

REGULAR MEETING OF THE FARMVILLE TOWN COUNCIL
HELD ON SEPTEMBER 13, 2017

Mayor Whitus called to order the regular meeting of the Farmville Town Council held on Wednesday, September 13, 2017 at 7:00 p.m. in the Council Chamber of the Town Hall, located at 116 North Main Street, Farmville, Virginia.

Present at the meeting were Mayor D.E. Whitus, presiding, and Council members D.L. Hunter, T.M. Pairet, A.D. Reid, J.J. Davis and G.C. Cole. Council member D.E. Dwyer was absent.

Staff present were Town Manager, Gerald Spates; Town Attorney, Gary Elder; Chief of Police, Andy Ellington; Town Treasurer, Carol Anne Seal; Director of Public Works, Robin Atkins; Town Planner, Cindy Morris; Communications Specialist, Kate Eggleston, Administrative Assistant, Jackie Vaughan and Town Clerk, Lisa Hricko.

Mayor Whitus welcomed guests and led the invocation; followed by Vice Mayor Reid leading the Pledge of Allegiance.

Mrs. Hricko called the roll for Council, noting that Mr. Dwyer was absent.

Council recognized the three (3) Prince Edward Farmville Youth Association Dixie League teams in attendance, for their participation and advancing to the World Series. The Minors, the Debs and the Ponytails All-Stars players and coaches were each presented with a medal and a Certificate of Excellence.

PUBLIC COMMENT PERIOD

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

Park Ranger, Daniel Jordan, Manager of the High Bridge Trail State Park, addressed Council with an update on the Park's past season. Items mentioned were:

- Attendance at the High Bridge Trail State Park appears to have a 30% decrease; however, the revenue has increased by 16%. DCR is currently researching the accuracy of the traffic counters.
- The Fire Fly Festival was a success, which was promoted through VisitFarmville.com and there were over 1,200 people in attendance.
- Camp Paradise received Farmville Chamber of Commerce's Looking Its Best Award.
- The Park hosted a campout on High Bridge with 22 participants and this will be an annual event.

- Junior ranger programs and a youth conservation corps, ages 14 to 17, have been working to improve the trails and parks.
- The High Bridge Trail State Park has marked the entire boundary of the trail from Burkeville to Pamplin to ensure visitors and land owners know the property lines.
- The Park has worked closely with the town and downtown developers to enhance the availability of the trail, along with sponsoring several races. The next event is Pumpkins at the Plaza, followed by the Plastic Thunder event, which will require participants to have a plastic wheel vehicle.
- DCR is working with Norfolk Southern to purchase the remaining property in Pamplin and Burkeville, adding an additional two (2) miles to the trail. Money has been earmarked for this purchase.
- High bridge has purchased “themed” bike racks which will be placed downtown and at Camp Paradise.

Ms. Allison Martin, town resident on Grove Street, spoke in opposition of the proposed Martin project. Ms. Martin stated that the area is not suitable for a 195-room building and with the addition of more students, the area will become overcrowded and noisy.

Ms. Jen Cox, Director of Local and Community Relations for Longwood University, addressed Council. Ms. Cox expressed appreciation for the town’s support of the Rock the Block event that will be held on Friday, September 15th and for the crosswalk the town installed on Griffin Boulevard. She informed Council of their invitation to attend the ribbon cutting and tour of the Early Childhood Development Center on October 20, 2017. Ms. Cox then introduced Longwood University honor students in attendance that will be learning more about the community.

Mr. Tom Dennison, town resident on Grove Street, addressed Council asking questions about the Walk2Campus rezoning request. Questions included; what are the benefits of rezoning the 37 properties; how will the rezoning affect the master plan for the town and the history of the Residential District R-3 zone, which is registered.

Mr. John Burton, Program Manager for Downtown Farmville Partnership, addressed Council – updating members on various items. Mentioned were: The High Bridge Half Marathon was held Saturday and had over 300 participants. He thanked the town for their support. The new www.shopfarmvilledowntown.com website is now live. In closing, Mr. Burton thanked everyone for the continued support shown to the Downtown Farmville Partnership.

