

REGULAR MEETING OF THE FARMVILLE TOWN COUNCIL
HELD ON MARCH 11, 2015

At the regular meeting of the Farmville Town Council held on Wednesday, March 11, 2015, 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, D.L. Hunter, T.M. Pairet, S.B. Thompson, A.D. Reid, J.J. Davis and G.C. Cole.

Staff present was Town Manager, Gerald Spates; Town Attorney, Andrea Erard; Town Treasurer, Carol Anne Seal; Acting Chief of Police, Andy Ellington; 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 Michael Kendall from the Farmville United Methodist Church offered the invocation and the Pledge of Allegiance was led by Vice Mayor Reid.

AMEND THE FARMVILLE TOWN COUNCIL MARCH 2015 AGENDA

On motion by Mr. Hunter, seconded by Mrs. Thompson and with all Council members voting "aye", the agenda for March 2015 Farmville Town Council meeting was amended.

BACKGROUND: Mayor Whitus asked the agenda be amended to include a verbal presentation from Mr. Rodney Lewis, Market Manager of the Farmville Community Marketplace, a presentation by Ms. Mary Hickman, Executive Director of the Commonwealth Regional Council on the planning district's July 2013 – June 2014 Annual Report and that comments from Council and an executive session be added to the agenda.

Mayor Whitus announced the public hearing and Mr. Spates read the first public hearing notice:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE THAT ON MARCH 11, 2015 AT 7:00 PM, IN THE COUNCIL CHAMBER OF THE TOWN HALL, LOCATED AT 116 NORTH MAIN STREET, FARMVILLE, VA, THE FARMVILLE TOWN COUNCIL WILL CONDUCT A PUBLIC HEARING ON THE PROPOSED TRANSFER/SALE OF A +/- .885 ACRE PARCEL, LOCATED ADJACENT TO 2308 W. 3RD ST, ON US ROUTE 460 (BUS) IN THE TOWN OF FARMVILLE, TO GEORGE R & KAY M. BRISTOL IN EXCHANGE FOR A +/- 8.05 ACRE PARCEL LOCATED ADJACENT TO THE OLD LANDFILL AND NEAR THE "FIELD OF DREAMS" ON W. THIRD ST./US ROUTE 460 (BUS). DOCUMENTS RELATED TO THIS PROPOSED TRANSACTION MAY BE OBTAINED OR REVIEWED BY CONTACTING GERALD J. SPATES AT (434)392-5686. CITIZENS ARE ENCOURAGED TO PARTICIPATE IN THIS PUBLIC HEARING. ANYONE REQUIRING ASSISTANCE TO

PARTICIPATE IN THE PUBLIC HEARING IS ASKED TO CONTACT GERALD J. SPATES PRIOR TO THE PUBLIC HEARING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE. FOLLOWING THE PUBLIC HEARING THE TOWN COUNCIL MAY TAKE ACTION TO AUTHORIZE THE SALE/TRANSFER OF THIS PARCEL OF LAND.

No one present wished to address Council and the public hearing was closed.

Ms. Sherry Honeycutt, Chairman of the Farmville Planning Commission called the Commission to order. Mr. Spates read the joint public hearing notice. As follows:

The Farmville Town Council and Planning Commission will hold a joint Public Hearing on Wednesday, March 11, 2015 at 7:00 PM in the Council Chambers located on the Second Floor of the Town Hall, 116 North Main Street, Farmville, Virginia, for the purpose of hearing citizen comments on the following Zoning Ordinance amendments:

Chapter 29

ZONING

DIVISION 12. BUSINESS DISTRICT B-4

To change the following language:

Sec. 29-337. Uses.

A conditional use permit shall be required for each use.

To

A conditional use permit *may* be required for each use.

To rescind the following language:

Section 29-341. – Height

Structures in a business B-4 may be erected up to thirty-five (35) feet in height from grade.

