

REGULAR MEETING OF THE FARMVILLE TOWN COUNCIL

HELD ON OCTOBER 12, 2016

Mayor Whitus called to order the regular Council meeting of the Farmville Town Council held on Wednesday, October 12, 2016 at 7:00 p.m., in the Council Chamber of the Town Hall located at 116 North Main Street, Farmville, Virginia. He welcomed guests and reminded Council members the meeting is being recorded and the recording will be placed on the Town's website.

Present at the meeting 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; Acting Chief of Police, Andy Ellington; Town Treasurer, Carol Anne Seal; Director of Public Works, Robin Atkins; Town Planner, Cindy Morris and Town Clerk, Lisa Hricko.

Mayor Whitus gave the invocation and Vice Mayor Reid led the Pledge of Allegiance.

PUBLIC HEARINGS

Mayor Whitus announced the public hearings and Mr. Spates read the notices as follows:

NOTICE OF PUBLIC HEARING

Please take notice that on October 12, 2016 at 7:00 p.m. in the Council Chamber of the Town Hall, located at 116 North Main Street, Farmville, VA, the Farmville Town Council will conduct a Public Hearing on Ordinance #178, **Establish a Rebate for Residential and Commercial Connection within the Town of Farmville, to the Town Water/Sewer System**. Due to the length of the proposed ordinance, it is not published as part of this notice. Copies of the proposed ordinance may be obtained or reviewed by contacting Gerald J. Spates at (434)392-5686. Citizens are encouraged to participate in this public hearing. Anyone requiring assistance to participate in the public hearing is asked to contact Gerald J. Spates prior to the public hearing so that appropriate arrangements can be made. Following the public hearing, the Town Council may take action to adopt Ordinance #178 **Establish a Rebate for Residential and Commercial Connection within the Town of Farmville to the Town Water/Sewer System**.

No one present wished to address Council and the public hearing was closed.

NOTICE OF PUBLIC HEARING

Notice is hereby given that on October 12, 2016 at 7:00 P.M.; the Farmville Town Council will conduct a public hearing in the Council Chamber of the Farmville Town Hall, 116 North Main Street, Farmville, Virginia, to receive comments on the following matter:

A Resolution for an amendment and appropriation to the FY 2016-2017 Town Budget. The total amount of the FY 2016-2017 budget is currently \$26,424,090.68. The total amount of the proposed amendment is \$592,858.96. The reason for the amendment is to carry over the contingency from the FY 2015-2016 to the FY 2016-2017 Town Budget. The proposed amended budget total would be \$27,016,949.64.

The Farmville Town Council may take action on the proposed budget amendment on October 12, 2016. A complete copy of the budget amendment Resolution may be obtained at Town Hall. Interested parties are encouraged to attend the meeting and express their views regarding this request.

No one present wished to address Council and the public hearing was closed.

Council returned to the regular order of business.

PUBLIC COMMENT PERIOD

Ms. Ilsa Loeser, Principal with Letterpress Communications addressed Council. Ms. Loeser stated Letterpress Communications was the Town's debate liaison for the Vice Presidential Debate. She stated Letterpress worked with the media, both local and visiting, promoted Town events and coordinate public announcements thru the website, social media and various other avenues. Ms. Loeser spoke of the success of the event and shared statics of on-line mentions of "Farmville", along with the increase in visits to the Town's website and Facebook page.

Ms. Jen Cox, Director of Local and Community Relations for Longwood University addressed Council. Ms. Cox stated on behalf of Longwood University, she wanted to thank the Town for their partnership in the Vice Presidential Debate event. She spoke of the event's success and appreciated the Town's support. In addition, Ms. Cox updated Council on various university events.

October 21 – 22 is Oktoberfest Weekend;

- November 9 – the Housing & Rental Fair will run from 11:00 a.m. – 2:00 p.m., in the Student Union Ballroom. The cost is \$35 to participate (with checks made payable to Longwood University).
- Thanksgiving Break begins after classes end on Tuesday, Nov 22.

Mayor Whitus stated the October agenda would be set aside for a closed session under Personnel.

CLOSED SESSION – UNDER PERSONNEL MATTER SECTION 2.2-3711.A.1 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 session under **Section 2.2-3711.A.1 of the Code of Virginia** for the discussion and consideration of prospective candidates for appointment as Chief of Police of the Town of Farmville.

