to effectively scope and manage the project in such a way that significantly reduced the price without cutting corners. I would also like to thank the Public Works Department for completing the asphalt patchwork. Milling and paving of these streets will take place during the 2023 Paving Program to allow time for any settling that may occur.

9. **RE: NEW BUSINESS**

Under New Business, Town Manager Freeman reported the following:

1. The Town of Wytheville Municipal offices will be closed and all services curtailed on Monday, October 10, 2022, in observance of Columbus Day.
2. The next Council Work Session will be held on Tuesday, October 11, 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.
3. The Wytheville Recreation Commission will meet on Wednesday, October 12, 2022, at 5:30 p.m., at the Wytheville Community Center.
4. The Wytheville Planning Commission will meet on Thursday, October 13, 2022, at 6:00 p.m., in the Council Chambers.
5. Downtown Wytheville, Inc. will meet on Monday, October 17, 2022, at 5:30 p.m., at the DTW office.
6. The Wytheville Redevelopment and Housing Authority will meet on Wednesday, October 19, 2022, at 12:00 p.m., at the Housing Authority office.
7. The New River Regional Water Authority will meet on Thursday, October 20, 2022, at 10:00 a.m., in Austinville.

10. RE: APPOINTMENTS

A. APPOINTMENTS - WYTHEVILLE ECONOMIC DEVELOPMENT AUTHORITY

Vice-Mayor Pattison advised that the next agenda item is to consider reappointing Mr. Jeffrey Lucas to the Wytheville Economic Development Authority. She noted that Mr. Lucas has indicated a willingness to serve again, if reappointed, which would be for a four year term that would expire December 12, 2026. Vice-Mayor Pattison inquired if there was a motion to reappoint Mr. Jeffrey Lucas to the Wytheville Economic Development Authority for a four year term (term expires September 12, 2026).

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

B. APPOINTMENTS - WYTHEVILLE REDEVELOPMENT AND HOUSING AUTHORITY

Vice-Mayor Pattison advised that the next agenda item is to consider the appointment of a member to the Wytheville Redevelopment and Housing Authority to fill the expired term of Mr. Charles T. Conduff (term expired September 8, 2022). She noted that Mr. Conduff is not eligible for reappointment. Vice-Mayor Pattison stated that the Council has one application in their packet for consideration of appointment to the Authority. She noted that the appointment would be for a four year term, which will expire on September 8, 2026. Vice-Mayor Pattison advised that the application being considered for appointment to the Wytheville Redevelopment and Housing Authority is for Ms. Lisa K. Anderson. Councilwoman Atkins inquired of Town

Attorney Clayton if she is permitted to vote since she serves on the Authority. Town Attorney Clayton stated that Councilwoman Atkins is permitted to vote. Vice-Mayor Pattison inquired if there is a motion to appoint Ms. Lisa K. Anderson to the Wytheville Redevelopment and Housing Authority for a four year term (term expires September 8, 2026).

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

11. RE: ORDINANCES/RESOLUTIONS

A. RESOLUTION - NEW RIVER REGIONAL WATER AUTHORITY

Vice-Mayor Pattison advised that the next agenda item is to consider a resolution supporting the issuance of a revenue bond by the New River Regional Water Authority and acknowledging certain matters with respect to the bond, including a moral obligation to make certain appropriations in support of the Authority. She noted that the Council will find attached a resolution that supports the issuance of a revenue bond for the New River Regional Water Authority. Vice-Mayor Pattison explained that this resolution also includes a moral obligation to make certain appropriations in support of the Authority. She inquired if there is a motion to adopt a resolution supporting the issuance of a revenue bond by the New River Regional Water Authority and acknowledging certain matters with respect to the bond, including a moral obligation to make certain appropriations in support of the Authority.

Motion made by Councilman Bloomfield, Seconded by Mayor Taylor.
The motion was approved with the following voting results, by roll call vote:
Voting Yea: Mayor Taylor, Vice-Mayor Pattison, Councilman Bloomfield, Councilwoman Atkins.

