

REGULAR MEETING OF THE FARMVILLE TOWN COUNCIL
HELD ON JANUARY 8, 2025

At the regular meeting of the Farmville Town Council held on Wednesday, January 8, 2025, 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, Dan Dwyer, Tommy Pairet, Adam Yoelin, Donald Hunter, and John Hardy.

Staff present were Town Manager C. Scott Davis, Town Attorney Gary Elder, Finance Director Julie Moore, Chief of Police Andy Ellington, Fire Chief Daniel Clark, 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, and all guests were welcomed.

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

An invocation was led by Mayor Vincent for anyone wishing to join in prayer. Vice-Mayor Reid led the Pledge of Allegiance.

ADOPTION OF AGENDA

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

DECLARATION OF PERSONAL INTEREST

There were no declarations of personal interest made.

PRESENTATION BY MATTHEW GROSS, P.E., HURT & PROFFITT

The scheduled presentation was postponed until February 2025, due to the presenter having to travel from an area that received more inclement weather.

Mayor Vincent opened the Public Hearing for Resolution No. 2025-01-01.

PUBLIC HEARING – RESOLUTION NO. 2025-01-01 – FOR A CONDITIONAL USE PERMIT TO ALLOW FOR FOUR 181-UNIT, 35,310 SQ. FT. MINI WAREHOUSES, TWO 22-UNIT, 8,250 SQ. FT. MINI WAREHOUSES, AND ONE 4,500 SQ. FT. OFFICE PER TOWN CODE SECTION 29.13.C. THE PROPOSED 17.204-ACRE LOT IS LOCATED ON THE WEST EDGE OF PEERY DRIVE. THE PROPERTY IS ZONED B-3 HIGHWAY COMMERCIAL

Dr. Ruth L. Budd, 101 Crestview Drive, was present to address the Council. Several items were highlighted:

- She is not opposed to a storage facility and agrees that something worse could be built in this location.
- She does not agree that it doesn't have anything to do with Peery Drive as she and the people living in Crestview are affected.
- She asked Council members to please consider revisiting the situation with Peery Drive. The issues remain with the development of a hotel, furniture store, restaurant, and this proposal for a storage facility.
- She asked Council members to look at some solutions for the concerns of speeding traffic, noise, loitering, and the light pollution in the area.

The following comments also were submitted by Dr. Budd via email to express her opinions on the storage facility: For over two decades I have lived at the corner of Crestview and Peery Drive, and for all but one month of that time, I myself as well as other Crestview residents, have expressed our concern about the issues concerning Peery Drive. For a long time many of us came to every council meeting (some of you were on the council at that time). Since then, some of us have expressed our concern to several of you— concerns including traffic, speeding, trucks, noise, lighting, and loiterers. Unfortunately the proverbial can has been kicked down the proverbial road for decades, while a new hotel, restaurant, furniture store, and now potential storage complex have been added.

I am not opposed to this storage complex in itself, but changes need to be made to alleviate the Peery Drive situation. A member of the planning committee opined that this storage proposal wasn't related to Peery Drive, but I disagree—of course ANY and EVERYthing ON Peery Drive is related to those of us whose property is adjoining it or in nearby Crestview, because it affects our basic living conditions. We are permanent, tax paying residents and deserve consideration too.

This storage facility WILL bring more traffic past our homes. Saying that a similar facility in another town has few clients per day indicates nothing about Farmville with two colleges and totally different clientele. It will bring more strong lighting (Days Inn looks like a prison with the exterior lights installed as a supposed deterrent to crime(lights that shine outward into our neighborhood), and this storage facility will by necessity have strong lighting as well. This facility will create more noise—open from 6:30- 10 with U-hauls, trucks, and other vehicles entering and exiting. By the way, why do the garbage collection vehicles for the area businesses start slamming down garbage receptacles early in the morning—often before 6am? Did this town not pass a noise ordinance, and is that not considered disruptive noise?

What is the problem with using Meriwood Rd. for entry and exit of commercial projects? Also, why cannot a road be continued from Meriwood through to Main Street without passing through the residential section of Peery? Has anyone on this council looked into that possibility---it HAS

been brought up before by residents? The house beside Shorter Funeral home has never been occupied since I have lived here—again, over two decades.

Change is inevitable and often desirable, but the well-being of full-time residents should be considered desirable and important also.

Comments received via email from Jack E. Houghton, 105 Williams Street

My wife and I reside at 105 Williams Street in the Crestview neighborhood since 1981. We were annexed by the Town of Farmville a number of years back. The Crestview neighborhood has continued to grow over the years providing safe and healthy residential opportunities for many families. In recent years, we have seen much change on the south end of Farmville and in the unincorporated lands just south of Farmville. Much of what has happened over the past two decades has been overall favorable with relatively moderate adverse impact on existing residential neighborhoods. However, there are well known and ongoing concerns in the Crestview neighborhood.

GENERAL CONSIDERATIONS: in recent years, there have been several major rezoning proposals through Prince Edward County that involved properties that could be accessed ONLY through the existing streets in the Crestview neighborhood, namely Williams Street or Crestview Drive. One of those zoning requests was approved several years back by the Board of Supervisors for a large number of new townhouses ... potentially as many as 250 units... on land abutting Crestview and accessible ONLY by traversing the existing narrow residential streets within the Crestview neighborhood. It was learned at the time of approval that the County Planning Commission had given no consideration to how many daily vehicular trips the townhouse complex could generate or how alternative access could be provided. At full development of the permitted townhouses, daily vehicle trips could easily number in the thousands resulting in extreme harm to the residential interests of the existing Crestview neighborhood. Most obviously a problem, VDOT would NOT be amenable to accessing the contemplated townhouse complex off of U.S. Route 460 By-Pass which abuts the site to the south. This glaringly obvious problem was brought to the County's attention by citizens but was never resolved. While the zoning approval was obtained, the town house project thus far has not materialized... thankfully. However, the threat still remains and access to the contemplated town house complex is still only possible through the Crestview neighborhood. This is still a serious concern.

