

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON TUESDAY, MAY 26, 2020, AT 7:00 P.M.**

Members present: Beth A. Taylor, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison

Others present: Council Elect Holly E. Atkins, Council Elect Gary L. Gillman, Town Manager C. Wayne Sutherland, Jr., Assistant Town Manager Stephen A. Moore, Town Clerk Sharon G. Corvin, Town Attorney Christopher R. Menerick, Assistant Director of Planning and Community Development T. Brian Freeman, Patrol Officer Blane Grubb

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 Hand.

RE: CONSENT AGENDA

Mayor Taylor presented the consent agenda consisting of the minutes of the regular meeting of May 11, 2020. 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 Councilman Bloomfield and seconded by Councilwoman Pattison to approve the consent agenda consisting of the minutes of the regular meeting of May 11, 2020, 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, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison. Against: None.

RE: CITIZENS' PERIOD

Mayor Taylor advised that the next agenda item is Citizens' Period. She noted that there are no citizens attending the meeting to address the Council because the meeting is not open for public attendance, due to the Centers for Disease Control (CDC) recommendations to help reduce the spread of COVID-19, and for the enhanced safety of everyone. She commented that she did have two items to present to the Council during Citizens' Period. Mayor Taylor stated that the flowers that citizens are used to seeing throughout the town during the summer are in the process of going up, which include the hanging baskets that were started by the Rural Retreat Horticulture Class. She noted that the beautiful flowers in the pots located on Tazewell Street were purchased by a private business owner, and the Town would like to say thank you for the generosity. Mayor Taylor commented that there are some ferns located near by Moon Dog Brick Oven Pizza, which were also purchased by an individual person. She stated that she would like to clarify that the Town did not purchase any flowers this year and is only assisting to put the flowers in pots and continuing to water them. Mayor Taylor advised that the other item that she would like to present to the Council during Citizens' Period is in regard to the Governor's speech earlier today, which mandates wearing masks in public indoor areas. She noted that there are a few exceptions to this mandate. Mayor Taylor explained that the exceptions include while eating or drinking, while exercising, if a person has trouble breathing or is unable to remove the mask without help or if a person's health condition prohibits wearing a face covering. She noted that she would recommend everyone read through the Governor's mandate, and remarked that Town Manager Sutherland could correct her if she is wrong, but, neither the Town Police Department nor the Wythe County Sheriff's Department will be monitoring the latest mandate regarding the wearing of masks in public indoor areas. Town Manager Sutherland stated that is correct. He remarked that Town Attorney Menerick may have comments, however, Governor Northam stated earlier in the day that this is not a criminal matter, but, rather, a civil matter, and it will be enforced by the Virginia Department of Health. Mayor Taylor stated this is what she understood, as well.

RE: OLD BUSINESS

Under Old Business, Town Manager Sutherland reported the following:

1. The next Council Work Session will be held on Wednesday, May 27, 2020, at 7:00 a.m., in the Council Chambers.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Councilwoman Pattison, reporting for the Budget and Finance Committee, stated that later in the meeting, the Council will consider, on first reading, the adoption of the budget for Fiscal

Year 2020-21. She explained that the total budget, including both the General Fund and the Water and Sewer Fund, totals \$22,796,120. Councilwoman Pattison noted that the budget, as developed, does not include any tax or fee increases, though it does include a \$2.00 increase on the fixed charge on the water bill, and this amount increases by 5 percent at each level of water consumption effective January 1, 2021. She remarked that every effort has been taken to bring spending under control during the next budget cycle. Councilwoman Pattison explained that as everyone knows, the pandemic has severely harmed the Town's revenue sources for the upcoming year. She remarked that it is, also, worth noting that the Town has incurred additional expenses in the safety of the Town's citizens for fire and rescue services. Councilwoman Pattison stated that there are no payroll increases included in the budget, and, virtually no capital outlay projects. She noted that at this point, it is difficult to determine which revenues will stabilize and which ones may need to be replaced. Councilwoman Pattison explained that the Town will only know this once the economy is reopened and businesses return to normal operations. She advised that a public hearing and the second reading of the budget will be held at the June 8, 2020, Council meeting. Councilwoman Pattison stated that the final adoption of the budget is scheduled for the June 22, 2020, meeting of the Council. She advised that it is the recommendation of the Budget and Finance Committee that the budget for Fiscal Year 2020-21 be adopted on first reading.