B. RESOLUTION - WAIVER OF FOOD TRUCK FEES

Vice-Mayor Pattison advised that the next agenda item is to consider a resolution waiving the Peddler's License fee for food truck operators participating in Town-sponsored and Downtown Wytheville, Incorporated sponsored events. She continued to explain the resolution to the Council. Vice-Mayor Pattison inquired if there is a motion to consider a resolution waiving the Peddler's License fee for food truck operators participating in Town-sponsored and Downtown Wytheville, Incorporated sponsored events.

Councilwoman Atkins stated that she wanted to clarify something before making a motion. She remarked that earlier during the Council Work Session, it was noted that the Council would include Downtown Wytheville, Incorporated in this resolution. She inquired if the Joint Industrial Development Authority and the Wytheville-Wythe-Bland Chamber of Commerce could also be included in the resolution, for consistency, so that all of the entities were included. Councilwoman Atkins noted that it may give these entities the opportunity to host a food truck event, as well. Vice-Mayor Pattison inquired of Town Attorney Clayton if it is legal to change the resolution. Town Attorney Clayton advised that it is legal. A motion was made by Councilwoman Atkins

and seconded by Councilman Bloomfield to amend the resolution waiving the Peddler's License fee for food truck operators participating in events to include events sponsored by the Town of Wytheville, Downtown Wytheville, Incorporated, the Wythe County Joint Industrial Development Authority and the Wytheville-Wythe-Bland Chamber of Commerce. Vice-Mayor Pattison stated that there is an amendment on the table to the resolution. Mayor Taylor inquired regarding the wording of the resolution. Town Manager Freeman clarified that the agenda information states "sanctioned," but the resolution itself states "sponsored." Vice-Mayor Pattison inquired of Mayor Taylor if the wording satisfies her. Mayor Taylor stated that it did. Vice-Mayor Pattison advised that there is a motion and a second on the floor made by Councilwoman Atkins to amend the resolution to include the Chamber of Commerce and the Joint Industrial Development Authority of Wythe County in the waiver of Peddler's License fees for food truck operators participating in events. Councilwoman Atkins inquired if for some reason the Council does not adopt the amendment to the resolution to include the Chamber of Commerce and the Joint Industrial Development Authority, if the resolution could be amended to remove Downtown Wytheville, Incorporated so that there is consistency. She noted that she would either like all of the entities that the Town supports included in the resolution or none. Discussion ensued regarding the parliamentary procedure for the additional amendments. The motion was approved with the following voting results, by roll call vote: Voting Yea: Mayor Taylor, Vice-Mayor Pattison, Councilman Bloomfield, Councilwoman Atkins.

Vice-Mayor Pattison inquired if there is a motion to adopt the amended resolution to waive the Peddler's License fee for food truck operators participating in events sponsored by the Town of Wytheville, Downtown Wytheville, Incorporated, Wythe County Joint Industrial Development Authority, or the Wytheville-Wythe-Bland Chamber of Commerce until December 31, 2023.

Motion made by Councilwoman Atkins, Seconded by Mayor Taylor.
The motion was approved with the following voting results, by roll call vote: Voting Yea: Mayor Taylor, Vice-Mayor Pattison, Councilman Bloomfield, Councilwoman Atkins.

12. RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (6:17 p.m.).

Beth A. Taylor, Mayor

Sharon G. Corvin, CMC, Town Clerk

**WYTHEVILLE
TOWN COUNCIL**



**AGENDA ITEM
INFORMATION**

Meeting Date:	October 11, 2022
Subject:	Public Hearing - Peeples Special Exception Permit Request

SUMMARY:

A public hearing has been scheduled to consider a request from Kenneth G. and Jennifer D. 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. Please find enclosed the application, map, public comments received, etc. The recommendation from the Planning Commission is that the request be approved with stipulations. After receiving comments from any interested citizens, the public hearing will need to be closed.

Recommended Action

Action on this request will be taken later in the meeting when the issuance of the Special Exception Permit is considered by the Council.

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.

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.

