

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, SEPTEMBER 28, 2020, AT 7:00 P.M.**

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

Members absent: None

Others present: Town Manager Stephen A. Moore, Assistant Town Manager T. Brian Freeman, Town Clerk Sharon G. Corvin, Mike Forrest, Robbie Suthers, Patrol Officer Kevin Newman

RE: CALL TO ORDER, QUORUM, PLEDGE

Mayor Taylor called the meeting to order and established that a quorum of Council members was present. The Pledge of Allegiance was led by Councilman Mark J. Bloomfield.

RE: CONSENT AGENDA

Mayor Taylor presented the consent agenda consisting of the minutes of the regular meeting of September 14, 2020, and the request of the Wytheville Fire and Rescue Department to close a portion of Main Street to conduct the Annual Fire Prevention Parade on Saturday, October 10, 2020, at 7:00 p.m. Mayor Taylor inquired if there was a motion to approve the consent agenda as presented or to somehow be amended. A motion was made by Vice-Mayor Pattison and seconded by Councilman Gillman to approve the consent agenda consisting of the minutes of the regular meeting of September 14, 2020, and the request of the Wytheville Fire and Rescue Department to close a portion of Main Street to conduct the Annual Fire Prevention Parade on Saturday, October 10, 2020, at 7:00 p.m., as presented. Mayor Taylor inquired if there was any discussion on the motion to approve the consent agenda. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Beth A. Taylor, Cathy D. Pattison, Mark J. Bloomfield, Holly E. Atkins, Gary L. Gillman. Against: None.

Mayor Taylor noted that the Council would request that when the Wytheville Fire and Rescue Department advertises the parade that they would encourage paradegoers to practice social distancing and to watch the parade in family pods to keep the parade as safe as possible.

RE: CITIZENS' PERIOD

Mayor Taylor advised that the next agenda item is Citizens' Period. Mr. Mike Forrest was recognized and stated that he resides at 630 Withers Road in Wytheville. He remarked that he had two items to address at the meeting. Mr. Forrest noted that he would like to thank the Council for the traffic changes that have been made on Withers Road. He commented that having no through truck traffic has made a difference, and he thanked the Council for this change. Mr. Forrest stated that the second item that he wanted to discuss with the Council is a request regarding the checking and replacing of fire hydrants. He explained that, recently, his water was off for approximately three hours without warning due to the checking or replacing of a hydrant. Mr. Forrest requested that, if possible, a notification be sent out to citizens letting them know of any shutoffs, etc. Mayor Taylor stated that she is sure that Town staff can make Chief Brade aware of this issue, and she inquired of Mr. Forrest where he thought it would best be publicized. Mr. Forrest advised that he feels the Town's website would be the best location because that is the first place he looked to see if there was an issue with the water, and there was nothing located on the website regarding the issue. He commented that he is aware that if the issue is not planned, then it cannot be publicized, but if it is a planned cutoff, it could be posted on the website and the Facebook page with the date and time of approximate shutoff. Mayor Taylor thanked Mr. Forrest for bringing this to the Council's attention and for his comments.

Mayor Taylor inquired of Mr. Robbie Suthers if he would like to address the Council. Mr. Robbie Suthers was recognized and stated that he resides at 210 West Lee Street in Wytheville. He noted that his house is near the Reed Creek Mill. Mr. Suthers commented that near the end of July, he was in his home and smelled a strong odor. He noted that he shut his windows and could still smell the odor so he went outside and realized that it was some type of chemical and pesticides approximately two miles away in a 20 acre field where Bottomley Agriculture was growing cabbage in mass. Mr. Suthers commented that his neighbors had planned a barbeque but had to cancel because of the overwhelming smell of the pesticides. He continued to express his frustration with the pesticide odor near his home, which is within town limits. Mayor Taylor inquired of Mr. Suthers if, in fact, he had discussed the issue with the United States Department of Agriculture (USDA). Mr. Suthers stated that is correct. He noted that the USDA directed him

