REGULAR COUNCIL MEETING OF FARMVILLE TOWN COUNCIL
HELD ON JULY 11, 2018

Mayor Whitus called to order the regular meeting of the Farmville Town Council held on Wednesday, July 11, 2018, at 7:00 p.m. in the Council Chamber of the Town Hall, located at 116 North Main Street, Farmville, Virginia.

There present were Mayor D.E. Whitus, presiding and Council members D.E. Dwyer, D.L. Hunter, B.R. Vincent, T.M. Pairet, A.D. Reid, J. J. Davis and G.C. Cole.

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

The Rev. Dr. Nancy Meck, Pastor of the Johns Memorial Episcopal Church gave the invocation and Vice Mayor Reid leading the Pledge of Allegiance.

PUBLIC COMMENT PERIOD

Mayor Whitus announced the public comment period and reminded guest to limit their comments the three (3) minutes.

Mr. David Crute addressed Council. Mr. Crute spoke of his family’s long-standing history in Farmville and his decision to relocate back to Farmville after retiring from the military two years ago. He said he was not before Council to speak on the specifics of the Martin project, but in the way, it has been handled by the town’s people. He described the lack of civility shown to the Martins as appalling and said the venom expressed by some people in the community was disgusting. He said he is not saying this is not an important decision. However, civil discourse needs to happen, and discussions and decisions made where all can still be neighbors and friends, if not, Mr. Crute asked why are we here?

Mr. Harlan Horton addressed Council speaking against the Martin project. He quoted from Town Council’s vision statement in part saying ….“responsibility to preserve its historic and natural resources for future generations. We are the hub of economic activity in the region, while maintaining our identity as a diverse academic village, a center for culture, and a family-friendly town.” Mr. Horton spoke of the historic tax credits and the growth and prosperity Farmville.

Mrs. Leigh Lunsford addressed Council speaking against the Martin’s request for a conditional use permit. She spoke of the changes Farmville is going through and the importance
of property rights. She encouraged Council to follow the recommendation of the Farmville Planning Commission and vote “no,” on the Martin’s request for a conditional use permit.

Ranger Daniel Jordon, Manager of the High Bridge Trail State Park provided Council with an update of the park’s fiscal year end 2017 visitor count, programs and finances, noting increases in parking, visitors and program participation. He also highlighted several projects that the High Bridge State park is participating in.

Mr. Gerald Todt addressed Council, speaking in support of the Martin’s request for a conditional use permit. Mr. Todt described the project as blending with the university and needed by the students, as well as being an asset to the downtown commerce.

Mrs. Naomi Tsisarides spoke against the Martin project. Mrs. Tsisarides recommended following the recommendation of the Farmville Planning Commission and deny the Martin’s request for a conditional use permit. She spoke of the importance of the historical tax credit and the district’s vitality. She mentioned several businesses in the downtown area that have benefited from the historical tax credit program.

Mr. Bobby Martin addressed Council. Mr. Martin thanked Town Council, the Town Manager and the Assistant Town Manager for all their time they have put into this project.

Mr. Mike Kelly, President of Kelley Properties, Inc. addressed Council. Mr. Kelley thanked Council, the Town Manager and the Assistant Town Manager for their assistance with the project. He also thanked the neighbors for their tremendous kindness and spoke of their passion for their community.

Mr. Frank Rennie, Attorney for the Martins addressed Council. Mr. Rennie spoke of the Farmville Historic District that was created in 1989, with much assistance from Mr. Martin. He shared with Council the 2016 updated registry, which shows 290 buildings listed as “contributing” and 26 buildings listed as “demolished” in the last 29 years. Mr. Rennie stated the buildings include two on High Street, which were built in 1870 and 1890. Two new buildings have been built within the district. He stated the district is not in jeopardy. He reiterated that 26 buildings have been demolished and if the Martins properties where to be demolished there would be no risk of losing the historic designation.
Mrs. Hricko called the roll, noting all members as present.

Mayor Whitus welcomed newly elected Council member, Brian Vincent. Mr. Vincent was elected as Farmville’s Ward B representative on Council.

Chief Andy Ellington addressed Council to introduce the police department newest officer, Oliva Ann Martin. Officer Martin is from Newport News, VA and is a 2017 graduate of Longwood University with a degree in Criminal Justice.

**REQUEST APPROVAL OF THE CONSENT AGENDA**

On motion by Mr. Hunter, seconded by Mr. Davis 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 June 6, 2018 regular work session, the June 13, 2018 regular Council meeting and the June 22, 2018 Reconvened Council meeting.

