WISE TOWN COUNCIL JOINT MEETING WITH WISE PLANNING COMMISSION TUESDAY, MARCH 28, 2023; 7:00 P.M. WISE MUNICIPAL BUILDING COUNCIL CHAMBERS 501 WEST MAIN STREET - WISE, VIRGINIA 24293

MINUTES

MEMBERS PRESENT:

MEMBERS ABSENT:

Teresa Adkins, Mayor Ben Conway, Vice-Mayor Jeffery Dotson Robin Dotson Caynor Smith, Jr.

PLEDGE OF ALLEGIANCE/ INVOCATION:

Vice-Mayor Conway led the Pledge of Allegiance. Adrian Dale, Town of Wise Street Superintendent, provided the invocation.

AGENDA CHANGES:

Laura Roberts informed Mayor Adkins the agenda could be amended in order for the FY 2021-2022 Audit presentation to be completed following Public Expression, before the joint meeting began. Ben Conway moved to adopt the agenda amendment as presented. Caynor Smith, Jr. seconded the motion that carried 5-0.

CONSENT CALENDAR:

Councilman Smith made a motion to approve the consent calendar, which included the minutes of the February 28, 2023 regular Council meeting, the minutes of the March 15, 2023 continued Council meeting, the February 2023 Police, Water Plant, and Fire Department Reports, and the March 2023 Recreation Specialist, Planning Department, and Special Events Reports. Robin Dotson seconded the motion that passed 5-0.

PUBLIC EXPRESSION:

Thea Flanary, on behalf of The Health Wagon, requested use of Big Glades on August 3rd for their annual back-to-school event called "Davey's Shuffle". The event, named after the late son of The Health Wagon Clinical Director Paula Hill-Collins, would provide free school supplies to children in the community, as well as food, clothing, and shoes. Flanary noted that over 600 backpacks were given away at the event in 2022. The Health Wagon requested that Council co-sponsor the event by waiving the use fee for Big Glades. Town Manager Laura Roberts informed that the Health Wagon had submitted the required paperwork. Councilman Jeff Dotson made a motion to approve the request. Ben Conway seconded the motion that passed 5-0.

Chris Sturgill, on behalf of Bearcreek Bowmen Archery Club of Wise, requested approval to work with the Town to potentially host an Archery Shooting Association (ASA) National Archery Tournament in 2024 at the Town of Wise Sports Complex. The tournament would last approximately 5 days and bring an estimated 1700-2200 shooters to Wise, along with various vendors for an onsite tradeshow. Sturgill informed ASA desired for the hosting community to reap economic benefits from the event and that a required ASA check list would need to be submitted for the location to be evaluated for consideration. He therefore requested permission to

work with the Town to complete the list. Sturgill further advised if Wise was selected as the Tournament location, Town employees would be needed to assist ASA with event set up. Town Manager Roberts confirmed the request would need to be reviewed by the Recreation Committee. Town Attorney Leonard Rogers inquired as to whom provided insurance for the event. Sturgill informed ASA had insurance and all participants would be required to become a member of ASA, which would include signing liability paperwork. Rogers advised he would need to see any insurance policy related to the event prior to the Town agreeing to host, should ASA approve the location. Councilman Smith made a motion to forward the request to the Recreation Committee for review. Jeff Dotson seconded the motion that carried 5-0.

PRESENTATION OF AUDIT FOR FY 2021 - 2022:

Larry Sturgill, CPA, presented highlights from the audit report for the fiscal year 2021-2022. He noted that the audit engagement for the period ending June 30, 2022 was performed in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards. He stated that no control deficiencies were found during the audit process, resulting in an unmodified, clean opinion. Sturgill also noted that the water and sewer funds reflected an operating profit, including depreciation expense, for the first time in his recollection. Following the review, Robin Dotson made a motion to accept the audit report for fiscal year 2021-2022 as presented. Caynor Smith, Jr. seconded the motion and the vote was recorded by roll call:

Teresa Adkins, Mayor	"Aye"
Ben Conway	"Aye"
Jeffery Dotson	"Aye"
Robin Dotson	"Aye"
Caynor Smith, Jr.	"Aye"

CONVENING OF JOINT MEETING WITH PLANNING COMMISSION:

Mayor Adkins invited the Town of Wise Planning Commission members to the table for the joint meeting for the purpose of conducting a joint public hearing on the amendment of the Town of Wise Zoning Ordinance and Subdivision Regulations, adopted March 23, 1987, to include campgrounds and to provide definitions for campgrounds and camping units. Councilman Jeff Dotson made a motion to convene into a joint meeting with the Planning Commission. Robin Dotson seconded the motion that carried 5-0. Chairman Greg Widener called the Planning Commission meeting to order with a quorum present. Planning Commission Secretary, Anna Maness called the roll with the following members present: Greg Widener, Duane Phillips, Teresa Adkins, Mike Clisso, and Kelly Sorah. Duane Phillips made a motion to convene into a joint meeting with Wise Town Council. Kelly Sorah seconded the motion that passed 5-0.