Mrs. Ann Yoelin, town resident at 600 Oak Street, addressed Council to express her opposition to the current proposed Martin project, due to density concerns and noted that she supports the roundabout 100%.

Mr. Adam Yoelin, resident at 600 Oak Street, addressed Council to thank Council members for their service to the community. He then asked why the Council members contact phone numbers had been removed from the website and to consider listing them. Mr. Yoelin also asked the Town Manager to prepare a cost estimate on how much it would save the town if town work force and equipment was used to construct the roundabout.

REQUEST APPROVAL OF THE CONSENT AGENDA

On motion by Mrs. Thompson, 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 includes the draft minutes of the August 2, 2017 regular work session and draft minutes of the August 9, 2017 regular Council meeting.

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 as presented was approved.

BACKGROUND: Town Treasurer, Carol Anne Seal provided Council with a brief overview of the Treasurer’s Report. Mr. Coles suggested that the revised financial reports be reviewed by the Finance and Ordinance Committee before being presented to Council.

REQUEST AUTHORIZATION TO PAY THE BILLS

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

REQUEST FOR ABANDONMENT OF UNOPENED STREET RIGHT OF WAY

On motion by Mr. Cole, seconded by Mrs. Thompson and with Council members Thompson, Hunter, Pairet, Reid, Cole and Davis voting “aye,” the motion to accept the recommendation of the Infrastructure Committee and grant the request on behalf of Mr. and Mrs. Richard Bratcher and Mr. and Mrs. Kiewiet de Jonge for the abandonment of the unopen street right of way from Fourth Avenue Ext. to the Third Avenue easement at a cost of .75 cents per square foot, with all fees associated with the transaction to be paid by the requester and the Town Attorney is to review all documentation of the transaction, was approved.

BACKGROUND: At the August 9, 2017 Council meeting, this matter was continued pending recommendation from the Infrastructure Committee. In May, a request to abandon a portion of Barrow Street between Fourth Avenue Ext. and the unopened portion of Third Avenue was submitted by Mr. and Mrs. Richard Bratcher and Mr. and Mrs. Kiewiet de Jonge. A public hearing was held on June 14, 2017 and there were no comments by the public.

REQUEST ON BEHALF OF ROBERT AND SHERRY MARTIN TO REZONE FOUR (4) PROPERTIES TO RESIDENTIAL DISTRICT R-3A, AND AMEND THE DENSITY

This matter was continued pending recommendation of the Planning Commission.

BACKGROUND: Mr. Robert and Mrs. Sherry Martin have withdrawn their original request to amend the density of the Residential District R-3 zoning ordinance and are requesting Town Council rezone their properties located at 510 and 504 High Street and 104 and 106 Appomattox Street from Residential District R-3 to Residential District R-3A, and to rescind the density requirement in the Residential District R-3A zone.

The properties are currently zoned Residential District R3 and would require a conditional use permit along with a modification in the density of all residential District R3 zones. For informational purposes, Mayor Whitus gave a brief timeline on the process of the rezoning request and the procedures involved. The Planning Commission will meet on Wednesday, September 27, 2017.

UPDATE ON HIGH STREET, OAK STREET, APPOMATTOX STREET AND GRIFFIN BOULEVARD (ROUNDAABOUT/ALIGN INTERSECTION)

On motion by Mr. Davis, seconded by Mr. Reid and with all Council members voting “aye,” the motion to advertise a community meeting to be held on Wednesday, October 18, 2017 beginning from 5:00 p.m. to 7:00 p.m.; followed by a public hearing at 7:00p.m. to hear citizen comments on the proposed improvements to High Street, Oak Street, Appomattox Street and Griffin Boulevard intersection, was approved.

BACKGROUND: Mr. Spates stated engineers from McCormick Taylor will attend the community meeting and public hearing to address any questions and to speak on the study that was done on the intersection. The community meeting will allow the public to see design plans and speak directly with the engineers.

