

**REGULAR MEETING OF THE FARMVILLE TOWN COUNCIL**  
**HELD ON APRIL 8, 2015**

At the regular meeting of the Farmville Town Council held on Wednesday, April 8, 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, S.B. Thompson, T.M. Pairet, A.D. Reid, J.J. Davis, Jr., and G.C. Cole.

Staff present was Town Manager, Gerald Spates; Town Attorney, Andrea Erard; Chief of Police, Curtis Davis; Town Treasurer, Carol Anne Seal; 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 including Longwood University Professor, Dr. Heather Lettner-Rust and students from her English 400 class along with members of the Farmville Planning Commission. Reverend Dr. James H. Taylor, III of Race Street Baptist Church provided the innovation, followed by the Pledge of Allegiance led by Vice Mayor Reid.

**PUBLIC COMMENT PERIOD**

Mayor Whitus announced the public comment period and reminded speakers to limit their comments to three (3) minutes.

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

- As of April 7<sup>th</sup>, 428 students will be living off campus;
- Spring Weekend begins April 10<sup>th</sup> with various activities planned throughout the campus;
- Exam week is April 27<sup>th</sup> – May 1<sup>st</sup>;
- Commencement Ceremony is Saturday, May 9<sup>th</sup>, beginning at 9:30 am on Wheeler Mall;
- Orientation for transfer and readmitted students begins in May. Some of these students may be looking for housing with private landlords.

Ms. Helen Person, Executive Director, Farmville Downtown Partnership, LLC shared with Council two awards that the Farmville Downtown Partnership has received: one award was for more than 10,000 volunteer hours since being designated as a Main Street City and the second award was for receiving more than 1 million dollars in private investment since being designated as a Main Street City. Ms. Person stated it would not have been possible without the help of Council and thanked them for their continued support.

Mr. Ron White, a member of the Friends of the Farmville Airport addressed Council on behalf of the organization. Mr. White said Friends of the Farmville Airport prepared draft Farmville Regional Airport Minimum Standards for Council's consideration. He stated Friends of the Farmville Airport would be glad to offer any assistance or answer questions. Mayor Whitus thanked the organization for their input and said each member of Council has received the report. He said the Asset and Resource Committee is working with the airport and will take the report under consideration.

No one else present wished to address Council and the public comment period was closed.

Mayor Whitus asked the Farmville Planning Commission Chairman, Mrs. Sherry Honeycutt to call the Commission to order.

### **JOINT PUBLIC HEARINGS**

Mayor Whitus opened the joint public hearings with the Farmville Planning Commission and announced Ordinance No. 4-2015, adding gas stations as a permitted use with a conditional use permit in a B-4 zoning district. Mr. Spates read the joint public hearing notice. No one present wished to address Town Council and the joint public hearing on Ordinance No. 4-2015 was closed.

Mayor Whitus announced the joint public hearing on Ordinance No. 3-2015, amendments to Section 29-387 "Dilapidated Structures". Mr. Spates read the joint public hearing notice. No one present wished to address Town Council and the joint public hearing on Ordinance No. 3-2015 was closed.

Mayor Whitus announced the public hearing on Ordinance No. 2-2015, adding Section 2-73 "Bonuses for Employees". Mr. Spates read the public hearing notice. No one present wished to address Town Council and the public hearing was closed.

Mayor Whitus announced the public hearing on Ordinance No. 1-2015, establishing a rebate for residential and commercial connection within the Town of Farmville to Town water and sewer. Mr. Spates read the public hearing notice. No one present wished to address Town Council and the public hearing was closed.

Mayor Whitus announced the public hearing on the resolution for the budget amendment and appropriation to the FY 2014-2015 Town Budget. Mr. Spates read the public hearing notice. No one present wished to address Town Council and the public hearing was closed.

### **REQUEST APPROVAL OF THE CONSENT AGENDA**

On motion by Ms. Thompson, seconded by Mr. Hunter and with all Council members voting “aye”, the motion to approve the consent agenda, as presented was approved. The consent agenda included the minutes of the March 4, 2015 regular work session. The minutes of the March 11, 2015 regular Council meeting and the minutes of the March 13, 2015 special called Council meeting.

### **TREASURER’S REPORT**

Mayor Whitus informed members that Council does not need to take action on the monthly Treasurer’s Report. It is provided for information purposes only.

### **REQUEST AUTHORIZATION TO PAY BILLS**

On motion by Mr. Davis, 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.

