

REGULAR MEETING OF THE FARMVILLE TOWN COUNCIL
HELD ON WEDNESDAY, JUNE 8, 2016

At the regular meeting of the Farmville Town Council held on Wednesday, June 8, 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, and A.D. Reid. Council members J.J. Davis and G.C. Cole were absent.

Staff present was Town Manager, Gerald Spates; Town Attorney, Gary Elder; Chief of Police, Curtis Davis; Town Treasurer, Carol Anne Seal; Town Planner, Cindy Morris and Town Clerk, Lisa Hricko.

Mayor Whitus called the meeting to order and welcomed guests. Reverend James P. Ashton, Pastor of the First Baptist Church in Farmville provided the innovation and Vice Mayor Reid led the Pledge of Allegiance.

PUBLIC COMMENT PERIOD

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

Ms. Jen Cox, Director of Commuter Life of Longwood University updated Council on June events taking place on campus.

- Longwood University and the Prince Edward Search Committee will host an informal occasion for the community to meet Dr. Barbara Johnson, the newly hired Superintendent of Prince Edward County Schools. The event will take place on Wednesday, June 15th 8:00 a.m. – 9:30 a.m., in the Rowe Gallery of Lancaster Hall.
- Longwood Center of Visual Arts will be hosting a Wine & Brew and screening a film at LCVA. The event will take place on June 17th, following the Summer Wine & Brew - Eddie Mullins' *Doomsdays*. On Friday, July 8th is an art opening, the artist will be at the Children's Book Festival, October 13th -15th.
- On Saturday, June 11th at 6:00 p.m., the Athletics Department is showing the movie "Finding Nemo" at the baseball field. This is a community event and guests are encouraged to bring a blanket. Concessions will be available for purchase.

Mr. Patrick Carwile, a resident of Crestview Drive, Farmville addressed Council. Mr. Carwile spoke of the Milnwood intersection and his traffic concerns with the proposed apartment complex.

PRESENTATION BY THE TOWN MANAGER

Mr. Spates explained the process he went through on acquiring the .4196 acre of property from Mrs. Willa Wood for a retention pond. He spoke of his initial meeting with Mrs. Wood and of his request of acquiring an easement for a retention pond. He spoke of the differences between an easement, which can restrict the use of the property and the sale of property. He stated there are no deed restrictions on the property purchased from Mrs. Wood. Mr. Spates stated he was later contacted by Mrs. Wood's realtor stating that Mrs. Wood had decided to sell the property to the Town for \$125,000. During the presentation, Mr. Spates spoke of the entrance to the proposed apartment complex and of one of the suggestions by the Planning Commission of moving the entrance to property purchased from Mrs. Wood and of Mr. Harper's agreement for the Town to use his property for the retention pond.

Mr. Will Allen and Mr. Russell Harper of Harper Associates addressed Council. Mr. Allen provided members with an economic impact report, titled "Annual Impact on Town of Farmville and Prince Edward County 2015". The report highlights Harper Associates and related affiliates financial contributions to the Town of Farmville and Prince Edward County for 2015. Included in the report are the estimated payrolls, sales and meals tax generated and annual real estate tax both commercial and residential. Mr. Allen presented a power point with options on the entrance/exit of the road to the proposed 120-unit apartment complex and the Town's retention pond.

Mr. Harper addressed Council. He stated he has been in the community since 1990 and spoke of his displeasure with the incorrect information being shared in reference to the proposed 120-unit apartment project. In closing, Mr. Harper spoke of the Town Manager and the contributions he has made to this community.

REQUEST APPROVAL OF THE CONSENT AGENDA

Mayor Whitus stated the minutes of the May 11, 2016 regular Council meeting have been amended and were removed from the consent agenda.

On motion by Mrs. Thompson, seconded by Mr. Reid and with all Council members voting "aye", the motion to approve the consent as amended was approved.

The consent agenda was the draft minutes of the May 4, 2016 work session meeting.

On motion by Mr. Reid, seconded by Mrs. Thompson and with all Council members voting "aye", the motion to approve the amended draft minutes of the May 11, 2016 regular Council meeting were approved.

REQUEST APPROVAL OF THE TREASURER'S REPORT

On motion by Mr. Hunter, seconded by Mrs. Thompson and with all Council members voting "aye", the motion to approve the Treasurer's Report was approved.

