

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

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

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. Council member Davis delivered the invocation followed by Vice Mayor Reid leading the Pledge of Allegiance.

PUBLIC COMMENT PERIOD

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

Mr. Carl Eggleston of 224 Hylawn Avenue addressed Council. Mr. Eggleston asked for an update on two matters brought before Council at the January 2015 Council meeting. He stated the dilapidated structure across the street from his residence is vacant and in disrepair. He shared with Council pictures of the house. Mr. Eggleston stated this matter has been on-going for the last five years and expressed frustration with the "process". Mr. Spates stated the Town's Building Official, Phillip Moore, has been working with the property owner on tearing the house down. The owner has removed most of the interior and will soon begin tearing the structure down. Mr. Spates stated the property owner will be renting a dump truck from the Town for hauling the debris.

Mr. Eggleston stated at the January Council meeting he also spoke of public safety concerns with Hylawn Avenue being a dead end street. He stated Hylawn Avenue is narrow and could create problems for emergency vehicles. He had asked Council to explore the possibility of another means to exit the area. Mr. Eggleston stated the matter was referred to a Committee and he was asking for an update. Mr. Spates stated the street committee (Asset and Resource Committee) did visit the area and determined that Hylawn Avenue was adequate. Mr. Pairet, Chairman of the Asset and Resource Committee stated Farmville Volunteer Fire Department was contacted and reported that they had no issue accessing the property. He stated that the

Committee looked into providing another means to exit the area and determined that the Town would need to acquire several pieces of right of ways; making the project extremely costly. Conversations continued regarding off street parking and one-way streets in Farmville; Mr. Eggleston stated accessing the property is not the issue; it's being able to leave once an emergency vehicle is on scene. Council questioned if the Meadows Apartments located at the end of Hylawn Avenue had any property that may be used to provide an exit. Mr. Spates stated he was unsure; however, he would estimate the cost to build the extensive road to be well over one million dollars. Mayor Whitus asked that the Asset and Resource Committee revisit the Hylawn Avenue matter to determine if there were any possible alternatives to exit the area and asked that the Town Manager provide Mr. Eggleston with an update on when the dilapidated structure would be demolished.

Ms. Jennifer Cox, Director of Commuter Life at Longwood University updated Council on the University's August move in dates: Tuesday, August 11th, Resident Assistant students and those in leadership roles will begin moving in; Thursday, August 20th, first year students move in; Friday, August 21st, students living off campus in apartments begin moving in and on Monday, August 24th, classes begin. Ms. Cox stated, Rock the Block will take place on Friday, September 18th, in conjunction with Family Weekend on September 18th through the 20th.

Mr. Morgan Dunnivant with the EAA 1202 Chapter (Experimental Aircraft Association) and the Friends of the Farmville Airport addressed Council. Mr. Dunnivant stated the Farmville EAA Chapter will be working with Fuqua School on an aviation class, to build an experimental aircraft, through the STEM program (Science, Technology, Engineering and Math). He stated the EAA Chapter is asking for sponsorships in order to purchase the airplane kit. Mr. Dunnivant stated the donation is tax deductible and asked if any business persons serving on Council would be interested in donating to the project.

Mr. Dunnivant applauded Council for their forward thinking in developing a "Tie Down Policy" and asked members to consider amending the wording in the proposed policy. He stated if the airport was to get a maintenance facility, there may be times when parts or unairworthy airplanes are at the airport. He said the wording in the proposed policy of "abandoned or unairworthy aircraft shall not be permitted at the Airport" may prevent a mechanic from being able to service aircraft. Mr. Dunnivant asked Council to consider amending the language to "abandoned or unairworthy aircraft shall not be permitted on the airport ramp". In addition, Mr.

Dunnavant stated the Friends of the Farmville Airport would like to encourage Town Council to establish “Airport Standards and Rules” for the Farmville Regional Airport.

REQUEST APPROVAL OF CONSENT AGENDA

On motion by Mr. Hunter, seconded by Mr. Dwyer and with all Council members voting “aye”, the consent agenda was approved, as presented.

BACKGROUND: The consent agenda included the minutes of the June 3, 2015 regular work session meeting and the minutes of the June 10, 2015 regular Council meeting.

