

REGULAR MEETING OF THE FARMVILLE TOWN COUNCIL
HELD ON SEPTEMBER 10, 2014

At the regular meeting of the Farmville Town Council held Wednesday, September 10, 2014 at 7:00 pm in the Council Chamber of the Town Hall located at 116 North Main Street, Farmville, Virginia, there present were Mayor D.E. Whitus, presiding and Council members D.E. Dwyer, T.M. Pairet, A.D. Reid, J.J. Davis and G.C. Cole. Council members D.L. Hunter and S.B. Thompson were absent.

Staff present was Town Manager, Gerald Spates; Town Attorney, Donald Blessing; Town Treasurer, Carol Anne Seal; Chief of Police, Douglas Mooney; Director of Public Works, Robin Atkins; Town Planner, Cindy Morris and Town Clerk, Lisa Hricko.

Mayor Whitus called the meeting to order and welcomed guests. Reverend Price gave the invocation, followed by the Pledge of Allegiance led by Vice Mayor Reid.

Chief Mooney announced the recent promotion of Andy Ellington to Captain/Deputy Chief of the Farmville Police Department. Captain Ellington has been with the Department since 1988. Captain Wade Simpson retired earlier this year, having served the Farmville Police Department for 17 years.

Mayor Whitus announced the public comment period, reminding speakers to limit their comments to three minutes.

PUBLIC COMMENT PERIOD

Ms. Vicky Page, Secretary/Treasurer of the Heart of Virginia Farmers Market Association addressed Council. Ms. Page said the Association is asking Council to amend the minutes of the August 6, 2014 Council work session. She said, the statement reading “Last year, Town Council established rules and regulations for Farmville’s Community Marketplace” is inaccurate. Ms. Page asked that the erroneous sentence be stricken and a sentence that accurately reflects the actual timeline of the events be inserted.

Ms. Amelia McConnell, Longwood University student and President of Beyond the Numbers Foundation spoke to Council regarding the Foundation. She said Beyond the Numbers is a volunteer organization made up of Longwood University students interested in giving back to the youth of the community. The program gives Longwood students the opportunity to engage with the youth in the community by providing mentoring, healthy living life styles, good citizenship, etc. Ms. McConnell spoke of the organization’s relationship with the Parkview Gardens Community Center. She said she

was here this evening to make Council aware of the programs they offer and hopes to be able to share resources.

Ms. Jennifer Cox, Longwood University's Director of Commuter Life provided Council with an update on various University information and events:

- Friday, September 19th, Rock the Block and Family Weekend;
- Staff from the Office of Fraternity and Sorority Life worked with Longwood Police on an ABC Grant application. Longwood received a grant to provide TIPS training to students, TIPS (Training for Intervention Procedures) is the global leader in education and training for the responsible service, sale and consumption of alcohol;
- Men's Living Learning Community – pilot program for men's living learning community at Lancer Park. The target audience will be men who recently joined a Greek organization.

Mrs. Helen Person, Director of Farmville Downtown Partnership and Dr. Chuck Ross President addressed Council. They provided an update on various programs and events and thanked the Town for its ongoing support.

Mr. Kerby Moore, Financial Advisor with Edward Jones Investments reported on the Town of Farmville employee retirement plan. He spoke of the plan's success. In 2009, Edward Jones began managing the 2.7 million dollar Farmville employee retirement plan. The plan now has investments totaling 7 million dollars; with approximately 80% employee participation.

Council accepted the Town Manager's recommendation and set aside the agenda in order to address the request for a conditional use permit.

REQUEST FOR A CONDITIONAL USE PERMIT ON BEHALF OF MICHAEL PAPPANDREA AND WILLIAM WHITE

On motion by Mr. Davis, seconded by Mr. Pairet and with a recorded vote with Council members Dwyer, Pairet, Reid, Davis and Cole voting "aye", the motion to grant the conditional use permit to construct up to eight (8) unit multi-family residences on Layne Street was approved.

BACKGROUND: The property is zoned Residential District R-3 and multi-family residences are an allowed use, with a conditional use permit. The public notice has been advertised and Mr. Spates reported that the Town had not received any comments.

REQUEST APPROVAL OF THE MINUTES OF THE AUGUST 13, 2014 REGULAR COUNCIL MEETING

On motion by Mr. Pairet, seconded by Mr. Reid and with all Council members voting “aye”, the minutes of the August 13, 2014 regular Council meeting were approved, as presented.

REQUEST APPROVAL OF THE MINUTES OF THE AUGUST 21, 2014 RECONVENED COUNCIL MEETING

On motion by Mr. Davis, seconded by Mr. Reid and with all Council members voting “aye”, the minutes of the August 21, 2014 reconvened Council meeting were approved, as presented.