REQUEST AUTHORIZATION TO PAY THE BILLS

On motion by Mrs. Thompson, seconded by Mr. Hunter and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet and Reid voting "aye", the motion to authorize the Town Treasurer to pay the bills, as presented was approved.

REQUEST ADOPTION OF THE VOLUNTARY BOUNDARY AGREEMENT

This matter was continued, pending approval by the Board of Supervisors of Prince Edward County.

REQUEST TO CONTINUE MATTERS BEFORE THE ASSET AND RESOURCE COMMITTEE

This matter was continued.

BACKGROUND: A request of behalf of Janet Green and representatives of the Prince Edward County Public School to work with the Town on the development of an extended mountain bike trail and the creation of playing fields on Town property at the Sports Arena was referred to the Asset and Resource Committee. In addition, it was recommended for the Town Manager to work with the Asset and Resource Committee to create a list of equipment/prices for items to be added to the dog park. The information is to be placed on the Town's Facebook and website, directing those interested in donating to the dog park to contact the Town Treasurer's Office.

REQUEST FOR A CONDITIONAL USE PERMIT ON BEHALF OF MR ERIC ARTHUR, JR.

On motion by Mr. Reid, seconded by Mr. Pairet and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet and Reid voting "aye", the motion to accept the recommendation of the Farmville Planning Commission and grant the request for a conditional use permit at 308 Cedar Avenue, on behalf of Mr. Eric Arthur, Jr. to convert a single family dwelling into a duplex, was approved.

BACKGROUND: The property is zoned Residential District R-3 and duplexes are an allowed use with a conditional use permit. Mr. Spates stated the property does have off-street parking.

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

This matter was continued. Mr. Harper with Farmville Associates, LLC will hold a Greens South community meeting at 6:00 p.m., on Friday, June 24th at the Cabell's Court cul-de-sac. Notification will be sent to the residents of the area.

ANNUAL PERFORMANCE EVALUATION OF THE TOWN MANAGER

This matter was continued. Mayor Whitus stated Council would meet with the Town Manager at the continued Council meeting on June 22nd at 9:00 a.m.

REQUEST THE CIRCUIT COURT OF PRINCE EDWARD COUNTY RE-APPOINT MR ROBERT GLENN TO THE FARMVILLE BOARD OF ZONING APPEALS

On motion by Mrs. Thompson, seconded by Mr. Pairet and with all Council members voting "aye", the motion to request the Circuit Court of Prince Edward County re-appoint Mr. Robert Glenn to the Farmville Board of Zoning Appeals was approved.

BACKGROUND: Mr. Glenn's term will run through May 31, 2021.

REQUEST ADOPTION OF THE 2016-2017 TOWN BUDGET

On motion by Mrs. Thompson, seconded by Mr. Hunter and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet and Reid voting "aye", the motion to adopt the 2016-2017 Town Budget, as presented was approved. Prior to voting on the budget, Mr. Reid and Mr. Pairet read statements as set forth in **Section 2.2-3112 of the Code of Virginia** disclosing an interest in the budget transaction and declaring they are able to participate in the matter fairly, objectively and in the public interest.

Vice Mayor Reid's disclosure statement – I, Vice Mayor Reid declare I am able to participate in matters related to the discussion and adoption of the Town of Farmville 2016-2017 budget stating that pursuant to the disclosure requirements set forth in **Sections 2.2-3112 et seq. of the Code of Virginia**, I hereby declare that I have an interest in the budget transaction as my wife is an employee of the Town of Farmville and will therefore receive salary and benefits as a result of the transaction as will all Town of Farmville employees of which there are more than three, and that I am able to participate in the transaction fairly, objectively, and in the public interest.

Council member Pairet's disclosure statement – I, Tom Pairet declare I am able to participate in matters related to the discussion and adoption of the Town of Farmville 2016-2017 budget stating that pursuant to the disclosure requirements set forth in **Sections 2.2-3112 et seq. of the**

Code of Virginia, I hereby declare that I have an interest in the budget transaction as my son and daughter are seasonal employees of the Town of Farmville and will therefore receive a salary as a result of the transaction as will all Town of Farmville employees of which there are more than three, and that I am able to participate in the transaction fairly, objectively, and in the public interest.