McCormick Taylor is the engineering firm hired by the Town of Farmville to study the intersection of High Street, Oak Street, Appomattox Street and Griffin Boulevard to compare a

roundabout vs. aligning the intersection. At the August 9, 2017 Council meeting, this matter was referred to the Infrastructure Committee. The Infrastructure Committee met on August 14, 2017, and agreed that further discussion is needed before the Committee would make a recommendation to Council on the roundabout verses aligning the intersection.

REQUEST ON BEHALF OF LONGWOOD UNIVERSITY TO TRANSFER THE RIGHT OF WAY OD SPRUCE STREET AND REDFORD STREET WITH THE TOWN MAINTAINING EASEMENT FOR ITS UTILITIES

On motion by Mr. Hunter, seconded by Mr. Davis and with all Council members voting “aye,” the motion to accept the recommendation of the Infrastructure Committee and to advertise a public hearing on the request on behalf of Longwood University, for the abandonment of Spruce Street and Redford Street was approved.

BACKGROUND: A public hearing will be held on October 11, 2017 before the next Council meeting. This matter was referred to the Infrastructure Committee at their August 9th Council meeting. Mrs. Louise Waller, Executive Director of Capital Planning and the Real Estate Foundation spoke at the August work session, stating Longwood’s Master Plan calls for changes to Spruce Street and Redford Street. She stated, in the Master Plan, Spruce Street is a pedestrian plaza, closed to vehicle traffic, except for emergency vehicles or during student move-in and move-outs. Longwood also has plans for improvements to Redford Street, describing the area as a grand link to the community. The Infrastructure Committee met with Mrs. Waller to discuss the request on September 5, 2017 and agreed to recommend Council move forward with a public hearing.

REQUEST TO OPEN WILCK’S LAKE ISLAND AREA FOR PUBLIC USE

On motion by Mr. Reid, seconded by Mr. Hunter and with all Council members voting “aye,” the motion to accept the recommendation of the Infrastructure Committee and continue to keep the Wilck’s Lake Island as a rental facility was approved.

BACKGROUND: Mrs. Kerry Mossler, resident at 113 Appomattox Street, submitted a letter requesting Wilck’s Lake Island be open as a public use area. Currently, Wilck’s Lake Island is rental use only and requires users to submit a rental application and payment. At the August 9, 2017 Council meeting, this matter was referred to the Infrastructure Committee.

The Infrastructure Committee met on August 14, 2017 and agreed for the present time, due to logistical concerns, to continue to use the Wilck’s Lake Island as a rental facility only. The Committee also recommended Council refer the request to the Recreation Committee for

suggestions for increasing equipment at the public use area of Wilck's Lake, such as adding a volleyball net, horseshoe pit and an additional pavilion.

REQUEST ON BEHALF OF Mr. MATT KING, CEO OF WALK2CAMPUS PROPERTIES TO REZONE 37 PROPERTIES FROM RESIDENTIAL DISTRICT R3, BUSINESS DISTRICT B-1 AND BUSINESS DISTRICT B-2 TO RESIDENTIAL DISTRICT R3A

This matter was continued pending recommendation of the Planning Commission.

BACKGROUND: Mr. Matt King, CEO of Walk2Campus Holdings, LLC submitted a request that Walk2Campus Holdings, LLC 37 properties located near the Martin properties be rezoned to Residential District R-3A. For informational purposes, Mayor Whitus gave a brief timeline on the process of the rezoning request and the procedures involved. The Planning Commission meet on Wednesday, September 27, 2017.

REQUEST AMENDING THE EMPLOYEE HANDBOOK, SECTION 5.26 CALLED IN TRAVEL COMPENSATION

On motion by Mr. Reid, seconded by Mr. Pairet and with all Council member voting "aye," the motion to amend the Employee Handbook, Section 5.26 Called in Travel Compensation as presented by the Town Manager was approved.

