

REGULAR MEETING OF THE FARMVILLE TOWN COUNCIL
HELD ON MARCH 14, 2018

Mayor Whitus called to order the regular meeting of the Farmville Town Council held on Wednesday, March 14, 2018 at 7:00, pm 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.E. Dwyer, J.D. Miller, T.M. Pairet, A.D. Reid, J.J. Davis and G.C. Cole.

Mrs. Hricko called the roll, noting Council member D.L. Hunter absent.

Staff present were Town Manager, Gerald Spates; Assistant Town Manager, Scott Davis; Town Attorney, Gary Elder; Chief of Police, Andy Ellington; Town Treasurer, Carol Anne Seal; Director of Public Works, Robin Atkins; Administrative Assistant, Jackie Vaughan and Town Clerk, Lisa Hricko.

Mayor Whitus welcomed guests. Reverend Bill McIntosh, Lead Pastor of New Life Assembly of God, in Farmville led the invocation, followed by Vice Mayor Reid leading the Pledge of Allegiance.

PUBLIC COMMENT PERIOD

Mayor Whitus announced the public comment portion of the meeting.

Chuck Ross, Ph.D., a resident of Farmville, addressed Council on Farmville's Comprehensive Plan and how it relates to the proposed Martin project. Dr. Ross stated he was not speaking on the merits of the project; but rather on the procedures the town will take on evaluating the project. He commended Council, the Mayor, the Town Manager and the Assistant Town Manager on the steps the town has taken to create a modern comprehensive plan and spoke of a recent report prepared by the Berkley Group. Dr. Ross stated that the recommendations by the Berkley Group on updating the town's comprehensive plan included: community input for forming a collective vision, developing landscaping requirements, and considering the addition of a historic overlay district, with advisory or mandatory regulations. Adding that it was his opinion, that it would be a significant procedural mistake to make a judgement on the Martin proposal before those parts of the comprehensive plan have been considered. Without the comprehensive plan as a guiding document, he said any recommendation may consist of an individual's misguided opinion. Dr. Ross described the Martin property as a majestic home overlooking one of the iconic

entrances to Farmville. He stressed the importance of the planning process and the significance of managing change. Dr. Ross stated he hoped the town would plan first and then act.

Mr. Tom Dennison, a resident of Farmville, addressed Council on the proposed Martin project. Mr. Dennison stated the project located at the corner of High and Appomattox Street, technically does meet the density requirements in a Residential District R-3 zone. He said the design of the project has the building fronting Appomattox Street. Because of setback requirements for front and side yards, the building will create an unsightly alignment of buildings on High Street. Mr. Dennison also commented on the importance of Farmville's Comprehensive Plan and the historical integrity of the area.

Mr. Jim Fauci, a resident of Farmville addressed Council on the proposed Martin project. Mr. Fauci stated the project will have an overall negative effect on the historical homes on High Street and will detract from what draws people to Farmville. He commented that a previous report of the homes in that area as not being historical, is incorrect. Some of the homes have had exterior upgrades, but the architectural integrity of the period has not been compromised nor has their historical value. Mr. Fauci stated he, as well as most of the townspeople, are not in favor of building apartments on High Street.

Mr. Harlan Horton, a resident of Farmville addressed Council on the Martin project. Mr. Horton asked that Council keep in mind when the developer presented the initial Martin project, the developer stated that a smaller project would not be financially feasible. However, the same developer is before Council requesting a conditional use permit for a smaller scale project. Mr. Horton stated that ultimately the decision to grant or deny a conditional use permit will be a Council decision. He asked Council to give the process sufficient time to study the impact on traffic, noise and the financial impact for anyone who is interested in investing in this community, in the future. Change to the historical district of this magnitude should not be undertaken lightly. He asked that no action be taken by Council or the Planning Commission until the comprehensive plan has been adopted and the Martin project can be measured against the results of the plan. Mr. Horton stated good planning makes good neighbors.

Mr. Adam Yoelin, a resident of Farmville addressed Council on the Martin project. Mr. Yoelin thanked Mr. Kelley for his time and appreciation of the town. He spoke of the differences between this project and the initial Martin project. Mr. Yoelin stated his desire that consideration be given to completing the process of the town's new comprehensive plan before the character of

Farmville's historical area is changed. He expressed concerns with the proposed project's effect on the historical value of the homes in the area. He questioned if the adjacent properties would be used for parking, which would increase the congestion, pollution and noise in the area. He spoke of the project as being a "spot variance," by allowing an apartment complex in a residential neighborhood. Mr. Yoelin asked Council to take no action on the request until the comprehensive plan has been updated.