Any person wishing to comment on the above mentioned matter should plan to attend this hearing. Any questions may be directed to the Town Manager's Office, 116 North Main Street, Post Office Drawer 368, Farmville, Virginia 23901 or by (434)392-5686, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. It is the intent of the Town to comply with the Americans with Disabilities Act.

No one present wished to address Council and the public hearing was closed.

On motion by Mr. Davis, seconded by Mr. Reid and with all Council members voting "aye", the meeting was recessed for five minutes.

Mayor Whitus reconvened the March 11, 2015 Council meeting and opened the public comment portion of the meeting.

PUBLIC COMMENTS

Ms. Jennifer Cox, Director of Commuter Life for Longwood University updated Council on University matters and activities:

- As of March 11th there are 379 students moving off campus;
- Relay for Life will take place at the University's Health and Fitness Center on Friday, March 20, 2015, from 5:00 pm to 5:00 am, Saturday, March 21, 2015. Currently there are 56 teams and 656 participants. As of March 11th, the University has raised \$37,058.51;
- The Big Event is an opportunity for the students to give back to the community. It will take place on Saturday, March 28, 2015 from 10:00 am – 2:00 pm. Ms. Cox invited Council members to attend the kick-off ceremony in the Dining Hall at 10:00 am. She said The Big Event is still taking “requests for projects”, as long as it does not involve using a chainsaw or scrapping paint and is within 10 miles of the University.

Mr. Rodney Lewis, Market Manager of the Farmville Community Marketplace informed Council of his plans for the upcoming season at the Marketplace.

Ms. Mary Hickman, Executive Director of the Commonwealth Regional Council (CRC) spoke on the services the CRC provides. She shared with Council some of the projects in this region where the CRC was instrumental in obtaining grant funds. She concluded with asking Town Council to reconsider activating its membership for FY 2015-2016.

Mayor Whitus set the agenda aside in order to hear from the Farmville Planning Commission. Mayor Whitus asked the Chairman of the Farmville Planning Commission to present the Commission's recommendations on the proposed zoning amendments as presented at public hearing.

Ms. Sherry Honeycutt, Chairman of the Farmville Planning Commission addressed Council. She said the Commission unanimously supports amending the wording in Section 29-337 from a conditional use permit shall be required to a conditional use permit may be required and to also rescind the height restrictions in a business district B-4 zone.

Mayor Whitus asked that Council return to the regular order of business.

REQUEST APPROVAL OF THE CONSENT AGENDA

On motion by Mrs. Thompson, seconded by Mr. Hunter and with all Council members voting “aye”, the motion to approve the consent agenda was approved.

REQUEST PAYMENT OF THE BILLS

On motion by Mr. Hunter, seconded by Mr. Reid and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet, Reid, Davis and Cole voting “aye”, the motion to pay the bills as submitted was approved.

(Bills Printed in Minute Book)

REQUEST APPOINTMENT TO THE FARMVILLE PLANNING COMMISSION

On motion by Mrs. Thompson, seconded by Mr. Pairet and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet, Reid, Davis and Cole voting “aye”, the motion to appoint Chuck Ross, Ph.D. to the Farmville Planning Commission was approved.

BACKGROUND: The Town advertised the vacancy and received one letter of interest.

TOWN MANAGER'S REPORT ON VARIOUS PROJECTS

Mr. Spates shared with Council a letter from Mr. Ron White on behalf of Friends of Farmville Airport. He said staff is working on scheduling a meeting with the group to discuss the Farmville Regional Airport;

For informational purposes – members were provided copies of the Avenues Neighborhood Association meeting and an informational booklet on the Atlantic Coast Pipeline – a scoping meeting is scheduled at 7:00 pm on Tuesday, March 17, 2015 at the Prince Edward County High School auditorium.

The Virginia Municipal League will be hosting a spring regional supper at the Farmville Train Station, on Wednesday, May 20, 2015, at 6:00 pm – the agenda will be 2015 Legislative Review.