Relatedly, Prince Edward County also approved a Conditional Use Permit for a hotel project abutting the Crestview neighborhood to the south of Williams Street, the property extending deep into the neighborhood and again, having no access except through the Crestview residential neighborhood. This is an incompatible land use to a significant residential neighborhood. Again, thankfully, this proposed hotel development has also failed to materialize... so far. But the potential threat to the health and viability of the neighborhood is still there.

SUPER WAL MART: One of the most significant developments in the southern territories of Farmville was the development of a Super Wal Mart located just off South Main Street but fronting on Peery Drive. Overall, this has been a good development for Farmville area residents and consumers. However, the development has also led to a quantum increase in vehicular traffic in

the area during all hours of the day, including both consumer traffic and truck delivery traffic. Peery Drive was significantly upgraded in response to the development, including widening, new curbs and sidewalks. While customer traffic accesses Wal Mart through both ends of Peery Drive, truck traffic is restricted to only the north end of Peery Drive down to Mariwood Farm Road. Notwithstanding this restriction for delivery trucks, there are many violations that seem to be more or less ignored by police patrols. We see truck traffic on all segments of Peery Drive nearly every day. On several occasions, I have personally observed 18 wheeler semi tractor trailer trucks getting lost and struggling to extricate themselves from the narrow residential streets and tight turns in the Crestview neighborhood. The proposed self-storage complex, if approved, will only add to this already significant traffic problem.

CIVIL DISTURBANCES: In recent years, we have also seen a disturbing increase in unlawful or otherwise disturbing civil misconduct in the commercial zones abutting the residential neighborhoods and in the residential neighborhoods. This includes gun fire, unreasonably loud music from vehicle sound systems, intentionally loud car and motorcycle mufflers and what appears to be street racing. I have had more than one occasion to encounter unrecognized and unauthorized persons prowling on and near my home and outbuildings. I have also seen what appears to be street racing in my neighborhood and have reported these activities. While I am mindful that this kind of activity can happen anywhere, in any neighborhood, it doesn't happen everywhere. It happens in high traffic areas where people congregate for various reasons... like fast food restaurants, like hotels, like car washes, like big box stores. It also happens where enforcement of policies are known to be lenient. If approved, the proposed self-storage complex will certainly add to the volume of traffic and presence of people not-local to the surrounding neighborhoods.

LIGHT POLLUTION: Light pollution is commonly given little attention by local planning commissions. Often, it is rationalized that the security benefit to a property owner of abundant lighting outweighs the aesthetic and environmental degradation of the lights on the property owner's neighbors. There may be some merit to that argument, but light pollution is a real and painful problem for the people on the receiving end of the light pollution. Light pollution includes light glow (sometimes referred to as a light dome), light trespass, light glare, and light clutter. The Super Wal Mart creates a huge light glow over its grounds and extending for thousands of feet in all directions. It is visible for miles around. When the Days Inn was first developed many years ago, we residents were promised by the planning officials that the development would be a good neighbor to the residential neighbor and that there would be an effective foliage visual barrier between the Days Inn and the Crestview neighborhood. Indeed that foliage barrier was initially put into place. But recently, that foliage barrier was ripped out and during the hotel renovation, a massive array of flood lights... like one might see around a prison... were installed and are shining directly into the Crestview residential neighborhood. This is light trespass, light glare, and light clutter. and it is harmful to the residential neighbors.

RECOMMENDATIONS:

1. If the Farmville Town Council wishes to approve this very large self-storage project, it should have the vehicular/ truck access to the complex off Meriwood Farm Road. and should allow no access to the complex off Peery Drive. Meriwood Farm Road is already being used by Wal Mart

delivery trucks at all hours of the day. Having access to the self-storage complex off Meriwood Farm Road would be a minor addition to already significant commercial truck traffic.

2. If this project is approved, Town Council should also plan to increase strict enforcement of the NO TRUCKS policy on Peery Drive south of Meriwood Farm Road, and throughout the Crestview residential neighborhood.

3) If this project is approved, the Town Council should include in the conditional use permit effective measures to mitigate light pollution harmful to the surrounding residential neighborhoods.

Thorne Harvin, Garrnett Street, Henderson, was present to address the Council on behalf of Rosemyr Corporation, the company which is asking for the Conditional Use Permit for the self-storage facility. Mr. Harvin reported on the low daily traffic volume for their facilities, which averages roughly 15-20 cars, and the general hours of operation. An overview of the type of lighting being proposed for the structures also was provided.

With no one else signed up to speak, Mayor Vincent closed the Public Hearing on Resolution No. 2025-01-01.

Mayor Vincent opened the Public Hearing for Ordinance No. 234.

PUBLIC HEARING - ORDINANCE NO. 234 – TO AMEND THE ZONING ORDINANCE BY ADDING SECTION 29-35.B.5-FENCES. THIS WILL REGULATE THE LOCATION AND HEIGHT OF FENCES IN RESIDENTIAL DISTRICTS

Dr. Ruth L. Budd, 101 Crestview Drive, reported on various panhandling events and criminal activity that has occurred on/near her property over the past couple of years. From her understanding of the proposed ordinance in reference to the fence heights, she questioned the cost for obtaining a Conditional Use Permit if she wants to make her house or herself more secure. She asked the Council to reconsider the proposed ordinance as she does not see where it is helping anyone.

Comments received via email from Jack E. Houghton, 105 Williams Street

With regards to the proposed fence ordinance, I have no problem with establishing reasonable standards for fences but am concerned about added regulatory and financial burdens on residents. Accordingly, I recommend that there be clarification that there is no administrative fee attached to a letter of permission or something similar from the Zoning Administrator. Fences can range from very elaborate, substantial and expensive to simple, minimal, and inexpensive. I am not sure I see any legitimate reason to require a rather arduous and potentially expensive conditional use permit process to be attached to all fences. This seems more to be a "revenue

scheme" than a legitimate public health, safety and welfare policy. Citizens of this jurisdiction are more in need of relief than of more burdensome regulations and expenses.