REQUEST APPROVAL OF THE MINUTES OF THE SEPTEMBER 3, 2014 REGULAR WORK SESSION MEETING

On motion by Mr. Pairet, seconded by Mr. Reid and with all Council members voting “aye”, the minutes of the September 3, 2014 regular work session meeting were approved, as presented.

REQUEST APPROVAL OF THE TREASURER’S REPORT

On motion by Mr. Reid, seconded by Mr. Davis and with all Council members voting “aye”, the Treasurer’s report was approved, as presented.

REQUEST PAYMENT OF THE BILLS

On motion by Mr. Pairet, seconded by Mr. Reid and with a recorded vote with Council members Dwyer, Pairet, Reid, Davis and Cole voting “aye”, payment of the bills was approved, as presented.

Bills Printed in Minute Book

STAFF REPORTS

Members received copies of the following monthly staff reports:

- Building Official’s Report;
- Property Inspector’s Report;
- Recreation Department’s Report;
- Sanitation and Recycling Report;
- Meter Tally

BACKGROUND: The Town Manager provided a brief overview of the monthly staff reports. He also mentioned that the Downtown Halloween parade will take place on Friday, October 31st from 4:00 pm to 5:00 pm. The Recreation Department will hold a costume contest.

FIREWORKS EVENT

On motion by Mr. Pairet, seconded by Mr. Davis and with all Council members voting “aye”, the recommendation to continue hosting the fireworks event at the Farmville Regional Airport on July 3rd and use the Sunday before Labor Day as an alternate date was approved.

BACKGROUND: The Town Manager said there had been some discussion of the fireworks event moving from July 3rd to the Labor Day weekend. Council supported the fireworks taking place on July 3rd and the Sunday before Labor Day as an alternate date, due to inclement weather.

TOWN MANAGER'S REPORT

The Town Manager reported on the following matters:

- Mottley Lake/Luck Stone – no date has been set for the public hearing;
- Voluntary Boundary Adjustment – the Town has formally asked the Prince Edward County Board of Supervisors to consider the following three properties: property located off Scott Drive and Milnwood Road owned by Robert Martin III; the old Smith Farm property owned by Russell Harper and property owned by the Town located by SMI;
- Thermopave matter – Traveler's Insurance (the contractor's bonding company) has been contacted and the Town Manager will meeting with Mr. Proctor Harvey on Thursday regarding this matter;
- Osborn Road project – waiting on engineering report regarding drainage;
- Longwood University – he and Mayor Whitus will be meeting with President Reveley and the new Rector Thursday.

REQUEST APPOINTMENTS TO THE FARMVILLE PLANNING COMMISSION

On motion by Mr. Reid, seconded by Mr. Pairet and with a recorded vote with Council members Dwyer, Pairet, Reid, Davis and Cole voting "aye", the recommendation to appoint Ms. Thomasine Stroble and Mrs. Abigail O'Connor to the Farmville Planning Commission was approved.

BACKGROUND: This matter was continued from the August Council meeting, pending the results of the Town Council special election. The Code of Virginia states only one member of Council may serve on a Planning Commission. Council members Mr. Cole and Mr. Dwyer are both members of the Planning Commission. Mayor Whitus said that Mr. Cole has agreed to relinquish his seat; thusly, creating the two vacancies. The Town received two letters of interest. Mayor Whitus said both candidates' resumes were impressive. Members agreed to appoint both persons.

RENOVATIONS TO THE FIREMEN'S SPORTS ARENA – INFORMATION ONLY

Mr. Spates said the Town has requested the grant funds from Centra and presented a cost breakdown on Phase 1 of the renovations to the Firemen's Sports Arena:

Revenue:

Insurance Claim	\$56,064
Annual Rent	\$12,000

Sale of Timber	\$20,000
Centra Grant	<u>\$75,000</u>
	\$163,064

Scope of Work:

Roof	\$39,900
Exterior Walls	\$34,100
Parking Lot Lights	\$10,000
Ceiling Tiles/Insulation	<u>\$15,000</u>
	\$99,000

DOG PARK

At the September 3 work session, Council requested a map of all property owned by the Town of Farmville. Members were provided the Town of Farmville Property List.

Mr. Spates shared with Council his suggestion for the location of a dog park. The Town owns .47 acres of property located off West Third Street, immediately after the Buffalo Creek Bridge and the Farmville Volunteer Fire Department. The property was purchased for \$75,000 and needed to complete renovations to the Buffalo Creek Bridge. The Virginia Department of Transportation reimbursed the Town 98% of the cost. He said the property and location would be ideal for a 150 x 60 dog park. He described the proposed park location as having ample parking available in the front and trees to provide shade coverage. There would be additional expenses for lighting and port-a-john service. The property is located close to the Dog Wood Trail, the Wilck’s Lake Trail and Wilck’s Lake playground. Two additional sites that have been considered were property located by the Field of Dreams and a site located off Industrial Park Road.