Dr. Chuck Green, a resident of Farmville, addressed Council on the Martin project. Dr. Green stated the Virginia Code allows the rejection of a special use permit/conditional use permit even if all the zoning requirements are met. He said the decision makers may deny the request if:

1. Sound zoning principals justify its denial;
2. The proposed use is not consistent with the comprehensive plan. Dr. Green stated the town's comprehensive plan is in the process of being updated. He anticipates the new plan as being more restrictive and limited, especially in the historical area.
3. The proposed use would have an adverse effect on the character of the neighborhood;
4. The proposed use would have an adverse effect on the roads. Dr. Green spoke of the intersection of the High and Appomattox and its current traffic congestion; and
5. The proposed project would have an adverse effect on the abutting properties. Dr. Green stated an apartment complex, next to historical homes would negatively impact the historical homes.

Dr. Green stated the project should be tabled until the new comprehensive plan is complete and then the project should be denied based on any one of the five reasons.

Mrs. Faye Green, a resident of Farmville, addressed Council on the Martin project. Mrs. Green thanked Council for their previous decision to table the Martin's initial request until after the comprehensive plan was updated. She stated she was now asking Council to deny their current request because of its adverse effect on the neighborhood and intersection. Mrs. Green stated the proposed project does not meet the Town code Sec. 29-147 Uses – *Only one (1) building and its accessory buildings may be erected on any lot or parcel of land in residential district R-3* and noted that the project has three buildings, the apartments and the two separate townhouse units. Mrs. Green described the parking as insufficient, when parents and guests are visiting. She questioned the need for additional student apartments and asked the developer to consider moving the buildings to the back of the property and creating a tree-lined park on High and Appomattox

Street to protect the beauty of the historical area. Mrs. Green also expressed concerns with water runoff. In closing, Mrs. Green listed the reasons the proposed project does not meet the town's zoning ordinance standards as not enough parking proximity to the intersection, water runoff, and an abundance of student housing. She asked Council to deny the request or at the very least table the request until the comprehensive plan is complete.

Mr. John Burton, Program Manager for the Farmville Downtown Partnership addressed Council. Mr. Burton said one of the reasons he loves the Farmville community, is the passion of its residents in acknowledgment of those that were in attendance, including the members of Council. He said he was before Council to share information on the Downtown Partnership's upcoming SOUP event, which stands for Supporting Outstanding Urban Projects. Farmville Downtown has partnered with the LCVA and Aramark on this year's event taking place at the LCVA on Friday, March 25, beginning at 6:00 pm. He described the event as an opportunity for individuals to submit proposals for projects that would enhance the downtown area. The proposals have been narrowed down to five (5) finalists. Those attending will be able to vote for their favorite project, while they enjoy soup and music.

Ms. Jen Cox, Director of Local and Community Relations for Longwood University addressed Council on events taking place at Longwood University. Ms. Cox spoke of the annual The Big Event taking place on April 7, the Relay for Life on March 23 and the annual Love Your Longwood Day taking place on Wednesday, March 27. She also informed members on the MLK Commission - The Virginia MLK Memorial Commission of the Virginia General Assembly will be hosting a series of 12 Community Conversations in each of the locations Dr. King visited across the Commonwealth. The panel led discussions will bring together community leaders to reflect on Dr. King's vision of a "Beloved Community." Farmville's conversation will be hosted on April 24 at 6 pm at First Baptist Church. This effort is being coordinated in partnership with the Moton Museum and First Baptist. The panel-led discussion will be moderated by the Commission Chair, Senator Jennifer McClellan.

REQUEST APPROVAL OF THE CONSENT AGENDA

On motion by Mr. Cole, seconded by Mr. Reid and with all Council members voting "aye," the motion was approved to approve the consent agenda.

The consent agenda includes the draft minutes of the February 7, 2018 regular work session and the February 14, 2018 regular Council meeting.

