

REGULAR MEETING OF THE FARMVILLE TOWN COUNCIL
HELD ON WEDNESDAY, FEBRUARY 10, 2016

At the regular meeting of the Farmville Town Council held on Wednesday, February 10, 2016, at 7:00 p.m., 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 and G.C. Cole.

Staff present was Town Manager, Gerald Spates; Town Attorney, Gary Elder, 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 gave the invocation and Vice Mayor Reid led the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor Whitus announced the public comment portion of the meeting and reminded guest to limit their comments to three (3) minutes.

Mr. Manual Dwyer, a senior at Longwood University and Public Relations Director of this year's The Big Event and two other Longwood University students addressed Council on the The Big Event. Mr. Dwyer stated students of Longwood University are thankful to the Town of Farmville and The Big Event gives them the opportunity to give back to the community by volunteering to perform community service, such as raking, cleaning, shrub trimming, painting, etc., to those residents and businesses in need of help. This year the event focuses on community service as "something you enjoy doing – giving back to the community". Anyone or any business within a ten (10) mile radius of Longwood University is eligible. Mr. Dwyer stated last year's event had over 90 jobsites with over 450 volunteers; this year they are hoping for over 100 jobsites and to surpass the number of volunteers. The date of the event is Saturday, April 2nd from 9:00 a.m. to 1:00 p.m.

Ms. Jen Cox, Director of Commuter Life of Longwood University updated Council on several activities taking place on campus. She stated as of 10:00 a.m., 331 students have informed the RCL of their intent to move off campus and live with private landlords. The University anticipates 350 to 400 students will be moving off campus. Ms. Cox stated she has reminded landlords that work with the University of the Town ordinance which states *no more than three (3) unrelated people may live in residence*. She said she has emailed students

reminding them if they are living in a residential zone that requires parking permits, they must purchase their parking permit and to park in the appropriate/designated space. In closing, Ms. Cox shared with Council some upcoming important dates: Spring Break is March 7th – 11th; Relay for Life takes place on March 18th to March 19th (Council members were invited to participate in the Opening Ceremony); Spring Weekend is April 15th – April 17th; Exam Week is May 2nd – May 6th and Commencement is May 14th.

REQUEST APPROVAL OF THE CONSENT AGENDA

On motion by Mr. Hunter, seconded by Mr. Davis and with all Council members voting, “aye”, the motion to approve the consent agenda as presented was approved. The consent agenda included the draft minutes of the regular work session of January 6, 2016, the draft minutes of the regular Council meeting held on January 13, 2016 and the draft minutes of the reconvened Council meeting of January 25, 2016.

REQUEST APPROVAL OF TREASURER’S REPORT

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

REQUEST AUTHORIZATION TO PAY BILLS

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 motion to authorize the Town Treasurer to pay the bills as presented, was approved.

TOWN MANAGER’S VERBAL REPORT

The Town Manager updated Council on several projects, including:

- Voluntary boundary adjustment – a draft letter has been sent to County, waiting on comments;
- Burn building – should be completed sometime in March;
- FERN Committee – Mr. Dwyer will give the FERN Committee report;
- Buffalo Creek Bridge structure design – Mr. Pairet will give the Asset and Resource Committee report;
- Farmville Jaycees First Friday events May through October, Mr. Jeff Gorf was present to address questions – members had no questions and stated approval is given by the Town Manager

- Handicap swing at Grove Street park – Mr. Spates stated the Farmville Jaycees used funds from the First Friday events to purchase a handicap swing which is to be installed at Grove Street Park;
- Grant Farmville Fire Department – the Town has applied for a grant for a burn vehicle which is to be used by fire departments in training exercises. The vehicle simulates a vehicle fire.
- Residential parking concerns on Holly Street – Mr. Spates stated he had received several complaints regarding residential parking in the area of Longwood Avenue and Holly Street. He asked that the matter be referred to the Asset and Resource Committee for their recommendation to Council.
- Mr. Spates provided Council with a list of annual contributions made by Prince Edward County to the Town of Farmville;
- The Lutheran Church property has been sold and a hotel is going on the site. Mr. Spates stated the developer will release the hotel franchise name at a later date;
- Murphy Oil has been issued their permits and will most likely begin construction in mid-March and be located in the parking lot in front of Wal-Mart;
- Provided members with a copy of an email he received concerning the flight pattern of the medical helicopters flying out of Centra Southside Hospital.

RESIDENTIAL PARKING – HOLLY STREET

On motion by Mr. Hunter, seconded by Mr. Reid and with all Council members voting “aye”, the motion to accept the recommendation by the Town Manager and refer the matter of establishing residential parking on Holly Street to the Asset and Resource Committee was approved.