I believe that most residents and citizens of the Town of Farmville are supportive of healthy growth and inevitable change within our community. But, it is important that the Town Council be mindful of the importance of protecting safe and healthy residential neighborhoods. Housing resources are scarce, valuable and hard to replace if careless development is allowed to intrude and undermine the livability of our residential neighborhoods.

Thank you for your consideration.

With no one else signed up to speak, Mayor Vincent closed the Public Hearing on Ordinance No. 234.

PUBLIC COMMENT PERIOD

With no one signed up to provide comments, Mayor Vincent returned to the regular order of business.

CONSENT AGENDA

Mr. Hunter made a motion to accept the Consent Agenda as presented, seconded by Mr. Dwyer, and with all in favor stating "aye", the motion passed. The Consent Agenda included the draft minutes of the December 4, 2024, Work Session and December 11, 2024, Regular Council Meeting.

FINANCE REPORT

Mr. Dwyer made a motion to accept the Finance Report as presented, seconded by Mr. Pairet, and with all in favor stating "aye", the motion passed.

BACKGROUND: Finance Director Julie Moore reported only on the November 2024 Work Session reports due to the timing of the holidays and when statements were released. The December and January reports will be provided at the February meeting. Revenue to budget, certain revenue streams such as real estate taxes and business licenses are seasonal which impact the year-to-date collection percentages making the General Fund appear to lag. The Airport Fund revenue also is primarily grant driven and those disbursements are tied to specific project timelines. Ms. Moore advised that these percentages should align more closely with projections in the latter months of the fiscal year. Revenue compared to prior year is slightly below in the Water and Sewer Funds mainly due to the November billing not occurring until December. The Airport Fund reflects lower revenue compared to last year due to the absence of large-scale projects.

The total expenses to budget are currently above the five-month mark due to several payments made earlier which will balance out over the course of the fiscal year. The budget assumes these expenses are distributed monthly and not at one time.

- Finance Department - The financial and workers compensation audit fees and the Edmunds maintenance contract were paid in full.
- Library Fund - The annual rent was paid.
- Non-departmental Fund - The bond payment already was made this year.
- Transportation Fund - Payment was made for two buses.

Expenses compared to prior year have increased in some departments. Ms. Moore noted that the increases from the planned expenditures for projects and equipment were aligned with town priorities in the 2025 budget year.

- Legislative Department - more medical compensation payments this year.
- Town Manager's Department - more engineering costs due to ongoing projects this year.
- Public Safety – Paid for five police vehicles, a firefighter vehicle and the first installment on the new firefighter radios.
- Public Works Department – Pickup truck and mini excavator purchased.
- Water Fund – ABM payment made and payments on the new oxidation tank from the ARPA funding received.
- Sewer Fund – Paid for a service truck and higher sludge removal expenses.
- Transportation Fund – Paid for two buses.

From an inquiry made by Mayor Vincent, Ms. Moore reported on the utility bill adjustments made. Residents received an eight-dollar credit, and the billing should be back on track this upcoming month. After some scheduled training, information will be placed on the town's website and on social media about an available app so that residents can monitor their water usage.

REQUEST APPOINTMENT OF VICE-MAYOR

Mr. Hunter nominated A.D. "Chuckie" Reid for the Vice-Mayor appointment, seconded by Mrs. Amos, and with a recorded vote of Council members Amos, Reid, Dwyer, Pairet, Yoelin, Hunter, and Hardy voting "yes", the motion passed.

Mayor Vincent congratulated Vice-Mayor Reid on his appointment. Mr. Reid thanked everyone for their support and expressed hope for continuing to work together.

BACKGROUND: The first meeting in January of each year following a Council election is the organizational meeting and the election of a Vice-Mayor is the first business of the Council. The member with the most votes shall be Vice-Mayor for a two-year term.

REQUEST ADOPTION OF RULES OF PROCEDURE

Mr. Pairet made a motion to adopt the Rules of Procedure, seconded by Mr. Dwyer, and with a recorded vote of Council members Reid, Dwyer, Pairet, Yoelin, Hunter, Hardy, and Amos voting “yes”, the motion passed.

BACKGROUND: At the first meeting in January of each year following a Council election, Council shall adopt the Rules of Procedure.

**Town of Farmville Town Council
Rules of Procedure**

Introduction

These rules of procedure were designed and adopted for the benefit and convenience of the Farmville Town Council. Their purpose is to help Town Council conduct its affairs in a timely and effective manner. The rules of procedure do not create substantive rights for third parties or participants in proceedings before Town Council. Further, Town Council reserves the right to suspend or amend the rules of procedure whenever a majority of Council decides to do so. When Town Council’s rules of procedure do not address a procedural issue, Council may consider the most recent edition of *Robert’s Rules of Order* for guidance. The failure of Town Council to strictly comply with the rules of procedure shall not invalidate any action of Town Council.

Section 1. Meetings

A. Organizational Meeting

1. The first meeting in January of each year following a Council election shall be known as the organizational meeting.
2. The first business of the Council shall be the election of a Vice Mayor. The Mayor shall call for nominations from the Council. Any council member may place one or more names in nomination and discuss his or her opinions on the qualifications of the nominees. After all nominations have been made, the Mayor shall close the nominating process and open the floor for discussion. After discussion, the Mayor shall call for a vote. The Clerk of Council will perform a roll call vote of each member of Town Council and each member shall name a member nominated for the position. The member with the most votes shall be Vice Mayor for a two-year term.
3. The second item of business shall be the adoption of the Rules of Procedure.

4. The final item of business shall be the adoption of the regular meeting dates, time, and place of these meetings for the year.