REVIEW, COMMENT AND RECOMMENDATION BY THE PLANNING COMMISSION / PUBLIC HEARING:

Town Planner Reagan Walsh reported on the Zoning Ordinance amendment regarding campgrounds. She informed that Town Council, at its February 28, 2023 regular meeting, requested Planning Commission change some of the language to the Zoning Ordinance amendment regarding the imposition of length of stay and use of campgrounds as permanent residence restrictions. Walsh explained the Planning Commission conducted research on amending the Zoning Ordinance to allow campgrounds as a Conditional Use in the B-1, B-2, and

R-B zoning districts and revisited the amendment at its March 2, 2023 meeting. Descriptive language regarding Council's right to impose length of stay restrictions on a case-by-case basis during the Conditional Use review process was added, as well as language that restricted the use of a campground as a permanent residence.

Chairman Widener opened the floor for the public hearing. There being no one from the public in attendance, the public hearing was closed. He then opened the floor for Planning Commission discussion. There being no Commissioners wishing to comment, Chairman Widener called for a motion. Kelly Sorah made a motion that the Wise Planning Commission recommend approval of the Zoning Ordinance amendment as presented to Wise Town Council. Commissioner Clisso seconded the motion. The vote was recorded by roll call:

Greg Widener	"Aye"
Duane Phillips	"Aye"
Teresa Adkins	"Aye"
Mike Clisso	"Aye"
Kelly Sorah	"Aye"

Chairman Widener forwarded the recommendation of the Wise Planning Commission to amend Article 4, Sections 2.2, 4.2, and 5.2 and Article 11, Section 2 of the Town of Wise Zoning Ordinance and Subdivision Regulations, adopted March 23, 1987, to include campgrounds, as a Conditional Use, in the R-B, B-1, and B-2 zoning districts and to provide definitions for campgrounds and camping units to Council. Widener adjourned the meeting of the Wise Planning Commission and turned the joint meeting over to Mayor Adkins and Wise Town Council.

REVIEW, COMMENT AND ACTION BY TOWN COUNCIL / PUBLIC HEARING:

Town Planner Reagan Walsh highlighted the Conditional Use review process. Mayor Adkins opened the floor for the public hearing regarding Ordinance #1, 2023 to amend the Town of Wise Zoning Ordinance and Subdivision Regulations as recommended by Wise Planning Commission. There being no one from the public in attendance, the public hearing was closed. Councilman Smith questioned Planning Commission regarding its discussions to reach the recommendation for the Zoning Ordinance amendment. Commissioner Widener replied that the Planning Commission desired to be "pro-development" and mirror neighboring localities that permitted campgrounds. Commissioner Mike Clisso added having campgrounds in Wise would provide a nice place to stay for those visiting the community for Town sponsored events. Vice-Mayor Ben Conway stated he would not support campgrounds that allowed extended stays in excess of two weeks, which was the limit at Virginia State Parks. He added that such an amendment could potenitally damage the Town's housing industry. Councilman Jeff Dotson expressed the need for allowing both extended and short term stay campgrounds, but agreed permanent residences should not be allowed within campgrounds. Mayor Adkins reiterated the significance of the Conditional Use Application review process that would allow Council to place restrictions on any campground as necessary. Councilman Robin Dotson asked how the Town would police campgrounds to ensure compliance with restrictions set forth by Council. Town Planner Reagan Walsh suggested complaint-based policing. Jeff Dotson suggested requiring reporting from campground owners on a regular basis regarding tenants and length of stay as opposed to relying solely on complaints. Councilman Smith stated he supported the adoption of Ordinance #1, 2023 and opined the Conditional Use Permit

would provide sufficient capability to Council to place restrictions on campgrounds as needed. Following the discussion, Caynor Smith, Jr. made a motion to adopt "AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA AMENDING ARTICLE 4, SECTIONS 2.2, 4.2, AND 5.2 AND ARTICLE 11, SECTION 2 OF THE TOWN OF WISE ZONING ORDINANCE AND SUBDIVISION REGULATIONS ADOPTED MARCH 23, 1987 TO INCLUDE CAMPGROUNDS, AS A CONDITIONAL USE, IN THE R-B, B-1, AND B-2 ZONING DISTRICTS AND TO PROVIDE DEFINITIONS FOR CAMPGROUNDS AND CAMPING UNITS". Jeff Dotson seconded the motion. The vote was recorded by roll call:

Teresa Adkins, Mayor	"Aye"
Ben Conway	"Nay"
Jeffery Dotson	"Aye"
Robin Dotson	"Aye"
Caynor Smith, Jr.	"Aye"

Mayor Adkins thanked the Wise Planning Commission for being in attendance and adjourned the joint meeting.