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 (7)

MOTION: Davis

SECOND: Reid

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

NOES: none

ABSENT DURING VOTE: no one

ABSENT DURING MEETING: no one

APPOINTMENT OF CHIEF OF POLICE OF THE TOWN OF FARMVILLE

On motion by Mr. Reid, 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 accept the recommendation of the Personnel Committee and appoint Andy Ellington as Chief of Police of the Farmville Police Department was approved.

BACKGROUND: The Town Manager spoke in support of the appointment. Chief Ellington stated he was honored and humbled to serve as Chief of Police of the Farmville Police Department.

REQUEST APPROVAL OF THE CONSENT AGENDA

On motion by Mrs. Thompson, seconded by Mr. Hunter and with all Council members voting “aye”, the motion to approve the consent agenda as submitted was approved. The consent agenda includes the draft minutes of the special called meeting of September 7, 2016, the minutes of the regular work session meeting of September 7, 2016; the minutes of the reconvened work session of September 14, 2016; the minutes of the regular Council meeting of September 14, 2016 and the minutes of the special called Council meeting of September 27, 2016.

REQUEST APPROVAL OF THE TREASURER’S REPORT

On motion by Mr. Reid, seconded by Mr. Hunter and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet, Reid, Davis and Cole voting “aye”, the Treasurer’s Report was approved as presented.

BACKGROUND: Mrs. Seal informed members the Town did not borrow off its line of credit this year.

REQUEST AUTHORIZATION TO PAY THE BILLS

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 authorize the Town Treasurer to pay the bills as submitted was approved.

REQUEST ADOPTION OF ORDINANCE 178 SECTION 20-28, MEMBERS – APPOINTMENT, TERM, COMPENSATION; QUALIFICATONS AND APPOINTMENT OF EX-OFFICIO MEMBER(S)

On motion by Mr. Pairet, 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 adopt Ordinance #178 Establish a Rebate for Residential and Commercial Connection with the Town of Farmville to the Town Water and Sewer System was approved. Ordinance #178 is retroactive to September 14, 2016.

BACKGROUND: Mayor Whitus stated the public hearing was held this evening and there were no comments.

REQUEST ADOPTION OF RESOLUTION AMENDING THE 2016-2017 TOWN BUDGET AND AUTHORIZE THE APPROPRIATION AND EXPENDITURE OF FUNDS

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 adopt budget amendment resolution 1-2016, amending the 2016-2017 Town budget and authorizing the appropriation and expenditure of funds was approved as follows:

RESOLUTION

BUDGET AMENDMENT 1-2016

WHEREAS, on June 8, 2016 , by Resolution, the Town of Farmville approved a FY 2016-2017 Town budget in a total amount of \$ 26,424,090.68 ; and

WHEREAS, as of June 30, 2016, the Town of Farmville FY 2015-2016 Town budget had a surplus of \$592,858.96; and

WHEREAS, the Farmville Town Council has stated that a portion of the FY 2015-2016 surplus funds be appropriated for the maintenance of the Town's social media sites and the VDOT pavement overlay; and

NOW THEREFORE BE IT RESOLVED by the Farmville Town Council, at its regular monthly meeting, on October 12, 2016 that a total of \$592,858.96 be added to the Farmville FY 2016-2017 so that the amended total of the Town of Farmville's FY 2016-2017 budget shall be \$27,016,949.64; and

BE IT FURTHER RESOLVED THAT \$200,737.40 shall be appropriated for expenditure by the Town of Farmville as follows:

\$180,737.40 for VDOT Pavement Overlay

\$ 20,000.00 for Social Media fund

Adopted this ___ day of _____, 2016

BACKGROUND: Mayor Whitus stated the public hearing was held this evening and there were no comments.

REQUEST CONTINUATION OF REQUEST TO REZONE 1412 LONGWOOD AVENUE FROM RESIDENTIAL DISTRICT R-1 TO BUSINESS DISTRICT B-3 AND REQUEST ZONING AMENDMENT IN BUSINESS DISTRICT B-3 UNDER USES TO ALLOW DOMESTIC VIOLENCE SHELTERS, WITH A CONDITIONAL USE PERMIT

On motion by Mrs. Thompson, seconded by Mr. Hunter and with all Council members voting "aye", the motion to continue the request of rezoning 1412 Longwood Avenue to Business District B-3 and the zoning amendment, adding domestic violence shelters as a permitted use, with a conditional use permit was continued pending the recommendation by the Farmville Planning Commission.