B. Regular Meetings

1. The Town Council shall hold regular meetings on the second Wednesday of each month at six o'clock in the evening (6:00 p.m.); provided, however, that when a day fixed for any regular meeting of the Council falls upon a legal holiday, or other circumstances merit changing the meeting date, such meeting shall be held at the same hour on the first available day thereafter, upon agreement by a majority of Council.
2. All regular meetings of the Council shall be held in the Council Chambers of Town Hall, located in the Town at 116 N. Main Street, or at such other public location within the Commonwealth as agreed upon by a majority of Council, provided that at least three days' notice is given to the public of such a change of meeting place. All reports, resolutions, ordinances, contract documents, or other matters submitted to the Council shall be delivered to the Clerk of Council no later than 5:00 P.M. of the last Wednesday prior to each regular Council meeting, whereupon the Clerk of Council shall immediately arrange an agenda according to the Order of Business and furnish each member of the Council, the Town Manager, and the Town Attorney with a copy of the documents as far as possible in advance of the meeting. In order for any ordinance or resolution to be acted upon at any regular meeting, a copy must be so furnished by the Clerk; or it must be placed on the agenda by not less than two-thirds of all of the members of Council in the case of an emergency ordinance, or by the unanimous consent of all of the members of Council in the case of other ordinances and resolutions.

C. Work Session Meetings

1. The Town Council will hold work session meetings on the first Wednesday of each month at six o'clock in the evening (6:00 p.m.). This meeting can be cancelled with proper notice to each member of Council.

D. Special Meetings

1. The Mayor or any three members of the council may call special meetings of the council after a written notice to each member of the council, with the purpose of the meeting stated therein, served personally on each member of the council and the Mayor, or left at his usual place of business or residence if he be not found with due diligence, or such meeting may be held at any time, without any service of notice, provided all members of the council attend. No business other than that mentioned in the call shall be considered at such meeting unless all members of the council are present.

E. Closed Meetings

1. A majority of the members of the Council may by a recorded vote hold a closed meeting in compliance with the Virginia Freedom of Information Act. Upon the conclusion of a closed meeting, each member of Council shall certify that, to the best of the member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Act and identified in the motion pursuant to which the closed meeting was convened were heard, discussed or considered. An opportunity shall be given any member who does not intend to so certify to state for the minutes his reasons, after which a roll call vote shall be taken. An affirmative vote shall constitute certification of compliance.

F. Quorum

1. The Mayor and four Council members, or in the absence of the Mayor, five Council members, shall constitute a quorum for the transaction of business.

Section 2. Agenda

A. Order of Business

1. Call to Order
2. Roll Call
3. Invocation
4. Pledge of Allegiance
5. Adoption of Agenda
6. Declaration of Personal Interest
7. Public Hearings
8. Public Comment Period
9. Consent Agenda
10. Finance Report
11. Old Business
12. New Business
13. Town Manager's Report
14. Comments by Mayor and Town Council

B. Priority of Business

1. All questions relating to the priority of business shall be decided by the Mayor¹, after Council members have had a reasonable opportunity to debate the questions.

C. Rules of Debate

1. Mayor May Debate - The Mayor may debate from the Chair subject only to such limitations of debate as are by these rules imposed on all members of Council.
2. Getting the Floor - Every member desiring to speak shall address the Mayor; and upon recognition by the Mayor, shall confine themselves to the question under debate, avoiding all inflammatory, rude, or indecorous language.
3. Interruptions - A member, once recognized, shall not be interrupted when speaking unless it is to call him/her to order, or as herein otherwise provided. If a member, while speaking, is called to order, he/she shall cease speaking until the question of order is determined; and if in order, he/she shall be permitted to proceed.
4. Motions and Seconding - No motion shall be debated or voted on unless it is seconded. When a motion is seconded, it shall be stated by the Mayor before a debate. Prior to the time the Mayor states the motion, it may be withdrawn or modified by the motion's mover without anyone's consent.
5. Privilege of Closing Debate - The Council member moving the adoption of an ordinance or resolution shall have the privilege of closing the debate after affording the other members a reasonable opportunity to comment.
6. Motion to Reconsider - A motion to reconsider any action taken by Council may be made only on the date such action was taken. It may be made either immediately during the same session, or at a recessed or adjourned session thereof. Such motion must be made by one on the prevailing side, but may be seconded by any member, and may be made at any time during the meeting. It shall have precedence over all other motions, and it shall be debatable.
7. Motion to Rescind - Any Council member may make or second a motion to rescind a vote on a previous matter, regardless of how the Council member voted on the previous matter. A motion to rescind shall be in order regardless of when the prior vote occurred. If all Council Members are given at least three days' notice, a motion to rescind shall be adopted if approved by a majority of Council's membership. If such notice is not given, the motion shall be adopted if approved by two-thirds of Council's membership. A motion to rescind shall not

¹ Whenever these Rules of Procedure refer to a decision or action to be taken by the Mayor, the word "Mayor" shall include the Vice Mayor or other Council Member serving as Presiding Officer in place of the Mayor.

be in order in the following situations: (i) when a motion to reconsider would be in order; (ii) when action has been taken as a result of the previous vote that is impossible to undo; and (iii) when a person's resignation has been accepted or a person has been expelled from or elected to an office or membership, and the person knows of the action.

