



MINUTES

WYTHEVILLE TOWN COUNCIL MEETING

MONDAY, OCTOBER 24, 2022 AT 6:00 PM
MUNICIPAL BUILDING - 150 EAST MONROE STREET
WYTHEVILLE, VA 24382

1. **RE: ATTENDANCE**

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Councilman Gary Gillman

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
Police Corporal Josh Jones
Patrol Officer Robert Doyle
Various Town Police Department Personnel
Millicent Rothrock, *Wytheville Enterprise*
James Cohen
Jill Neice
Denise Clay
Louie Haymaker
Grace Caudill

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 Agenda. She inquired if there was a motion to approve the agenda as presented.

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

6. **RE: CONSENT AGENDA**

A. Mayor Taylor presented the consent agenda consisting of the minutes of the regular meeting of October 11, 2022. She inquired if there was a motion to approve the consent agenda as presented.

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

Voting Abstaining: Councilwoman Atkins. She advised that she abstained from the vote due to her absenteeism from the October 11, 2022, meeting.

7. RE: CITIZENS' PERIOD

A. RE: PRESENTATION OF SIXTH YEAR REACCREDITATION TO THE WYTHEVILLE POLICE DEPARTMENT

Mayor Taylor advised that the next agenda item is the presentation of the sixth-year reaccreditation to the Wytheville Police Department. She noted that Commissioner Jill Neice of the Virginia Commission Board is attending the meeting to present the Reaccreditation of the Wytheville Police Department to Police Chief Joel Hash and Lieutenant Bryan Bard. Mayor Taylor welcomed Commissioner Neice to the podium. Commissioner Neice presented Chief Joel Hash and the Wytheville Police Department with their sixth certificate of accreditation from the Virginia Law Enforcement Professional Standards Commission. Commissioner Neice thanked the Wytheville Town Council for allowing her to present the certificate to the Wytheville Police Department. Mayor Taylor invited the Police Department personnel to come forward to have a photo taken.

Chief Hash was recognized and stated that he would like to make a comment. He noted that the Police Department started this process in 2000, and they received the first accreditation in 2002. Chief Hash remarked that the accreditation and reaccreditation process is a very hard process, and it takes a lot of manpower. He stated that he was promoted to Police Chief in 2020, and Lieutenant Bard was promoted in the middle of the Department's fourth term, and he did well with the help of the other staff. Chief Hash commented that Ms. Leah Sayers has helped with the process, as well. He explained that the reaccreditation not only takes the Police Department personnel, but it takes the staff of the Town Municipal Office staff, as well. Chief Hash continued to discuss the reaccreditation process and to thank everyone involved.

Mayor Taylor congratulated the Department on their reaccreditation and thanked them for attending the meeting.

RE: CITIZENS' PERIOD

Mayor Taylor advised that the next agenda item is Citizens' Period. She noted that there are no citizens attending the meeting who stated on the sign in sheet that they wished to address the Council during Citizens' Period, however, if anyone has changed their mind, now is the time to do so.

Ms. Grace Caudill was recognized and stated that she resides at 325 East North Street in Wytheville. She noted that she is speaking on behalf of the United States Department of Agriculture Rural Development (USDARD). Ms. Caudill explained that she read in the Town Council minutes from the October 11, 2022, meeting that the Town had some maintenance issues with the water and sewer lines. She stated that she wanted to attend this meeting to make the Council aware that the USDARD is in town, and if the Town has any maintenance projects that they need help with, she will ask that the Council please think of the USDARD, especially with all of the American Rescue Plan Act (ARPA) funds available. Ms. Caudill remarked that their agency did not receive any of the ARPA funding, however, the Virginia Department of Health (VDH) and the Department of Environment of Quality (DEQ) did receive funding, and they are constantly working with both of those agencies. She commented that if the Police Department needs help financing vehicles or public service vehicles, her agency also offers a program to do that, as well. Ms. Caudill reiterated that if the Council and Town staff could please remember the USDARD whenever they need assistance in certain areas, they would appreciate it. Mayor Taylor thanked Ms. Caudill for her comments. She inquired if there were others who wished to address the Council during Citizens' Period. There being none, she proceeded with the agenda.

8. RE: STAFF REPORT

A. Town Manager Freeman advised that he wanted to report on a few items that have happened in the last couple of weeks. He explained that the Town continues to have

staffing issues in many departments, however, he would name three departments the Council would like to know about. Town Manager Freeman commented that, currently, the Wytheville Police Department has two Patrol Officer positions available, however, this number will increase to possibly three or four with the recent resignations of some other Officers. He noted that there are several applications, however, it is his understanding that most of the applications are for uncertified officers. He continued to report on the staffing issues, etc. within the Police Department.