BACKGROUND: The Town Manager stated the 2016-2017 Town budget includes a real estate tax rate of .12 cents per \$100.00 of assessed value, a personal property tax rate (business only) of \$1.50 per \$100.00 of assessed value and a .27 cent per pack cigarette tax rate.

REQUEST AMENDING TOWN ORDINANCE SECTION 20-28, MEMBERS-APPOINTMENTS; TERM; COMPENSATION; QUALIFICATIONS

On motion by Mr. Hunter, seconded by Mrs. Thompson and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet and Reid voting, “aye”, the motion to amend the Town Ordinance, Section 20-28, Members – Appointments; term; compensation, qualifications to amend “~~shall~~” to “*may*” in the appointment of a town council member and administrative official of the town. The amended ordinance shall read:

Sec. 20-28. - Members—Appointment; term; compensation; qualifications.

(a) The planning commission shall be composed of not more than seven (7) nor less than five (5) members appointed by the council. One (1) of the members may be a member of the town council and one (1) of the members may be an administrative official of the town. All other members, who shall be known as appointed members, shall be qualified voters of the town residing within its corporate limits, qualified by knowledge and experience to make decisions on questions of community growth and development; provided, that at least one-half (½) of the members so appointed shall be owners of real property.

RESIDENTIAL PARKING UPDATE

On motion by Mrs. Thompson, seconded by Mr. Davis and with all Council members voting “aye”, the motion to remove the 800 block of First Avenue from the residential parking zone was approved.

BACKGROUND: Mr. Spates stated the Town Office received little response from residents wanting their block to be removed from the designated residential parking area.

REQUEST ADOPTION OF THE FARMVILLE AREA BUS ALCOHOL AND DRUG POLICY

On motion by Mr. Pairet, seconded by Mr. Hunter and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet and Reid voting, “aye”, the motion to adopt the Farmville Area Bus Alcohol and Drug Policy, as presented was approved.

BACKGROUND: Mr. Spates stated the adoption of the policy is a bi-annual requirement to receive federal transportation funds.

REQUEST REFUND OF PARTIAL PAYMENT ON THE 2016 BUSINESS LICENSE FOR PINO’S ITALIAN RESTAURANT, LLC

On motion by Mr. Hunter, seconded by Mr. Reid and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet and Reid voting “aye”, the motion authorize the Town Treasurer to refund Pino’s Italian Restaurant, LLC, \$807.29 on their 2016 business license, provided their personal property tax is paid, was approved.

BACKGROUND: Pino’s Italian Restaurant, LLC located at 404 South Main Street, Farmville, under the ownership of Pietro Buzzette closed effective April 25, 2016. The restaurant has reopened under the ownership of Marilena and Salvatore Lentini.

STANDING COMMITTEE REPORTS

Finance and Ordinance Committee, Chairman Davis – no report;

Public Safety Committee, Chairman Hunter – Mr. Hunter stated the Committee will be scheduling a meeting in the near future.

Town Asset and Resource Committee, Chairman Pairet – Mr. Pairet stated the Town needed to consider a storage building for the Public Works Department and explore improvements to the Public Works facility. Mr. Spates stated money is allocated in the 2016-2017 Budget and \$750,000 of grant funds is earmarked for a new facility.

Community Marketing and Development, Chairman Thompson – no report;

Personnel Committee, Chairman Pairet – no report;

FERN Committee, Chairman Dwyer – Mr. Dwyer updated members on the Committee’s progress on sponsorship of the initial eight gardens.

REQUEST AUTHORIZATION TO PURCHASE A 2007 JOHN DEERE 410 G TRACTOR

On motion by Mr. Hunter, seconded by Mrs. Thompson and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet and Reid voting “aye”, the motion to authorize the purchase of the 2007 John Deere 410 G Tractor with Clamshell Bucket from Mottley Auction for \$30,000, was approved.

BACKGROUND: The Town will be replacing a 1985 John Deere 310 B Tractor that was purchased in 1998. Repairs on the equipment have become too costly to maintain and the equipment will be sold at auction. The 2016-2017 Town budget has \$18,000 allocated for a backhoe. The \$30,000 will come from the 2015-2016 contingency and the \$18,000 in the 2016-2017 budget will be added to contingency.