PUBLIC HEARING - RESOLUTION #11, 2023:

Town Planner Reagan Walsh stated there was a need to add additional Designated Growth Areas to the Land Use Goals in The Town of Wise Comprehensive Plan to help promote growth and prioritize transportation funding to said areas. She added that the Town had identified two potential Designated Growth Areas: 1) The area across from the former J.J. Kelly High School site located on Birchfield Road 2) The Park Avenue/ Darden Drive corridor. A public hearing was held on "A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA ADOPTING THE PROPOSED TEXT AND MAPPING AMENDMENTS TO THE 2022 COMPREHENSIVE PLAN OF THE TOWN OF WISE, VIRGINIA". There being no one from the public audience wishing to comment, Mayor Adkins closed the public hearing. Councilman Smith moved to adopt Resolution #11, 2023 as presented. Ben Conway seconded the motion and the vote was recorded by roll call:

Teresa Adkins, Mayor	"Aye"
Ben Conway	"Aye"
Jeffery Dotson	"Aye"
Robin Dotson	"Aye"
Caynor Smith, Jr.	"Aye"

PUBLIC HEARING - ORDINANCE #2, 2023:

Town Planner Reagan Walsh explained most parcels of property located on the northern side of Vanover Avenue, between Coeburn Road and Darden Drive, were not suitable for future residential development, but had potential for business opportunities, therefore making the area better suited to be zoned as B-1 Neighborhood Business District. She added the Town of Wise had completed two VDEM Hazard Mitigation Projects and had acquired numerous parcels of flood plain property as a result, which could not be developed as residential properties. Walsh informed that the proposed rezoning would not negatively impact the existing residences in the area and would provide for possible use for the Town's properties acquired through VDEM HMGP. A

public hearing was held on "AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRIGNIA AMENDING THE ZONING DISTRICT MAP OF THE TOWN OF WISE, VIRGINIA TO RECLASSIFY THE ZONING DISTRICT OF SEVERAL PARCELS OF PROPOERTY FROM R-B MEDIUM DENSITY RESIDENCE DISTRICT TO B-1 NEIGHBORHOOD BUSINES DISTRICT". There being no one from the public audience wishing to comment, Mayor Adkins closed the public hearing. Councilman Jeff Dotson made a motion to adopt Ordinance #2, 2023 as presented. Vice-Mayor Conway seconded the motion and the vote was recorded by roll call:

Teresa Adkins, Mayor	"Aye"
Ben Conway	"Aye"
Jeffery Dotson	"Aye"
Robin Dotson	"Aye"
Caynor Smith, Jr.	"Aye"

PUBLIC HEARING - ORDINANCE #3, 2023:

Town Planner Reagan Walsh expressed the need to extend the Central Business District to incorporate both sides of Park Avenue in order to promote growth and redevelopment. She added the community desired for said area to grow to help bridge the physical connection between the Town and UVA Wise. A public hearing was held on "AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRIGNIA AMENDING THE ZONING DISTRICT MAP OF THE TOWN OF WISE, VIRGINIA TO RECLASSIFY THE ZONING DISTRICT OF SEVERAL PARCELS OF PROPERTY FROM B-1 NEIGHBORHOOD BUSINESS DISTRICT TO B-3 CENTRAL BUSINESS DISTRICT AND SEVERAL PARCELS OF PROPERTY FROM R-B MEDIUM DENSITY RESIDENCE DISTRICT TO B-3 CENTRAL BUSINESS DISTRICT". There being no one from the public audience wishing to comment, Mayor Adkins closed the public hearing. Councilman Smith commended Walsh for her work on the Ordinance under discussion and made a motion to adopt Ordinance #3, 2023 as presented. Jeff Dotson seconded the motion. The vote was recorded by roll call:

Teresa Adkins, Mayor	"Aye"
Ben Conway	"Aye"
Jeffery Dotson	"Aye"
Robin Dotson	"Aye"
Caynor Smith, Jr.	"Aye"