REQUEST APPROVAL OF THE TREASURER'S REPORT

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

BACKGROUND: Mrs. Carol Anne Seal, Town Treasurer, provided Council with a brief overview of the Treasurer’s Report. She stated business licenses were due by February 28, and to date, 80 percent has been collected. The 2017 retail sales figures report will be complete by next month.

REQUEST AUTHORIZATION TO PAY THE BILLS

On motion by Mr. Cole, seconded by Mr. Reid and with a recorded vote with Council members Dwyer, Miller, Pairet, Reid, Davis and Cole voting “aye,” the motion was approved to authorize the Town Treasurer to pay the bills.

Bills Printed in Minute Book

REQUEST ON BEHALF OF THE WOODLAND, INC. FOR THE ABANDONMENT OF A PORTION OF COBB STREET

On motion by Mr. Davis, seconded by Mr. Reid and with Council members Davis, Reid, Pairet, Miller and Dwyer voting “aye,” and Council member Cole abstaining stating conflict of interest, the motion was approved for the request on behalf of The Woodland, Inc. for the abandonment of Cobb Street, from Agee Street to the right of way of Dowdy Street, at a cost of \$22,528.50, with all fees associated with the transaction paid by the requester. The Town Attorney is to review all documentation of the transaction.

Mr. Cole asked that the following declaration be added to the minutes: Madam Clerk, under Section 2.21-3112 A. (1) of the Code of Virginia, this notice shall serve as my declaration that I, Greg Cole, Town Council member of the Town of Farmville and President and CEO of The Woodland, Inc. have a personal interest in the transaction before Council and will not be participating.

BACKGROUND: At the February meeting, Council referred The Woodland, Inc.’s request to the Infrastructure Committee and approved advertising for a public hearing on the abandonment of Cobb Street from Agee Street to the right of Way of Dowdy Street. Mr. Spates stated the town will maintain the utilities under the street and The Woodland, Inc., cannot build over the town’s utilities.

The Infrastructure Committee agreed to follow the Committee's policy for the abandonment of streets. The fee is calculated on the square footage of the abandonment, multiplied by half of the square footage cost of the adjacent appraised property. Mr. Spates stated the square footage of the request is 32,650 square feet, multiplied by half of \$1.38 (.59 cents) the appraised square foot cost. The cost of the abandonment of Cobb Street from Agee Street to the right of way of Dowdy Street would be \$22,528.50, plus all legal fees.

PROPOSED NEW SOCIAL MEDIA POLICY

On motion by Mr. Reid, seconded by Mr. Pairet and with all Council members voting "aye," the motion was approved to continue the request to amend Farmville's social media policy.

BACKGROUND: At the February meeting, Council referred a draft of the proposed amended social media policy to the Personnel Committee and Town Attorney. The proposed policy is presently before the Town Attorney.

INFORMATION ONLY – VERBAL UPDATE ON THE PROGRESS OF THE TOWN'S COMPREHENSIVE PLAN, SUBDIVISION AND ZONING ORDINANCES REVISION

Mr. Spates stated that the Town is moving forward with advertising for Request for Proposals on updating Farmville's Comprehensive Plan and the subdivision and zoning ordinances. Bids are to be submitted within in 30 to 45 days.

REQUEST TO MOVE CONTINGENCY FUNDS

On motion by Mr. Davis, seconded by Mr. Pairet and with a recorded vote with Council members Cole, Reid, Pairet, Davis, Dwyer and Miller voting "aye," the motion was approved to authorize the Treasurer to move \$16,000.00 from the Sewer Fund Contingency to the line item maintenance-other equipment in the Sewer Treatment Department.

BACKGROUND: \$35,000.00 was budgeted in the Sewer Treatment Department under maintenance-other equipment. Mr. Spates stated as of January 31, 2018, this line item had a deficit of \$1,208.59, due to the replacement of a small and large pump totaling \$27,942.00. Initially the FY 16-17 included the equipment;, however, the town was not invoiced until this fiscal year. Mr. Spates reported the Wastewater Treatment Plant anticipates spending an additional \$14,000.00 in maintenance for the remainder of FY 17-18.

TOWN MANAGER'S ANNUAL PERFORMANCE EVALUATION

Mayor Whitus referred the Town Manager's Annual Performance Evaluation to the Personnel Committee for their recommendation to Council.

BACKGROUND: Section 7. Performance Evaluation of Mr. Spates' employee contract states that "Council shall review and evaluate the performance of the Employee at least once a year in advance of the effective date of the annual operating budget."

