REGULAR MEETING OF THE FARMVILLE TOWN COUNCIL
HELD ON MAY 9, 2018

Mayor Whitus called to order the regular meeting of the Farmville Town Council held on
Wednesday, May 9, 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.

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

Reverend James P. Ashton, Pastor of the First Baptist Church led the invocation, followed
by Vice Mayor Reid leading the Pledge of Allegiance.

Mrs. Hricko called the roll, noting all members were present.

PUBLIC COMMENT PERIOD

Mrs. Jerri Morton, organizer of the “100 Mile Plus Yard Sale” addressed Council speaking
on this year’s event. She stated the “100 Mile Plus Yard Sale” is held annually on the first Saturday
in July. This year’s event will take place on Saturday, July 7, 2018. She stated she is working on
getting an updated map printed because the town of Moseley will be participating. Mrs. Morton
confirmed with Mr. Spates that the municipal lot will be available again this year for anyone
wishing to participate. She spoke of the popularity of the event and asked if anyone was interested
in being a liaison to help her in promoting the event in this area.

The public comment portion of the meeting was set aside to hear from Mr. Mike Kelly on
Martin project.

PRESENTATION – MARTIN PROJECT

Mr. Mike Kelley, Developer, with Kelley Properties of Clemmons, NC addressed Council
on the Martin project. The “University Place Apartments” is to be built at the corner of High Street
and Appomattox Street, on property owned by Robert and Sherry Martin. The property is zoned
Residential District R-3, which allows for multi-family dwellings with a conditional use permit.

Mr. Kelley provided Council with a Power Point presentation that offered a brief overview
on the amendments to the initial project. He restated that the property is in a Residential District
R-3 zone and meets the requirements of a multi-family dwelling by having 10 doors/30 beds and
exceeds the parking requirement of 20 spaces, by providing 30 parking spaces. He described the process he undertook in working with the community. He stated he had visited with neighbors from the area of High Street and Appomattox Street, and he had listened to the concerns expressed by members of the Farmville Planning Commission. From those conversations, a front door has been added for additional security, along with side windows and lighting, to add more of a residential feel to the building. He also highlighted the interior of the apartments and the furnishings.

Mayor Whitus thanked Mr. Kelley for his interest in Farmville and the community. He said the Farmville Planning Commission has recommended Town Council deny the Martin’s request for a conditional use permit, since it does not fit in to the neighborhood. Mayor Whitus asked Mr. Kelley to address that issue. Mr. Kelley stated the project is not asking for a rezoning, it is a site plan amendment. The Martin’s own the land and houses, and it is their choice as to what they want to do with the property; he is only an extension for them. He stated he understands everyone’s concerns and he has tried to design something that compliments the neighborhood. He mentioned the Walk2Campus, LLC properties and the close to 400 students that live in the vicinity. Mr. Kelley stated his desire was to design something that would complement upper High Street. He spoke of the process he went through in Winston Salem when he was building his business office in an area like High Street and Appomattox Street. Mr. Kelley stated that he welcomes community input and is more than willing to listen to what people have to say.

Mr. Miller stated he appreciated Mr. Kelley’s willingness to work with the community; however, the proposed structure does not have the character of the neighborhood. He asked if any consideration has been given to using the Martin’s house. Mr. Kelley spoke of the lay out of the Martin’s property and its current three structures. He stated the Martin’s home was looked at closely. However, because of the structures layout and design, he felt it would not be as safe for the students living there. He also stated that one of the other houses would not meet the present setback requirements for a Residential District R-3 zone.

Mr. Frank Rennie, Attorney for Mr. and Mrs. Robert Martin, addressed Council. Mr. Rennie stated previously there had been questions raised as to if the Martin’s plan, as currently proposed, would be considered as one building, and therefore allowable under the Residential District R-3 zone. He said he and Town Attorney, Gary Elder, as well as architects and engineers have investigated the issue as to whether this plan is considered one building or multiple buildings.
Mr. Rennie stated the consensus is that this plan is considered one building as proposed, and therefore allowed under the current zoning of Residential District R-3.