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 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



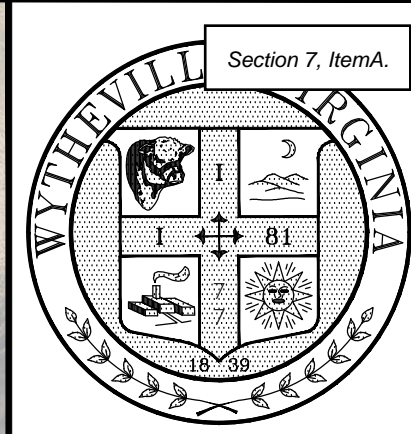
24A-1-49 - Near 490 Tremough Drive - Peeples Farms LLC Horse Pasture Special Exception - Site Plan.JPG

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

docx

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



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
12

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.

John Woods

From: Sharon Hackler <sharonhackler53@gmail.com>
Sent: Thursday, August 25, 2022 3:50 PM
To: jwoods@wytheville.org
Subject: Special exception permit

Hi John. This is Sharon Hackler and I wanted to touch base with you regarding the special exception permit for the Peeples. We saw in the minutes that they are requesting the permit for the smaller parcel which is 24a-1-49. I'm not sure if you would want to suggest to them that they request it for the bigger parcel also since they are letting the horses in this field or emphasize to them during the public hearing that this is the only parcel that they are permitted to have animals on. You can probably view it for yourself late morning or midday. As we have noted numerous times, we are not opposed to the cows or horses but it seems they are blatantly doing what the town has advised them is nonconforming. Thanks and have a good rest of your day.

Sharon

Sent from my iPad=

From: [denise.clay](mailto:denise.clay@wytheville.org)
To: jwoods@wytheville.org
Subject: Planning & Commission re Tax Parcel 24a 1-49
Date: Tuesday, September 6, 2022 2:25:38 PM

Sept 6, 2022

Thank you for the opportunity to submit my comment regarding the request of Kenneth and Jennifer Peebles 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 24s 1-49 as pasture for four horses.

First of all, our neighbors should have reasonable use of their properties which is of great importance to each of us. This should be the goal of our community.

I have been told by neighbors that have lived here long before me that at one time nearly everyone on the street had horses. For as long as I have lived on Tremough Drive I have enjoyed my bovine and equine neighbors.

The addition of cattle, sheep and horses to our neighborhoods is what makes Wytheville unique. They keep us tied to our history as well as the land.

Having horses, cattle, or sheep as neighbors allows children to learn many important lessons. Responsibility, compassion, technical jobs that can serve them for life and keep them in our community, and an appreciation for God's creation just to name a few.

Having livestock in our neighborhood also builds relationships within the community since they require many services and products.

On a personal note, the horses mentioned have never caused a nuisance. To the contrary, seeing them early in the morning as steam rises from their bodies provides a peaceful way to start my day and makes me appreciate our town. As the sun sets, seeing them graze peacefully reminds me no matter the current "crises", calmness still abounds.

Sincerely,

Denise Clay
545 Tremough Drive
Wytheville, Va 24382

**WYTHEVILLE
TOWN COUNCIL**



**AGENDA ITEM
INFORMATION**

Meeting Date:	October 11, 2022
Subject:	Budget and Finance Committee

SUMMARY:

The Budget and Finance Committee will report regarding various topics.

BUDGET AND FINANCE COMMITTEE REPORT
OCTOBER 11, 2022

- A. **TREASURER’S ASSOCIATION SPONSORSHIP:** In June of 2023, the Town will be host to the Treasurer’s Association of Virginia Conference. This event will bring between 150-200 City, County and Town Treasurers from across the state to Wytheville and will generate more than \$14,000 in rental revenue at the Wytheville Meeting Center. In the 92-plus history of the Association, a Town Treasurer has never been the president, and, next year, Town Treasurer Michael Stephens will be the first. Furthermore, a Town has never hosted the annual conference as these have always been hosted by City or County Treasurers. In recognition of this occasion, it is the recommendation of the Budget and Finance Committee that the Town of Wytheville provide a one-time sponsorship to the Treasurer’s Association of Virginia in the amount of \$10,000.

- B. **TRANSFER OF FUNDS TO THE WASTEWATER FUND:** One of the responsibilities of the Town is to ensure that each of the major funds has sufficient cash reserve. Recently, the cash reserve in the Wastewater Fund was depleted by the emergency replacement of the Chapman and Lithia Road force main piping. To replenish the cash reserve, it will be necessary to transfer a loan from the General Fund to the Wastewater Fund. At this time, it is the recommendation of the Budget and Finance Committee that a \$500,000 loan be transferred from the General Fund to the Wastewater Fund.