REQUEST APPROVAL OF TREASURER’S REPORT

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

BACKGROUND: The Town Treasurer stated the June Treasurer’s Report is preliminary at this time.

REQUEST AUTHORIZATION TO PAY BILLS

On motion by Mr. Reid, seconded by Mr. Davis and with a recorded vote with Council members Dwyer, Hunter, Reid, Davis and Cole voting “aye”, and Council member Pairet “abstaining,” stating conflict of interest – as business owner of Pairet’s Inc., the Town Treasurer was authorized to pay the bills as submitted.

Under the **Code of Virginia § 2.2-3115.H**, Mr. Pairet stated as business owner of Pairet’s Inc., he was abstaining because the bills submitted for payment included an invoice from Pairet’s Inc.

TOWN MANAGER’S VERBAL REPORT

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

- FACES – FACES informed the Town that they have been offered space at the STEPS facility and they are considering the possibility of locating to that facility;
- Voluntary Boundary Adjustment – Council received copies of two plats: Germantown Road, 241 acres and Milnwood Road, 91.42 acres (Martin property and the Puckett property). Mr. Spates stated he will be presenting the two plats to the Prince Edward County Board of Supervisors for the citizen initiation voluntary boundary adjustment;
- Farmville Regional Airport – working on Standards of Operating Procedures and the Request for Proposals for a Fixed Base Operator;

- Wastewater Agreement with Cumberland County – waiting on comments from Cumberland County (Leachate);
- Patrick Henry Boys Home/old Library Building – Town Attorney, Andrea Erard is working with representatives from Patrick Henry Boys Home on the sale of the old library building;
- Osborne Road project – running 4 to 6 weeks behind, still gathering stormwater information;
- Paving – pavers will be in Farmville sometime in September. Scheduled paving includes: Germantown Road, Doswell Street, First Avenue, and Winston Street. Mr. Spates stated Mr. Davis has asked about the possibility of including Stuart Street. Mr. Spates stated he will get a price from the pavers;
- Information - Members received copies of the year-end Building Official report and the RFP for professional engineering services;
- Gathering ordinance information for further discussion with the Finance and Ordinance Committee on the number of unrelated persons living in a dwelling;
- Lynchburg Dog Park visit – updated Council on recent trip to the Lynchburg Dog Park (attending were Mr. Spates, Mr. Hunter, Mr. Dwyer and Mr. Pairet) Mr. Spates presented a power point presentation highlighting the Lynchburg Dog Park and the town’s Dog Park site showing their similarities. Council questioned the proximity of the Taylor rental property in regards to the town’s fence line. Mr. Spates stated that if at a later date, a privacy issue was to arise, the Town could add the black slates to the fence on that side of the property.

STANDING COMMITTEE REPORTS – VERBAL REPORTS BY COMMITTEE CHAIRS

Finance and Ordinance Committee, Chairman Davis – no report;

Public Safety Committee, Chairman Hunter – National Night Out is Tuesday, August 4th;

Town Asset and Resource Committee, Chairman Thompson – report provided by Town Manager. Moving forward with Holiday Plaza plans and in the process of getting pricing on the brick pavers. The Town is also participating in the Governor’s “Celebrating Virginia’s Localities”. The objective is to highlight each of the 95 counties, 38 cities and 191 towns by featuring handmade ornaments on the large tree in the mansion’s ballroom. All local artisans are asked to participate. Information is available on the Town’s website or by contacting the Town Office.

Personnel Committee, Chairman Reid – the Committee will be presenting their recommendation on the Town Manager’s Annual Performance Evaluation in closed session.

CLOSED SESSION – SECTION 2.2-3711.A.1 PERSONNEL AND SECTION 2.2-3711.A.3 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 session under **Section 2.2-3711.a.1 of the Code of Virginia**, for the discussion of the annual performance evaluation of the Town Manager and under **Section 2.2-3711.A.3 of the Code of Virginia**, for the discussion or consideration of the disposition of a specific piece of publicly held real property, because discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

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: 6

MOTION: Davis

SECOND: Reid

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

NOES: None

ABSENT DURING VOTE: Thompson

ABSENT DURING MEETING: Thompson

Clerk

REQUEST ANNUAL APPOINTMENTS

On motion by Mr. Davis, seconded by Mr. Hunter and with a recorded vote with Council members Dwyer, Hunter, Pairet, Reid, Davis and Cole voting “aye”, the annual appointments were approved, as follows:

- Gerald Spates, Town Manager
- Curtis Davis, Chief of Police
- Andrea Erard, Town Attorney
- Carol Anne Seal, Town Treasurer
- Phillip Moore, Building Official and Fire Marshal;
- Lisa Hricko, Town Clerk, Equal Opportunity Counselor and Americans with Disability Act Coordinator

TOWN MANAGER’S ANNUAL PERFORMANCE EVALUATION

This matter was addressed in closed session.

