

REGULAR MEETING OF THE FARMVILLE TOWN COUNCIL
HELD ON JUNE 13, 2018

Mayor Whitus called to order the regular meeting of the Farmville Town Council held on Wednesday, June 13, 2018, at 7:28 p.m. in the Council Chamber of the Town Hall, located at 116 North Main Street, Farmville, Virginia.

Clerk's Note: the public hearing on Mr. and Mrs. Martin's request for a conditional use permit that began at 6:30 p.m., did not end until 7:23 p.m. Mayor Whitus announced a five minutes recess then the June Council meeting was called to order.

Present at the meeting were Mayor D.E. Whitus, presiding, and Council members D.E. Dwyer, D.L. Hunter, J.D. Miller, T.M. Pairet and A.D. Reid.

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

Reverend Irma T. Watson, Pastor of the Midway Baptist Church led the invocation, followed by Vice Mayor Reid leading the Pledge of Allegiance.

Mrs. Hricko called the roll, noting Council members J.J. Davis and G.C. Cole members were absent

PUBLIC COMMENT PERIOD

Mr. Rick Ewing, Director of the Barbara Rose Johns Farmville-Prince Community Library addressed Council. Mr. Ewing spoke on the library's decision to expand their hours by opening one hour earlier. The library will open at 9:00 a.m., Monday through Saturday due to the increase in visitors. He also invited Council to stop by the library to see the new mural painted by Monty Montgomery. He stated the mural was funded with money provided from the dissolution of the local board that was designated for expenses outside of normal operating cost at the library. Mr. Ewing introduced the Library's new branch manager, Morgan Hayes. Ms. Hayes expressed gratitude for the job and the opportunity to live and serve the Farmville community.

REQUEST APPROVAL OF THE CONSENT AGENDA

On motion by Mr. Hunter, seconded by Mr. Reid and with all Council members voting "aye," the motion was granted to approve the consent agenda. The consent agenda included the draft minutes of the May 2, 2018 work session meeting and the May 9, 2018, regular Council meeting.

REQUEST APPROVAL OF THE TREASURER’S REPORT

On motion by Mr. Hunter, seconded by Mr. Miller and with all Council members voting “aye,” the motion was granted to approve the Treasurer’s Report.

BACKGROUND: Mrs. Seal provided Council with a brief update on the collection of real estate and personal property taxes. Mrs. Seal stated as of May the town has collected 98.03% of 2017 real estate and personal property taxes and though the collection rate has slowed down, it has not stopped.

REQUEST AUTHORIZATION TO PAY THE BILLS

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

Bills Printed in Minute Book

REQUEST AUTHORIZATION FOR THE TOWN MANAGER TO SIGN THE CONTRACT WITH THE BERKLEY GROUP FOR NON-PROFESSIONAL SERVICES TO UPDATE THE TOWN OF FARMVILLE COMPREHENSIVE PLAN, ZONING ORDINANCE AMENDMENTS/REWRITE, AND SUBDIVISION ORDINANCE AMENDMENTS

On motion by Mr. Hunter, seconded by Mr. Pairet and with a recorded vote with Council members Hunter, Miller, Pairet, Reid and Dwyer voting “aye,” the motion to accept the recommendation of the Finance and Ordinance Committee and grant the Town Manager authorization to sign the contract on behalf of the Town of Farmville and the Berkley Group, LLC for non-professional services to update the Town of Farmville comprehensive plan, zoning ordinance amendments/rewrite, and subdivision ordinance amendments was approved.

BACKGROUND: At the May 9th meeting, Council referred the two RFPs received for non-professional services – comprehensive plan update, zoning ordinance amendments/rewrite, and subdivision ordinance amendments to the Finance and Ordinance Committee for review and recommendations. After reviewing the proposals, the Finance and Ordinance Committee, as well as the Farmville Planning Commission, recommended the Berkley Group, LLC.

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

Mayor Whitus stated the public hearing on the Martin’s request for a conditional use permit was held tonight. He asked Council if members had any questions for staff. No questions were noted, and Mr. Spates stated this matter will be addressed at the July meeting.

BACKGROUND: At the April 25th meeting, the Farmville Planning Commission voted 5 to 2, to recommend Farmville Town Council deny the Martin’s request for a conditional use permit to construct a multi-family dwelling on their property located on the corner of High and Appomattox Street.