BACKGROUND: On May 10, 2017 Council voted to amend the Town of Farmville Employee Handbook, adding a policy for employees that are not on-call and are called to respond to emergency situations. The amendment is as follows: 5.26 Called in Travel Compensation: In the event that an employee is called in to respond to an emergency during the employee's unscheduled work hours, the employee will be paid beginning when the employee receives the call, to when the employee returns home, with a two-hour minimum compensation. Mr. Spates stated the intent of the policy was to compensate travel time for those employees that are called in on their time off. Those employees that drive a town vehicle to and from work, already receive a "travel benefit." The Town Manager is recommending the policy be amended as follows: 5.26 Called in Travel Compensation: An employee that does not drive a take home vehicle as part of their employment and is called in to respond to an emergency during the employee's unscheduled work hours, will be reimbursed for his mileage traveling to and from work, at the IRS standard mileage rate. An employee that does drive a take home vehicle as part of his employment, will not receive the mileage reimbursement. All employees that are called in to respond to an emergency during the

employee's unscheduled work hours will be paid an hourly rate for their time worked and exempt employees will receive comp. time for their hours worked during the event.

REQUEST ON BEHALF OF MR. ERIC ARTHUR, JR. FOR A CONDITIONAL USE PERMIT ON PROPERTY LOCATED ON CEDAR AVENUE

On motion by Mr. Davis, seconded by Mrs. Thompson and with all Council members voting "aye," the motion to refer the request for a conditional use permit on behalf of Mr. Eric Arthur, Jr., to construct a seven (7) unit apartment complex on property located on Cedar Avenue to the Farmville Planning Commission, was approved. The property is zoned Residential District R-3 and multi-family dwellings are an allowed use, with a conditional use permit.

BARBARA ROSE JOHNS DEDICATION

The Barbara Rose Johns Committee will contact the Barbara Johns' family and work with town staff to plan a dedication event.

BACKGROUND: At the February 8, 2017 Council meeting, Mayor Whitus established a Barbara Johns Committee to consider ways for Farmville to honor Barbara Johns' contribution to the Civil Rights Movement. At April 12, 2017 Council meeting, Council approved renaming the library the "Barbara Rose Johns, Farmville-Prince Community Library" in honor of Barbara Rose Johns. The dedication plaque is ready, and the town is waiting on the completion of the library sign.

ADOPTION OF LOAN RESOLUTION AND THE USDA RURAL DEVELOPMENT RESOLUTION TO OBTAIN FINANCIAL ASSISTANCE TO PURCHASE A TRACTOR

On a motion by Mrs. Thompson, seconded by Mr. Hunter and with Council members Cole, Davis, Reid, Pairet, Thompson and Hunter voting "aye," the motion to adopt the Loan Resolution, the USDA Rural Development Resolution and the Code of Conduct for the purchase of a tractor/mower, was approved. The Town Treasurer was directed to pay off the loan as soon as possible as to avoid accruing interest.

BACKGROUND: The town has been awarded a grant of \$25,000 and loan of approximately \$94,00 from USDA Rural Development for the purchase of a tractor/mower (Frail Mower Boom Tractor). The Finance Committee has recommended that the town pay off the loan to avoid accruing interest.

REQUEST AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON AMENDING THE 2017-2018 TOWN BUDGET

On motion by Mr. Hunter, seconded by Mr. Reid and with all Council members voting “aye,” the motion to authorize advertisement of a public hearing to amend the 2017-2018 Town Budget to include transferring \$40,000 from the 2016-2017 sewer fund contingency to the Noblin Drive Pump Station Upgrade expense account, was approved.

BACKGROUND: The Town Treasurer has closed out for the 2016-2017 fiscal year Town Budget. The 2017-2018 Town Budget needs to be amended to carry over contingencies. Council will need to hold a public hearing to amend the budget. Currently, General Fund Contingency = \$551,768.71, Water Fund = \$37,630.73, Sewer Fund = \$46,705.31, Transportation Fund = \$40,461.95 with a grand total of all contingencies = \$676,566.70. The Town Treasurer would like to allocate funds from the 2016-17 sewer fund contingency to the remaining expenses on the Noblin Pump Station upgrade of \$40,000.00.