8. Motion to Amend - Any substantive motion properly on the floor may be amended. An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the motion with that amendment added would have the same effect as rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment shall be treated as a substitute motion. A motion may be amended no more than twice. Once a motion has been offered to the Council, it is up to the Council to decide whether or not it should be changed by amendment. It is not necessary for the person making the original motion to approve of any proposed amendment to the motion.
9. Substitute Motion - A substitute motion shall be allowed to replace any motion properly on the floor. It shall have precedence over an existing motion and may be discussed prior to being voted on. If the substitute motion fails, the former motion can then be voted on. If the substitute motion passes, the substitute motion replaces the main motion and the new main motion will be considered and acted upon by Council. No more than one (1) substitute motion may be made. If a substitute motion passes and replaces the main motion, no further substitute motions may be made.
10. Withdrawal of Motion - A motion may be withdrawn by the introducer at any time before it is amended or before the presiding officer puts the motion to a vote, whichever occurs first.
11. Motion To Take a Brief Recess - This motion allows the Council to pause briefly in its proceedings. A motion to take a brief recess is in order at any time except when a motion to appeal a procedural ruling of the presiding officer or a motion to adjourn is pending.
12. Motion To Defer Consideration - The Council may defer action on a substantive motion to a more convenient time. The Council may use the following motions to defer consideration of a substantive motion:
 - (i) The motion to "lay on the table" is used to temporarily set aside an item of business to deal with a more urgent item. Once an item of business has been laid on the table, a motion to "take from the table" is needed to bring the item back before the public body for discussion.
 - (ii) The motion to "postpone" delays debate on an item of business so that it may be considered at a later date. An item of business may be "postponed definitely," when it is continued to a definite time or date or "postponed indefinitely" if no

future time or date is specified in the motion. A matter that has been postponed to a certain time or day shall be brought up again automatically when that time arrives. When a matter has been postponed indefinitely it takes an affirmative vote of a majority of the Council to bring the matter back for further discussion. (iii) Section 15.2-2286 of the State Code requires that a zoning petition must be “acted upon” within a “reasonable time,” not exceeding one year. The Council may defer action on a zoning petition for consideration at a more convenient time. However, the Council may not dispose of a zoning petition with a motion to postpone indefinitely.

13. Motion To Adjourn - At a meeting of the Council, a motion to adjourn shall always be in order. The motion may be made only at the conclusion of action on a pending substantive matter; it may not interrupt deliberation of a pending matter. The motion is not debatable and cannot be amended.
14. Decisions on Points of Order - Any Council member may raise a point of order without being recognized by the Mayor. The Mayor may refer any point of order to the Parliamentarian. The Parliamentarian shall advise the Mayor who shall then make a ruling on the point of order. A Council member may appeal the ruling of the Mayor to the full Council which shall decide the matter by majority decision.

D. Duty to Vote

1. Each member of the Council who is present at a meeting shall be required to vote upon all issues presented for decision unless prohibited from doing so by the Virginia Conflict of Interests Act or unless excused from voting by the other members of the Council. A member who wishes to be excused from voting shall state his or her reasons for abstaining and the presiding officer shall ask if any of the remaining members object. If there are any objections, the Council shall take a vote of the remaining members on the question of whether or not to allow the member to abstain from voting.

E. Method of Voting

1. After debate, the Mayor shall ensure that the motion is clear and call for the vote.
2. All questions submitted to the Council shall be determined by a majority vote of the members voting on any such question, unless otherwise required by special or general law. A majority is more than half.
3. An “affirmative vote” by a majority of the Council present being necessary to adopt a motion. The mayor shall not have a vote as other members of the council unless there is a tie but shall have power to veto. The mayor's veto can be overridden by a two-thirds vote of the elected members of the council. If for some reason there is a tie beyond the Mayors vote or the absence of the Mayor, a tie

vote means that the motion, resolution or issue has been rejected. When a motion fails on a tie vote, the “noes” prevail.

Section 3. Addressing Council and Decorum

A. Manner of Addressing Council by the Public

1. Any member of the public addressing the Council shall approach the lectern, give his/her name and address in an audible tone of voice for the record, and address the Council as a body rather than speak to any member. Unless further time is granted by the Council, any member of the public shall address the Council one time for a maximum of three (3) minutes, regardless of the number of issues he desires to discuss. Provided however, that the main proponent of any application, petition, or plan that is the subject of a public hearing shall be allowed to address the Council initially for a maximum of three (3) minutes and later in rebuttal for a maximum of two (2) minutes.

B. Addressing the Council

1. Members of the public must sign up prior to the start of the regular meeting to address the Council under the public comment section, which is intended for comments on non-public hearing matters, and/or for the public hearing section of the agenda.
2. The Mayor will ask the Clerk to provide the names of those wishing to speak. Once the Clerk states the name, the Mayor will acknowledge to the person wishing to speak that they may begin.
3. Once the time limit for the speaker has expired, the Clerk or Mayor will state the speakers time has expired for comment.

C. Decorum

1. By the Public – Any person making impertinent, inflammatory, rude, or slanderous remarks, or who becomes boisterous while addressing the Council, shall be barred forthwith by the Mayor from further audience before the Council. No person in the audience shall cheer, clap, voice comments, or interrupt speakers at the lectern.
2. By Council Members - While Council is in session, the members must preserve order and act appropriately. Moreover, the members shall not by conversation or otherwise delay or interrupt the proceedings or the peace of the Council, disturb any member while speaking, or refuse to obey the orders of the Council or the Mayor, except as otherwise herein provided.

3. The Mayor shall preserve order and decorum at Council meetings. He or she may order the expulsion of any person for violation of these rules, disruptive behavior, or any words or action which incites violence or disorder, subject to appeal to the Council. Any person so expelled shall not be readmitted for the remainder of the meeting from which expelled. Any person who has been so expelled and who at a later meeting again engages in behavior justifying expulsion may also be barred from attendance at future Council meetings for a specified and reasonable period of time not to exceed six months, or upon a still subsequent expulsion a period not to exceed one year either by the Mayor, subject to appeal to the Council, or by motion passed by the Council.

Section 4. Boards, Authorities, Commissions, and Committees

- A. Applicants for boards, authorities, commissions, and committees must submit an application to the Clerk to be considered by Town Council. The Town Council shall appoint members of boards, authorities, commissions, and committees by an affirmative vote by the majority of Council to serve a specified term.

Section 5. General Operating Policy

A. Presiding Officer

1. The Mayor shall preside over all meetings of the Council. The Vice Mayor serves in the absence of the Mayor. In the absence from any meeting the Mayor and Vice Mayor, the Council members present shall choose one of their members as temporary presiding officer.