REQUEST AUTHORIZATION TO PURCHASE THREE USED FORD PATROL PACKAGES AND REQUEST AUTHORIZATION TO AUCTION VEHICLES 728, 705, 718, 797 AND 738

On motion by Mr. Reid, seconded by Mr. Hunter and with Council members Dwyer, Hunter, Pairet, Reid, Davis and Cole voting “aye”, the request by Chief Davis to purchase three used Ford patrol package vehicles from Richmond Auto Auction for \$12,000.00 and to add the police marking and lights to each vehicle for an additional cost of approximately \$5,400.00 was approved.

The following Police vehicles will be taken out of service and sold at auction:

- #728, 2002 Chevy with 119,000 miles;
- #705, 2004 Ford Expedition with 171,000 miles;
- #718, 2005 Ford with 145,000 miles;
- #707, 2002 Ford with 103,000 miles; and
- #738, 2004 Chevy with 148,000

BACKGROUND: The Finance and Ordinance Committee recommended purchasing the vehicles and the Town Manager had polled Council members prior to the Council meeting.

REQUEST PARTIAL REFUND ON PAYMENT OF 2015 BUSINESS LICENSE FOR CRYSTAL IMAGE PHOTOGRAPHY

On motion by Mr. Pairet, seconded by Mr. Reid and with a recorded vote with Council members Dwyer, Hunter, Pairet, Reid, Davis and Cole voting “aye”, the request on behalf of Crystal Image Photography for a partial 2015 Business License refund of \$115.01 was approved.

BACKGROUND: Crystal Image Photography located at 200 North Street purchased a business license in January 2015 and has closed the store on May 31, 2015.

REQUEST AUTHORIZATION OF PAYMENT FROM NARCOTIC’S FUND

On motion by Mr. Dwyer, seconded by Mr. Hunter and with a recorded vote with Council members Dwyer, Hunter, Reid, Davis and Cole voting “aye”, and Council member Pairet “abstaining”, stating conflict of interest, as business owner of Pairet’s Inc., the request for payment from the Narcotic’s Fund of \$793.00 to Pairet’s Inc. was approved.

Under the **Code of Virginia § 2.2-3115.H**, Mr. Pairet stated as business owner of Pairet’s Inc. he was abstaining from voting on the matter.

REQUEST PARTIAL REFUND ON PAYMENT OF 2015 BUSINESS LICENSE FRANK’S ITALIAN RESTAURANT

On motion by Mr. Reid, seconded by Mr. Hunter and with a recorded vote with Council members Dwyer, Hunter, Pairet, Reid, Davis and Cole voting “aye”, the request on behalf of Frank’s Italian Restaurant for a partial 2015 Business License refund of \$269.78 was approved.

BACKGROUND: Frank Buzz Italian, LLC, dba as Frank’s Italian Restaurant, located at 1413 South Main Street purchased a 2015 business license and has closed the restaurant effective May 29, 2015.

REQUEST ADOPTION OF FARMVILLE REGIONAL AIRPORT TIE DOWN POLICY

On motion by Mr. Hunter, seconded by Mr. Reid and with a recorded vote with Council members Dwyer, Hunter, Pairet, Reid, Davis and Cole, the Farmville Regional Airport Tie Down Policy was adopted with the amended wording “*Abandoned or unairworthy aircraft shall not be permitted on the airport ramp*”.

BACKGROUND: Council and the Town Manager supported Mr. Dunnavant’s recommendation, as stated during the public comment portion of this meeting and agreed to amend the Tie Down Policy language to allow abandoned or unairworthy aircraft at the airport but not on the airport ramp.