Councilwoman Pattison reported that the Council received a request from Mr. Andy Kegley, who is the Executive Director of HOPE, Incorporated, seeking a collaborative effort with the Town of Wytheville to obtain Community Development Block Grant (CDBG) funding to address the homelessness situation. She stated that in his communication, Mr. Kegley noted that there was a significant amount of homelessness regionally, and some of which has been the result of the COVID-19 infection. Councilwoman Pattison remarked that the Council discussed this at the Work Session, last week, and agrees that Mr. Kegley is to be applauded for his efforts in trying to address this homelessness situation. She expressed that as the Committee just reported, the Town's budget is very tight for the coming year, and the Council does not think this is an opportune time for the Town to be ultimately responsible for grant funding for this program. Councilwoman Pattison explained that the Budget and Finance Committee believes that it may be worthwhile for Mr. Kegley to contact the County of Wythe, who is eligible to participate in the program, and to contact the Wythe County Department of Social Services. She advised that based on these discussions, it is the recommendation of the Budget and Finance Committee that the Council not proceed with administering CDBG funding for this program. A motion was made by the Budget and Finance Committee, which does not require a second, to not proceed to act as the administrator of a Community Development Block Grant for HOPE, Incorporated and to request them to contact the Wythe County Board of Supervisors and the Wythe County Department of Social Services regarding this request. Mayor Taylor inquired if there was 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, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison. Against: None. A copy of the Budget and Finance Committee report is attached and made part of these minutes.

RE: PUBLIC WORKS COMMITTEE REPORT

Councilman Bloomfield, reporting for the Public Works Committee, stated that at the last meeting of the Council, the Council approved an ordinance entitled "Backyard Chickens," on first reading. He remarked that this ordinance provided that people in Residential Zoning Districts could, under certain circumstances, raise up to six hens in their rear yard. Councilman Bloomfield stated, thus far, the Council has had few comments about the program, and, generally, finds the public receptive to the concept. He noted that later in the meeting, the Council will consider this ordinance on second reading. Councilman Bloomfield advised that given that there seems to be little opposition to the ordinance, it would be the recommendation of the Public Works Committee that the Council adopt the ordinance on second and final reading, making the provisions for the ordinance to become effective immediately.

Councilman Bloomfield reported that during March, the Town of Wytheville assumed the responsibilities for rescue services previously conducted by the Wythe County Rescue Squad. He explained that in that transaction, the Town received some equipment, certain funds that were available and the Wythe County Rescue Squad building. Councilman Bloomfield noted that the building is in a relatively good state of repair, though it is in dire need of a new roof. He commented that the Council had, previously, proposed that it would consider the construction of a new Fire and EMS Station in the upcoming budget. Councilman Bloomfield explained that given the budget constraints, it was the decision to not pursue any such improvements in this upcoming fiscal year. He stated that it is important, however, to house the equipment and to have places for personnel to reside. Councilman Bloomfield noted that the Rescue Squad building and its proximity to the Town's Police and Fire Department works well with its situation. He commented that the Town sought bids from reputable roofing contractors, and the apparent

low bid was submitted by Dunford Roofing at \$44,240. Councilman Bloomfield explained that there was \$52,414.32 in the Wythe County Rescue Squad bank account that has been transferred to the Town. He advised that having said all of this, it would be the motion of the Public Works Committee that the bid submitted by Dunford Roofing be accepted and that the project proceed forward. A motion was made by Councilman Bloomfield and seconded by Councilman Hand to approve awarding a contract to Dunford Roofing in the amount of \$44,240 to replace the roof on the Rescue Squad building. Mayor Taylor inquired if there was any discussion on the motion to award the bid submitted by Dunford Roofing for the Rescue Squad building. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Beth A. Taylor, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison. Against: None. A copy of the Public Works Committee report is attached and made part of these minutes.

RE: ORDINANCE NO. 1380

Mayor Taylor presented Ordinance No. 1380, an ordinance amending and reenacting Chapter 3, Animals, of the Code of the Town of Wytheville, Virginia, by adding Article III. Backyard Chickens, on second reading. She explained that the recommendation from the Public Works Committee is to adopt the ordinance on second and final reading. A motion was made by Councilman Bloomfield and seconded by Councilman Hand to adopt Ordinance No. 1380, an ordinance amending and reenacting Chapter 3, Animals, of the Code of the Town of Wytheville, Virginia, by adding Article III. Backyard Chickens, on second and final reading. Mayor Taylor inquired if there was any discussion on the motion to adopt the ordinance on second and final reading. She noted that she would like to clarify a provision listed under this ordinance which states, "Furthermore, no dog or cat will be considered a vicious or dangerous animal based solely on harming or killing chickens kept pursuant to these regulations." Mayor Taylor commented that this does not mean that the owner could not be held accountable under another section of the Town Code. Town Attorney Menerick stated that is correct. Discussion ensued regarding other sections of the Town Code referring to vicious or dangerous animals. Mayor Taylor inquired if there were any further questions or comments. There being none, the motion was approved with the following voting in favor and there being no opposition:

FOR: Beth A. Taylor, Joseph E. Hand, Jr., Mark J. Bloomfield, Cathy D. Pattison

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1380 was adopted on second and final reading.