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

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

**BACKGROUND:** Mrs. Seal provided a brief overview of the monthly Treasurer’s Report. She stated the final June report and yearly Treasurer’s Report will be presented at the August 8th Council meeting, in which she will report on any contingency and fund balances.

**REQUEST AUTHORIZATION TO PAY THE BILLS**

On motion by Mr. Hunter, seconded by Mr. Dwyer and with a recorded vote with Council members Dwyer, Hunter, Vincent, Pairet, Reid, Davis and Cole voting “aye,” the motion was granted to authorize the Town Treasurer to pay the bills, as amended. Mrs. Seal requested Council authorize payment of $29,325.00 to Stemmie Plumbins-Septic. The invoice was not included in the bills that were submitted for payment.

**BILLS PRINTED IN MINUTE BOOK**

**BACKGROUND:** Mrs. Seal advised Council that she needed to amend the bills for payment. Adding the invoice for Stemmie Plumbins-Septic for $29,325.00, making the total bills $451,674.32. Mr. Spates stated that the bill for Stemmie Plumbins-Septic was for the sewer line repair on Virginia Street.

**AUTHORIZE ADVERTISEMENT OF A PUBLIC HEARING ON THE REQUEST ON BEHALF OF MRS. FRANKIE TODT FOR A CONDITIONAL USE PERMIT**
On motion by Mr. Davis, seconded by Mr. Hunter and with all Council members voting “aye,” the motion was granted to accept the recommendation of the Farmville Planning Commission to authorize advertisement of a public hearing on the request on behalf of Mrs. Frankie Todt for a conditional use permit.

**BACKGROUND:** The Assistant Town Manager advised Council at the Planning Commission meeting held on June 27, 2018, the Commission recommended Town Council advertise a public hearing and approve the request on behalf of Mrs. Frankie Todt for a conditional use permit to operate a home occupation at 714 Second Avenue. The property is zoned Residential District R1A and home occupations are an allowed use with a conditional use permit.

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

On motion by Mr. Cole, seconded by Mr. Hunter and with a recorded vote with Council members Cole, Hunter, Vincent, Dwyer, Reid, Pairet, and Davis voting “aye,” the motion to accept the recommendation of the Farmville Planning Commission to 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 was approved.

**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.

**INFORMATION ONLY- UPDATE ON THE RFP FOR AUDITING SERVICES**

Mr. Davis gave Council a brief update on the RFP for auditing services. He stated as requested by Council, the RFP was advertised the first of July, with a due date of August 31, 2018. There have been no responses as of to date.

**REQUEST AUTHORIZATION TO RESCIND ORDINANCE 189, SEC. 21-16 REIMBURSEMENT OF EXPENSES INCURRED IN RESPONDING TO DUI INCIDENT AND OTHER ACCIDENTS OR TRAFFIC INCIDENTS**

On motion by Mr. Cole, seconded by Mr. Reid and with a recorded vote with Council members Hunter, Vincent, Pairet, Reid, Davis, Cole and Dwyer voting “aye,” the motion was approved to rescind Town ordinance Sec. 21-16 Reimbursement of Expenses Incurred in Responding to DUI Incidents and Other Accidents or Traffic Incidents.
**BACKGROUND:** At the June meeting, Council authorized advertisement for a public hearing. The public hearing was held tonight. The Town Attorney, Mr. Elder researched the concept of a criminal defendant having to reimburse a locality for being convicted of a DUI. An opinion from the Virginia Attorney General’s Office states the locality/entity may only be compensated, in limited circumstances. Mr. Elder recommends rescinding Town Ordinance Sec. 21-16.

**REQUEST TO BLOCK OFF A PORTION OF HILL STREET**

On motion by Mr. Reid, seconded by Mr. Hunter and with all Council members voting “aye,” the motion to grant the request on behalf of Mr. William Johnson, Jr. to block off a portion of Hill Street, from Irvin to Barrow Street on Saturday, September 1, 2018, from 12:00 p.m. to 6:00 p.m. for the Farmville All-Stars Baseball Team Annual Reunion was approved.

**BACKGROUND:** Mr. William Johnson, Jr. submitted a request to block off a portion of Hill Street, from Irvin to Barrow Street on Saturday, September 1, 2018, from 12:00 noon to 6:00 p.m. for the Farmville All-Stars Baseball Team Annual Reunion. Mr. Spates stated this is an annual event.