to the Department of Environmental Quality (DEQ), who directed him back to the USDA, but, apparently, all of this is perfectly legal. He explained that there is nothing that can be done about the odor, therefore, the only other suggestion would be for the Town to adopt an ordinance of some type. Mayor Taylor explained that, currently, the Town follows the State Code regarding pesticides, which is very vague. Discussion ensued regarding the pesticide odor. Town Manager Moore advised that Town Staff reviewed State Code, relative to the meeting, and it appears that there is a State Board that regulates pesticides. He explained that it clearly states in their regulations that they have the exclusive responsibility to regulate pesticides, and that they shall not delegate that to localities. Town Manager Moore expressed that Mr. Suthers may want to start with this State Board regarding his concerns. Mr. Suthers thanked Town Manager Moore for this information, and stated that he would do so. Mayor Taylor thanked Mr. Suthers for his comments, and noted that she would speak to the USDA office, as well. She remarked that she would communicate with Mr. Suthers, if he would continue to communicate with her. Discussion continued regarding the pesticide odor and chemicals that Bottomley Agriculture is using in the cabbage field.

Mayor Taylor inquired if there were others who wished to speak during Citizens' Period. There being no other citizens attending the meeting to address the Council during Citizens' Period, she proceeded with the agenda.

RE: OLD BUSINESS

Under Old Business, Town Manager Moore advised that he did not have anything to report to the Council.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Councilman Bloomfield reported for the Budget and Finance Committee. The Budget and Finance Committee report was entered into the record as follows: In 2000, the Town entered into an agreement with Mr. Cecil and Mrs. Seawillow Jackson to create the Willow Brook Jackson/Umberger Homestead Museum interpretive site, with the intent to expand and preserve this property as a heritage site to be enjoyed by future generations. The approximately nine acre tract was divided into four parcels, with a parcel to be conveyed to the Town every five years, beginning in 2005. This October, the final parcel is to be conveyed to the Town. The parcel contains the brick residence, the springhouse, a log cabin and a log smoke house. According to the agreement, Mr. Jackson retains a life estate in the residence. Later in the meeting, the Council will consider adopting a resolution authorizing acceptance of the final parcel and making provisions for recordation of ownership, and we would recommend the adoption of this resolution. The Council would like to thank and recognize the Jacksons for this generous gift. We look forward to using the property for the preservation of Wytheville's important history.

The Town of Wytheville has received the first round of its allotment of Coronavirus Aid, Relief, and Economic Security (CARES) Act funding from Wythe County in the amount of \$700,719. Town Staff have worked to identify purchases and projects that are eligible for this funding. In addition, the Town Treasurer's Office has forwarded these to the auditors to confirm that these projects are eligible. Some purchases identified as eligible, such as computers for working at home, have already been made. Other projects being considered, such as renovations to the Emergency Medical Services Building, will take longer to implement. We wanted to update everyone on the funding and the projects being considered for the CARES Act funding. A copy of the Budget and Finance Committee report is attached and made part of these minutes.

RE: PUBLIC WORKS COMMITTEE REPORT

Councilman Gillman reported for the Public Works Committee. The Public Works Committee report was entered into the record as follows: Earlier this year, the Council was approached by citizens on Withers Road about the traffic in this neighborhood. They had expressed concerns about the speed of the traffic and the number of large trucks that were using this route. The Committee identified changes that might have an impact regarding these concerns. One of the changes suggested was to place a STOP sign on Calhoun Street at the Withers Road intersection, and to change the STOP sign on Union Street to a YIELD sign. The Public Works Department implemented this change. After evaluating this change over the past several months and hearing concerns from citizens and business owners who use this route, it would be the recommendation of the Public Works Committee that the signs be reconfigured. This would eliminate the STOP sign on Calhoun Street, and it would replace the YIELD sign on Union Street with a STOP sign. Our Committee will continue the dialogue with the citizens on Withers Road, and we will continue to look at ways to reduce the amount and speed of truck traffic to improve the safety for the neighborhood and provide reasonable access to all areas of town. A motion was made by Councilman Gillman and seconded by Vice-Mayor Pattison that at the

intersection of Union and Calhoun Streets, to approve eliminating the Stop sign on Calhoun Street, and to replace the Yield sign with a Stop sign on Union Street. Mayor Taylor inquired if there was any discussion on the motion recommended by the Public Works Committee. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Beth A. Taylor, Cathy D. Pattison, Mark J. Bloomfield, Holly E. Atkins, Gary L. Gillman. Against: None.