REQUEST APPOINTMENT TO FARMVILLE LOCAL BUILDING OFFICIAL BOARD

On motion by Mr. Reid, seconded by Mr. Miller and with a recorded vote with Council members Miller, Pairet, Reid, Dwyer and Hunter voting “aye,” the motion was approved to appoint Mr. William Johnson to the Farmville Local Building Official Board with a term ending May 31, 2022.

BACKGROUND: At the May meeting, Council authorized advertisement seeking citizen volunteers interested in serving on the Local Building Official Board. Mr. Brian Vincent’s term on the Local Building Official Board expired on May 31, 2018 and he was no longer eligible to serve being that as of July 1, 2018 he will be representing Ward B on Farmville Town Council. Mr. Spates stated Mr. William Johnson lives at 806 Hill Street; he is a local contractor and has expressed interest in serving on the Board.

REQUEST APPOINTMENT OF THE TOWN OF FARMVILLE REPRESENTATIVE TO THE CENTRAL VIRGINIA REGIONAL LIBRARY BOARD

On motion by Mr. Hunter, seconded by Mr. Reid and with a recorded vote with Council members Pairet, Reid, Dwyer, Hunter and Miller voting “aye,” the motion was approved to appoint Dr. Robin D. Smith as Farmville’s representative on the Central Virginia Regional Library Board. Dr. Smith will be filling the unexpired term of Mrs. Mary Jane Cook, a term ending on June 30, 2021. Mrs. Cook resigned due to family and work obligations

BACKGROUND: Mr. Spates stated Dr. Smith lives at 615 First Avenue and is an English professor, certified to teach grades 6-12 and K-12 Librarian. The Town advertised and received one (1) citizen volunteer application interested representing the Town of Farmville on the Central Virginia Regional Library Board.

UPDATE ON ADVERTISING A REQUEST FOR PROPOSALS FOR AUDITING SERVICES FOR THE TOWN OF FARMVILLE

Mr. Spates gave a brief update on the request for proposals for auditing services. He stated the advertisement is scheduled to go out on July 1st, with plans of leaving the request open for 60 days. Once the bids are received, the proposals will be presented to Council for review. The bids will include auditing services for three (3) years for the town and the Farmville Industrial Development Authority. Council had previously approved advertising an RFP for auditing services for a three (3) year period. The original RFP was amended to include the Farmville Industrial Development Authority.

AUTHORIZE ADVERTISEMENT OF A PUBLIC HEARING ON THE PROPOSED 2018-2019 TOWN BUDGET

Mr. Spates spoke stating the public hearing on the 2018-2019 Town Budget was held on tonight and no one appeared before Council. He also stated the proposed 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. Mr. Spates the proposed budget does include an increase in the water and sewer rate. Mayor Whitus stated that Council must wait seven (7) days after the public hearing before approving the proposed budget. Council agreed to continue the meeting until Friday, June 22, 2018 at 2:00 PM in the Council Chamber of the Town Hall building.

Mr. Reid requested to read a statement as set forth in **Section 2.2-3112H of the Code of Virginia** disclosing an interest in the budget transaction and declaring that he can 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 2018-2019 budget, pursuant to the disclosure requirements set forth in **Sections 2.2-3112H of the Code of Virginia**, I hereby declare that I have an interest in the budget transaction as my wife, Frances Reid is an employee of the Town of Farmville and that I am able to participate in the transaction fairly, objectively, and in the public interest.

BACKGROUND:

The 2018-2019 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.

Council supported the Finance and Ordinance Committee’s recommendation on funding projects with loans financed by Benchmark Bank. The 2018-2019 budget includes \$300,000 for Financial Software/Computers for the Treasurer’s Office, with a 7-year note and \$286,297 for 4 police cars, golf course equipment and surveillance cameras for entry ways, with a 5-year note, for a total of \$586,297.

At the May Council meeting, the Finance and Ordinance Committee recommended Council authorize the advertisement of a public hearing for the 2018-2019 Town Budget.

REQUEST ON BEHALF OF MRS. FRANKIE TODT FOR A CONDITIONAL USE PERMIT TO OPERATE A HOME OCCUPATION

This matter was continued pending recommendation from the Farmville Planning Commission.