### **REPORT BY TOWN MANAGER – INFORMATION ONLY**

Mr. Spates provided a verbal report on various town projects:

- Dog Park – the deed has been sent to Mr. Pearson;
- Burn Building – water line is in and building scheduled to be delivered within the next two weeks;
- Boundary Adjustment – Prince Edward County is in the process of notifying property owners on Germantown Road;
- Sesquicentennial Event – thanked Cindy Morris, Town of Farmville; Maggie Van Epps, Prince Edward County; Lisa Tharp, Farmville Area Chamber of Commerce and Helen Person, Farmville Downtown Partnership for their planning of the event. Mr. Spates also thanked the Public Works Department and the Farmville Police Department along with the numerous volunteers for their participation;
- Community Marketplace (Farmers Market) – moving along nicely;
- Old library building – Patrick Henry Boys Home has stated their intent to exercise their option to purchase the building. The rent paid is to go towards the \$225,000 purchase price. The money is to go into an escrow account to be used for capital improvements to the new library. Mr. Spates said the Library Committee is to approve all expenditures from the escrow account.

- Thermopave matter – a Settlement Agreement has been signed. Mr. Spates said he and Mr. Atkins will meet with contractors to determine the best way to repair the two intersections. Recommendations will be brought to Council. Settlement Agreement on file in the Fire Proof Safe.
- Osborne Road – anticipates construction beginning in the spring;
- Joint projects with Prince Edward County – Local Emergency Planning Commission (LEPC) and Storm Ready Communities;
- Working with Proctor Harvey on signage design for the Crute Stage and developing an area at Wilck’s Lake as a “community area”;
- Farmville’s Water Treatment Plant has received the 2014 Excellence in Water Operations Award;
- Spring Clean-up is Monday, April 20<sup>th</sup>

Mayor Whitus set the agenda aside in order to welcome Farmville Police Chief Curtis Davis. Members welcomed Chief Davis and the meeting returned to business.

**STANDING COMMITTEE REPORTS – VERBAL REPORTS BY COMMITTEE CHAIRS**

Finance and Ordinance, Chairman Davis – The Committee is looking at ways to close deficient on the enterprise accounts and limit the amount of expenses. They have also recommended selling Mottley Lake and keeping the water rights. The Committee has asked the Town Manager to pursue leasing the Farmville Municipal Golf Course to a company or individual and asked the Town Manager to investigate the possibility of a consultant evaluating the golf course to determine if it is being operated efficiently. Mr. Davis has also asked that the Committee meet again in two weeks.

Town Asset and Resource Committee, Chairman Pairet – The Committee discussed several matters that were presented in the Town Manager’s report. Mr. Pairet said the Committee will be asking Town Council to authorize advertisement for a Fixed Base Operator to oversee the daily operations at the airport and to offset some of the operating expenses. Brief discussions took place on the need of a Fixed Base Operator. Mr. Pairet also updated Council on the request by FACES to enter into a lease agreement with the Town of Farmville and to add on to the building (old Wilson Oil Building) located at 416 North South Street Farmville, VA an area of 26 feet x 42 feet.

Public Safety, Chairman Hunter – The Committee will schedule a meeting shortly;

Personnel, Chairman Reid – There are no issues before the Personnel Committee; however, reminded members that VML Committee nominations are due tomorrow;

Community Development and Marketing, Chairman Thompson – The Committee met with representatives from the County’s Christmas Tree Committee to discuss the concept of a Community Christmas Tree event. The Committee discussed the location of the tree/event, real tree versus artificial tree, community partnerships, fundraising activities, choirs, cost to move caboose, etc. Mrs. Thompson said she will report back to Council as the planning of the event progresses.

**REQUEST AUTHORIZATION TO PREPARE INFORMATION FOR THE SALE OF MOTTLEY LAKE**

On motion by Mr. Davis, seconded by Mr. Reid and with all Council members voting “aye”, the recommendation by the Finance and Ordinance Committee to authorize the Town Manager and the Town Attorney to prepare as needed, the information Council will need in order to determine the best way to advertise the sale of the Mottley Lake property and still maintain the water rights was approved.

**REQUEST AUTHORIZATION TO ADVERTISE FOR REQUEST FOR PROPOSALS FOR A FIXED BASE OPERATOR**

On motion by Mr. Pairet, seconded by Mr. Reid and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet, Reid, Davis and Cole voting “aye”, the recommendation by the Asset and Resource Committee to advertise for request for proposals for a Fixed Base Operator for the Farmville Regional Airport was approved. The request for proposals will include the specifications as presented to Town Council at the April 8, 2015 regular Council meeting.

**BACKGROUND:** Members questioned if the traffic at the airport justifies a Fixed Base Operator position and agreed that the Committee would review the RFP before presenting to Council.

**REQUEST CLARIFICATION ON APPOINTMENT OF CHUCK ROSS, PH.D. TO THE FARMVILLE PLANNING COMMISSION**

On motion by Mr. Davis, seconded by Mr. Pairet and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet, Reid, Davis and Cole voting “aye”, the motion that

the appoint of Dr. Chuck Ross to the Farmville Planning Commission is to fill the unexpired term of Mr. Andy Andrews, a term ending on October 31, 2017, was approved.