RESOLUTION #12, 2023:

Town Manager Laura Roberts advised that the required application and fee had been submitted and reviewed by staff for extension of municipal water and sewer service to serve Phase IV of Mountain Meadows Subdivision. There being no further discussion, Ben Conway moved to adopt "A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA APPROVING AN APPLICATION FOR EXTENSION OF MUNICIPAL WATER AND SEWER TO SERVE PHASE IV OF MOUNTAIN MEADOWS SUBDIVISION". Jeff Dotson seconded the motion and the vote was recorded by roll call:

Teresa Adkins, Mayor	"Aye"
Ben Conway	"Aye"
Jeffery Dotson	"Aye"
Robin Dotson	"Aye"
Caynor Smith, Jr.	"Aye"

PROCLAMATION #1, 2023:

Councilman Smith stated that the Proclamation under discussion would create excitement and give recognition to Central High School's baseball program. He expressed hope that everyone would attend the free admission baseball game to be held on May 4, 2023, which the Town had supported financially with a \$500 donation. Following a brief discussion, Robin Dotson made a motion to adopt "A PROCLAMATION BY THE MAYOR OF THE TOWN OF WISE, VIRGINIA PROCLAIMING MAY 1-7, 2023 AS "CENTRAL HIGH SCHOOL BASEBALL WEEK" IN THE TOWN OF WISE, VIRGINIA". Councilman Jeff Dotson seconded the motion and the vote was recorded by roll call:

Teresa Adkins, Mayor	"Aye"
Ben Conway	"Aye"
Jeffery Dotson	"Aye"
Robin Dotson	"Aye"
Caynor Smith, Jr.	"Aye"

RESOLUTION #13, 2023:

Mayor Adkins explained that Walter Lee Turner, who served as a member on the Town of Wise Board of Zoning Appeals, had recently passed away. She advised that Joseph R. Morton had agreed to serve on the Board, filling the vacancy. Jeff Dotson made a motion to adopt "A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA APPOINTING A MEMBER TO SERVE ON THE TOWN OF WISE BOARD OF ZONING APPEALS". Robin Dotson seconded the motion. The vote was recorded by roll call:

Teresa Adkins, Mayor	"Aye"
Ben Conway	"Aye"
Jeffery Dotson	"Aye"
Robin Dotson	"Aye"
Caynor Smith, Jr.	"Aye"

RESOLUTION #14, 2023:

Following a brief discussion, Jeff Dotson moved to adopt "A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA AWARDING A CONTRACT TO CLATTERBUCK PAVEMENT MARKING FOR THE FY 2023 PAVEMENT STRIPING". Vice-Mayor Conway seconded the motion with the vote recorded by roll call:

Teresa Adkins, Mayor	"Aye"
Ben Conway	"Aye"
Jeffery Dotson	"Aye"
Robin Dotson	"Aye"
Caynor Smith, Jr.	"Aye"

RESOLUTION #15, 2023:

Town Manager Laura Roberts informed that the Virginia Department of Transportation required the Town to have a Title VI Coordinator to become compliant to receive funding from the entity. Councilman Smith made a motion to adopt "A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA DESIGNATING THE TOWN MANAGER AS THE TITLE VI COORDINATOR FOR THE TOWN OF WISE, VIRGINIA". Jeff Dotson seconded the motion. The vote was recorded by roll call:

Teresa Adkins, Mayor	"Aye"
Ben Conway	"Aye"
Jeffery Dotson	"Aye"
Robin Dotson	"Aye"
Caynor Smith, Jr.	"Aye"

RESOLUTION #16, 2023:

Town Planner Reagan Walsh advised that if awarded, the T-Mobile Hometown Grant would have a significant impact on the Town's fundraising efforts for the planned Fitness Court and Studio to be located at the Town of Wise Sports Complex. Robin Dotson moved to adopt "A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA AUTHORIZING SUBMITTAL OF A GRANT APPLICATION TO THE T-MOBILE HOMETOWN GRANT PROGRAM". Jeff Dotson seconded the motion with the vote recorded by roll call:

Teresa Adkins, Mayor	"Aye"
Ben Conway	"Aye"
Jeffery Dotson	"Aye"
Robin Dotson	"Aye"
Caynor Smith, Jr.	"Aye"

RESOLUTION #17, 2023:

Town Planner Reagan Walsh stated that Mark Vanover of the Rapha Foundation had encouraged the Town to apply for a grant to support its efforts to obtain a Fitness Court and Studio at the Town of Wise Sports Complex. Councilman Jeff Dotson made a motion to adopt "A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA AUTHORIZING SUBMITTAL OF A GRANT APPLICATION TO THE RAPHA FOUNDATION". Ben Conway seconded the motion. The vote was recorded by roll call:

Teresa Adkins, Mayor	"Aye"
Ben Conway	"Aye"
Jeffery Dotson	"Aye"
Robin Dotson	"Aye"
Caynor Smith, Jr.	"Aye"

RESOLUTION #18, 2023:

Town Planner Reagan Walsh informed that if awarded, the grant from the Cumberland Forest Community Fund would be used to reimburse the Town for the replacement of roofing on the restrooms and picnic shelters as well for improvements made to the restrooms located at the Bear

Creek Reservoir. Jeff Dotson moved to adopt "A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA AUTHORIZING SUBMITTAL OF A GRANT APPLICATION TO THE CUMBERLAND FOREST COMMUNITY FUND". Robin Dotson seconded the motion and the vote was recorded by roll call:

Teresa Adkins, Mayor	"Aye"
Ben Conway	"Aye"
Jeffery Dotson	"Aye"
Robin Dotson	"Aye"
Caynor Smith, Jr.	"Aye"

CLOSED SESSION:

On a motion made by Jeff Dotson and a second by Ben Conway the Wise Town Council moved to convene into closed meeting for the purpose of and including:

<u>Personnel</u> – Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body as permitted by Virginia Code $\S 2.2-3711(A)(1)$

<u>Real Property</u> — Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, as permitted by Virginia Code $\S 2.2-3711$ (A)(3).

OPEN SESSION:

Caynor Smith, Jr. made a motion to reconvene in open session. Ben Conway seconded the motion that carried 5-0.

CERTIFICATION OF CLOSED SESSION - CM RESOLUTION #4, 2023:

Sarina Collins, Town Clerk/Treasurer, read Closed Meeting Resolution #4, 2023, "Resolving and certifying that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applied, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Town Council of the Town of Wise," and the vote was recorded by roll call:

Teresa Adkins, Mayor	"Aye"
Ben Conway	"Aye"
Jeffery Dotson	"Aye"
Robin Dotson	"Aye"
Caynor Smith, Jr.	"Aye"

APPOINTEE REPORTS (Informational Purposes Only) - Acknowledgement of Receipt:

Jeff Dotson made a motion acknowledging receipt of the following appointee reports:

- 1. Cumberlands Airport Commission regular meeting from March 16, 2023
- 2. C-N-W Board's regular meeting from March 23, 2023

Ben Conway seconded the motion that carried 5-0.

PURCHASE OF REAL PROPERTY:

Councilman Jeff Dotson made a motion that the Town of Wise purchase property listed as Parcel ID# R013964 (Situs Address: Orr Street) for \$16,758.33. Robin Dotson seconded the motion and the vote was recorded by roll call:

Teresa Adkins, Mayor	"Aye"
Ben Conway	"Aye"
Jeffery Dotson	"Aye"
Robin Dotson	"Aye"
Caynor Smith, Jr.	"Nay"

COUNCIL COMMENT:

Robin Dotson opined that Council needed to look at all Conditional Use Permits regarding campgrounds closely in order to preserve the integrity of the Town's residential areas.

Caynor Smith, Jr. thanked staff for a favorable audit report, noting the profitability of the Water and Sewer Funds for the first time.

Jeff Dotson agreed with Councilman Smith in that it was a great accomplishment for the Town to show a profit in both the Water and Sewer Funds.

Ben Conway informed that he would be continuing to mark the Bear Creek Reservoir Trail that was under construction.

STAFF COMMENT:

Town Manager Laura Roberts advised councilmembers a decision was needed on whether it was preferred for "Wise" to be repainted on the Hospital Hill water tank during the 7 Water Tank Rehabilitation Project. Council replied affirmatively. Roberts also requested approval from Council to issue a letter of intent to the Wise Fire Department for the Town to contribute annually toward the purchase of a new Fire Truck. She stated that Duane Phillips, Fire Chief, needed the letter in order to apply for grant funding to assist with the purchase. Council gave approval for Roberts to issue the letter.

CONTINUANCE:

There being no additional discussion by the Wise Town Council, Ben Conway made a motion to continue the meeting until April 11, 2023, at 5:00 p.m. Jeff Dotson seconded the motion that carried 5-0.

Teresa Adkins, Mayor

Sarina F. Collins, Town Clerk/Treasurer