**REQUEST APPROVAL OF PAYMENT OF $3,000.00 FROM THE NARCOTIC FUND TO THE PIEDMONT REGIONAL DRUG & TASK FORCE**

On motion by Mr. Davis, seconded by Mr. Reid and with a recorded vote with Council members Vincent, Pairet, Reid, Davis, Cole, Dwyer and Hunter voting “aye,” the motion was approved to authorize the Town Treasurer to issue payment of $3,000.00 from the Narcotic Fund to Piedmont Regional Drug & Task Force.

**BACKGROUND:** Mr. Spates stated the $3,000.00 is the Town of Farmville’s annual payment to the Piedmont Regional Drug and Task Force.

**REQUEST AUTHORIZATION FOR THE TOWN TREASURER TO REFUND PARTIAL PAYMENT ON THE 2018 BUSINESS LICENSE FOR TACOMA, INC. TRADING AS TACO BELL/LONG JOHN SILVER**

On motion by Mr. Hunter, seconded by Mr. Davis and with a recorded vote with Council members Pairet, Reid, Davis, Cole, Dwyer, Hunter and Vincent voting “aye,” the motion was approved to authorize the Town Treasurer to refund Tacoma, Inc. $2,263.44 on their 2018 Business License, provided their 2018 business personal property is paid.
BACKGROUND: Mrs. Seal stated Tacoma, Inc. was operating as Taco Bell/Long John Silver at 1708 South Main Street and closed on April 18, 2018. Burger Busters XI, LLC purchased the business and will be operating as Taco Bell #34848.

AUTHORIZE THE TOWN MANAGER TO MOVE FORWARD WITH IMPROVEMENTS TO THE FARMVILLE TRAIN STATION PARKING LOT

On motion by Mr. Hunter, seconded by Mr. Davis and with a recorded vote with Council members Reid, Davis, Cole, Dwyer, Hunter, Vincent and Pairet voting “aye,” the motion was approved accept the recommendation of the Infrastructure Committee and authorize the Town Manager to move forward with improvements to the Farmville Train Station parking lot.

BACKGROUND: Mr. Spates explained the train station parking lot improvements includes marking of spaces, signage, landscaping and the closing Appomattox Street and reopening a portion of Appomattox Street that was previously closed. He stated that the estimated cost of the improvement is $27,000. Mr. Pairet reported that the Infrastructure Committee discussed this matter at great length and the Committee is recommending that when the Town amends the 2018-2019 Budget to allocate the carry over funds from the 2017-2018 Budget, $27,000 should to be appropriated for improvements to the Farmville Train Station parking lot.

REQUEST APPOINTMENT OF VICE MAYOR/PRESIDENT OF COUNCIL

On motion by Mr. Davis, seconded by Mr. Hunter and with all Council members voting “aye,” the motion was approved to reappoint Mr. Reid as Vice Mayor/President of Council for another two (2) year term.

BACKGROUND: Mr. Reid was appointed as Vice Mayor/President of Council in July of 2008 and has expressed interest in continuing to serve as Farmville’s Vice Mayor/President of Council.

REQUEST COUNCIL’S SUPPORT IN THE ANNUAL APPOINTMENTS FOR THE TOWN OF FARMVILLE

On motion by Mr. Cole, seconded by Mr. Hunter and with all Council members voting “aye,” the motion was approved to support the annual appointments as submitted.

BACKGROUND: The annual appointments are as follows:

   Town Manager - Gerald J. Spates
   Chief of Police – Andy Ellington
   Town Treasurer – Carol Anne Seal
   Town Attorney – Gary Elder
Clerk of Council – Lisa Hricko
Equal Opportunity Counselor/ADA Coordinator – Lisa Hricko
Building Official – Phillip Moore
Fire Marshal – Phillip Moore

REQUEST FOR COUNCIL’S SUPPORT IN THE APPOINTMENT OF FIRE CHIEF FOR THE FARMVILLE VOLUNTEER FIRE DEPARTMENT

On motion by Mr. Hunter, seconded by Mr. Reid and with all Council members voting “aye,” the motion was approved to support the Town Manager’s the annual appointment of Dean Farmer as Fire Chief of the Farmville Volunteer Fire Department.

BACKGROUND: Mr. Spates asked Council to support his recommendation of Dean Farmer as Fire Chief and noted that he has been doing an exceptional job as Chief.

REQUEST AUTHORIZATION TO ADVERTISE 2018-2019 TOWN COUNCIL MEETING DATES

On motion by Mr. Davis, seconded by Mr. Cole and with all Council members voting “aye,” the motion was approved to authorize advertisement of the 2018-2019 Town Council meeting dates.