This matter has been referred to the Town Asset and Resources Committee for further examination.

REQUEST FOR SIDEWALK, CURB AND GUTTER ON THE 1200 BLOCK OF 4TH AVE., EXT.

The matter was referred to the Town Assets and Resources Committee for their recommendation.

BACKGROUND: The Town Manager received a request from Ms. Barbara Covington-Trinkle. Mrs. Covington-Trinkle lives in the 1200 block of Fourth Ave., Ext. and has requested the installation of sidewalk, curb and gutter and that the street is resurfaced. Mr. Spates said Council’s policy on installing sidewalk, curb and gutter has been that unless a safety issue exists, the property owner pays 50% of the cost associated with the installation. He said in the past some residents in the Greens have opposed the installation of sidewalks, curb and gutter stating they preferred the “green space”.

APPOINTMENT TO THE FARMVILLE BOARD OF ZONING APPEALS

On motion by Mr. Davis, seconded by Mr. Pairet and with a recorded vote with Council members Dwyer, Pairet, Reid, Davis and Cole voting “aye”, the motion to request the Circuit Court of Prince Edward County appoint Pamela W. Butler to the Farmville Board of Zoning Appeals was approved. Ms. Butler will serve the unexpired term of Council member Daniel Dwyer, a term ending on December 30, 2015.

BACKGROUND: Mr. Dwyer was a member of the Farmville Board of Zoning Appeals. Since taking office as a Council member, he is no longer eligible to serve on the Farmville Board of Zoning Appeals. There is presently an item pending before the Board and Council needs to take action to fill the vacant seat. Mayor Whitus said Mrs. Butler has agreed to serve out the unexpired term of Mr. Dwyer.

CLERK’S NOTE: The **Code of Virginia §15.2-2308. Boards of zoning appeals to be created; membership, organization, etc.,** states “*Members of the board shall hold no other public office in the locality except that one may be a member of the local planning commission*”.

FARMVILLE TOWN COUNCIL’S POLICY ON DONATIONS, CONTRIBUTIONS AND GIFTS

On motion by Mr. Pairet, seconded by Mr. Davis and with a recorded vote with Council members Dwyer, Pairet, Reid, Davis and Cole voting “aye”, Council adopted the policy “**Donation, Contributions and Gifts**” as presented by Mayor Whitus. The policy reads:

Council members are not to request Town funds to purchase tickets to non-governmental events, including fund raising events. In addition, Council members are not to request that the Town make donations or contributions to organizations using Town funds. When a Council members is invited to a ticketed event and he/she wishes to attend – the member will need to purchase his/her ticket. The Town will not pay for the ticket. Any request for deviation from this policy must be brought before the entire body.

BACKGROUND: Mayor Whitus spoke of the events in Richmond of the last 18 months involving former Governor McDonnell. He said when he was campaigning for Mayor, he heard many comments from citizens regarding “open government”. He spoke in support of transparency and accountability when serving the public. Mayor Whitus said he is proud of the actions of this governing body and encouraged Council to establish polices for travel expenses. Each member spoke in support of the Donations, Contributions and Gifts policy and of establishing a travel and meal policy.

Mayor Whitus asked the Finance and Ordinance Committee to explore establishing a travel and meal policy for Council members.

REQUEST AUTHORIZATION TO CLOSE THE TOWN OFFICES AT 4:30 PM ON SEPTEMBER 19, 2014

On motion by Mr. Davis, seconded by Mr. Reid and with all Council members voting “aye”, the request to close the Town Offices at 4:30 pm on Friday, September 19, 2014 was approved.

BACKGROUND: Longwood University’s annual event “Rock the Block” event takes place at Mid-Town Square on Friday, September 19, 2014 beginning at 5:00 pm. Mr. Spates recommended the Town Offices close at 4:30 pm in order to avoid the traffic congestion.

REQUEST AUTHORIZATION TO CANCEL OR RESCHEDULE THE OCTOBER WORK SESSION

On motion by Mr. Reid, seconded by Mr. Cole and with all Council members voting “aye”, the October 1, 2014 Council work session was cancelled.

BACKGROUND: The Town Manager will be attending a Virginia Department of Emergency Management mandatory training conference in Blacksburg, Virginia on Wednesday, October 1, 2014. He asked that the October 1, 2014 Council work session be rescheduled or cancelled.

REQUEST AUTHORIZATION TO CLOSE JOHNSON STREET AT 3:30 TO 6:00 PM ON FRIDAY SEPTEMBER 19, 2014

On motion by Mr. Davis, seconded by Mr. Pairet and with all Council members voting “aye” the request to close Johnson Street on Friday, September 19, 2014 from 3:30 pm to 6:00 pm was approved.