REQUEST TO ADVERTISE FOR A PUBLIC HEARING TO AMEND ORDINANCE NO. 187

On motion by Mr. Reid, seconded by Mr. Miller and with a recorded vote with Council members Dwyer, Miller, Pairet, Reid, Davis and Cole voting "aye," the motion was approved to advertise for a public hearing to adopt Ordinance No. 187.

BACKGROUND: Ordinance No. 182 awarded a rebate on water and/or sewer tap fees for new in-town residential and business customers. The Ordinance is due to expire on June 30, 2018. The Finance and Ordinance Committee has recommended that Council amend the Ordinance to allow in-town business and commercial developments to continue to receive the tap fee rebate if construction has started by December 31, 2018. Mr. Spates stated that present Ordinance No. 182 stated all construction was to be completed by December 30, 2018.

REQUEST TO CANCEL THE JULY 4, 2018 REGULAR WORK SESSION

On motion by Mr. Cole, seconded by Mr. Davis and with all Council members voting "aye," the motion was approved to cancel the July 4, 2018 regular work session.

BACKGROUND: Council's July regular work session falls on Wednesday, July 4, 2018. Because it is a Federal holiday, all Town offices are closed.

REQUEST ON BEHALF OF MR. AND MRS. ROBERT MARTIN FOR A CONDITIONAL USE PERMIT

On motion by Mr. Pairet, seconded by Mr. Reid and with all Council members voting "aye," the motion was approved to refer to the request for a conditional use permit on behalf of Mr. and Mrs. Robert Martin to the Farmville Planning Commission for a public hearing.

BACKGROUND: Mr. Mike Kelley with Kelley Properties, presented Council with a power point presentation of a potential student housing complex (one apartment building and two townhouses) at the corner of High and Appomattox Street. The complex would consist of 10 doors/3 beds per door and the required parking spaces. The property is currently owned by Mr. and Mrs. Robert Martin. The Martins have since rescinded their initial request to rezone the property and are now seeking a conditional use permit under the current zoning, R-3 District. A conditional use permit is required for multiple-family dwellings within this district. The zoning ordinance permits 10 units per acre.

Questions arose from Council regarding the appearance of the building facing High Street, the means used to connect the buildings to meet the ordinance requirement and possible issues with congestion.

STANDING COMMITTEE REPORTS

Parks and Recreation Committee, Chairman Cole – no report

Finance and Ordinance Committee, Chairman Davis – The Committee has recommended amending the language in Ordinance #182 extending the construction time requirement for commercial developments. In addition, the Committee is recommending Council accept the insurance proposal for Local Choice Anthem – Key Advantage 250 Plan and the Key Advantage 500 Plan and to consider a 3% pay increase for town employees, which will help offset the increase in health insurance premiums.

ACCEPT THE INSURANCE PROPOSAL FOR LOCAL CHOICE ANTHEM – KEY ADVANTAGE 250 PLAN AND THE KEY ADVANTAGE 500 PLAN

On motion by Mr. Davis, seconded by Mr. Pairet and with a recorded vote with Council members Dwyer, Miller, Pairet, Cole, Davis and Reid voting “aye,” the motion was approved to accept the recommendation from the Finance Committee on the insurance proposals for Local Choice Anthem – Key Advantage 250 Plan and the Key Advantage 500 Plan.

BACKGROUND: Each year by the end of April, the Town must inform Anthem Blue Cross Blue Shield of its intentions for health insurance plans for the upcoming year. The current plans are Local Choice Anthem – Key Advantage 250 Plan and the Key Advantage 500 Plan.

Personnel Committee, Chairman Reid – no report

Infrastructure Committee, Chairman Pairet – The Committee discussed parking needs of the Third Street Brewery and available public parking at the Historic Farmville Train Station. The Committee recommended Third Street Brewery lease parking spaces from the town to meet the zoning requirements. The Committee also discussed a request on behalf of the Hotel Weyanoke for the Town to install parking meters along North Street. The area will hold approximately seven (7) parking spaces.