B. Clerk of Council

1. The Clerk of Council shall be appointed by the Council. He or she shall prepare the agenda for Council meetings, attend all Council meetings, and keep an accurate record of the proceedings.

C. Parliamentarian

1. The Town Attorney shall serve as the Parliamentarian for the purpose of interpreting these Rules of Procedure and the Code of Virginia (1950), as amended, as may be directed by the presiding officer, or as required as a result of a point of order raised by one or more Council members. If the Town Attorney is unavailable, the Town Manager shall serve as the Parliamentarian.

D. Numbering and Indexing of Resolutions and Ordinances

1. It shall be the responsibility of the Clerk to number and index all resolutions and ordinances adopted by the Council.

E. Minutes of Council Meetings

1. The minutes of the Council meetings shall reflect the official acts of the Council. They shall provide a summary of discussion and record Council votes. Minutes shall be considered for approval within a reasonable time after the meeting of record.

F. Broadcasting Council Meetings

1. Regular meetings of the Council will be broadcast live on the Internet. This broadcast is currently available on the Town's Facebook page and YouTube Channel.

Section 6. Amending the Rules of Procedure

These rules may be amended at any regular meeting, or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting. Adoption of an amendment shall require an affirmative vote of four (4) members of the Council.

Section 7. Nonobservance of Rules

The inadvertent failure to strictly observe these Rules or Robert's Rules of Order, Newly Revised (10th Edition) shall not invalidate any action taken by Council unless such failure also results in a significant violation of any applicable statute, ordinance, Charter provision, court decision, or other law.

REQUEST ADOPTION OF THE CODE OF ETHICS AND CONDUCT AND ETHICS PLEDGE

Mr. Hardy made a motion to adopt the Code of Ethics and Conduct and Ethics Pledge, seconded by Mr. Hunter, and with a recorded vote of Council members Dwyer, Pairet, Yoelin, Hunter, Hardy, Amos, and Reid voting "yes", the motion passed.

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.

TOWN OF FARMVILLE CODE OF ETHICS AND CONDUCT

This Code and its associated Ethics Pledge are aspirational in nature. As such, they are subordinate to federal, state and local law and do not confer and/or mandate any additional duties beyond those required under existing law, nor do they confer any right or cause of action that does not otherwise apply under existing law.

Recognizing that persons holding public office have been given a public trust and that the stewardship of such office demands that performance be at the highest level of ethical and moral conduct, the Town of Farmville adopts this Code of Ethics and Conduct. To honor the public trust and to serve with integrity, civility, and impartiality, the Mayor, the members of Town Council, and those officials who are appointed by Council pledge to do the following:

1. Provide the highest quality of service to the public, acting in a way that is conscientious, diligent, and transparent.
2. Perform the functions of the office with integrity, avoiding any improper use or influence of the office.
3. Not act on a matter in which a conflict of interest exists and be diligent in avoiding even the appearance of a conflict of interest by disclosing the same and acting in accord with the principles underlying this Code.
4. Behave in a manner that inspires public confidence.
5. Treat the public, town employees, and fellow public officials with professionalism, courtesy, and respect.
6. Serve the public interest by upholding the letter and the spirit of Town, Commonwealth, and Federal statutes, regulations, and policies.

The Mayor and members of Town Council will work together to implement and monitor this Code of Ethics and Conduct and to make changes as needed.

Brian R. Vincent, Mayor

A. D. "Chuck" Reid, Vice-Mayor

Sallie O. Amos, Council Member

John Hardy, Council Member

Thomas M. Pairet, Council Member

Adam B. Yoelin, Council Member

Donald L. Hunter, Council Member

Daniel E. Dwyer, Council Member

TOWN OF FARMVILLE ETHICS PLEDGE

- I understand that as a Town representative, I am entrusted with protecting and preserving the integrity of the Town government.
- I will honor this trust by:
 - Upholding the Town of Farmville Code of Ethics and Conduct;
 - Putting the public interest first;
 - Conducting myself at all times in a manner that brings credit to the Town;
 - Serving with integrity, impartiality and transparency;
 - Fostering a culture of cordiality and professionalism;
 - Taking no action that will result in or create the appearance of personal gain or conflict of interest.
 - Making no private promises of any kind that will bind the duties of any office, since a public servant has no word that can be binding on public duty.
- I will communicate openly and civilly, listening to all views, seeking common ground as a starting point, and being respectful even in areas of disagreement.

REQUEST APPROVAL OF RESOLUTION NO. 2025-01-01 – FOR A CONDITIONAL USE PERMIT TO ALLOW A TOTAL OF 768 STORAGE UNITS IN SIX BUILDINGS, ONE ACRE OF EXTERIOR STORAGE, AND AN OFFICE BUILDING ON THE WEST EDGE OF PEERY DRIVE

Mr. Hunter made a motion to approve Resolution No. 2025-01-01 – for a conditional use permit to allow a total of 768 storage units in six buildings, one acre of exterior storage, and an office building on the west edge of Peery Drive, seconded by Mr. Yoelin, and with a recorded vote of Council members Pairet, Yoelin, Hunter, Amos, Reid, and Dwyer voting “yes”, and Council member Hardy voting “no”, the motion passed.

BACKGROUND: Community Development Director Ashley Atkins-Austin and Thorne Harvin were available to answer questions. Town Manager Davis advised that with that area of Peery Drive being zoned commercial, there are many high-density commercial businesses, as listed in

the zoning ordinance for B-3, that could go on the property. In comparison, one of the minor ones as far as foot and vehicular traffic is a storage business. He continued by stating there is no access off of Meriwood Farm Road and referenced the proposed boundary adjustments. Within the subdivision ordinance, the parcels are being broken up and the five-acre parcel that fronts Meriwood Farms is not part of this development. That five acres can be a future development that would need to come off of Meriwood Farm Road.