The Finance and Ordinance Committee and the Asset and Resource Committee recommended a joint meeting with the Prince Edward County Board of Supervisors. Mr. Spates said County Board of Supervisor, Chairman Howard Simpson suggested a luncheon. Mr. Spates said the meeting agenda will be the discussion of mutual areas of concern. Mayor Whitus asked the Town Clerk to work with the Council members on scheduling a date for the meeting.

The Town Manager asked Council to consider referring to the Asset and Resource Committee a request on behalf of Cumberland County for the Town to accept the County's leachate from their landfill. Mr. Spates said the Town presently handles Prince Edward County's leachate and in return the County gives the Town a reduction in the tipping fee at the County landfill. Mr. Spates said the Town pays \$12.00 per ton and the current price is \$40.00 per ton.

Mr. Spates said leachate is runoff from the landfill and the Town would require Cumberland to test the leachate twice a year. He said presently Cumberland hauls the County's leachate to Henrico County and pays 12 cents per gallon, plus the cost of hauling the loads to Henrico. Cumberland could save the hauling fees, if the Town would agree to accept the County's leachate. He said Cumberland has offered the Town 13 cents per gallon and Cumberland would dump the leachate directly in a Town manhole in Cumberland County.

AUTHORIZATION FOR THE TOWN TO ACCEPT CUMBERLAND COUNTY'S LEACHATE

On motion by Mr. Hunter, seconded by Mr. Pairet and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet, Reid, Davis and Cole voting "aye", the motion to accept Cumberland County's leachate was approved.

BACKGROUND: Mr. Spates presented Cumberland County's request for the Town to accept the County's leachate. Council agreed that the 13 cents per gallon was a fair price and elected to take action rather than referring the matter to a committee.

STANDING COMMITTEE REPORTS

Finance and Ordinance Committee – Chairman Davis – Ms. Robin Jones with Creedle, Jones & Alga met with the Committee to review the Town's 2014 Annual Audit. She was pleased to report that there were no deficiencies in the internal control. The Committee also began to review the preliminary budget. Mr. Davis asked Council members to contact him or the Town Manager if they had any questions or comments.

Town Asset and Resource Committee – Chairman Pairet – met with Market Manager, Rodney Lewis and reviewed his operating budget – the Committee is very excited about this upcoming season. The Committee also discussed the Dog Park and will update Council when the Town closes on the property. In addition, Mr. Spates spoke of Cumberland County's request for the Town to accept the leachate;

Public Safety Committee – Chairman Hunter – the Committee has no report at this time. The public swearing in for Chief of Police, Curtis Davis is on Friday, March 13, at 2:00 pm, in the Council Chamber;

Personnel Committee – Chairman Reid – the Committee has no report at this time;

Community Development and Marketing Committee, Chairman Thompson – the Committee's recommendation on rebates for residential and commercial water and sewer

connections will be addressed as a separate agenda item. Mayor Whitus asked for an update on the community Christmas event. Mrs. Thompson said they are moving along in the planning process.

REQUEST ADOPTION OF ZONING AMENDMENTS TO DIVISION 12 BUSINESS DISTRICT B-4

On motion by Mr. Hunter, seconded by Mrs. Thompson and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet, Reid, Davis and Cole voting “aye”, the motion to approve the Farmville Planning Commission’s recommendation on zoning amendments to Division 12 Business District B-4 was approved.

BACKGROUND: The Farmville Planning Commission supported amending the wording in Section 29-337 from “a conditional use permit shall be required” to “a conditional use permit may be required” and to also rescind the height restrictions in a business district B-4 zone.

REQUEST AUTHORIZATION TO SELL/TRANSFER PARCEL(S) OF LAND BY THE FIELD OF DREAMS

On motion by Mr. Reid, seconded by Mr. Pairet and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet, Reid, Davis and Cole voting “aye”, the motion to sell/transfer the approximate .885 acre parcel of land, located adjacent to 2308 W. Third Street, on Route 460 Business to Mr. George R. and Kay M. Bristol, in exchange for the approximate 8.05 acre parcel, located adjacent to the old landfill and near the Field of Dreams on W. Third Street/Route 460 Business was approved.