- July 11, 2018
- August 8, 2018
- September 12, 2018
- October 10, 2018
- November 14, 2018
- December 12, 2018
- January 9, 2019
- February 13, 2019
- March 13, 2019
- April 10, 2019
- May 8, 2019
- June 12, 2019

Council meetings are held in the Council Chamber on the second floor of the Town Hall, at 116 North Main Street, Farmville Virginia, at 7:00 pm, unless otherwise scheduled.

Council work sessions are held the first Wednesday of each month in the Council Chamber of the Town Hall at 11:00 am – Town Hall address listed above.
REQUEST COUNCIL’S SUPPORT IN THE MAYOR’S 2018-2019 COMMITTEE APPOINTMENTS

On motion by Mr. Cole, seconded by Mr. Hunter and with all Council members voting “aye,” the motion was approved to support the Mayor’s 2018-2019 Committee Appointments.

2018-2019 COUNCIL STANDING COMMITTEES

Finance and Ordinance – Jamie Davis, Chairman, Donald Hunter and Greg Cole
Public Safety – Donald Hunter, Chairman, Tommy Pairet and Jamie Davis
Personnel – Chuck Reid, Chairman, Donald Hunter and Greg Cole
Infrastructure – Tommy Pairet, Chairman, Brian Vincent, Jamie Davis and Dan Dwyer
Town Property/Building – Dan Dwyer, Chairman, Chuck Reid and Brian Vincent
Parks/Recreation – Greg Cole, Chairman, Donald Hunter, Brian Vincent and Dan Dwyer

SPECIFIC COMMITTEES

Library Committee – Mr. Hunter and Mr. Vincent
Moton Museum – Mr. Reid

BACKGROUND: Mayor Whitus made changes to the Committees to include newly elected Member, Brian Vincent.

REQUEST ADOPTION OF CODE OF ETHICS AND CONDUCT AND ETHICS PLEDGE

On motion by Mr. Hunter, seconded by Mr. Davis and with all Council members voting “aye,” the motion was approved to adopt the Code of Ethics and Conduct and Ethics Pledge.

BACKGROUND: In 2016, the Ethics Committee established a Code of Ethics and Conduct and Ethics Pledge. The Committee recommended that Council annually review and adopt both the Code of Ethics and Conduct and Ethics Pledge.

INFORMATION ONLY – REQUEST ON BEHALF OF MR. BRUCE FINCH FOR THE ABANDONMENT OF THE ALLEY LOCATED BETWEEN FOURTH AND FIFTH AVENUE AND LEE AND GILLIAM DRIVE

On motion by Mr. Pairet, seconded by Mr. Davis and with all Council members voting “aye,” the motion was approved to continue the request on behalf of Mr. Bruce Finch for the abandonment of the alley located between Fourth and Fifth Avenue and Lee and Gilliam Drive, pending the recommendation of the Infrastructure Committee.

BACKGROUND: The Town received a request by Mr. Bruce Finch, of 1103 Fifth Avenue to abandon the alley located between Fourth and Fifth Avenue and Lee and Gilliam Drive. The
request was discussed at the July 5 Infrastructure Committee. The Committee directed the Town Manager to contact adjacent property owners notifying them of the request and to ask if they support or oppose the abandonment of the alley.

**STANDING COMMITTEE REPORTS**

Parks and Recreation Committee, Chairman Cole – The Committee met prior to the Council meeting tonight to discuss the recreation study master plan. The Developers, Land Planner and Design Architect (LPDA) are scheduled to do a presentation on the plan at a community meeting scheduled for Wednesday, July 25, 2018 at 5:30 p.m.

Finance and Ordinance Committee, Chairman Davis - no report

Personnel Committee, Chairman Reid – no report

Infrastructure Committee, Chairman Pairet – The Committee directed the Town Manager to contact the adjacent property owners on the request on behalf of Mr. Bruce Finch for the abandonment of the alley located between Fourth and Fifth Avenue and Lee and Gilliam Drive. The Committee discussed the train station parking lot and will revisit the issue once the improvements have been made. The VDOT report on the Impact Study on the High, Oak and Griffin Intersection was reviewed by the Committee. The report gave suggestions on improving the traffic flow at the intersection by making minor adjustments such as traffic light signals, delays, etc. The report also suggested to move the crosswalk to enhance the safety of pedestrians and allow them to cross the street in a timely manner. Mr. Spates stated the report shows the safest and best alternative is to install a roundabout. He stated that five (5) year crash data shows that the intersection is a low safety issue because of the low number of accidents that had occurred at the intersection and there being no pedestrian accidents at the intersection. The report did provide an alternative that would reduce delays and queues at the intersection while keeping the pedestrian movements protected. Mr. Spates stated Option 2 calls for an ADA crosswalk along with shifting the traffic signals. Mr. Davis stated the Infrastructure Committee directed the Town Manager to prepare a cost estimate on Option 2. Mr. Davis also added that the VDOT report and the past traffic reports identify the intersection as one of the safest for vehicles and pedestrians in town. Mr. Pairet stated he had been approached by several downtown merchants regarding the parking meters asking if the meters could be programmed to accept dimes and nickels and the possibility of using a credit card at the parking meter. Mr. Spates stated he had spoken to the parking meter company, Booher & Associates, requesting cost estimates on changing the meter head verses replacing the
meters to accept credit cards. After discussing the difference in cost, Council asked the Town Manager to explore changing the existing meters to accept nickels and dimes.