BACKGROUND: At the May meeting, Council referred the request on behalf of Mrs. Todt to the Planning Commission for their review and recommendations. The Planning Commission is scheduled to have a public hearing and meeting on June 27, 2018. Mrs. Todt has submitted a request for a conditional use permit for a home occupation to bake cakes and provide items for catered events from her home located at 714 Second Avenue. The property is zoned Residential District R1A and home occupations are an allowed use with a conditional use permit.

REQUEST ADOPTION OF ORDINANCE #188 AMENDING THE WATER AND SEWER RATES

On motion by Mr. Hunter, seconded by Mr. Pairet and with a recorded vote with Council members Dwyer, Hunter Miller, Pairet and Reid voting “aye,” the motion was approved to accept the recommendation of the Finance and Ordinance Committee and Adopt Ordinance #188, effective with the first billing after July 1, 2018 the water and sewer rates.

**Chapter 28
Water, Sewers and Sewage Disposal
Article II Water
Division 2. Connections and Charges**

AMEND

Sec. 28-58. - Rate schedule.

- (a) The charge for water within the corporate limits of the Town of Farmville shall be:
 - (1) First 1,500 gallons (based on monthly consumption) ~~\$10.75~~ **\$11.29**
 - (2) Over 1,501 gallons to 10,000 gallons, per 1,000 gallons (based on monthly consumption) ~~\$3.50~~ **\$3.68**
 - (3) Over 10,001 gallons, per 1,000 gallons (based on monthly consumption) ~~\$5.00~~ **\$5.25**

- (b) The charge for water outside the corporate limits of the Town of Farmville shall be:
 - (1) First 1,500 gallons (based on monthly consumption) ~~\$16.13~~ **\$16.94**
 - (2) Over 1,501 gallons to 10,000 gallons, per 1,000 gallons (based on monthly consumption) ~~\$5.25~~ **\$5.52**
 - (3) Over 10,001 gallons to 500,000 per 1,000 gallons (based on monthly consumption) ~~\$7.50~~ **\$7.88**
 - (4) Over 500,001 gallons per 1,000 gallons (based on monthly consumption) ~~\$7.00~~ **\$7.35**

Article III. Sewers and Sewage Disposal
Division 2. Charges and Rates

AMEND

Sec. 28-158. - Sewer charge.

(b) For each connection into the town sewer system that is not a user of town water, there shall be a monthly charge of, ~~twenty-seven dollars and twenty-five cents (\$27.25)~~ **twenty-eight dollars and sixty-two cents (\$28.62)** plus a monthly charge of ~~twenty-seven dollars and twenty-five cents (\$27.25)~~ **twenty-eight dollars and sixty-two cents (\$28.62)** for each additional unit, whether occupied or not.

BACKGROUND: A public hearing was held tonight, and no one appeared before Council.

AUTHORIZE THE TOWN TREASURER TO WRITE OFF \$38,555.46 IN UNCOLLECTED DELINQUENT ACCOUNTS

On motion by Mr. Hunter, seconded by Mr. Reid and with a recorded vote with Council members Hunter, Miller, Pairet, Reid and Dwyer voting “aye,” the motion was approved to accept the recommendation of the Finance and Ordinance Committee and authorize the Town Treasurer to write off \$38,555.46 in uncollected delinquent accounts as presented.

DETAILED LIST OF ACCOUNTS PRINTED IN THE MINUTE BOOK.

BACKGROUND: The Finance and Ordinance Committee reviewed the delinquent accounts that are past the five-year period. The Committee recommended Town Council authorize the Town Treasurer to write off \$38,555.46, which include the following unpaid totals from 2012: \$3,884.82 in personal property taxes; \$6,702.25 in final water bills; \$751.22 in accounts receivable bills and \$27,217.17 in unpaid DUI accounts receivable. Mr. Spates stated that most of the businesses that owe personal property taxes have either closed or filed bankruptcy and much of the amount to be written off are DUI service fee charges. Town Attorney, Gary Elder has recommended rescinding the town ordinance that permits the town to charge a \$250.00 fee, in addition to court costs for “reasonable expenses” in responding to a DUI.