RE: ORDINANCE NO. 1381

Mayor Taylor presented Ordinance No. 1381, the Budget Ordinance for Fiscal Year 2020-21, on first reading. She explained that the recommendation from the Budget and Finance Committee is to approve the ordinance on first, but not final, reading. Mayor Taylor inquired if there was any discussion regarding the recommendation to approve the ordinance on first, but not final, reading. Councilman Hand stated that he had requested additional information regarding the budget and received the information earlier in the day, however, he has not had adequate time to review the information, therefore, he will not be able to vote in favor of the budget. A motion was made by the Budget and Finance Committee, which does not require a second, to approve Ordinance No. 1381, the Budget Ordinance for Fiscal Year 2020-21, on first, but not final, reading. Mayor Taylor inquired if there was any discussion on the motion to approve the ordinance on first, but not final, reading. There being none, the motion was approved with the following voting results:

FOR: Beth A. Taylor, Mark J. Bloomfield, Cathy D. Pattison

AGAINST: Joseph E. Hand, Jr.

ABSTENTIONS: None

Ordinance No. 1381 was approved on first, but not final, reading.

RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (7:13 p.m.).

Beth A. Taylor, Mayor

Sharon G. Corvin, CMC, Town Clerk

BUDGET AND FINANCE COMMITTEE REPORT

MAY 26, 2020

1. Later this evening, the Council will consider, on first reading, the adoption of the budget for Fiscal Year 2020-21. The total budget, including both the General Fund and the Water and Sewer Fund, totals \$22,796,120. The budget, as developed, does not include any tax or fee increases, though it does include a \$2.00 increase on the fixed charge on the water bill, and this amount increases by 5 percent at each level of water consumption effective January 1, 2021. Every effort has been taken to bring spending under control during the next budget cycle. As everyone knows, the pandemic has severely harmed our revenue sources for the upcoming year. It is, also, worth noting that the Town has incurred additional expenses in the safety of our citizens for fire and rescue services. There are no payroll increases included in the budget, and, virtually no capital outlay projects. At this point, it is difficult to determine which revenues will stabilize and which ones may need to be replaced. We will only know this once the economy is reopened and businesses return to normal operations. A public hearing and the second reading of the budget will be held at the June 8, 2020, Council meeting. The final adoption of the budget is scheduled for the June 22, 2020, meeting of the Council. It is the recommendation of the Budget and Finance Committee that the budget for Fiscal Year 2020-21 be adopted on first reading.

2. We received a request from Mr. Andy Kegley, who is the Executive Director of HOPE, Incorporated, seeking a collaborative effort with the Town of Wytheville to obtain Community Development Block Grant (CDBG) funding to address the homelessness situation. In his communication, Mr. Kegley noted that there was a significant amount of homelessness regionally, and some of which has been the result of the COVID-19 infection. We discussed this at our Work Session, last week, and agree that Mr. Kegley is to be applauded for his efforts in trying to address this homelessness situation. As we just reported, our budget is very tight for the coming year, and we do not think this is an opportune time for the Town to be ultimately responsible for grant funding for this program. We believe that it may be worthwhile for Mr. Kegley to contact the County of Wythe, who is eligible to participate in the program, and to contact the Wythe County Department of Social Services. Based on these discussions, it is the recommendation of the Budget and Finance Committee that we not proceed with administering CDBG funding for this program.

Cathy D. Pattison

PUBLIC WORKS COMMITTEE REPORT

MAY 26, 2020

1. At the last meeting of the Council, we approved an ordinance entitled “Backyard Chickens,” on first reading. This ordinance provided that people in Residential Zoning Districts could, under certain circumstances, raise up to six hens in their rear yard. Thus far, we have had few comments about the program, and, generally, find the public receptive to the concept. Later this evening, the Council will consider this ordinance on second reading. Given that there seems to be little opposition to the ordinance, it would be the recommendation of the Public Works Committee that we adopt the ordinance on second and final reading, making the provisions for the ordinance to become effective immediately.
2. During March, the Town of Wytheville assumed the responsibilities for rescue services previously conducted by the Wythe County Rescue Squad. In that transaction, the Town received some equipment, certain funds that were available and the Wythe County Rescue Squad building. The building is in a relatively good state of repair, though it is in dire need of a new roof. We had, previously, proposed that we would consider the construction of a new Fire and EMS Station in the upcoming budget. Given the budget constraints, it was the decision to not pursue any such improvements in this upcoming fiscal year. It is important, however, to house the equipment and to have places for personnel to reside. The Rescue Squad building and its proximity to our Police and Fire Department works well with our situation. We sought bids from reputable roofing contractors, and the apparent low

bid was submitted by Dunford Roofing at \$44,240. There was \$52,414.32 in the Wythe County Rescue Squad bank account that has been transferred to the Town. Having said all of this, it would be the motion of the Public Works Committee that the bid submitted by Dunford Roofing be accepted and that the project proceed forward.

Joseph E. Hand, Jr.

Mark J. Bloomfield