STANDING COMMITTEE VERBAL REPORTS

Finance and Ordinance Committee, Chairman Davis – The Committee has begun meeting on the 2016-2017 Town Budget. Contingent upon VDOT funding, the Committee is recommending Council members provide the Town Manager with a list of streets in their Wards that need to be considered for paving. Mr. Davis stated this will allow the Town Manager to develop a prioritized list for when funding becomes available.

Town Asset and Resource Committee, Chairman Pairet – The Committee reviewed the Buffalo Creek Pedestrian/Bicycle Bridge – Bridge Type & Size Report prepared by AMT

Consulting Engineers, dated December 16, 2015 and selected design 6 of 12, labeled Pedestrian Metal Railing. Mr. Hunter stated his desire that lighting be installed. Members discussed “in-bridge lighting” versus “standing lighting”. It was the consensus that “in-bridge” lighting would be installed.

Also referred to the Committee was the issue of residential parking and residential parking permits. Mr. Pairet stated after lengthy discussions, the Committee is recommending at this time, no change be made in residential parking or the residential parking permit fees. He stated the Committee recommends staff focusing on making the public aware that the residential parking permits go on sale April 1st and the police department needs to increase enforcement of the Town’s residential parking ordinance.

Mr. Pairet stated the Committee also discussed the proposed Hotel Weyanoke Parking Lease Agreement and is recommending the parking lease agreement only include the parking spaces located in the municipal parking lot. The proposed agreement included parking spaces in the Farmers Market. The Committee stated their desire to keep those spaces available for customers of the Farmers Market. The Committee also recommended the terms be \$20.00 per parking space, monthly, for the 60 spaces and the agreement be for one year with options to renew. Also discussed by the Asset and Resource Committee was the Dog Park. Mr. Pairet stated the Committee is looking at ways to add benches, equipment, etc. to the Dog Park. He stated he and several members of Council have been approached by people looking to donate to the park. He said the Committee is looking into promoting and fundraising activities. Mr. Hunter asked that information regarding donor bricks be revisited.

Public Safety Committee, Chairman Hunter – no report;

Community Marketing and Development Committee, Chairman Thompson – no report;

Personnel Committee, Chairman Reid – no report

FERN COMMITTEE REPORT

Mr. Dwyer reported the FERN Committee met on February 9th, in attendance was himself, Gerry Spates, Town Manager; Robin Atkins, Director of Public Works and David Fowlkes, Horticulturist. The Committee discussed the importance of getting the program underway and agreed on a list of people to contact asking them to serve. The Committee will meet again shortly to work on a donor list.

REQUEST SELECTION OF STRUCTURE DESIGN OF THE BUFFALO CREEK PEDESTRIAN/BICYCLE BRIDGE

On motion by Mr. Hunter, seconded by Mr. Reid and with all Council members voting “aye”, the motion to accept the recommendation of the Asset and Resource Committee and select design 6 of 12, labeled Pedestrian Metal Railing of the Buffalo Creek Pedestrian/Bicycle Bridge – Bridge Type & Size Report prepared by AMT Consulting Engineers, dated December 16, 2015, was approved.

BACKGROUND: At the January Council meeting this matter was referred to the Asset and Resource Committee. The Committee reviewed the Buffalo Creek Pedestrian/Bicycle Bridge – Bridge Type & Size Report prepared by AMT Consulting Engineers, dated December 16, 2015 and selected design 6 of 12, labeled Pedestrian Metal Railing. Mr. Pairet stated the cost of the bridge will come from grant funds. Mr. Hunter stated his desire that lighting be installed. Members discussed “in- bridge lighting” versus “standing lighting”. It was the consensus that “in-bridge” lighting would be installed.

PROPOSED HOTEL WEYNOKE PARKING LEASE AGREEMENT

On motion by Mr. Davis, seconded by Mr. Pairet and with all Council members voting “aye”, the motion to accept the recommendations of the Asset and Resource Committee on the proposed Hotel Weyanoke Parking Lease Agreement was approved. The recommendations are as follows: sixty (60) parking spaces will be available in the municipal lot; at \$20.00 per space and the agreement will be for one year, with options to renew.

BACKGROUND: At the February Asset and Resource Committee meeting, Mr. Spates presented the proposed Hotel Weynoke Parking Lease Agreement. The Committee agreed to recommend Council not include parking spaces in the Farmers Market, terms will be \$20.00 per parking space, monthly for the 60 spaces and the agreement be for one year with options to renew.

REQUEST FOR A CONDITIONAL USE PERMIT ON BEHALF OF FARMVILLE ASSOCIATES, LLC

On motion by Mr. Hunter, seconded by Mr. Pairet and with all Council members voting “aye”, the motion to refer the request for a conditional use permit on behalf of Farmville Associates, LLC to construct apartments on vacant property zoned Business District B-4 was

referred to the Planning Commission. The property is located behind Wal-Mart and adjacent to property owned by Ms. Willa Wood. Apartments are an allow use with a conditional use permit.