Cathy D. Pattison

Mark J. Bloomfield

**WYTHEVILLE
TOWN COUNCIL**



**AGENDA ITEM
INFORMATION**

Meeting Date:	October 11, 2022
Subject:	Ordinance No. 1415 – Technology Zone

SUMMARY:

Please find attached Ordinance No. 1415, an ordinance amending and reenacting Chapter 2, Administration, Article VIII. Technology Zone, Section 2-242, Tax Incentives for Technology Businesses, of the Town Code. The Town’s current Technology Zone expires December 31, 2022, and this zone can be renewed for a period of up to ten years. If adopted, this ordinance will continue the Technology Zone until December 31, 2023. This ordinance is before the Town Council on first reading.

Recommended Action

Action on this ordinance will require a motion and a roll call vote.

ORDINANCE NO. 1415

At a regular meeting of the Town Council of the Town of Wytheville, Virginia, held in the Council Chambers on the 11th day of October, 2022, at 6:00 p.m.

Present:

Absent:

AN ORDINANCE AMENDING AND REENACTING CHAPTER 2, ADMINISTRATION, ARTICLE VIII. TECHNOLOGY ZONE, SECTION 2-242. TAX INCENTIVES FOR TECHNOLOGY BUSINESSES, OF THE CODE OF THE TOWN OF WYTHEVILLE, VIRGINIA

BE IT ORDAINED by the Town Council of the Town of Wytheville, Virginia, that Chapter 2, Administration, Article VIII. Technology Zone, Section 2-242. Tax Incentives for Technology Businesses, of the Code of the Town of Wytheville, Virginia, be amended and reenacted, as follows:

CHAPTER 2

ADMINISTRATION

ARTICLE VIII. TECHNOLOGY ZONE

Section 2-242. Tax incentives for technology businesses

(a) A qualified technology business is a business which meets each of the following criteria:

- (1) The business must constitute a technology business as set forth within Section 2-241 herein;
- (2) The business must not be operating under a certificate of public convenience issued by the Virginia State Corporation Commission;
- (3) The business must not be engaged in the provision of a utility service as that term is defined within Section 14-31 of the Town Code;

(4) At the time of application, any qualified business must certify that it expects to be engaged in such business throughout the entire or remaining portion of the tax year for which an incentive is sought; and,

(5) The business must have submitted an application for qualification to the Town Treasurer, on or before March 1 of the tax year for which a reduction of taxes is sought under this section. A separate application shall be required for each tax year. A business seeking to obtain a reduction of taxes under this section shall have the burden of demonstrating, to the satisfaction of the Town Treasurer, that it meets the definition of a technology business and that it meets all applicable criteria for a reduction.

(b) The following incentives, in the form of reduction of taxes owed, shall be available to qualified technology businesses:

(1) For a qualified technology business whose gross receipts from a technology business subject to licensure are \$50,000 or less, any license fee which would otherwise be required by this chapter shall be reduced by 100 percent.

(2) A qualified technology business whose gross receipts from a technology business subject to licensure are more than \$50,000 shall receive a 50 percent reduction of any taxes owed pursuant to this chapter.

Where a qualified technology business license tax is determined, the Town Treasurer shall determine the appropriate reduction based on the actual tax owed by the business for a tax year.

(c) Except as otherwise specifically provided, nothing set forth within this section shall affect a qualified technology business status or classification for tax purposes, its obligation to report gross receipts and to file tax returns, or to pay any license issuance fees or local taxes under this chapter. Nothing contained in the section shall relieve any qualified technology business from its obligation to comply with the requirements of this ordinance.

(d) The tax incentives provided by this section shall be available for the tax year beginning on January 1, 2012, through the tax year ending on December 31, 2032, ("program period"). A qualified technology business shall receive the applicable tax reduction for no more than three years during the program period.