REQUEST CONTINUATION OF REQUEST TO REZONE THE PROPERTIES OF BUFFALO SHOOK AND W.C. NEWMAN FROM M-1 TO BUSINESS DISTRICT B-3

On motion by Mrs. Thompson, seconded by Mr. Hunter and with all Council members voting “aye”, the motion to continue the request to rezone the properties of Buffalo Shook and W.C. Newman from M-1 to Business District B-3 was continued pending the recommendation by the Farmville Planning Commission.

REQUEST PARTIAL REFUND OF PAYMENT ON 2016 BUSINESS LICENSE FOR DELUXE NAILS & SPA

On motion by Mr. Hunter, seconded by Mr. Dwyer and with a recorded vote with Council members Dwyer, Hunter, Thompson, Pairet, Reid, Davis and Cole voting “aye,” the motion to refund Deluxe Nails & Spa \$348.00 of their 2016-business license provided their 2016 business personal property tax was paid.

BACKGROUND: Effective September 19, 2016 Deluxe Nails & Spa closed their business.

REQUEST ADOPTION OF ORDINANCE IN SUPPORT OF THE VIRGINIA TOURISM CORPORATION (VTC’S) TOURISM DEVELOPMENT FINANCING PROGRAM (TDFP)

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 the ordinance directing the Town Manager to work with the Farmville Industrial Development Authority to develop the necessary agreements for submission to the Virginia Tourism Corporation in order for the Hotel Weynoke to participate in the Tourism Development Financing Program was approved.

BACKGROUND: Mr. Spates stated the adoption of the ordinance is a formality by the Virginia Tourism Corporation.

REQUEST ADOPTION OF FOOD DAY PROCLAMATION

On motion by Mrs. Thompson, seconded by Mr. Hunter and with all Council members voting “aye”, the motion to adopt the Food Day Proclamation was approved.

FOOD DAY PROCLAMATION

WHEREAS, the health and well-being of our citizens is of primary concern for the Town of Farmville;
and

WHEREAS, promoting safer, healthier diets is a critical factor in improving citizens’ overall health; and

WHEREAS, supporting sustainable family farms and local agriculture benefits the local economy; and

WHEREAS, obtaining fair pay and safe conditions for food and farm workers is beneficial for both the producer and consumer so that the food we produce and consume is safe and fair for all; and

WHEREAS, expanding access to food and reducing hunger is of critical importance to aid those who live in food deserts; and

WHEREAS, reforming factory farms to protect the environment and farm animals is necessary to sustain future generations;

NOW, THEREFORE, I, David E. Whitus, Mayor of the beautiful Town of Farmville, do hereby proclaim

Monday, October 24, 2016 as

FOOD DAY

in the Town of Farmville, and I urge all citizens to participate in the activities planned here forth.

In testimony whereof, I have hereunto set my hand and caused to be affixed the Seal of the Town of Farmville, this 12 **day of October, 2016.**

STANDING COMMITTEE REPORTS

FERN Committee, Chairman Dwyer – nothing to report.

Finance and Ordinance Committee, Chairman Davis – congratulated Council, Town Manager, and Town Treasurer on not having to use the Town's line of credit this year.

Personnel Committee, Chairman Reid – nothing to report.

Infrastructure Committee, Chairman Pairet – still gathering information, nothing to report at this time.

Public Safety Committee, Chairman Hunter – thanked all those involved with the Vice Presidential Debate saying they did a wonderful job by keeping our community safe.

Ethics Committee, Chairman Hunter – nothing to report.

Parks and Recreation Committee, Chairman Cole – will be gearing up the planning of a master plan for the Town's parks and recreational needs.

REQUEST TO ADD CAR LOTS AS AN ALLOWED USE IN A BUSINESS DISTRICT B-4 ZONE

On motion by Mr. Hunter, seconded by Mr. Dwyer and with all Council members voting “aye”, the recommendation by the Town Manager to refer to the Farmville Planning Commission a request to add car lots as an allowed use in a Business District B-4 zone was approved.

BACKGROUND: Mr. Spates stated he had received a request to add car lots as an allowed use in a Business District B-4 zone.