BACKGROUND: The public hearing was held this evening and there were no comments, verbal or written. The Town Manager said the exchange with Mr. Bristol is for utilizing his property as part of the landfill testing.

REQUEST FOR A CONDITIONAL USE PERMIT ON BEHALF OF MR. DAVID FRANCIS TO CONSTRUCT A MOTEL AT 1913 PEERY DRIVE, FARMVILLE

On motion by Mr. Hunter, seconded by Mrs. Thompson and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet, Reid, Davis and Cole voting “aye”, the motion to approve the conditional use permit on behalf of Mr. David Francis to construct a motel at 1913 Peery Drive was approved.

BACKGROUND: Mr. Spates said the public notice was posted in The Farmville Herald and the Town received no comments.

REQUEST FOR A CONDITIONAL USE PERMIT ON BEHALF OF LU SEVEN, LLC TO CONSTRUCT A MIXED USE (COMMERCIAL/RESIDENTIAL) STRUCTURE AT 312 WEST THIRD STREET

On motion by Mrs. Thompson, seconded by Mr. Pairet and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet, Reid, Davis and Cole voting “aye”, the recommendation to grant a conditional use permit to LU Seven, LLC to construct a mixed use (commercial/residential) structure at 312 West 3rd Street was approved.

BACKGROUND: 312 West 3rd Street is the old Southern States property.

REQUEST PUBLIC HEARING ON ORDINANCE 1-2015; ESTABLISH REBATE OF RESIDENTIAL AND COMMERCIAL CONNECTIONS WITHIN THE TOWN OF FARMVILLE

On motion by Mr. Davis, seconded by Mr. Reid and with all Council members voting “aye”, the motion to advertise a public hearing on ordinance No. 1-2015, Establish Rebate of Residential and Commercial Connections within the Town of Farmville was approved.

BACKGROUND:

ORDINANCE NO. 1-2015

ORDINANCE NO. 1-2015 ESTABLISHES A REBATE FOR RESIDENTIAL CONNECTIONS WITHIN THE TOWN OF FARMVILLE TO THE TOWN WATER/SEWER SYSTEM IN THE AMOUNT OF \$ 3,000 PER TAP FOR THOSE WATER AND/OR SEWER TAPS PURCHASED BETWEEN FEBRUARY 11, 2015 AND AUGUST 11, 2016 UPON SUBMISSION OF APPROPRIATE DOCUMENTATION TO THE TOWN THAT THE HOOK UP HAS BEEN COMPLETED BY FEBRUARY 11, 2017. ORDINANCE NO. 1-2015 ALSO PROVIDES FOR A DISCOUNTED RATE FOR WATER AND/OR SEWER CONNECTIONS FOR BUSINESS AND COMMERCIAL PROJECTS WITHIN THE TOWN OF FARMVILLE. CURRENTLY, A WATER OR SEWER CONNECTION COSTS \$4,000; ORDINANCE NO. 1-2015 LOWERS THE COST OF WATER AND/OR SEWER CONNECTIONS FOR BUSINESS AND COMMERCIAL DEVELOPMENT TO THE EQUIVALENT OF \$1,000 PER CONNECTION. ORDINANCE NO. 1-2015 IS AUTHORIZED BY THE GRANT OF AUTHORITY CONTAINED IN VA CODE § 15.2-2119.

REQUEST REFERAL OF ZONING AMENDMENT ON DILAPIDATED STRUCTURES TO THE FARMVILLE PLANNING COMMISSION AND AUTHORIZE A JOINT PUBLIC HEARING

On motion by Mr. Pairet, seconded by Mr. Hunter and with all Council members voting “aye”, the request to refer the zoning amendment to Section 29-387 Dilapidated Structures to the

Farmville Planning Commission and authorize advertisement of a joint public hearing was approved.