BACKGROUND: Mr. Spates stated the Planning Commission will make its recommendation to Council.

SALE OF MOTTLEY LAKE PROPERTY

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 grant authorization to the Mayor and Town Manager to sign the necessary documents to complete the sale of the Mottley Lake property to Farmville Farm, LLC for \$1.25 million dollars was approved.

BACKGROUND: At the January 16, 2016 Council meeting, Council agreed to accept the high bid of \$1.25 million dollars for the Mottley Lake property. A public hearing was held on January 25, 2016.

REQUEST REAPPOINTMENT TO THE FARMVILLE INDUSTRIAL DEVELOPMENT

AUTHORITY

On motion by Mr. Pairet, seconded by Mrs. Thompson and with all Council members voting “aye”, the motion to request the Circuit Court of Prince Edward County reappoint Ms. Cindy Cave to the Farmville Industrial Development Authority for a term beginning on March 1, 2016 to March 1, 2020 was approved.

REQUEST REAPPOINTMENT TO THE FARMVILLE BOARD OF ZONING APPEALS

On motion by Mr. Pairet, seconded by Mrs. Thompson and with all Council members voting “aye”, the motion to request the Circuit Court of Prince Edward County reappoint Mr. William Crawley to the Farmville Board of Zoning Appeals for a term beginning on March 1, 2016 to March 1, 2021 was approved.

REQUEST AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE VIRGINIA ASSOCIATION OF REALTORS/STATE WIDE REALTY ON THE PURCHASE OF ONE ACRE OF PROPERTY OWNED BY MRS. WILLA WOOD AND AUTHORIZATION TO PURCHASE THE PROPERTY

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 motion to authorize the Town Manager to enter into a contract with the Virginia Association of

Realtors/State Wide Realty on the purchase of approximately one acre of land owned by Mrs. Willa Wood for \$125,000, was approved.

BACKGROUND: The property is needed for a retention basin for the South Main and Milnwood Road VDOT project. The retention basin will be located south of Benchmark Bank. Mr. Spates stated the cost of the property is eligible for reimbursement as a right-of-way acquisition by VDOT.

**REQUEST AUTHORIZATION TO SIGN WAIVER OF CONFLICT OF INTEREST
PREPARED BY SPOTTS AND FAIN, ATTORNEYS AND COUNSELORS OF LAW**

On motion by Mr. Hunter, seconded by Mr. Thompson and with all Council members voting “aye”, the motion to authorize the Town Manager to sign the Waiver of Conflict of Interest prepared by Meade Spotts, of Spotts and Fain, Attorneys and Counselors of Law was approved. The Waiver of Conflict of Interest confirms that the law firm of Spotts and Fain will represent Mr. Russell Harper and the Town of Farmville in the transaction of the purchase of the Mottley Lake property.

BACKGROUND: Mr. Spates stated Mr. Spotts represented the Town of Farmville in the original purchase of the Mottley Lake property and is very familiar the property. He also said that the law firm has represented Mr. Russell Harper in various matter for some time. Mayor Whitus called attention to the Waiver of Conflict of Interest stating *“In the event any dispute should arise between Russell B. Harper and the Town of Farmville in connection with the matter described above that result litigation, arbitration or another adversary proceeding between the parties, we will withdraw from representing Russell B. Harper in connection with that matter and will not represent either party in connection with that dispute.*

TOWN MANAGER AND STAFF COMMENTS

Mr. Spates stated for information, Council received the following:

- Plat of Schewels new building;
- Farmville Police Department monthly report;
- Copy of letter sent to Mr. Derrenbacker in reference to his unkempt property located at 707 Milnwood Road;
- Invitation to ribbon cutting for The Outer You on Friday, March 4th, at 5:00 p.m. – 8:00 p.m.

MAYOR AND COUNCIL MEMBERS COMMENTS

Mr. Davis stated The Big Event is a valuable community project and encouraged the Town to work with the University on helping assist those residents and businesses in need.

CLOSED SESSION – SECTION 2.2-3711.A.29 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 meeting pursuant to **Section 2.2-3711.A.29** of the Code of Virginia, for the discussion of a possible contract involving expenditure of public funds and the discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Town.

Council took a five (5) minute recess.

On motion by Mr. Davis, seconded by Mrs. Thompson and with all 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 “Ayes” None “Noes”

MOTION: Hunter

SECOND: Reid

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

NOES: None

ABSENT DURING VOTE: No one

ABSENT DURING MEETING: No one

Clerk

There being no other business the meeting adjourned.

APPROVED:

ATTEST:

David E. Whitus, Mayor

Lisa M. Hricko, Clerk