

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, NOVEMBER 22, 2021, 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 T. Brian Freeman, Town Clerk Sharon G. Corvin, Town Attorney Michelle Workman Clayton, Donna Leonard, Tommy Atkins, Deputy Chief Gary Davenport

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 Councilwoman Atkins.

RE: CONSENT AGENDA

Mayor Taylor presented the consent agenda consisting of the minutes of the regular meeting of November 8, 2021, and the request of Members of the Community to close Main Street, from 7th Street to 4th Street; 4th Street to Spiller Street; and, Spiller Street to Withers Park on Sunday, January 16, 2022, from 2:00 p.m. to 2:30 p.m., to conduct the Martin Luther King, Jr. Day March. She inquired if there was a motion to approve the consent agenda as presented or to somehow be amended. A motion was made by Councilman Gillman and seconded by Councilwoman Atkins to approve the consent agenda consisting of the minutes of the regular meeting of November 8, 2021, and the request of Members of the Community to close Main Street, from 7th Street to 4th Street; 4th Street to Spiller Street; and, Spiller Street to Withers Park on Sunday, January 16, 2022, from 2:00 p.m. to 2:30 p.m., to conduct the Martin Luther King, Jr. Day March, as presented. Mayor Taylor inquired if there was any discussion on the motion to approve the consent agenda as presented. Councilman Bloomfield inquired if the discussion held during the Work Session regarding safety and security during events should be a part of this event or if the Council needed to table discussion on this topic until the next Work Session. Discussion ensued regarding the security for street closings during events. Mayor Taylor stated that there is a motion on the floor. Town Clerk Corvin stated that the original motion would need to be amended. Councilman Gillman and Councilwoman Atkins amended the motion to approve the consent agenda consisting of the minutes of the regular meeting of November 8, 2021, and the request of Members of the Community to close Main Street, from 7th Street to 4th Street; 4th Street to Spiller Street; and, Spiller Street to Withers Park on Sunday, January 16, 2022, from 2:00 p.m. to 2:30 p.m., to conduct the Martin Luther King, Jr. Day March, with the caveat that security is provided for the closed streets. Mayor Taylor inquired if there was any further discussion on the motion. 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.

RE: CITIZENS' PERIOD

Mayor Taylor advised that the next agenda item is Citizens' Period. Ms. Donna Leonard was recognized and stated that she lives at 530 East Monroe Street and works at 345 East Monroe Street in Wytheville. Ms. Leonard remarked that she is attending the meeting to follow up regarding the speeding problem on East Monroe Street. She inquired of the Council and Town

staff how citizens would go about getting traffic lights installed, 4-Way Stop signs installed, etc. on East Monroe Street. She commented that even though the Town's traffic numbers stated that there was not a speeding problem on this street, the cars slowing down due to the stationary police car is why the data did not show a speeding problem. Town Manager Freeman explained that the data collected does not come from the stationary police car, but, rather, from the speed spy which is covert. He noted that drivers have no idea where the speed spy is positioned. Town Manager Freeman continued to discuss options for purchasing solar powered speed signs that are mounted on poles in problem speeding areas. He explained that traffic signals are controlled by the Virginia Department of Transportation (VDOT) and have to be warranted. He continued to explain what warrants a traffic signal for VDOT. Discussion continued regarding speeding throughout town.

Ms. Leonard inquired regarding a tree located on her private property and if there was anyone on the Tree Committee who could come look at the tree to see if there was a way to save it. Mayor Taylor stated that she serves on the Tree Committee and would suggest that Ms. Leonard speak to Deputy Clerk Donna Stroupe about completing a tree nomination form to maybe save the tree. Ms. Leonard thanked the Council for listening to her concerns. Mayor Taylor thanked Ms. Leonard for her comments. She noted that there are no other citizens attending the meeting who wished to address the Council during Citizens' Period, therefore, she would proceed with the agenda.

RE: OLD BUSINESS

Under Old Business, Town Manager Freeman reported the following:

- A. Personal Property and Real Estate Taxes are due December 5, 2021. Councilwoman Atkins inquired if Town employees still had the option to pay their taxes throughout the year through payroll deduction. Town Manager Freeman stated that is correct.
- B. The Town's leaf collection program is underway. Town Manager Freeman requested that citizens rake leaves to the curb and not into the street so that the gutter did not clog and the streets did not fill with leaves.

RE: STAFF REPORTS

Town Manager Freeman presented the Staff Reports, and they were entered into the record as follows:

- A. Virginia Department of Transportation (VDOT) representatives report that during the week of November 15 to November 20, 2021, the contractor was removing the old bridge deck from the bridge on Cove Road over I-81. This was also an operation that presented the highest risk to the Town sewer main that is attached to the structure. Town forces are monitoring the process to assure a quick response, should a problem arise. VDOT reports that work is currently on schedule for completion within the projected six-week timeframe, with a reopening date around Monday, November 29, 2021. Town Manager Freeman advised that the Cove Road Bridge Project is complete and now open as of Friday, November 20, 2021.
- B. Virginia State Code requires that all animals be provided with "adequate shelter" and includes specific provisions relative to temperatures in excess of 85 degrees Fahrenheit and below 32 degrees Fahrenheit. As temperatures in the area begin to dip, it is important that citizens be reminded of a few basic requirements from the Code of Virginia.

