

REGULAR WORK SESSION OF THE FARMVILLE TOWN COUNCIL
HELD ON APRIL 3, 2024

At the regular work session of the Farmville Town Council held on Wednesday, April 3, 2024, at 6:00 PM, in the Council Chamber of the Town Hall, located at 116 North Main Street, Farmville, Virginia, there were present Mayor Brian Vincent, presiding, and Council members Sallie Amos, A.D. “Chuckie” Reid, Daniel Dwyer, Tommy Pairet, Adam Yoelin, Donald Hunter, and John Hardy.

Staff present were Town Manager Scott Davis, Town Attorney Gary Elder, Finance Director Julie Moore, Chief of Police Andy Ellington, Community Development Director and IT Support Ashley Atkins-Austin, Deputy Clerk Jacqueline Vaughan, and Clerk of Council Mary McKay.

Mayor Vincent called the meeting to order.

The Clerk called the roll, noting all Council members were present.

ADOPTION OF AGENDA

Mr. Hunter made a motion to adopt the agenda as presented, seconded by Mr. Hardy, and with all in favor stating “aye”, the motion passed.

DECLARATION OF PERSONAL INTEREST

There were no declarations of personal interest made.

FINANCE REPORT

Finance Director Julie Moore reported the revenue should be approximately 67%, eight months into the fiscal year, however, is slightly below that percentage. As mentioned previously, ARPA money is budgeted in the water and sewer fund but not yet recognized until the end of the fiscal year once the amount spent has been determined. Ms. Moore advised that the General Fund is at 61% and close to where it should be. Revenue compared to prior year is above in every fund except the airport fund. There was a large project last year with state and federal reimbursements being received and this year there is not.

Expenses are well below 67% compared to the budget and considered a positive. Ms. Moore reported there are still a few departments that are above, but she feels confident that by the end of the fiscal year, those departments are going to be below budget. Expenses compared to last year are slightly above as previously explained. The ABM payment which was split between the General Fund and the Water Fund, had a large portion of the payment coming from the Water

Fund that caused those expenses to increase. From the Transportation fund, two buses were purchased this year that were not at this time last year.

The number of unpaid business licenses is down to 26. Letters have been sent out notifying business owners of the April 15th due date to have payments made. If not received by that date, next steps will be taken for operating without a business license.

PROPOSED FY 2024-2025 TOWN BUDGET

Town Manager Davis reported being ready to field any questions from the Council. Mayor Vincent commented on several items:

- Funding for another Council Retreat to be scheduled for spring 2025 following the Council elections. The strategic plan and goals will be revisited.
- Question concerning the amount budgeted for small equipment under \$5000, as the amount had increased significantly under the horticulture category. It was reported that the black square box planters around town with the Town of Farmville logo will all be replaced having been repainted a few times previously.
- Information to be provided on the Urban Heat Mitigation - the Town Manager reported on a study completed showing several downtown areas needing heat mitigation because of the lack of canopy. One of the areas referenced was the parking lot beside the South Street Conference Center and behind the Prince Edward County Courthouse. A grant application was submitted through the Virginia Department of Forestry and will provide for the creation of heat mitigation tree islands in that parking lot.
- A budget allocation of \$20,000 for limestone to refinish the hard-packed gravel for the Sarah Terry Trail.
- Notice of the \$350,000 gift to the Farmville Industrial Development Authority with a brief discussion held on the topic of their investing the money. The Town Manager mentioned bringing forth information to the IDA board for discussion.
- An evenhanded distribution of department funding was noted for equipment and trucks.
- No enterprise funds are being transferred to the General Fund in this budget.

Mayor Vincent concluded by giving credit for the elimination of transfers to the General Fund and for the excellent budget. He also reported on the scheduled Public Hearing on

Wednesday, April 10, 2024, at the Regular Council Meeting for citizens to bring forth any questions or concerns about the budget.

Town Manager Davis reported being available for any questions concerning the Capital Improvement Plan (CIP) as well and noted that the Public Hearing scheduled next week is on the Proposed Budget and the CIP. Mayor Vincent inquired if Council members had any questions concerning the five-year Capital Improvement Plan with no inquiries made.