**BACKGROUND:** Mayor Whitus stated that Council did not include Dr. Ross's term when he was appointed at the March 11, 2015 regular Council meeting.

**REQUEST AGENDA ITEM "ASPIRATIONS" BE REMOVED FROM THE AGENDA**

On motion by Mrs. Thompson, seconded by Mr. Pairet and with all Council members voting "aye", the motion to remove the development of Council's aspirations from the agenda and revisit at a later date was approved.

**RECOMMENDATIONS BY THE FARMVILLE PLANNING COMMISSION**

The Farmville Planning Commission will present their recommendations as each agenda item is introduced.

**REQUEST ADOPTION OF ORDINANCE NO. 4-2015, ADDING GAS STATIONS AS A PERMITTED USE WITH A CONDITIONAL USE PERMIT**

On motion by Mr. Pairet, seconded by Mr. Hunter and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet, Reid, Davis and Cole voting "aye", the recommendation by the Farmville Planning Commission to add gas stations as a permitted use, with a conditional use permit in a B-4 zoning district was approved.

Ordinance #4-2015

Chapter 29

Zoning

Division 12. Business District B-4

**Sec. 29-337. - Uses.**

In business district B-4, structures to be erected or land to be used shall be for one (1) or more of the following uses. A conditional use permit shall be required for each use.

(35) Gas Station

**REQUEST FOR A CONDITIONAL USE PERMIT ON BEHALF OF MURPHY OIL TO OPERATE A GAS STATION/CONVENIENCE STORE AT 1800 PEERY DRIVE (WAL-MART)**

On motion by Mr. Hunter, seconded by Mr. Davis and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet, Reid, Davis and Cole voting "aye", the recommendation by the Farmville Planning Commission to grant a conditional use permit to

Murphy Oil to operate a gas station/convenience store at 1800 Peery Drive, Farmville (Wal-Mart) was approved.

**REQUEST ADOPTION OF ORDINANCE NO. 3-2015 AMENDMENTS TO SECTION 29-387, DILAPIDATED STRUCTURES**

On motion by Mrs. Thompson, seconded by Mr. Hunter and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet, Reid, Davis and Cole voting “aye”, the recommendation by the Farmville Planning Commission to adopt Ordinance 3-2015, Section 29-387 Dilapidated Structures was approved.

Ordinance No. 3-2015  
Chapter 29  
Zoning  
Division 14. Nonconforming Uses

**Section 29-387. Dilapidated Structures.**

Any nonconforming residential structure that is in a state of disrepair, or dilapidated may be torn down to the foundation and rebuilt, provided that a permit is obtained prior to any demolition work from the Town Manager or his designee, the nonconforming structure is rebuilt in accordance with the USBA, and that the footprint of the foundation is not enlarged. All reconstruction work to such a nonconforming structure shall be completed within twelve (12) months of the date of the permit.

**BACKGROUND:** Mr. Spates stated Ordinance 3-2015 has language that permits the rebuilding of a nonconforming residential structure, provided a permit is obtained prior to demolition and providing the footprint of the foundation is not enlarged.

**REQUEST ADOPTION OF ORDINANCE NO. 2-2015, ADDING SECTION 2-73, BONUSES FOR EMPLOYEES**

On motion by Mr. Davis, seconded by Mr. Hunter and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet, Reid, Davis and Cole voting “aye”, the motion to adopt Ordinance 2-2015, adding Section 2-73, Bonuses for Employees, was approved. The ordinance allows Council the options of awarding bonuses that are appropriated in the Budget.

Ordinance No. 2-2015  
Chapter 2, Administration  
Article IV, Personnel

**Section 2-73. Bonuses for Employees**

At such times, and in such amounts, as are properly budgeted for, the Farmville Town Council may, by resolution, provide for monetary bonuses to its officers and employees.

**REQUEST ADOPTION OF ORDINANCE NO. 1-2015, ESTABLISHING A REBATE FOR RESIDENTIAL AND COMMERCIAL CONNECTION WITHIN THE TOWN OF FARMVILLE TO THE TOWN WATER AND SEWER**

On motion by Mr. Dwyer, seconded by Mr. Pairet and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet, Reid, Davis and Cole voting “aye”, the recommendation by the Community Development and Marketing Committee to adopt Ordinance No. 1-2015 establishing a rebate for residential and commercial connection within the Town of Farmville to Town water and sewer was approved.

**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.

WHEREAS the Farmville Town Council seeks to protect the health, safety and welfare of the citizens of the Town of Farmville; and

WHEREAS access to water and proper management of waste are essential to the protection of health, safety and welfare; and

WHEREAS the Town of Farmville wants to assist those citizens who would like to connect to the Town’s water and sewer system.