REQUEST AUTHORIZATION TO PURCHASE THREE (3) PREOWNED 2010 FORD CROWN VICTORIA POLICE VEHICLES

On motion by Mr. Hunter, seconded by Mr. Pairet and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet and Reid voting “aye”, the motion to authorize the purchase of three (3) 2010 Ford Crown Victoria police vehicles from Mottley Auction for \$5,600 each, was approved.

BACKGROUND: Mr. Spates stated the funds to purchase the vehicles would come from the 2015-2016 contingency and would be replaced once the Governor’s VP Debate allocation was made available. Three police vehicles will be taken out of service and sold at auction.

REQUEST ON BEHALF OF WALK2CAMPUS TO ABANDON PORTIONS OF ST. GEORGE AND GARDEN STREET

Mayor Whitus established a Special Project Committee and appointed Mr. Cole as Chairman and Mrs. Thompson and Mr. Reid as members. The Committee will review the entire Walk2Campus project and discuss Mr. King’s request to abandon portions of St. George and Garden Street.

BACKGROUND: Walk2Campus Holding, LLC has purchased the WC Newman Concrete Plant and the Southern States building. Mr. King has requested the Town abandon portions of St. George and Garden Street, north of the High Bridge Trail. In his request, he stated these streets no longer exist as actual streets with public use and have not for many years.

REQUEST ON BEHALF OF GEORGE BRISTOL TO OPEN LAYNE STREET TO TWO LANE TRAFFIC

On motion by Mr. Reid, seconded by Mr. Hunter and with all Council members voting “aye”, the motion to reopen Layne Street to two lane traffic was approved. Previously Layne Street was a partial single lane, one way street.

BACKGROUND: Mr. Spates stated he had received a request from Mr. George Bristol to change Layne Street from a partial single lane, one-way street to a two lane traffic roadway. Mr. Spates stated J and J Recycling has installed a privacy fence and he sees no issues with returning Layne Street to a two-lane traffic roadway.

REQUEST APPROVAL OF THE COLOR ME PINK 5K PARADE/RALLY PERMIT ON BEHALF OF LONGWOOD UNIVERSITY ZTA PHILANTHROPY

On motion by Mr. Pairet, seconded by Mrs. Thompson and with all Council members voting “aye”, the motion to approve the Parade/Rally Permit for the “Color Me Pink 5K” on behalf of Longwood University ZTA Philanthropy was approved.

BACKGROUND: This is an annual event and is scheduled to take place on Sunday, October 30, 2016.

TOWN MANAGER AND STAFF COMMENTS

Mr. Spates updated Council on the following projects:

- The Town is working on High Street for the new Longwood Gateway to Brock Commons;
- Work is progressing on the Sarah Terry Trail Pedestrian Bridge;
- Burn Building – the facility is complete and will be used for training on Sunday. The dedication will be set up at a later date, sometime this summer;
- Signed the USDA grant papers for the three (3) new police vehicles this morning;
- Centra Southside Community Hospital has expressed an interest in sponsoring a FERN garden close to the hospital. Mr. Spates stated the four remaining gardens, from the initial eight, are not near the hospital. He said he has contacted the landscaping architect working on the project to identify a garden spot near the hospital.

MAYOR WHITUS AND COUNCIL MEMBERS COMMENTS

Mr. Reid asked for Council’s support for the appointment of Vice Mayor in July.

CLOSED SESSION – LAND DISPOSITION AND PROSPECTIVE BUSINESS

On motion by Mr. Hunter, seconded by Mr. Reid and with all Council members voting “aye”, Council went into closed session under **Section 2.2-3711.A.3 of the Code of Virginia**, for the discussion of the acquisition of real property, where discussion in open session would adversely affect the bargaining position or negotiating strategy of the public body and **Section 2.2-3711.A.5 of the Code of Virginia** for the discussion of a prospective business or industry or

expansion of an existing business or industry where no previous announcement has been made of the business or industry's interest in locating or expanding its facilities in the community.

Mayor Whitus called for a five minute recess. The closed session returned to order.

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:

MOTION:

SECOND:

AYES:

NOES:

ABSENT DURING VOTE:

ABSENT DURING MEETING:

Clerk

There being no other business, the meeting recessed until 9:00 a.m., on Wednesday, June 22, 2016 in the Council Chamber of the Town Hall.

APPROVED:

ATTEST:

David E. Whitus, Mayor

Lisa M. Hricko, Clerk