Mr. Tom Dennison of Grove Street addressed Council. Mr. Dennison commented that the Farmville Planning Commission has recommended Town Council deny the Martin’s request for a conditional use permit by a vote of 5 to 2. He encouraged Council to support the Farmville Planning Commission’s recommendation.

**REQUEST APPROVAL OF THE CONSENT AGENDA**

On motion by Mr. Hunter, seconded by Mr. Dwyer 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 April 4, 2018 work session meeting and the April 11, 2018 regular Council meeting.

**REQUEST APPROVAL OF THE TREASURER’S REPORT**

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

**BACKGROUND:** Mrs. Seal provided Council with an overview of the April monthly financial reports.

**REQUEST AUTHORIZATION TO PAY THE BILLS**

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

*Bills Printed in Minute Book*

**REQUEST APPROVAL OF FARMVILLE’S AMENDED SOCIAL MEDIA POLICY**

On motion by Mr. Pairet, seconded by Mr. Cole and with a recorded vote Council members Dwyer, Hunter, Miller, Pairet, Reid, Davis and Cole voting “aye,” the motion was approved to accept the recommendation of the Personnel Committee and amend Farmville’s Social Media Policy, as follow:

**Town of Farmville Social Media Policy**

The purpose of the Town of Farmville social media accounts is to provide information of public interest to residents, businesses, and visitors. The town makes every effort to respond to comments and questions where appropriate in a reasonable amount of time.

The Town of Farmville reserves the rights to delete submissions that contain:
• Vulgar or obscene language
• Defamatory or disparaging content.
• False, misleading or deceptive information or media.
• Personal attacks or threatening or harassing activity of any kind.
• Spam or links to other sites.
• Comments or content that constitutes, promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, genetics, status with regard to public assistant, national origin, physical or intellectual disability or sexual orientation, or any other classification protected by applicable federal, state, or local law or regulation.
• Any comment that advocates illegal activity.
• Promotion of particular services, commercial transactions, products, or political organization.
• Opposition or promotion of any person campaigning for election to a political office.
• Non-public information concerning securities or that constitutes insider-trading or forwarding looking statements.
• Infringement on copyrights, trademarks, trade secrets, licenses, or any other intellectual property.
• Personally identifiable or protected medical or personal information.
• Information that may compromise the safety, security or proceedings of public systems or any criminal or civil investigations.
• Comments that do not directly relate to the information or comments posted or displayed by the Town of Farmville site/page.

Comments expressed on our social media sites do not reflect the opinions and position of the Town of Farmville, or its officers and employees. If you have any questions concerning the operation of this online moderated discussion site, please contact the town at 434-392-5686.

**BACKGROUND:** The proposed Social Media Policy was reviewed by the Town Attorney and the Virginia Municipal League.

**INFORMATION – REQUEST FOR PROPOSALS FOR NON-PROFESSIONAL SERVICES COMPREHENSIVE PLAN UPDATE, ZONING ORDINANCE AMENDMENTS/REWRITE, AND SUBDIVISION ORDINANCE AMENDMENTS**

Mayor Whitus referred the matter of reviewing the RFPs on non-professional services for Farmville’s comprehensive plan update, zoning ordinance amendments/rewrite and subdivision ordinance amendments to the Finance and Ordinance Committee.

**BACKGROUND:** Mr. Davis, Assistant Town Manager advised Council that the town had received two proposals. Mr. Spates suggested the proposals be reviewed by the Finance and Ordinance Committee.
REQUEST AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE REQUEST FOR A CONDITIONAL USE PERMIT ON BEHALF OF MR. AND MRS. ROBERT MARTIN

On motion by Mr. Reid, seconded by Mr. Davis and with all Council members voting “aye,” the motion was approved to authorize a public hearing to be held on June 13, 2018 on the request for a conditional use permit on behalf of Mr. and Mrs. Robert Martin.

BACKGROUND: Mayor Whitus stated State Code requires the town to hold a public hearing.

REQUEST ALLEY ABANDONMENT ON BEHALF OF MR. STEVE WALL

On motion by Mr. Pairet, seconded by Mr. Cole and with a recorded vote with Council members Dwyer, Hunter, Miller, Pairet, Reid, Davis and Cole voting “aye,” the motion was approved to accept the recommendation of the Infrastructure Committee and relinquish the town’s rights to the alleyway located adjacent to 127 North Street. The ten-foot alley is to revert to the adjacent property owners: Mr. Steve Wall, LU Two, LLC and the Hotel Weyanoke, LLC.