REQUEST AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON ORDINANCE 189 – RESCINDING SEC. 21-16 REIMBURSEMENT OF EXPENSES INCURRED IN RESPONDING TO DUI INCIDENT AND OTHER ACCIDENTS OR TRAFFIC INCIDENTS

On motion by Mr. Hunter, seconded by Mr. Pairet and with all Council members voting “aye,” the motion was granted to authorize advertisement of a public hearing on rescinding town ordinance Sec. 21-16 Reimbursement of Expenses Incurred in Responding to DUI Incidents and Other Accidents or Traffic Incidents.

BACKGROUND: Mr. Spates stated the Town Attorney has recommended rescinding ordinance Sec.21-16 and public hearing is required to be held.

REFUND PARTIAL PAYMENT OF 2018 BUSINESS LICENSE FOR SUNFLOWER NAILS

On motion by Mr. Pairet, seconded by Mr. Dwyer and with a recorded vote with Council members Miller, Pairet, Reid, Dwyer and Hunter voting “aye,” the motion was approved to authorize the Town Treasurer to refund Huyen Thi Minh Ho \$182.00 of their 2018 Business License provided their 2018 business personal property tax is paid.

BACKGROUND: Huyen Thi Minh Ho, the owner of Sunflower Nail sold the business on April 30, 2018 and has request a refund of their 2018 Business License.

REQUEST REAPPOINTMENT OF FARMVILLE PLANNING COMMISSION MEMBERS

On motion by Mr. Hunter, seconded by Mr. Pairet and with a recorded vote with Council members Pairet, Reid, Dwyer, Hunter and Pairet voting “aye,” the motion was approved to reappoint Mrs. Sherry Honeycutt, Dr. John Miller and Dr. Charles Ross to the Farmville Planning Commission with terms to begin July 1, 2018, and end on June 30, 2022.

BACKGROUND: Mrs. Sherry Honeycutt, Dr. John Miller and Dr. Charles Ross terms on the Farmville Planning Commission will expire on June 30, 2018. It was noted that Dr. Miller cannot serve on both Town Council and the Planning Commission. Dr. Miller’s term on the Planning Commission will not begin until his term on Council ends on June 30, 2018.

REQUEST AUTHORIZATION TO TRANSFER CONTINGENCY FUNDS

On motion by Mr. Hunter, seconded by Mr. Reid and with a recorded vote with Council members Dwyer, Hunter, Miller, Pairet, and Reid voting “aye,” the motion to grant the Town Treasurer authorization to transfer \$286,238.95 from the General Fund contingency and \$27,350.72 from the Sewer Fund contingency was approved.

BACKGROUND: The Town Treasurer reported that the Street Maintenance Fund and the Sewer Maintenance Fund are over budget and there are no surplus funds in those accounts. She asked for authorization to transfer \$87,635.10 from the General Fund contingency to the Street Maintenance Department and \$27,350.72 from the Sewer Fund contingency to the Sewer Maintenance Fund. She also requested authorization to transfer \$198,603.85 from the General Fund contingency to the Police Department to cover the overage in salary and fringes.

STANDING COMMITTEE REPORTS

- Finance and Ordinance Committee—no report.
- Public Safety Committee—no report.
- Personnel Committee—no report.
- Infrastructure Committee—no report.
- Town Property/Building Committee—no report.
- Park/Recreation Committee—no report.

Mr. Hunter mentioned receiving several emails asking that consideration be given to adding sidewalks on Milnwood Road siting pedestrian safety for those walking.

Mr. Miller thanked Council for the opportunity to serve as the interim Ward B representative on Town Council. He said serving on Council has been an honor and pleasure. He said the Ward B seat will be held by Brian Vincent beginning July 1. Mr. Miller stated he will continue to serve as a member of the Farmville Planning Commission.

TOWN MANAGER AND STAFF REPORT

Mr. Spates addressed Council on several issues:

Longwood University has requested that the Farmville Emergency Communications Center takeover dispatching services for the university. Mr. Spates stated that representatives from the university have met with town staff regarding the logistics, and the university is aware that Longwood will have to pay all costs associated with the Town dispatching for the university. Mayor Whitus spoke in support of Farmville dispatching for Longwood and referred the request to the Public Safety Committee.

Mr. Spates provided Council with an update on Longwood’s new admissions building and the temporary closure of several streets in the construction area along with the closure of the sidewalk on Randolph Street.