LEASE PARKING SPACES TO THE THIRD STREET BREWERY

On amended motion by Mr. Cole and seconded by Mr. Davis and with a recorded vote with Council members Cole, Davis, Reid and Pairet voting “aye,” and Council members Dwyer and Miller abstaining, stating conflict due to a financial interest, the motion was approved to accept

the recommendation of the Infrastructure Committee and enter into a Lease Agreement with Third Street Brewery to lease the Brewery eight parking spaces at \$25.00 per space, per month. The Brewery was granted First Right of Refusal to obtain additional parking spaces if deemed necessary later. The parking signs at the Farmville Train Station are to read No Overnight Parking or No Parking from 1:00 am – 5:00 am in order to clear the parking lot of overnight guests parking in the train station parking lot.

REQUEST ON BEHALF OF THE HOTEL WEYANOKE FOR THE TOWN TO INSTALL PARKING METERS ON NORTH STREET

On motion by Mr. Cole and seconded by Mr. Davis and with a recorded vote with Council members Cole, Davis, Reid, Pairet, Miller and Dwyer voting “aye,” the motion was approved to accept the recommendation of the Infrastructure Committee and install no more than seven parking meters with up to two hour parking on one side of North Street from Third Street to High Street.

BACKGROUND: The Hotel Weyanoke requested the Town consider installing parking meters on North Street so customers visiting the restaurants may park along North Street. North Street runs from Third Street to High Street and metered parking would go on the opposite side of The Farmville Herald business. The area will hold approximately seven (7) parking spaces. The Town has the meters but would need to program the parking time to allow for two-hour parking.

Town Property/Building, Chairman Dwyer – no report

TOWN MANAGER AND STAFF REPORTS – MISCELLANEOUS ITEMS

Mr. Spates reported on the following matters. The storm drainage repair in front of the hospital has been completed. The playground equipment donated by the Kiwanians has been installed at Grove Street Park. The Buffalo Creek Pedestrian Bridge project which ties into Wilck’s Lake should go out on bid by the end of the month. There is a donut shop going into the old Pizza Hut building on West Third Street. Family Dollar is planning to re-open a store in the Southgate Shopping Center in the old CVS building. The Milnwood Road project is currently in the acquisition of right of way and should go out on bid sometime this spring. The Town is working with the Lions Club on a new playground to be placed at the Wilck’s Lake property the Town recently purchased.

Mr. Spates stated he would like to move forward with the FERN project. He had spoken to Mr. Ross Fickenscher with the Hotel Weyanoke, Mr. Fickenscher is still interested in the garden on South Main Street and has committed \$30,000 towards the project. Mr. Spates asked that the

matter be put into a committee so that the project can begin. Mr. Spates reported that Wendy's has closed for renovations and plans to reopen for business on Easter Monday. Hardees has obtained their building permit should begin construction soon.

REQUEST ON BEHALF OF PRECISION CELL TO PLACE AN ANTENNA ON A TOWN WATER TOWER

Mayor Whitus referred the matter of placing the cell antenna on a town water tower to the Town Property Committee.

BACKGROUND: Mr. Spates received a request from Precision Cell to place a cell antenna on the Town of Farmville water tower. Originally, the company was planning to build a cell tower on property located on Griffin Boulevard. Precision Cell will take care of the installation and manage the antenna and the Town will receive half the revenue from all the cell companies that locate on the antenna.

Chief Andy Ellington provided Council with the Annual State of the Department report.

Robin Atkins, Director of Public Works, stated Farmville's Spring Clean-up Campaign will be held on Monday, April 16.

Scott Davis, Assistant Town Manager, reported that the RFP to update the Comp Plan, Zoning Ordinances and Subdivision Ordinance has been prepared and will be sent out this week. He stated he has been working with the Mr. Spates, the Treasurer and Department Supervisors on the new budget and financial management policies.

MAYOR AND COUNCIL MEMBER COMMENTS

No comments from Council.

Mayor Whitus reported that he and Mr. Miller recently traveled as guest of Cooper-Robertson and the Longwood Real Estate Foundation to Pittsburgh, Pennsylvania for a meeting of Society of College and Universities Planners (SCUP). SCUP was recognizing Longwood and Farmville for the Master Plan that Cooper-Robertson completed for Longwood University. Mayor Whitus spoke of the good relationship between the Town and University and the many compliments received about the Town of Farmville.

There being no other business, the meeting adjourned at 8:30 PM.

APPROVED:

ATTEST:

David E. Whitus, Mayor

Lisa M. Hricko, Clerk