BACKGROUND: Council questioned if a fee was involved in the transaction. Mr. Spates confirmed that the town has never charged for an alley abandonment and reported that each adjacent property owner is required to prepare a Quit Claim Deed for review by the Town Attorney. The public hearing was held this evening, and no one appeared before Council.

REQUEST REAPPOINTMENT OF MEMBERS TO THE FARMVILLE’S LOCAL BUILDING OFFICIAL BOARD

On motion by Mr. Dwyer, seconded by Mr. Hunter and with a recorded vote with Council members Dwyer, Hunter, Miller, Pairet, Reid, Davis and Cole voting “aye,” the motion was approved to accept the recommendation of the Town Manager and reappoint Ms. Pattie Cooper-Jones to the Local Building Official’s Board, for a term ending on May 31, 2020 and Mr. Gary Atkins, for a term ending on May 31, 2020.

BACKGROUND: Mr. Spates reported that both Mrs. Cooper-Jones and Mr. Atkins have agreed to continue to serve.

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

On motion by Mr. Pairet, seconded by Mr. Cole and with all Council members voting “aye,” the motion was approved to continue the recommendation by the Finance and Ordinance Committee on advertising a request for proposals for auditing services for the Town of Farmville.
**BACKGROUND:** Mrs. Seal, Town Treasurer stated she and Mr. Davis, Assistant Town Manager are working on the language for the request for proposals for auditing services for the Town of Farmville.

**DEDICATED PARKING SPACES FOR THE THIRD STREET BREWERY**

On motion by Mr. Pairet, seconded by Mr. Cole and with a recorded vote with Council members Hunter, Pairet, Reid, Davis and Cole voting “aye,” and Council members Dwyer and Miller abstaining, stating a conflict due to a financial interest in the Third Street Brewery, the motion was approved to grant the Town Manager authorization to sign the necessary documents to enter into a lease agreement with Third Street Brewery, for a period of one year. The Town will lease Third Street Brewery eight designated parking spaces in the Farmville Train Station parking lot for $25.00 per space/per month. The lease is to have a clause that stipulates if the town, at any time during the lease period, deems it necessary, the town may renegotiate the lease agreement.

**BACKGROUND:** Mr. Pairet stated the issue of designated parking spaces for Third Street Brewery has been discussed for several months. The zoning ordinance requires a business located in a Business District B-3 zone to have minimum of eight parking spaces within 300 feet of the business. Members spoke of the train station parking lot being used by not only those renting the facility for events, but by commuter students, guests visiting residents of the Loft Apartments, visitors of the High Bridge Trail and patrons of the Third Street Brewery. Mr. Pairet stated prior to the beginning of this evening’s public hearing there were 27 vehicles parked at the Farmville Train Station parking lot. Mr. Spates reported that he is working with Harvey Design Land Architects on a rendering of the parking lot, which will include marking the spaces, installing signage, lighting and landscaping options. Once he receives the rendering he suggested the Infrastructure Committee review the options.

**PRECISION CELL GROUND AND WATER TANK LEASE AGREEMENT**

Mayor Whitus stated this matter was addressed at the May 2, 2018 work session meeting.

**REQUEST OF BEHALF OF THE PIEDMONT AREA VETERANS COUNCIL IN LOCATING A BUILDING TO LEASE FOR THEIR OFFICE**

On motion by Mr. Dwyer, seconded by Mr. Hunter and with a recorded vote with Council members Dwyer, Hunter, Miller, Pairet, Reid, Davis and Cole voting “aye,” the motion was approved to accept the recommendation of the Town Property/Building Committee and authorize the Town Manager to work with the Piedmont Area Veterans Council in relocating their offices to
at 820 Longwood Avenue. The property is owned by the Town of Farmville and located next to the Public Works Department.