2015-2016 BUDGET AMENDMENTS

On motion by Mr. Cole, seconded by Mr. Reid and with all Council members voting “aye”, the request by the Town Manager to hold a public hearing on amendments to the 2015-2016 Budget was approved.

BACKGROUND: The Town Manager stated at the June Council meeting, Town Council adopted its 2015-2016 operating budget, which did not include the unspent asset forfeiture funds awarded to the Farmville Police Department. He stated members also agreed that a portion of the cash on hand from the 2014-2015 budget would be earmarked for the Dog Park and the upgrades to the Plaza. Mr. Spates stated that Mr. Cole recommended amending the 2015-2016 Town Budget.

REQUEST COUNCIL’S SUPPORT IN THE TOWN MANAGER’S APPOINTMENT OF FIRE CHIEF OF THE FARMVILLE VOLUNTEER FIRE DEPARTMENT

On motion by Mr. Hunter, seconded by Mr. Pairet and with all Council members voting “aye”, Council supported the Town Manager’s appointment of Andrew Goss as Fire Chief of the Farmville Volunteer Fire Department.

BACKGROUND: Mr. Spates stated the Fire Chief is an annual appointment made by the Town Manager.

REQUEST AUTHORIZATION TO ADVERTISE 2015-2016 TOWN COUNCIL MEETING DATES

On motion by Mr. Reid, seconded by Mr. Pairet and with all Council members voting “aye”, the request to advertise the 2015-2016 Town Council meeting dates was approved.

BACKGROUND: Mayor Whitus stated the November meeting falls on Veteran’s Day. Members agreed to follow the **Code of Virginia** and hold their November meeting on Thursday, November 10, 2015.

APPOINTMENT OF TOWN COUNCIL STANDING COMMITTEES

On motion by Mr. Hunter, seconded by Mr. Davis and with all Council members voting “aye”, members supported Mayor Whitus’ recommendation and reappointed members to their respective 2015-2016 standing committees. The 2015-2016 Standing Committees are as follows:

Town Council Standing Committees
2015-2016

Finance & Ordinance – Jamie Davis, Chairman, Donald Hunter and Greg Cole

Public Safety - Donald Hunter, Chairman, Tommy Pairet and Sally Thompson

Town Assets & Resources - Tommy Pairet, Chairman, Jamie Davis and Dan Dwyer

Community Development & Marketing - Sally Thompson, Chairman, Chuck Reid and Dan Dwyer

Personnel - Chuck Reid, Chairman, Donald Hunter and Greg Cole

ESTABLISH COUNCIL MEETING PROTOCOL AND PROCEDURES

This matter was continued.

BACKGROUND: Mayor Whitus stated in the past Council has adopted Roberts Rules of Order for procedures and meeting protocol. He said the Town Attorney, Andrea Erard has drafted procedures and meeting protocol for Town Council. She will be presenting her recommendation to Council during a meeting where all members are present. Mayor Whitus suggested 5:00 pm on Wednesday, August 12, 2015, prior to the August Council meeting, and directed the Town Clerk verify Council members availability.

REQUEST USE OF RIVERSIDE PARK ON BEHALF OF THE PREGNANCY SUPPORT GROUP

On motion by Mr. Pairet, seconded by Mr. Davis and with all Council members voting “aye”, the request on behalf of the Farmville Pregnancy Support Center for use of Riverside Park on Saturday, October 24, 2015 from 6:00 am through 1:00 pm, for the “Walk to Life” event, was approved.

BACKGROUND: Council questioned if the Pregnancy Support Center would be paying the fee to rent Riverside Park and Mr. Spates stated they would be.

THE TOWN MANAGER AND/OR STAFF COMMENTS

Mr. Spates informed Council that construction will begin soon on the burn building and also provided members with the locations of the National Night Out block party/cookouts being held on Tuesday, August 4th;

Director of Public Works, Robin Atkins reported that the Public Works Department picked up 96/97 tons of brush;

Chief of Police, Curtis Davis thanked Town Council for approving the purchase of three used police vehicles.

THE MAYOR AND COUNCIL MEMBERS COMMENTS

No comments were made by the Mayor or members of Town Council.

There being no other business, the meeting adjourned.

APPROVED:

ATTEST:

David E. Whitus, Mayor

Lisa M. Hricko, Clerk