All animals should be provided with adequate shelter that:

- is suitable for the species, age, condition, size and type of each animal;
- provides adequate space for each animal;
- is safe and protects each animal from injury, rain, sleet, snow, hail, direct sunlight, the adverse effects of heat or cold, physical suffering and impairment of health;
- has a windbreak at its entrance and provides a quantity of bedding material consisting of hay, cedar shavings or the equivalent that is sufficient to protect the animal from cold and promotes the retention of body heat; and,
- provides a solid surface, resting platform, pad, floormat or similar device that is large enough for the animal to lie on in a normal manner and can be maintained in a sanitary manner.

Citizens with questions pertaining to the State Code requirements for outside animals during cold temperatures may contact the Town of Wytheville Animal Control Department at (276) 223-3397. The Staff Reports are attached and made part of these minutes.

Mayor Taylor noted that the December 2021 issue of “The Mayor’s Corner” will include an article about requirements for outside animals during cold temperatures, which will be distributed in the water bills, therefore, all Town citizens will receive a copy. Town Manager Freeman stated that information will be available through a social media campaign, also. Councilwoman Atkins inquired if this information could be updated on the Town’s website, as well. Town Manager Freeman stated that he would make sure the information is updated.

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 beginning at noon on Wednesday, November 24, 2021, through Friday, November 26, 2021, in observance of the Thanksgiving holiday.
2. Due to the Thanksgiving Day holiday, the refuse collection in the Town of Wytheville for Thursday, November 25, and Friday, November 26, 2021, will be made on Monday, November 29, 2021. The normal refuse collection scheduled for Monday, November 29, 2021, will be made on that day. The Town of Wytheville’s Recycling Center located at 1025 South Third Street will not have an attendant on duty from 12:00 Noon on Wednesday, November 24; Thursday, November 25; and, Friday, November 26, 2021, due to the Thanksgiving Day holiday. The attendant will return to assist citizens on Saturday, November 27, 2021, at 9:00 a.m. Please note that when an attendant is not on duty, the Recycling Center's gates are closed, and items cannot be dropped off.
3. The Joint Governing Bodies will hold its regular meeting on Monday, November 29, 2021, at 7:00 p.m., at the Wytheville Meeting Center, 333 Community Boulevard.

4. The Joint Industrial Development Authority of Wythe County will hold its regular meeting on Thursday, December 2, 2021, at 3:00 p.m., in the Council Chambers.
5. The next Council Work Session will be held on Monday, December 13, 2021, at 4:30 p.m., in the Council Conference Room.
6. The Wytheville Planning Commission will meet on Monday, December 13, 2021, at 6:00 p.m., in the Council Chambers prior to the Town Council meeting at 7:00 p.m.

RE: CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Mayor Taylor advised that the next agenda item is to set a public hearing for Monday, December 13, 2021, to consider renewing the Certificate of Public Convenience and Necessity during 2022 for 276 Express, LLC. She continued to explain what the Town Code requires of the Council annually regarding taxicab vehicles. A motion was made by Councilman Bloomfield and seconded by Vice-Mayor Pattison to set a public hearing for the December 13, 2021, Town Council meeting to consider renewing the Certificate of Public Convenience and Necessity during 2022 for 276 Express, LLC for the operation of taxicabs. Mayor Taylor inquired if there was any discussion in regard to setting the public hearing for December 13, 2021. 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.

RE: CROCKETT REZONING REQUEST

Mayor Taylor advised that the next agenda item is to set a joint public hearing with the Wytheville Planning Commission for Monday, December 13, 2021, to consider the request of James E. Crockett, III, to rezone property located on the south side of West Ridge Road, and adjacent to West Lee Highway, from A-1 Agricultural to R-3 Residential. A motion was made by Councilman Bloomfield and seconded by Vice-Mayor Pattison to set a joint public hearing with the Wytheville Planning Commission for Monday, December 13, 2021, to consider the request of James E. Crockett, III, to rezone property located on the south side of West Ridge Road, and adjacent to West Lee Highway, from A-1 Agricultural to R-3 Residential. Mayor Taylor inquired if there was any discussion in regard to setting the joint public hearing for December 13, 2021. There being none, the motion was approved with the following voting results: For: Beth A. Taylor, Cathy D. Pattison, Mark J. Bloomfield, Gary L. Gillman. Against: None. Abstention: Holly E. Atkins.

RE: CLOSED MEETING – LEGAL ADVICE FROM TOWN ATTORNEY FOR LITIGATION

Mayor Taylor stated that it will now be necessary for the Council to go into a closed meeting pursuant to Code Section § 2.2-3711(A.)(7.) for consultation with legal counsel pertaining to litigation. A motion was made by Councilman Gillman and seconded by Councilman Bloomfield to go into a closed meeting pursuant to Code Section §2.2-3711(A.)(7.) for consultation with legal counsel pertaining to litigation for legal advice. Mayor Taylor inquired if there was any discussion on the motion to go into a closed meeting. (7:24 p.m.) 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

ABSTENTIONS: None

Mayor Taylor noted that it will now be necessary to go back into open session and to certify the closed meeting. A motion was made by Councilwoman Atkins and seconded by Councilman Gillman that only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which the certification resolution applies and that only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Wytheville Town Council. (7:43 p.m.) Mayor Taylor inquired if there is any discussion on the motion. 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

ABSTENTIONS: None

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (7:43 p.m.).

Beth A. Taylor, Mayor

Sharon G. Corvin, CMC, Town Clerk