HALLOWEEN EVENTS

The annual downtown Halloween Costume Parade will be held on Tuesday, October 31, 2017, from 4:00 p.m. to 5:00 p.m. Mr. Spates spoke of additional Halloween events that will be held downtown, the same day by different organizations.

REQUEST TO REFUND PARTIAL 2017 BUSINESS LICENSE FOR AK & BP, INC.

On a motion by Mr. Davis, seconded by Mr. Cole and with Council members Davis, Cole, Pairet, Reid, Hunter and Thompson voting “aye,” the motion to authorize the Town Treasurer to refund AK & BP, Inc. \$128.24 of their 2017 business license provided their 2017 business personal property tax is paid, was approved.

BACKGROUND: AK & BP, Inc. trading as Farmville Mart, located at 205 South Main Street closed on July 25, 2017.

STANDING COMMITTEE REPORTS

Parks and Recreation, Chairman Cole – The Committee met on August 31, 2017 with the representatives from Land Planning and Design to review the preliminary report. Once the modifications have been reviewed, the Committee will bring the report to Council and move forward with public meetings for citizens input.

Finance and Ordinance Committee, Chairman Davis – Mr. Davis reiterated that the Finance Committee recommend that the town pay off the loan for the frail mower, that was voted on this evening, once the loan is approved. Funds were allocated in the budget to pay off the loan for the frailer mower.

Personnel Committee, Chairman Reid – no report

Infrastructure Committee, Chairman Pairet – The Committee is currently still gathering information on the roundabout, as well as having public hearing to receive citizens' input. The Committee has made recommendations about the Wilck's Lake Island request to be opened to the public; and the recommendation of abandonment of the unopen right of way.

Town Property/Building, Chairman Thompson – no report

Public Safety, Chairman Hunter – no report

REQUEST TO ENTER INTO CONTRACT WITH ATTORNEY JAMES E. ELLIOTT FOR THE COLLECTION OF DELINQUENT REAL ESTATE TAXES

On a motion by Mr. Pairet, seconded by Mrs. Thompson and with all Council member voting "aye," the motion to authorize the Town Manager to sign the necessary documents for the Town of Farmville to enter into a contract with James W. Elliott, Attorney at Law for the collection of delinquent real estate taxes, was approved.

BACKGROUND: Attorney James Elliott works with several localities in collection of their delinquent real estate taxes. Town Attorney, Gary Elder has reviewed the proposal provided by Mr. Elliott. This matter was discussed at the September Finance and Ordinance Committee meeting. Members expressed support in the town entering into a contact with Mr. Elliott for delinquent real estate tax collection for the Town of Farmville.

TOWN MANAGER AND STAFF REPORTS – MISCELLANEOUS ITEMS

Mr. Spates gave an update on the paving of the streets. They are expected to be finished within the next week. Longwood University's Rock the Block is on Friday, September 15, 2017.

MAYOR AND COUNCIL MEMBER COMMENTS

No comments from Council.

CLOSED SESSION - LAND ACQUISITION, PERSONNEL, LEGAL CONSULTATION

On motion by Mr. Davis, and seconded by Mr. Cole, 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 discussion or consideration of the acquisition of real property for public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; **Section 2.2-3711.A.1** of the Code of Virginia, for discussion of personnel issues of a particular department; and **Section 2.2-3711.A.7** of the Code of Virginia for briefing by staff members and legal counsel on specific legal matters requiring by provision of legal counsel.

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 certified 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: Six (6)

MOTION: Davis

SECOND: Hunter

YES: Hunter, Thompson, Pairet, Reid, Davis and Cole

NOES: none

ABSENT DURING VOTE: Dwyer

ABSENT DURING MEETING: Dwyer

Clerk

There being no other business, the meeting adjourned.

APPROVED:

ATTEST:

David E. Whitus, Mayor

Lisa M. Hricko, Clerk