**BACKGROUND:** In April, the Piedmont Area Veterans Council contacted the town for assistance in securing a location for the Piedmont Area Veterans Council to continue its operations in Farmville. The PAVC will be losing its office space when the Veterans Clothes Closet closes its doors in May. Without office space, the Veterans Council will not be able to aid many Veterans throughout the area.

Mr. Spates had suggested the PAVC lease from the town the building located at Wilck’s Lake, previously the Simpson Tax Service, for $1.00. Mr. Dwyer reported that the Town Property/Building Committee met today, and recommended Council consider the 820 Longwood Avenue location.

**REQUEST FOR TEMPORARY OUT OF TOWN WATER AND SEWER CONNECTIONS FOR TWO RV CAMPSITES**

On motion by Mr. Davis, seconded by Mr. Hunter and with a recorded vote with Council members Dwyer, Hunter, Miller, Pairet, Reid, Davis and Cole voting “aye,” the motion was approved to accept the recommendation of the Finance and Ordinance Committee, directing the Town Manager to establish the fee for water and sewer connections for the temporary RV campsites for Lapp Associates, LLC, and for Rock and Metal, LLC, at $10,000 per connection, plus the costs to make the taps, and both locations are to pay the out of town water and sewer rates.

**BACKGROUND:** Mr. Spates stated Prince Edward County has approved the special use permit applications submitted by Lapp Associates, LLC and Rock and Metal, LLC for the temporary RV campsites. The special use permits are for a period of no more than three (3) years. When the sites are disassembled, the connections will be removed.

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

On motion by Mr. Davis, seconded by Mr. Reid and with Council members Dwyer, Hunter, Miller, Pairet, Reid, Davis and Cole voting “aye,” the motion was approved to accept the recommendation of the Finance and Ordinance Committee and authorize the advertisement of a public hearing to be held on June 13, 2018 on the proposed 2018-2019 Town Budget.
BACKGROUND: Mr. Davis reported that the Finance and Ordinance Committee met this afternoon and reviewed the final draft budget. Members had no questions or comments on the proposed 2018-2019 Town Budget.

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

On motion by Mr. Reid, seconded by Mr. Hunter and with all Council members voting “aye,” the motion was approved to refer the request for conditional use permit on behalf of Mrs. Frankie Todt to operate a home occupation from her residence located at 714 Second Avenue, Farmville to the Farmville Planning Commission.

BACKGROUND: Mr. Scott Davis, Assistant Town Manager reported that Mrs. Todt has submitted a Home Occupation Application 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 AUTHORIZATION TO SIGN LETTER OF ENGAGEMENT FOR AUDITING SERVICES

On motion by Mr. Cole, seconded by Mr. Davis and with a recorded vote with Council members Dwyer, Hunter, Miller, Pairet, Reid, Davis and Cole voting “aye,” the motion was approved to authorize the Town Manager and Town Treasurer to sign a letter of engagement with Creedle, Jones & Alga for auditing services for the fiscal year ending June 30, 2018.

BACKGROUND: The engagement letter is for auditing services for this fiscal year.

REQUEST AUTHORIZATION TO ADVERTISE VACANCY ON THE LOCAL BUILDING OFFICIAL BOARD

On motion by Mr. Reid, seconded by Mr. Pairet and with all Council members voting “aye,” the motion was approved to authorize advertisement for persons interested in serving on Farmville’s Local Building Official Board.

BACKGROUND: As of July 1, 2018, Mr. Brain Vincent will be a member of Town Council, and he will no longer be eligible to serve on the town’s Local Building Official’s Board. Council will need to appoint someone to fill the unexpired term of Mr. Vincent on Farmville’s Local Building Official Board.

REQUEST AUTHORIZATION TO ADVERTISE VACANCY ON THE CENTRAL VIRGINIA REGIONAL LIBRARY BOARD
On motion by Mr. Dwyer, seconded by Mr. Pairet and with all Council members voting “aye,” the motion was approved to authorize advertisement for persons interested in representing Farmville on the Central Virginia Regional Library Board. The person appointed by Council will serve the unexpired term of Mrs. Mary Jane Cook, for a term ending on June 30, 2021.