Town Manager Freeman stated that, currently, the Wytheville Parks and Recreation Department has three vacant coordinator positions, which are supervisory level positions. He commented that this has created a large problem with staffing at the Recreation Center, therefore, he authorized the department to use up to \$10,000 in overtime through January 15, 2023, to make sure the facility is properly staffed. Town Manager Freeman explained that the department does not want to use overtime funds, Town Council does not want to use overtime funds and the Recreation staff does not want to work overtime hours, but some measures had to be taken to keep the facility operating correctly. He noted that lifeguards and front desk personnel have particularly been the hardest positions to fill, primarily because of the pay. Town Manager Freeman remarked that the Town is essentially getting zero applicants in those positions. He expressed that this is something that the Town is going to have to review. Town Manager Freeman advised that he, Parks and Recreation Director Josh Sharitz and Assistant Town Manager Holeyton, who oversees that department, plans to revisit this periodically to come up with a strategy, particularly for the front desk and lifeguards, even if it means doing it before the Bolton Study is complete.

Town Manager Freeman advised that the Public Utilities Department is the third Department that he wanted to highlight. He explained that the Public Utilities Department is the Town's Wastewater and Water Maintenance and Construction Staff. Town Manager Freeman advised that the Public Utilities Department is not the Town's Wastewater and Water Treatment Plants. He commented that full employment in the Public Utilities Department includes 11 fulltime positions, however, this Department is currently down to eight fulltime positions. Town Manager Freeman explained that of the eight fulltime employees, one is currently on FMLA. He noted that the Department is in need of a CDL driver because there is only two licensed CDL drivers in the Public Utilities Department, which makes it difficult.

Town Manager Freeman advised that the Salary Compensation Study is ongoing. He noted that, last week, Town Staff met twice with The Bolton Group to review the initial gap analysis proposal for the new compensation plan. He remarked that the numbers are not finalized, but it is indicative that the Town is a last end competitor in a number of areas. Town Manager Freeman commented that the Town is trailing its peers and the market in several areas. He noted that it is not in every position, but, at this time, it is clear that the Town is trailing the market and peer groups in a number of areas. Town Manager Freeman explained that the Study is looking to be finalized in approximately six weeks. He noted that The Bolton Group has tasked Town Staff with providing some additional data that had not been requested prior to now because it was not needed. He continued to discuss the Salary Compensation Study with the Council. Councilwoman Atkins inquired if the Town will be required to pay The Bolton Group since the Study has taken longer than anticipated. Town Manager Freeman advised that the Town will not be required to pay any more money to The Bolton Group. He explained that it is not a result of additional fees or changes.

Town Manager Freeman stated that he would like to report regarding some general news and updates. He advised that the Council approved two new Dodge Durangos for the Wytheville Police Department Patrol Division. Town Manager Freeman noted that the Council had budgeted for leases, if they will recall, but the leases were not available for 28 months. He advised that the Police Department ordered two Dodge Durangos through the Fleet Vehicle Purchasing Program. Town Manager Freeman noted that the Police Department will not receive the vehicles for approximately eight to ten months, however, he wanted to update the Council, and let them know that the order has been placed. He advised that the Council will need to budget for two more of these vehicles in the next budget cycle because four leased vehicles were budgeted for in the last budget. Councilwoman Atkins inquired of Town Manager Freeman what the plan would be if the Police Department were to lose several

vehicles in the Patrol Division. Discussion ensued regarding vehicles assigned to the Police Department and how they could move vehicles to the Patrol Division. Town Manager Freeman advised that the Town received the paving bids on October 12, 2022. He explained that the pavers had initially thought that they would not be able to begin work for several weeks, however, they contacted Town Staff and advised that they would be able to begin sooner than anticipated. Town Manager Freeman stated that he signed the Notice to Proceed last Thursday, October 20, 2022. He noted that the bid price for that project came in under the original bid at approximately \$170,000 less than anticipated. He explained that this does not mean that the Town saves \$170,000 because this is VDOT maintenance funding, therefore, the Town will simply add \$170,000 worth of paving to the paving schedule. He continued to discuss paving with the Council. Town Manager Freeman stated that for any projects that are in the roadway that may lead to settling ditches, the Town does not typically pave those for about a year. Town Manager Freeman commented that projects such as the force main replacements on Chapman and Industry Roads will not be paved this cycle. He noted that the Town will allow for settling before trying to pave.

Town Manager Freeman reported regarding the heat pump loss at the Heritage Preservation Center. He stated that, currently, the Heritage Preservation Center staff is using electric heaters. Town Manager Freeman advised that he has authorized the replacement of two 20-year-old heat pumps at the Heritage Preservation Center at the cost of \$15,770, which were unplanned. He noted that a budget revision is not required by the Council.

Town Manager Freeman reported regarding backhoe issues. He explained that the Town currently has a 20-year-old backhoe that has a cylinder failing. He stated that he has authorized Town staff to put the backhoe in the shop immediately and to get a rental on the way. Town Manager Freeman advised that it is too hazardous to have a half operating backhoe. He commented that he wanted the Council to know that Town staff is in the process of getting quotes for a rental backhoe, replacement of the Boone cylinder, and, also, pricing for a new backhoe. He remarked that he is not sure if there is any trade value, however, Town staff will explore its options. Town Manager Freeman continued to discuss the backhoe issue with the Council.