BACKGROUND:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE THAT ON APRIL 8, 2015 AT 7:00 PM, IN THE COUNCIL CHAMBER OF THE TOWN HALL, LOCATED AT 116 NORTH MAIN STREET, FARMVILLE, VA, THE FARMVILLE TOWN COUNCIL AND THE PLANNING COMMISSION WILL CONDUCT A JOINT PUBLIC HEARING ON ORDINANCE NO. 3-2015 AMENDMENTS TO THE FARMVILLE TOWN CODE, SECTION 29-387, "DILAPIDATED STRUCTURES" TO DIVISION 14 NONCONFORMING USES, CHAPTER 29 ZONING, SO AS TO AUTHORIZE THE REBUILDING OF A NONCONFORMING RESIDENTIAL STRUCTURE PROVIDED THE FOOTPRINT OF THE FOUNDATION IS NOT ENLARGED. DUE TO THE LENGTH OF THE PROPOSED ORDINANCE IT IS NOT PUBLISHED AS PART OF THIS NOTICE. COPIES OF THE PROPOSED ORDINANCE MAY BE OBTAINED OR REVIEWED BY CONTACTING GERALD J. SPATES AT (434)392-5686. CITIZENS ARE ENCOURAGED TO PARTICIPATE IN THIS PUBLIC HEARING. ANYONE REQUIRING ASSISTANCE TO PARTICIPATE IN THE PUBLIC HEARING IS ASKED TO CONTACT GERALD J. SPATES PRIOR TO THE PUBLIC HEARING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE. FOLLOWING THE PUBLIC HEARING THE TOWN COUNCIL MAY TAKE ACTION TO AUTHORIZE THE ADOPTION OF ORDINANCE 3-2015 DILAPIDATED STRUCTURES.

REQUEST REFERRAL OF PROPOSED DOG PARK TO THE FARMVILLE PLANNING COMMISSION

On motion by Mr. Davis, seconded by Mr. Reid and with all Council members voting "aye", the request to refer the proposed Dog Park to the Farmville Planning Commission was approved.

BACKGROUND: Any matters that affect the Town's Comprehensive Plan must be referred to the Farmville Planning Commission for their review and recommendation. A Dog Park would be included in a Comprehensive Plan.

DEVELOP TOWN COUNCIL'S ASPIRATIONS FROM THE OCTOBER 2014 COUNCIL RETREAT

Mayor Whitus said the Town Clerk will be contacting Council for their available dates.

REQUEST ZONING AMENDMENT ON BEHALF OF MURPHY'S OIL AND AUTHORIZE ADVERTISEMENT OF A CONDITIONAL USE PERMIT

On amended motion by Mr. Hunter, seconded by Mr. Reid and with all Council members voting "aye", the zoning amendment request on behalf of Murphy's Oil to allow gasoline

stations in a business district B-4 was authorized for a joint public hearing with the Farmville Planning Commission and Council authorized the posting of the public notice for a conditional use permit to operate a gasoline station at 1800 Peery Drive.

BACKGROUND: Mr. John Vecchio, PE, Senior Project Manager for GreenbergFarrow was present to address any questions. There were no questions.

REQUEST AUTHORIZATION TO ADVERTISE ORDINANCE 2-2015 BONUSES FOR TOWN EMPLOYEES

On motion by Mr. Hunter, seconded by Mr. Davis and with all Council members voting “aye”, the motion to advertise for a public hearing on Town ordinance 2-2015, Bonuses For Town Employees was approved.

BACKGROUND: Mayor Whitus asked the Town Attorney to explain the proposed ordinance. Ms. Erard stated ordinance 2-2015 authorizes Town Council to approve bonuses for employees within budgeted amounts. It is a requirement of the Code of Virginia, as amended.

REQUEST AUTHORIZATION TO ADVERTISE BUDGET AMENDMENTS

On motion by Mrs. Thompson, seconded by Mr. Davis and with all Council members voting “aye”, the motion to advertise for a public hearing on a budget amendment was approved.