Council members posed questions in regard to the number of units, type of fencing to be used, outdoor storage area, traffic issues and looking at other options, reducing the amount of light to the area. It also was brought up about purchasing some property to cut through to South Main Street to help alleviate traffic and the need to start somewhere. The Town Manager provided some input on how that process works. The Council Retreat was mentioned as a time to discuss the topic.

A brief conversation was held about leaving some of the green space in the area.

The Planning Commission voted 7-0 to recommend approval of the Conditional Use Permit. A Public Hearing was held on January 8, 2025. Adjacent property owners were notified by mail of the scheduled Public Hearing.

Resolution #2025-01-01

To grant a conditional use permit to The Rosemyr Corporation to allow for four (4), one hundred and eighty-one (181) unit, 35,310 square foot mini warehouses (self-storage buildings), two (2), twenty-two (22) unit, 8,250 square foot mini warehouses (self-storage buildings), one (1) 4,500 square foot office, and one (1) acre of exterior storage per Town Code Section 29.13.c. For a total of 768 storage units in six buildings, one (1) acre of exterior storage, and an office building.

WHEREAS, Mr. Harvin filed an application on behalf of The Rosemyr Corporation for a conditional use permit to allow for four (4), one hundred and eighty-one (181) unit, 35,310 square foot mini warehouses (self-storage buildings), two (2), twenty-two (22) unit, 8,250 square foot mini warehouses (self-storage buildings), one (1) 4,500 square foot office, and one (1) acre of exterior storage per Town Code Section 29.13.c. For a total of 768 storage units in six buildings, one (1) acre of exterior storage, and an office building. The 17.196 acre site is located on the west edge of Peery Drive on parcel numbers 0037000(13)00-00C and 0037000(0A)00- 051 and is zoned B-3 Highway Commercial; and

WHEREAS, The Rosemyr Corporation has agreed to the attached conditions; and

WHEREAS, after a public hearing and due consideration, the Planning Commission recommends approval of this conditional use permit; and

WHEREAS, the Town Council finds that the conditional use permit application complies with Town Code Section 29-22 (a); and

WHEREAS, upon recommendation of the Planning Commission and after holding a public hearing on this Resolution, the Town Council finds that the public necessity, convenience, general welfare, and good planning and zoning practice allows for this conditional use permit be granted; NOW THEREFORE,

BE IT RESOLVED BY THE TOWN OF FARMVILLE TOWN COUNCIL:

1. The Town of Farmville Town Council grants a conditional use permit to The Rosemyr Corporation for a conditional use permit to allow for four (4), one hundred and eighty- one (181) unit, 35,310 square foot mini warehouses (self-storage buildings), two (2), twenty-two (22) unit, 8,250 square foot mini warehouses (self-storage buildings), one (1) 4,500 square foot office, and one (1) acre of exterior storage per Town Code Section 29.13.c. For a total of 768 storage units in six buildings, one (1) acre of exterior storage, and an office building. The 17.196 acre site is located on the west edge of Peery Drive on parcel numbers 0037000(13)00-00C and 0037000(0A)00-051 and is zoned B-3 Highway Commercial.
2. This resolution shall be in full force and effect upon passage.

Approved:

Mayor

Attest: _____
Clerk of Council

I certify that the above resolution was:

Adopted on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable A.D. "Chuckie" Reid: _____.

The Honorable Sallie O. Amos _____.

The Honorable Daniel E. Dwyer _____.

The Honorable Tommy Pairet _____.

The Honorable John Hardy _____.

The Honorable Donald L. Hunter _____.

The Honorable Adam Yoelin _____.

The Rosemyr Corporation Conditions for Conditional Use Permit

List of conditions to be placed on The Rosemyr Corporation’s Conditional Use Permit for a mini warehouse located on Peery Drive.

- Limit the hours of operation for customers to 6:30 am – 10:00 pm, seven days a week.
- Conditional Use Permit approval is conditioned on the approval of the subdivision plat by the Town Council.
- If the subject CUP is approved, a site plan is required for this development which meets all ordinance requirements. In accordance with the Zoning Ordinance, the plan will be submitted to the Planning Commission for review and approval.

REQUEST APPROVAL OF FINAL PLAT – MERIWOOD TWO SUBDIVISION AND BOUNDARY LINE ADJUSTMENT

Mr. Dwyer made a motion on the approval of the final plat – Meriwood Two Subdivision and Boundary Line Adjustment, seconded by Mr. Pairet, and with a recorded vote of Council members Yoelin, Hunter, Hardy, Amos, Reid, Dwyer, and Pairet voting “yes”, the motion passed.

BACKGROUND: Community Development Director Ashley Atkins-Austin provided an overview of the three items being accomplished from the plat:

- to split off a 5.00 acre undeveloped lot from tax map number 37-13-C
- boundary line adjustment between 37-A-52 and 37-13-C to adjust tax map parcel number 37-A-52 from 2.000 acres to 2.401 acres
- consolidate parcel number 37-A-51 into 37-13-C leaving 37-13-C with a total of 17.196 acres

Council members were provided with an on-screen view of the plat.

REQUEST ADOPTION OF ORDINANCE NO. 234 – TO AMEND THE ZONING ORDINANCE BY ADDING SECTION 29-35.B.5-FENCES. THIS WILL REGULATE THE LOCATION AND HEIGHT OF FENCES IN RESIDENTIAL DISTRICTS

Mrs. Amos made a motion to adopt a fence ordinance that states Fences shall not impair vehicular or pedestrian travel visibility. In the case of corner lots in all districts, no fence shall be erected that blocks or otherwise impedes the view of streets or traffic, seconded by Mr. Yoelin, and with a recorded vote of Council members Hardy, Amos, Pairet, and Yoelin voting “yes”, and Council members Hunter, Reid, and Dwyer voting “no”, the motion passed.