Town Manager Freeman reported a main waterline break that occurred October 19, 2022. He explained that the break was reported through the E-911 Dispatch Center at approximately 11:00 p.m. on a 12-inch waterline at the intersection of East Spiller and 10th Streets, which left random sections of town without water including George Wythe High School, Spiller Elementary School, etc. Town Manager Freeman continued to discuss this unique waterline break situation with the Council. He advised that he would like to report that the water was restored before 9:00 a.m. on Thursday morning, October 20.

Town Manager Freeman reported that he and Town Clerk Corvin met with the Virginia Risk Sharing Association (VRSA) representative, Lisa Schenk, who covers the Town's General Liability, Property and Workers' Compensation Insurance. He explained that this was a stewardship meeting to review the Town's policy, how the Town is utilizing the policy, etc. Town Manager Freeman noted that Ms. Schenk reported that the Town is being a good steward of the policy and is using the policy wisely.

Town Manager Freeman advised that this concludes his report. Councilwoman Atkins stated that she had one inquiry for Town Manager Freeman regarding the overtime he approved for the Recreation Department. She inquired if this overtime goes for supervisors, as well. Town Manager Freeman advised that it depends whether the supervisor is classified as an exempt or nonexempt employee. Discussion continued regarding overtime at the Recreation Center.

9. RE: NEW BUSINESS

Under New Business, Town Manager Freeman reported the following:

1. The Homestead Museum Advisory Board will meet on Thursday, October 27, 2022, at 10:00 a.m., at the Homestead.

2. The Joint Industrial Development Authority of Wythe County will meet on Thursday, October 27, 2022, at 3:00 p.m., in the Council Chambers.
3. The Joint Governing Bodies meeting scheduled for Monday, October 31, 2022, has been cancelled.
4. The Town of Wytheville Municipal offices will be closed and all services curtailed on Tuesday, November 8, 2022, in observance of Election Day.
5. The Tree Advisory Committee will meet on Thursday, November 10, 2022, at 8:30 a.m., in Conference Room A of the Municipal Building.
6. The Town of Wytheville Municipal offices will be closed and all services curtailed on Friday, November 11, 2022, in observance of Veterans Day.
7. The next Wytheville Town Council meeting will be held on Monday, November 14, 2022, at 5:00 p.m., in the Council Chambers.

10. RE: ORDINANCES/RESOLUTIONS

A. RE: ORDINANCE NO. 1417

Mayor Taylor presented Ordinance No. 1417, an ordinance repealing Ordinance No. 1259, and repealing Chapter 9, Offenses - Miscellaneous, Article I. In General, Division 2. Solicitation and Aggressive Solicitation Restrictions, Sections 9-37. Soliciting, 9-38. Permitted Conduct and 9-39. Penalty, of the Code of the Town of Wytheville, Virginia, on first and final reading. She noted that a replacement ordinance will be presented at a later meeting for the Council's consideration. Mayor Taylor inquired if there is a motion to adopt Ordinance No. 1417 on first and final reading.

Motion made by Councilman Bloomfield, Seconded by Vice-Mayor Pattison. Mayor Taylor inquired if there was any discussion. Town Attorney Clayton advised that she would like to make a statement if the Mayor would allow her to speak. Mayor Taylor advised Town Attorney Clayton to proceed. Town Attorney Clayton stated that she would recommend that the Town Council repeal the current ordinance regarding solicitation in light of continually evolving First Amendment American Jurisprudence. She commented that a new ordinance focused on pedestrian safety will be presented to the Town Council in November, and it will address public safety concerns in a content-neutral manner. Mayor Taylor thanked Town Attorney Clayton for her comments. She inquired if there was any further discussion.

The motion was approved with the following voting results, by roll call vote: Voting Yea: Mayor Taylor, Vice-Mayor Pattison, Councilman Bloomfield. Voting Abstaining: Councilwoman Atkins. Councilwoman Atkins advised that she is abstaining due to lack of information regarding the ordinance.

Ordinance No. 1417 was adopted on first and final reading.

B. RE: RESOLUTION - DOWNTOWN WYTHEVILLE SYSTEMATIC PEDESTRIAN SAFETY IMPROVEMENTS

Mayor Taylor advised that the next agenda item is to consider a resolution that endorses Downtown Wytheville systematic pedestrian safety improvements. She noted that this is a requirement from the Virginia Department of Transportation to apply for grant funds for the project. Mayor Taylor inquired if there is a motion to adopt the resolution.

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

C. RE: RESOLUTION - ENDORSEMENT FOR EAST MAIN STREET - WYTHEVILLE COMMUNITY COLLEGE SYSTEMIC PEDESTRIAN SAFETY IMPROVEMENTS

Mayor Taylor advised that the next agenda item is to consider a resolution that endorses East Main Street - Wytheville Community College systemic pedestrian safety improvements. She noted that like the Downtown Wytheville resolution, this is a requirement from the Virginia Department of Transportation to apply for grant funds for the project. Mayor Taylor inquired if there is a motion to adopt the resolution.

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

11. RE: ADJOURNMENT

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (6:31 p.m.).

Beth A. Taylor, Mayor

Sharon G. Corvin, CMC, Town Clerk