Mayor Whitus announced that Council will be having a retreat sometime in September to review several projects for the town and to prioritize major projects. The retreat will include stakeholders in the community for their input on planned growth of the town.

Public Safety Committee, Chairman Hunter – no report

Town Property/Building, Chairman Dwyer - Mr. Dwyer spoke of a request on behalf of the Railroad Club to install a handicap ramp to the entrance behind Crute Stage. Mr. Spates spoke of the challenges of adding a ramp to the narrow area behind the stage and unsure if it could be done. He stated he spoke to Phillip Moore, Town Building Official about looking at the area to see if there is ample room to add a handicap ramp and the cost associated with installing the ramp. Mr. Spates added the first FERN garden has been completed.

**REQUEST ADOPTION OF THE FARMVILLE AREA BUS DRUG AND ALCOHOL POLICY**

On motion by Mr. Hunter, seconded by Mr. Davis and with a recorded vote with Council members Davis, Cole, Dwyer, Hunter, Vincent, Pairet and Reid voting “aye,” the motion was approved to adopt the Farmville Area Bus Drug and Alcohol Policy.

**BACKGROUND:** The adoption of the policy is a bi-annual requirement to receive Federal Transportation Funds.

**TOWN MANAGER AND STAFF REPORTS**

The Town Manager informed Council of the tentative meeting schedule with the Berkley Group:

- Kick-off meeting with the Mayor and Town Council jointly with the Planning Commission at the Council’s work session on August 1 at 11 a.m.;
- First Community Stakeholder Meeting to get large scope of ideas on mission, vision, goals, and expectations is to be held August 23 at 6:30 p.m. at the Sports Arena;
- Future lunch meeting with key economic development stakeholders (smaller group) to be determined.

A community meeting has been scheduled for 5:30 p.m. on Wednesday, July 18, 2018 in the Council Chamber to present the Parks and Recreation Master Plan.

The bids were opened this afternoon on the Pedestrian Bridge / Buffalo Creek project. The low bid is Burleigh Construction for $987,469.50. The company is from of Concord, Virginia. The
grant is approximately $40,000 short of the bid price. Mr. Spates stated the town has paid most of the engineering costs prior to receiving the grant.

The town received a VDOT Revenue Sharing grant for $255,000 for installing new cameras and battery back-up for all the traffic signals in town.

Mr. Spates stated the cost to fix the sewer main break with overtime was $62,740.04, including the regular labor and equipment, the cost was $82,604.00. Mr. Scott Davis reported that the Finance and Ordinance Committee will be meeting with three financial software companies for demonstrations prior to going out on bid.

Chief Ellington announced National Night Out is August 7; there are currently eight locations registered. He added that two of the four new police cars Council approve in the 2018-2019 budget have arrived and are being outfitted.

**MAYOR WHITUS AND TOWN COUNCIL MEMBERS COMMENTED ON THE FOLLOWING MATTERS**

Mr. Vincent thanked the Mayor, Council members Town Manager, Assistant Town Manager, staff and the community for the warm welcome and said it is truly an honor to serve.

Mr. Pairet asked if there are any grant opportunities for parking meter heads. Mr. Spates stated he did not think so.

Mr. Reid thanked Council for his reappointment as Vice Mayor / President of Council.

**CLOSED SESSION - LEGAL AND PERSONNEL**

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)(1) of the Code of Virginia, for the discussion of the performance of an appointed employee of the Town of Farmville 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 Counsel.

**CERTIFICATION OF CLOSED MEETING**

WHEREAS, the Farmville Town Council has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Farmville Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Farmville Town Council hereby 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

MOTION: Davis

SECOND: Reid

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

NOES: none

ABSENT DURING VOTE: no one

ABSENT DURING MEETING: no one

There being no other business the meeting was adjourned.

APPROVED: ATTEST:

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