The Town has received a number of questions and/or concerns from citizens regarding the use of Withers Park, the LOVE Park and their Shelters. We felt that addressing many of these concerns would be appropriate. While we cannot address all of the rules, generally a few key rules for the Parks/Shelters are as follows:

- Bicycles, skateboards, skates, mopeds and other vehicles are prohibited in the Parks.
- Dogs must be on a leash or under the control of their owners, and owners must clean up after their dogs. Dog waste stations are located at access points to the Parks.
- Alcoholic beverages are prohibited in the Parks, unless an ABC permit has been obtained.
- Loud music and/or the use of loudspeakers are prohibited.
- Placing of tents and other structures must be approved through the Recreation Department.

We have asked the Police Department to monitor and increase patrolling in the Park to better enforce these regulations. We also would like to advise users of Withers Park that the playground and exercise areas are now open, however, they are not being sanitized on a regular basis. Users should follow the Virginia Department of Health guidelines for the use of these facilities, which include social distancing from non-family pods, hand sanitizing and wearing a mask. A copy of the Public Works Committee report is attached and made part of these minutes.

Mayor Taylor inquired of Town Manager Moore if the playground signs had been erected. Town Manager Moore advised that the signs have not been erected, but Town Staff has the signs ready to install.

RE: RESOLUTION – CONVEYANCE OF PARCEL 4 OF THE JACKSON PROPERTY

Mayor Taylor advised that the next agenda item is a resolution regarding the conveyance of Parcel 4 of the Jackson property. She stated that the resolution read as follows:

RESOLUTION

By this resolution, the Town Council of the Town of Wytheville, Virginia, states and/or authorizes the following:

- The Town of Wytheville and R. Cecil Jackson and Seawillow U. Jackson entered into a deed dated December 13, 2000;
- It was the intent of the parties that the conveyance of property be as outlined in the deed;
- According to the Schedule of Conveyance, Parcel 4, containing 1.68 acres, more or less, is to be conveyed to the Town of Wytheville on October 2, 2020;
- An attorney hired by the Town of Wytheville is authorized to approve the form of said deed; and,
- The Town Council of the Town of Wytheville, Virginia, hereby authorizes Mayor Beth A. Taylor to so act on behalf of said Town to execute and accept said deed.

She advised that the recommendation from the Budget and Finance Committee is that the resolution be adopted. A motion was made by Councilman Bloomfield and seconded by Councilwoman Atkins to adopt a resolution regarding the conveyance of Parcel 4 of the Jackson property to the Town of Wytheville that authorizes an attorney to be hired by the Town to approve the form of the deed and authorizes the Mayor to sign, on behalf of the Town, to execute and to accept the deed. Mayor Taylor inquired if there was any discussion on the

motion to adopt the resolution regarding the conveyance of Parcel 4 of the Jackson property to the Town of Wytheville that authorizes an attorney to be hired by the Town to approve the form of the deed and authorizes the Mayor to sign, on behalf of the Town, to execute and to accept the deed. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Beth A. Taylor, Cathy D. Pattison, Mark J. Bloomfield, Holly E. Atkins. Against: None. Abstentions: Gary L. Gillman.

RE: NEW BUSINESS

Under New Business, Town Manager Moore reported the following:

1. The next Council Work Session will be held on Tuesday, September 29, 2020, at 7:00 a.m., in the Council Conference Room.
2. The 2020 VML Annual Conference will be held October 7-8, 2020. He noted that it will begin at 9:00 a.m. each morning in the Council Chambers and the break out sessions will be in the other conference rooms.
3. The Wytheville Planning Commission will meet on Thursday, October 8, 2020, at 6:00 p.m., in the Council Chambers.

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (7:22 p.m.).

Beth A. Taylor, Mayor

Sharon G. Corvin, CMC, Town Clerk

BUDGET AND FINANCE COMMITTEE REPORT

SEPTEMBER 28, 2020

1. In 2000, the Town entered into an agreement with Mr. Cecil and Mrs. Seawillow Jackson to create the Willow Brook Jackson/Umberger Homestead Museum interpretive site, with the intent to expand and preserve this property as a heritage site to be enjoyed by future generations. The approximately nine acre tract was divided into four parcels, with a parcel to be conveyed to the Town every five years, beginning in 2005. This October, the final parcel is to be conveyed to the Town. The parcel contains the brick residence, the springhouse, a log cabin and a log smoke house. According to the agreement, Mr. Jackson retains a life estate in the residence.

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Mark J. Bloomfield

Holly E. Atkins

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Cathy D. Pattison

Gary L. Gillman