Mr. Spates asked for Council's support in applying for grant funds for the River Walk project. He stated that Mr. Cralle of Green Front Furniture has been very excited about the project and has been working on its design for several years. The River Walk would tie in the Riverfront Plaza, the Riverfront Park and the High Bridge Plaza. He spoke of Mr. Cralle's support of Farmville and how this project would add to the community. Members spoke in support of the concept and questioned how the River Walk project would tie into the overall recreation master plan. Council agreed to explore the project but stressed the need for additional information and asked to review the budget for the River Walk project.

Mr. Spates spoke of the ongoing parking issues at the train station parking lot. He shared with Council a rendering of the parking lot. He said before the town can control the unauthorized parking in the train station parking lot he recommends making improvements to the lot. He mentioned paving, marking parking spaces, adding signage and landscaping. Council questioned the costs of the improvements and if the project would be bid out. Mr. Spates stated he estimates the improvements to cost between \$20,000 and \$25,000 and said that the town work force will do the improvements, except for paving the lot. Members questioned if consideration had been given to including Appomattox Street in the parking lot design. Mr. Spates stated he thought that area was owned by DCR but would contact them. Council directed the Town Manager to prepare a cost estimate for review by Council.

Council members also received an update of Farmville's first FERN garden. The garden is sponsored by the Hotel Weyanoke and located on South Main Street. Mr. Spates spoke briefly about the plantings and said the garden cost approximately \$18,000 and should be complete by Friday. Once the Hotel Weyanoke sponsorship sign is delivered, an unveiling will be planned.

Mr. Spates reported that he had been contacted by the railroad club that uses the Crute Stage. The club is asking that the portion of the area that they use for exhibits be made handicap accessible. They have asked the town to make the renovations or to allow them to make the improvements. Mayor Whitus accepted the Town Manager's recommendation and referred this matter to the Property Committee.

Mr. Spates informed Council that Longwood University will not be hosting the Rock the Block this year. However, the university will still do the Big Game which will take place on August 4th this year at 5:45 p.m.

Mr. Spates shared with Council information on the pre-bid meeting for the Wilck's Lake Pedestrian Bridge project. The meeting will be held at 1:00 p.m. on Wednesday, June 20th on site. The bid opening will take place at 1:00 p.m. on Wednesday, July 11th at the Town Hall.

Mr. Spates reported that the Farmville's Water Treatment Plant received a Notice of Violation for not complying with the disinfection by-product testing schedule. He stated this is the first violation the Plant has receive since he has been Town Manager. The test was done in October and should have been done in November. The October test results were normal, and the plant retested again in February and received normal results. Mr. Spates stated DEQ requires that a notice be sent with the annual report.

Captain W.H. Hogan stated he was in attendance on behalf of Chief Ellington. Chief Ellington was attending the Criminal Justice Academy graduation ceremony of one of Farmville's new police officer's. Captain Hogan reported that officers from the Police Department will be assisting Farmville's Recreation Department with its summer camp program, next week is Public Safety Week. He added that National Night Out is the second Tuesday in August and this year it will take place on Tuesday, August 7.

Mayor Whitus thanked Mr. Robin Atkins, Director of Public Works for the pipe repair.

MAYOR WHITUS AND COUNCIL MEMBERS COMMENTED ON THE FOLLOWING MATTERS:

Mr. Dwyer reported that the new pavement on Edmunds Street and Second Avenue is breaking up. Mr. Spates stated they are addressing the issue.

Mayor Whitus thanked Mr. Miller for his service in filling the unexpired term of the Ward B seat vacated by Mrs. Sally Thompson. He said Mr. Miller represented Ward B and the people of Farmville extremely well and he was glad to have him as part of the team.

CLOSED MEETING MOTION

On motion by Mr. Miller, seconded by Mr. Hunter and with all Council members voting "aye," Council went into closed session under 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.

Mayor Whitus announced a five-minute recess.

Council went into closed session. 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: Five

MOTION: Miller

SECOND: Hunter

AYES: Dwyer, Hunter, Miller, Pairet, and Reid

NOES: none

ABSENT DURING VOTE: Cole and Davis

ABSENT DURING MEETING: Cole and Davis

Clerk

On motion by Mr. Hunter, seconded by Mr. Reid the meeting June Council meeting was recessed until 2:00 p.m. on Friday, June 22, 2018.

APPROVED:

ATTEST:

David E. Whitus, Mayor

Lisa M. Hricko, Clerk