REQUEST FOR A CONDITIONAL USE PERMIT

On motion by Mrs. Thompson, seconded by Mr. Dwyer and with all Council members voting “aye”, the recommendation by the Town Manager to refer to the Farmville Planning Commission a request for a conditional use permit to construct a duplex in a Residential District R-3 zone was approved.

BACKGROUND: Mr. Spates stated he had received request to construct a duplex in a Residential District R-3 and sees no issues with the matter; however, a conditional use permit is required.

REQUEST ADOPTION OF RESOLUTION TO THE FARMERS BANK OF APPOMATTOX

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 the resolution to The Farmers Bank of Appomattox updating the Town representatives authorized to sign documents on behalf of the Town of Farmville in relation to the \$1.5 million dollar line of credit was approved.

Authorized to sign Commitment Letter – David E. Whitus, Mayor and Gerald J. Spates, Town Manager.

Authorized to sign loan documents – David E. Whitus, Mayor and Lisa M. Hricko, Town Clerk.

Authorized to sign Advance Requests – David E. Whitus, Mayor, A.D. Reid, Vice Mayor, Carol Anne Seal, Town Treasurer and Audrey O. Napier, Deputy Treasurer

BACKGROUND: Mrs. Seal, Town Treasurer stated The Farmers Bank of Appomattox is requiring the Town to update the Town representatives authorized to sign documents in relation to the Town of Farmville’s \$1.5 million dollar operating line of credit. She stated the authorized signers have not been updated in two years. In addition, Mrs. Seal stated the Bank has also recommended the Town add additional authorized signers in case an individual is unavailable. Mrs. Seal has recommended Vice Mayor Reid and Deputy Treasurer, Audrey Napier be added as signatures.

FARMVILLE PLANNING COMMISSION – INFORMATION

Members received copies of the draft minutes from Farmville Planning Commission meeting held on September 28, 2016. Mr. Spates stated a Planning Commission public hearing is scheduled for Wednesday, October 26, at 7:00 p.m. and training for the Planning Commission members is scheduled for November 3, from 11:00 a.m. to 1:00 p.m. Mayor Whitus stated at a recent Virginia Municipal League Conference governing bodies were encouraged to hold separate public hearings from Planning Commissions.

TOWN MANAGER AND STAFF COMMENTS

Mr. Spates stated the Farmville Municipal Airport will be having an acrobatic show beginning Thursday through Sunday. He also expressed appreciation and thanks to those individuals, agencies and departments that helped with the Vice Presidential Debate.

Council members received copies of the September 2016 Community Policing Report.

Mr. Robin Atkins, Director of Public Works mentioned the Fall Clean-up campaign scheduled for Monday, October 17.

Chief Ellington also thanked those agencies that assisted in the Vice Presidential Debate. In addition, he thanked the Town Manager and Council for their support of law enforcement. He spoke of how proud he is to be a part of this organization.

COMMENTS BY MAYOR WHITUS AND MEMBERS OF TOWN COUNCIL

Several Council members expressed their gratitude and appreciation to those outside agencies, departments, and staff that assisted in the Vice Presidential Debate event.

Mr. Hunter recommended Mayor Whitus write a note thanking the community for their participation and support of the Vice Presidential Debate. Mayor Whitus agreed and said he will work with Letterpress Communications on drafting the letter.

Mayor Whitus announced Vice Mayor Reid's appointment to the Virginia Municipal League Executive Committee. Vice Mayor Reid will Chair the Town Section.

CLOSED SESSION UNDER LAND, SECTION 2.2-3711.A.3 AND UNDER LEGAL CONSULTATION SECTION 2.2-3711.A.7 OF THE CODE OF VIRGINIA

On motion by Mr. Davis, seconded by Mr. Hunter 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 a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and **Section 2.2-3711.A.7 of the Code of Virginia** for briefings by staff members on specific legal matters requiring the provision of legal advice by counsel.

Mayor Whitus announced a five (5) minute recess and Council convened in closed session.

Council returned to the regular order of business.

CERTIFICATION OF CLOSED MEETING

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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 (7)

MOTION: Davis

SECOND: Hunter

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

NOES: none

ABSENT DURING VOTE: no one

ABSENT DURING MEETING: no one

There being no other business, the meeting adjourned at 8:37 p.m.

APPROVED:

ATTEST:

David E. Whitus, Mayor

Lisa M. Hricko, Clerk