**WYTHEVILLE
TOWN COUNCIL**



**AGENDA ITEM
INFORMATION**

Meeting Date:	October 11, 2022
Subject:	Ordinance No. 1416 – Trespassing on Town Property

SUMMARY:

Please find attached Ordinance No. 1416, an ordinance amending and reenacting Chapter 9, Offenses-Miscellaneous, Article I. In General, Division 1. Generally, Section 9-26. Trespassing Upon, Damaging Property – Town Property, of the Town Code. The ordinance notes that there will be no trespassing on various Town properties, and it authorizes enforcement by the Wytheville Police Department. This ordinance is before the Town Council on first reading.

Recommended Action

Action on this ordinance will require a motion and a roll call vote.

ORDINANCE NO. 1416

At a meeting of the Town Council of the Town of Wytheville, Virginia, held in the Council Conference Room on the 11th day of October, 2022, at 4:00 p.m.

Present:

Absent:

AN ORDINANCE AMENDING AND REENACTING CHAPTER 9, OFFENSES - MISCELLANEOUS, ARTICLE I. IN GENERAL, DIVISION 1. GENERALLY, SECTION 9-26. TRESPASSING UPON, DAMAGING PROPERTY – TOWN PROPERTY, OF THE CODE OF THE TOWN OF WYTHEVILLE, VIRGINIA

BE IT ORDAINED by the Town Council of the Town of Wytheville, Virginia, that Chapter 9, Offenses-Miscellaneous, Article I. In General, Division 1. Generally, Section 9-26. Trespassing upon, damaging property – Town property, of the Code of the Town of Wytheville, Virginia, be amended and reenacted as follows:

ARTICLE I. IN GENERAL

DIVISION 1. GENERALLY

Sec. 9-26. - Trespassing upon, damaging property, enforcement —Town property.

It shall be unlawful for any person to trespass upon, destroy or damage any property belonging to the town. The Wytheville Police Department shall have the authority to enforce this ordinance in designated recreation facilities, park areas, museum grounds, farmers markets and other designated areas where hours may be prominently posted. The town managers or their designees may grant specific permission for extended uses such as for town authorized special events.

**WYTHEVILLE
TOWN COUNCIL**



**AGENDA ITEM
INFORMATION**

Meeting Date:	October 11, 2022
Subject:	Peeples Special Exception Permit Request

SUMMARY:

Please find attached a draft of a Special Exception Permit that includes all the stipulations recommended by the Planning Commission for issuance for the request of Kenneth G. and Jennifer D. 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.

Recommended Action

If the Town Council desires to approve the Peeples’ request, it will require a motion and roll call vote.



**TOWN OF WYTHEVILLE, VIRGINIA
NOTIFICATION OF APPROVAL
OF APPLICATION FOR
SPECIAL EXCEPTION PERMIT**

Pursuant to the authority of Section 16-3 of the Town of Wytheville Zoning Ordinance and subsequent to public hearings conducted by the Town Council and the Planning Commission, Kenneth G. and Jennifer D. Peeples are hereby granted 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, with the following stipulations:

- a. The number of horses on this property shall be limited to four (4) at any time.
- b. The Special Exception Permit shall be issued only to Mr. Kenneth G. Peeples & Ms. Jennifer D. Peeples, and shall be nontransferable.
- c. The horses shall never have access to the creek on the property. Grazing shall only be permitted on the land as indicated on the attached plat.
- d. The Special Exception Permit shall be reviewed annually.
- e. Failure to comply with these conditions shall be grounds for rescinding this Special Exception Permit.

Approved this 11th day of October, 2022.

Beth A. Taylor, Mayor
Wytheville Town Council

George F. Wittwer, Chairman
Wytheville Planning Commission

T. Brian Freeman
Town Manager

ATTEST:

Sharon G. Corvin, CMC, Clerk of Council

(Seal)

**WYTHEVILLE
TOWN COUNCIL**



**AGENDA ITEM
INFORMATION**

Meeting Date:	October 11, 2022
Subject:	Personal Property Tax Reimbursement Rate

SUMMARY:

As the Town Council is aware, annually, the Council must establish the Personal Property Tax Reimbursement Rate. With the current Personal Property Tax Rate at \$0.38 per \$100 valuation, the Personal Property Tax Reimbursement Rate should be set at 29.28 percent. This rate is for the vehicle tax reimbursement for citizens that was approved by the Virginia Governor in the 1990s.

Recommended Action

Action on this matter will require a motion and roll call vote by the Town Council.