**BACKGROUND:** Mr. Spates stated Mrs. Cook has resigned due to family and work obligations.

**REQUEST AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON AMENDING THE WATER AND SEWER RATES**

On motion by Mr. Davis, seconded by Mr. Cole and with all Council members voting “aye,” the motion was approved to authorize advertisement of a public hearing on amending the water and sewer rates.

**BACKGROUND:** Mr. Spates stated the proposed 2018-2019 Town Budget includes a five percent increase on water and sewer rates. A water customer, living within the corporate limits using 1,500 gallons or less a month will see an increase of $1.19 monthly. A water customer, living within the corporate limits and using 10,000 gallons of water monthly will see an increase of $4.46 monthly.

**REQUEST ON BEHALF OF LONGWOOD UNIVERSITY TO LEASE PARKING SPACES**

On motion by Mr. Davis, seconded by Mr. Reid and with a recorded vote with Council members Dwyer, Hunter, Miller, Pairet, Reid, Davis and Cole voting “aye,” the motion was approved to authorize the Town Manager to sign the necessary documents to enter into a Parking Lease Agreement with Longwood University. Council authorized the leasing of 20 parking spaces located in the Farmers Market parking lot for $25.00 per space/per month.

**BACKGROUND:** Mr. Spates stated Longwood University has requested to lease 20 parking spaces in the Farmville Train Station parking lot. The spaces will be used for commuter students during the construction of the new admissions building. This matter was also discussed at an Infrastructure Committee meeting. The Committee recommended the Farmers Market because of ongoing issues with parking at the train station. Members discussed the fees paid by others renting parking spaces from the town and agreed to offer Longwood University 20 parking spaces at the Farmers Market and to set the fee at $25.00 per space per month.

**STANDING COMMITTEE REPORTS**

Parks and Recreation Committee, Chairman Cole – no report
Finance and Ordinance Committee, Chairman Davis – Mr. Davis thanked Committee members and staff for their dedication and hard work on preparing the 2018-2019 Town Budget.

Personnel Committee, Chairman Reid – no report

Infrastructure Committee, Chairman Pairet – no report

Public Safety Committee, Chairman Hunter – Mr. Hunter reported that the Public Safety Committee met with Chief Ellington and Chief Farmer to review and discuss the needs of the Farmville Police Department and the Farmville Volunteer Fire Department. Chief Ellington and Chief Farmer will be providing the Public Safety Committee with a long-range assessment of their respective department needs.

Town Property/Building, Chairman Dwyer – no report

MISCELLANEOUS ITEMS

A Town Hall community meeting is scheduled for Tuesday, June 5, 2018 at 6:00 pm, in the Council Chamber of the Town Hall. The meeting will give residents the opportunity to present their concerns on Fire and EMS services within the Town of Farmville to members of the Virginia Fire Services Board.

COMMENTS BY THE TOWN MANAGER AND STAFF

Mr. Spates reported that the Farmville Water Treatment Plant received the Silver Award from the Virginia Department of Health.

Chief Ellington thanked the Fire Volunteer Department and the Public Works Department for their assistance with the Heart of Virginia Festival. Council members also expressed appreciation to those involved with the event.

MAYOR AND COUNCIL MEMBER COMMENTS

Mr. Pairet described Farmville as being alive and well. He spoke of the increased vehicle and pedestrian traffic. He said the Town Manager, Police Department and all the town employees should be thanked and recognized. Several Council members expressed their support of Mr. Pairet’s comments.

Mr. Reid stated he recently attended the Virginia Municipal League Executive Board Meeting and the Town of Farmville was described as a growing town.

Mr. Davis expressed his support of the comments that were made by Chief Ellington on the Heart of Virginia Festival. He also congratulated Mayor Whitus, Mr. Reid, Mr. Pairet and Mr. Cole for being re-elected and Mr. Brian Vincent for being elected.
CLOSED SESSION – PERSONNEL

On motion by Mr. Davis, seconded by Mr. Cole 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 of the annual evaluation of the performance of the Town Manager.

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.

On motion by Mr. Davis, seconded by Mr. Hunter and by unanimous vote Council certified the closed meeting motion.

There being no other business, the meeting adjourned.

APPROVED: ATTEST:

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David E. Whitus, Mayor Lisa M. Hricko, Clerk