BACKGROUND: Longwood University Cross County Track Team is hosting a cross country run and has asked that the street be closed in order to accommodate the activity buses. The event takes place on Friday, September 19, 2014, beginning at 4:00 pm.

REQUEST TO AMEND THE MINUTES OF THE AUGUST 6, 2014 REGULAR WORK SESSION MEETING

On motion by Mr. Pairet, seconded by Mr. Davis and with all Council members voting “aye”, the minutes of the August 6, 2014 regular work session meeting were amended. Under the heading of AIRPORT HANGAR COMMITTEE AND COMMUNITY MARKETPLACE COMMITTEE, Last year” will be stricken from the sentence that reads “Last year, Town Council established rules and regulations for Farmville’s Community Marketplace.”

BACKGROUND: During the public comment period, Ms. Vicky Page, Secretary/Treasurer of the Heart of Virginia Farmers Market Association addressed Council. She said the Association is asking that the minutes of the August 6, 2014 work session meeting be corrected to accurately reflect the timeline of

events as they actually happened. Ms. Page said that Town Council did not take control of the Farmers Market until January 1, 2014.

THE TOWN MANAGER AND/OR STAFF PROVIDED A VERBAL REPORT ON THE FOLLOWING MATTERS:

Members received copies of the Employee Monthly Overtime Report;

The Town Manager shared with Council a recent complaint he received regarding activity on South Virginia Street. Chief Mooney gave an update on the matter.

Council received copies of the Water and Sewer Annual Rate Comparison prepared by Draper Aden Associates. Mr. Spates provided an overview on the state comparison rates in relation to the Town of Farmville water and sewer rates. He said Farmville's rates fall below state average.

Webinar on the Conflict of Interest Act will focus on the new ethics bill passed by the General Assembly is scheduled for Thursday, September 25, 2014 beginning at 10:00 am;

Events and activities - Rock the Block, September 19th beginning at 5:00 pm; Tuesday, September 30th Town Council members and the Prince Edward County Board of Supervisors are invited to attend a Library Open House; Waterworks Players Inc. Board of Directors extended an invitation to Council members to attend a preview performance of Driving Miss Daisy on Thursday, September 18th;

Council adopted a resolution in June agreeing to display the national motto "In God We Trust" in the Council Chambers. Mr. Spates informed members that Gemini graciously provided the lettering and the motto is on display in the Council Chamber and foyer;

Robin Atkins, Director of Public Works reminded members that the Town's Fall Clean-up Campaign is scheduled for Monday, October 20th;

Chief Mooney spoke briefly on various incidences in Farmville

THE MAYOR AND COUNCIL MEMBERS COMMENTED ON THE FOLLOWING MATTERS:

Mayor Whitus informed members that Reverend Price has announced that he will be retiring. His last invocation for Farmville Town Council meetings will be October 8, 2014. Mayor Whitus suggested that Farmville Town Council adopt a resolution of appreciation at Council's October 8, 2014 meeting. Members agreed. Members discussed various options for the invocation after Reverend Price retires. The matter will be addressed at the October Council meeting.

Mr. Dwyer thanked Council and staff for the warm welcome he received since taking office. He announced the Farmville Rotary Club's Beer fest event taking place at Riverside Park on Saturday, September 13, 2014. The event runs from 3:00 pm to 8:00 pm.

Mr. Davis thanked Mr. Kerby Moore, Financial Advisor with Edgar Jones for his report on the Town of Farmville employee retirement plan. He also thanked the Farmville Downtown Partnership for the High Bridge Half Marathon and 5K event held last weekend. He asked the Town Manager for an update on the property located on Hylawn Avenue.

CLOSED SESSION – PERSONNEL MATTERS SECTION 2.2-3711.A.1 OF THE CODE OF VIRGINIA

On motion by Mr. Davis, seconded by Mr. Reid and with all Council members voting “aye”, Council went into closed session under **Section 2.2-3711.A.1** of the Code of Virginia for the discussion of the Town Manager’s annual performance evaluation. Council took a five minutes recess, before beginning the closed session.

On motion by Mr. Reid, seconded by Mr. Davis and with all Council members voting “aye”, Council returned to the regular order of business.

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Farmville Town Council has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Farmville Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Farmville Town Council hereby certifies that, to the best of each member’s knowledge, only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Farmville Town Council.

VOTE: Five “Ayes”

MOTION: Davis

SECOND: Reid

AYES: Dwyer, Pairet, Reid, Davis and Cole

NOES: No one

ABSENT DURING VOTE: Hunter and Thompson

ABSENT DURING MEETING: Hunter and Thompson

Clerk

There being no other business, the meeting adjourned at 9:17 pm.

APPROVED:

ATTEST:

David E. Whitus, Mayor

Lisa M. Hricko, Clerk