ORDINANCE NO. 228 – CHAPTER 15 AMENDING PARKING METER DIVISION

As mentioned at the March 6, 2024 Work Session, the Town Manager reported on the need to update the parking meter ordinance as the parking meters are being upgraded. A proposed ordinance was drafted with feedback being received from the Farmville Police Department, review made by the Town Attorney and presented to the Council for review and discussion. A public hearing would be required and then presented to Council for consideration at the May 8, 2024, Regular Council Meeting.

Mayor Vincent opened the floor for questions concerning the parking meter ordinance. A suggestion was made by Mr. Pairet to post what is being proposed on social media as to what the fines are, with the Town Manager reporting the notice would be placed there but due to its length, the ordinance would not but anyone may request a copy. He also pointed out language which specifies after not paying three or more parking violations would allow the motor vehicle to be immobilized or towed.

Mr. Hardy inquired if this amendment would apply to tickets already received. The Town Manager noted that a violation of the ordinance would occur after its enactment.

ORDINANCE NO. 229 – GOLF CART LONGWOOD UNIVERSITY

Mayor Vincent opened the discussion of the proposed ordinance asking Mr. Davis if there was an addition of a strobing light to the back or the top of the golf cart. Davis mentioned the addition as noted in 15-162, (6) stating “Golf carts and utility vehicles shall be marked in Longwood University markings and have a blinking strobe on the top of the vehicle or the rear of the vehicle while in operation on the designated highways.”

Mr. Pairet suggested the strobing light be on top of the vehicle and not on the rear at all. Discussion was held. There appeared to be a consensus from the Council to strike the wording designating the rear of the vehicle and keep the blinking strobe on the top of the vehicle.

HIGH BRIDGE SOLAR, LLC – CONDITIONAL USE PERMIT

Town Manager Davis reported on the community meeting held concerning the solar project off Cedar Avenue. A conditional use permit has been filed that will go before the Planning Commission this month before coming to Council for consideration. Public hearings are required beforehand at each level. Mr. Dwyer inquired about the attendance of the community meeting and if any concerns were expressed. No concerns were mentioned.

RESIDENTIAL SIDEWALKS – PROPOSED ZONING ORDINANCE AMENDMENT

The requirement for sidewalks in business districts is currently in the subdivision section of the Town Code. Council member Yoelin initiated a conversation about residential sidewalks and how there could be more walkability throughout town. A proposed zoning ordinance amendment is being brought forward to require that any new residential development have five-foot sidewalks in the development plan.

Mr. Yoelin followed up by asking if the four restrictions are all the requirements needed to ensure walkability if someone wanted to create a development such as the Greens.

Town Manager Davis reported that the first item listed on the proposed amendment will meet the requirement that sidewalks are placed because in order to build a residential structure it must front on an existing street.

Mr. Reid asked if this requirement would apply to Redford Street, which has a parking lot and no sidewalks on either side, with Davis advising this amendment would apply only to new developments with the developers being responsible for installing the sidewalks. He reported that an individual is requesting that the Town look at installing sidewalks along one side of Redford Street to allow for the parking lot when it is being used to have access to the crosswalk. The issue can be looked at this year and what the costs look like whether to construct a sidewalk there or not. Due to the slope of the area at Redford and Griffin, the town itself cannot provide the needed engineering. Any new sidewalk must be ADA compliant. Mr. Yoelin asked if the engineering is left up to the property owner with the Town Manager advising it would be on the town to provide.

FENCES – PROPOSED ZONING ORDINANCE AMENDMENT

The Town Manager reported on an issue on Longwood Avenue recently where someone has placed a privacy fence from the rear of the yard all the way to and within the town's right of way that is now blocking the view of the neighbor from pulling in and out of their driveway. The topic is being brought forward as there is no ordinance in place regarding fences, other than to say from a driver's standpoint, there is a safety hazard. The proposed amendment will specify only a

height requirement and not what a fence is made of. From the front line of the house, fences can be only four feet tall, must have sight distance and can be no more than eight feet tall in the rear.

Mr. Dwyer raised a question about the height of the side yards. The proposed language was clarified by the Town Manager and Community Development Director Ashley Atkins-Austin.