BACKGROUND: The Town has been awarded an asset forfeiture grant for \$262,384 by the Virginia Office of the Attorney General. The Town Attorney informed Council that the State Code requires a public hearing on changes to the budget. Any change over 1% of the total budget gets added to the budget and appropriated for expenditure.

REQUEST APPROVAL OF PAYMENT FROM THE NARCOTIC FUND

On motion by Mr. Reid, seconded by Mr. Dwyer and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet, Reid, Davis and Cole voting “aye”, the motion to approve the payment of \$2,500 from the Narcotic Fund to Piedmont Regional Drug and Task Force for the Farmville Police Department’s 2014-2015 fiscal year payment was approved.

REQUEST ADOPTION OF PROCLAMATION IN RECOGNITION OF RUTH ELIZABETH (LIB) PRICE-WOMACK DAY

On motion by Mr. Davis, seconded by Mr. Reid and with all Council members voting “aye”, the motion to adopt the proclamation in recognition of Ruth Elizabeth (Lib) Price-Womack Day in celebration of her 100th birthday was approved.

PROCLAMATION

OF THE FARMVILLE TOWN COUNCIL
IN RECOGNITION
OF
Ruth Elizabeth (Lib) Price-Womack Day

WHEREAS, Lib Womack was born on March 18, 1915; and

WHEREAS, Lib Womack is celebrating her 100th birthday today; and

WHEREAS, Lib Womack, is a long-time active participant in the social and civic life of her community; and

WHEREAS, Lib Womack has exemplified a love for her family and friends and must be commended for her life-long dedication to helping others.

NOW, THEREFORE BE IT RESOLVED, I join with the residents of the Town of Farmville in wishing Lib Womack a very happy 100th birthday.

BE IT FURTHER RESOLVED that I, David E. Whitus, Mayor do hereby proclaim March 18, 2015, as

“Lib Womack Day”

In official recognition whereof, I hereby affix my signature this March 11, 2015.

THE TOWN MANAGER AND STAFF COMMENTED ON THE FOLLOWING:

Mr. Spates reminded members of the swearing in ceremony for Chief of Police Curtis Davis taking place on Friday, February 13, 2015 at 2:00 PM in the Council Chamber.

Mr. Robin Atkins, Director of Public Works mentioned the Town’s Spring Clean-Up Campaign scheduled for the third Monday in April. Mrs. Thompson thanked him and the Public Works staff for the excellent job they did in handling the snow and ice events.

Acting Chief, Andy Ellington announced the Farmville Police Academy will begin tomorrow evening and the class has an enrollment of 20 people. In addition, he also announced the Department will be having a mock accreditation assessment beginning on March 26, 2015.

TOWN COUNCIL COMMENTED ON THE FOLLOWING:

Mr. Davis asked for an update on the thermopave matter. Mr. Spates said mediation is scheduled for Thursday, March 26th.

CLOSED SESSION – ACQUISITION OF REAL PROPERTY AND DISPOSITION OF PUBLICLY HELD PROPERTY

On motion by Mr. Davis, seconded by Mr. Reid and with all Council members voting “aye”, Council went into closed meeting pursuant to **Section 2.2-3711.A.3 of the Code of Virginia, as amended** for discussion or consideration of the disposition of publicly held property, because discussion in an opening meeting would adversely affect the bargaining position or negotiating strategy of the public body.

On motion by Mr. Reid, seconded by Mr. Cole 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: seven

MOTION: Davis

SECOND: Thompson

AYES: Dwyer, Hunter, Thompson, Pairet, Reid, Davis and Cole

NOES: none

ABSENT DURING VOTE: none

ABSENT DURING MEETING: none

Clerk

There being no other business, the meeting was adjourned at 8:35 PM.

APPROVED:

ATTEST:

David E. Whitus, Mayor

Lisa M. Hricko, Clerk