NOW THEREFORE BE IT ORDAINED by the Farmville Town Council this 8<sup>th</sup> day of April, 2015, that any citizen who purchases a water and/or sewer tap for residential use in the Town of Farmville between February 11, 2015 and August 11, 2016, shall receive a rebate in the

amount of \$3,000 per tap upon written proof of a building permit to construct a residence and issuance of a Certificate of Occupancy for new construction, and/or upon written proof that an existing residence is hooked up to the Town water/sewer system no later than February 11, 2017; and

BE IT FINALLY ORDAINED that for any business or commercial development or project in the Town of Farmville, if the water and/or sewer tap is purchased between February 11, 2015 and August 11, 2016 and all construction is complete by February 11, 2017, the cost of each water and/or sewer connection shall be the equivalent of \$1,000 per tap.

This Ordinance shall be retroactive to February 11, 2015.

**BACKGROUND:** Mr. Spates stated the ordinance will be in affect from February 11, 2015 through August 11, 2016. The intent of the short term ordinance is to provide a discount in order to promote economic development.

**REQUEST ADOPTION OF RESOLUTION FOR AN AMENDMENT AND APPROPRIATION TO THE 2014-2015 TOWN BUDGET**

On motion by Mr. Cole, seconded by Mr. Davis and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet, Reid, Davis and Cole voting “aye”, the motion that Council adopt a resolution to amend and appropriate to the FY 2014-2015 Town Budget \$874,000 was approved. The reason for the amendment is to be able to utilize grant funds that have been awarded to the Town.

BUDGET AMENDMENT RESOLUTION

**WHEREAS** on June 11, 2014, by Resolution, the Town of Farmville approved a FY 2014-2015 budget in a total amount of \$ 16,775,193.51; and

**WHEREAS** the Town of Farmville was received grant funds of \$874,000.

**NOW THEREFORE BE IT RESOLVED** by the Farmville Town Council, at its regular monthly meeting, on the April 8, 2015, that a total of \$ 874,000 be added to the Farmville FY 2014-2015 budget, so that the amended total of the Town of Farmville’s FY 2014-2015 budget shall be \$ 17,649,193.51; and

**BE IT FINALLY RESOLVED THAT** \$ 874,000 shall be appropriated for expenditure by the Town of Farmville.

**REQUEST AUTHORIZATION FOR THE TOWN TO ENTER INTO A LEASE AGREEMENT WITH FACES AND GRANT AUTHORIZATION FOR FACES TO ADD ON TO THE BUILDING**

On motion by Mr. Pairet, seconded by Mr. Hunter and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet, Reid, Davis and Cole voting “aye”, the motion to authorize Town staff to develop a lease agreement between the Town of Farmville and the Farmville Area Community Services (FACES) and to authorize a public hearing on the lease agreement was approved.

**BACKGROUND:** Mr. Spates presented a request on behalf of the Farmville Area Community Services (FACES) asking to enter into a Lease Agreement with the Town of Farmville on the Town property FACES has been using, located at 416 North South Street, Farmville (Old Wilson Oil Building) and permission to add on to the building an area of 26 feet by 42 feet. Mr. Bobby Ivin with FACES spoke to Council regarding FACES being a distribution center for several counties and of the over 900 meals FACES provides in this service area. He spoke of the need for additional space and of the grant awarded by Wal-Mart. Members spoke in support of the service FACES provides to the community and discussed the options of a 5, 10, or 20 year lease agreement. Council spoke in support of a 10 year lease with an automatic renewal for a consecutive 10 year extension.

### **MOCK PUBLIC HEARING**

Before proceeding with the mock presentation by Longwood University students of Dr. Lettner-Rust’s English 400 class, Mayor Whitus announced a five minute recess.

Mayor Whitus reconvened the Council meeting.

Dr. Lettner-Rust thanked Council for participating in the mock public hearing. Her students will each address Council as town residents, teachers, business owners, homemakers, etc, offering public comments on a proposed closing of the Wal-Mart Supercenter and opening of “boutique style” Wal-Mart Express being located in the downtown area.

Students addressed Council, speaking on advantages and disadvantages of a Wal-Mart located on Main Street. Some concerns expressed were size of store and loss of merchandise, parking issues, loss of jobs with the closing of the Super Center and increase of pedestrian traffic. Some of the advantages mentioned were convenience to residential area, foot-traffic downtown, businesses following Wal-Mart and the downtown area will prosper.

Mayor Whitus thanked Dr. Lettner-Rust and students of her English 400 class for their informative comments and welcomed the opportunity for Council to participate in other class projects.

There being no other business, the meeting adjourned.

APPROVED:

ATTEST:

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David E. Whitus, Mayor

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Lisa M. Hricko, Clerk