Mr. Hunter asked that the town provide an update to the owner of the driveway whose view is blocked of what is being proposed.

Ms. Atkins-Austin mentioned that multiple calls had been received in the last year concerning the installation of fences in town.

Mrs. Amos advised of the need to make it clear the town is not impeding on the rights of homeowners putting up fences and that she didn't want to get so particular.

Mr. Hardy talked about when the homeowner doesn't have a choice because they have a large dog, and the only option is to fence in their front yard. A four-foot fence may not be sufficient height and they would need to have the opportunity to place a higher height fence. If their front yard is the only option they can place a fence, he doesn't want to limit the height of that fence.

Town Manager Davis remarked on creating a standard and not trying to impede any property owner's ability to place a fence.

A brief discussion was held with Mr. Dwyer asking if you can see over a four-foot fence if sitting in a low car and asked what the typical right of way is.

The Town Manager concluded by reporting the topic will go to the Planning Commission this month and then to the Council.

As a reminder Mayor Vincent reported the Planning Commission meetings are the third Wednesday of every month at 7 PM in the Council Chambers where all may attend or watch online to follow the status of the proposed ordinances before they come to Council.

Mr. Reid asked a question concerning a resident wanting to install an awning onto his house and was told he could not because of the zoning even though the awning would be on his property. Additional clarification was provided by the Town Manager that because the awning is attached to the house, it is part of the structure and must have a minimum setback from the road. The topic of retractable awnings was also brought up.

TOWN MANAGER'S REPORT

Feedback was requested from Council members on whether to look further into a zoning change. There is a landowner in a residential district who has a parking lot adjacent to their

property and would like to have food trucks in that parking lot. The property is zoned residential, and the code does not allow for any type of food trucks. These are allowed only in business districts on private property. The only solution to where it's not allowed everywhere in a residential district is that the Council and the Planning Commission could recommend the zoning ordinance be amended to allow for a conditional use permit to be reviewed and/or granted and/or not granted depending on the circumstances to allow food trucks in residential districts on private property. In any residential district, the Council would decide whether to issue a conditional use permit. The topic is being brought forward for feedback to see if there is interest in staff continuing to look further and have a discussion with the Planning Commission.

Questions were asked by several Council members and discussion was held.

- Mr. Dwyer noted a concern as the zoning is written to protect against dissimilar uses.
- Mr. Yoelin asked if there is a way to craft the zoning so that a property like this could be utilized for a commercial purpose if it is close to a major arterial road. The referenced property sits in an area where there is not such dissimilar uses. The property owner could apply for conditional use.
- Mr. Reid asked if the business is a permanent business or would the food truck be coming in for like twice a week and then leaving. Davis reported that food trucks currently are only allowed in a business district on private property and would need some way to be allowed in a residential zoning district.
- Mr. Hunter provided an example of hiring a food truck for a pizza party for his young children and if that would be allowed on his property. He stated this is something that needs to be looked into as this currently is not allowed.
- Mr. Dwyer mentioned while previously serving on the Planning Commission, a property owner wanted to place a commercial kitchen in their basement, and the aroma of the food permeated the neighborhood and was considered an infringement of sort.

The Town Manager advised a conditional use permit can regulate the one-day use of a food truck for a child's birthday party but would need to be planned months in advance and would also allow a food truck in any residential district but only if Council approves the permit.

Another discussion item initiated by Mr. Yoelin will be brought forward at the next Work Session. The Code of Virginia allows for towns to work with and get approval from the Circuit

Court to have a land bank entity remediation instead of condemning and tearing down residential structures. A land bank in a non-profit entity could be allowed to take control to restore a property.

COMMENTS BY MAYOR AND TOWN COUNCIL

Mr. Yoelin provided a comment on using a food truck at his residence previously without a permit and apologized for its use.

There being no other business and on a motion by Mr. Dwyer, seconded by Mr. Pairt, with all in favor stating “aye”, the meeting adjourned at 6:54 PM.

APPROVED:

ATTEST:

Brian R. Vincent, Mayor

Mary H. McKay, Clerk of Council