BACKGROUND: Mr. Hunter offered thoughts that there shouldn’t be a charge of \$500. for a conditional use permit should a resident need to come back in reference to the height of the front yard fence. A brief discussion was held as Town Manager Davis sought the Town Attorney’s opinion on the legality of removing an item from a conditional use permit but charging a fee for all other conditional use purposes. Town Attorney Elder advised that some localities in Virginia allow an applicant to request a fee waiver, but he was unaware of any situation where there is a split and a fee is assessed for one conditional use but not another.

Mrs. Amos referenced comments made in Mr. Houghton’s letter concerning relief from the burdensome regulations and expenses for citizens. She suggested scrapping the proposed fence ordinance leaving only the part which states that fences shall not impair vehicular or pedestrian travel visibility. In the case of corner lots in all districts, no fence shall be erected that blocks or otherwise impedes the view of streets or traffic.

A Public Hearing was held on January 8, 2025.

ORDINANCE NO. 234

Amending Section 29-35(b) of Article IV of Chapter 29 – Zoning and Subdivision

THE TOWN OF FARMVILLE HEREBY ORDAINS:

1. That Section 29-35(b) be amended of Article IV of Chapter 29 – Zoning and Subdivision of the Town of Farmville Town Code as follows:

Sec. 29-35 – Standards for specific uses.

(b) Residential uses.

(1) Accessory dwelling.

- a. Such structures shall comply with all setback requirements that apply to the primary structure.
- b. Only one (1) accessory dwelling shall be allowed on a lot or parcel of land.
- c. No recreational vehicle may be used as an accessory dwelling.
- d. Prior to installing an accessory dwelling, a permit must be obtained from the town and associated fees paid.
- e. Any accessory dwelling shall comply with all applicable requirements of the state department of health and the Virginia Uniform Statewide Building Code.
- f. No signage advertising or promoting the existence of the structure shall be permitted on the exterior of the structure or anywhere on the property.
- g. The town may revoke the permit if the permit holder violates any provision of this section.

(2) Dish antennas.

- a. Additional standards in all residential districts.
- b. Communication antennas, commonly called "dish" antennas, which do not comply with the restrictions listed below may be allowed with conditional use permits, subject to the applicant's ability to satisfactorily mitigate negative aesthetic impacts on adjoining properties. Dish antennas shall be permitted in all districts but shall be limited to one (1) exterior antenna per parcel except with conditional use permit.
- c. Ground-mounted antennas shall be limited to the rear yard and no closer than five (5) feet to any side or rear lot line, and in the case of a corner lot, no antenna shall be nearer than twenty-five (25) feet to the side street adjacent to the property or within five (5) feet of an adjoining lot.
- d. No ground-mounted antenna shall exceed sixteen (16) feet in height measured vertically from the highest point of the signal receiving apparatus, when positioned for operation, to the bottom of the base which supports the satellite antenna.
- e. Roof-mounted antennas, when designated for that purpose, shall be permitted, except that a roof-mounted antenna shall not be more than forty-eight (48) inches in diameter and shall not be visible from any street.
- f. Antennas shall be permanently and securely installed.

- (3) Multi-family dwellings.
 - a. Multi-family dwellings shall be designed with special attention to the compatibility of adjacent land uses, topography, existing vegetation, building height, orientation, and other similar factors.
 - b. Multi-family dwellings shall incorporate an attractive building layout which retains, relates to, and enhances the natural vegetation and terrain of the site or incorporates natural design features such as preservation of scenic vistas, natural areas, or other unique elements of the site.
- (4) Townhouse and single family attached dwellings.
 - a. No more than eight (8) townhouses shall be constructed contiguously.
 - b. The facades of individual townhouses within any contiguous row of townhouses shall be sufficiently varied in their materials, design, or appearance as to visually distinguish them as individual dwelling units.
 - c. Any townhouse shall front on, or be accessed by, a public street.
 - d. Any provided open space shall be owned and maintained by the developer, until such time as it is turned over to the ownership and maintenance of an approved homeowners' association.
- (5) *Fences*
 - a. *Fences shall not impair vehicular or pedestrian travel visibility. In the case of corner lots in all districts, no fence shall be erected that blocks or otherwise impedes the view of streets and traffic.*

2. This ordinance shall be in full force and effect upon passage.

Approved: _____
Mayor

Attest: _____
Clerk of Council

I certify that the above ordinance was:

Adopted on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable A.D. “Chuckie” Reid: _____.

The Honorable Sallie O. Amos _____.

The Honorable Daniel E. Dwyer _____.

The Honorable Tommy Pairt _____.

The Honorable Adam Yoelin _____.

The Honorable Donald L. Hunter _____.

The Honorable John Hardy _____.

TOWN MANAGER’S REPORT

A thank you was expressed to the Public Works Department for their efforts over the past weekend and on Monday, making the roads navigable during the snow and ice storms.

Reminder of the Joint Meeting with the Prince Edward County Board of Supervisors to be held in the Emergency Operations Center next week, on January 16, 2025.

COMMENTS BY MAYOR AND TOWN COUNCIL

Mr. Hardy reported on the compliments received on how quickly the Public Works team cleaned up trees and cleared the roads from the recent snow. Congratulations expressed to a local resident, Luther Cifers, for his win in the Virginia State Senate election yesterday.

Mr. Hunter reported to Police Chief Ellington the speeding occurring on Andrews Drive during the middle of the day and asked if an Officer could check on this area. He also reported why the Council is there as they agree to disagree and do what is best for the town.

Mr. Yoelin provided a shout-out to the Public Works Department not only for the snow removal but for their leaf collection efforts. The new truck seems to be working well. A comment respectfully was made to Mr. Hunter that he is 100% correct that as Council members, decisions are made as best they can with no animosity. He is glad to play a part.

Mr. Dwyer expressed thoughts that the cordial sentiment is shared by all of Council. He reported on a busted pipe in the street at his yard today and offered thanks for the prompt repair made.

Mrs. Amos thanked the town crew and mentioned that the Town Manager joined Public Works staff to ride along. She advised this speaks to his leadership and offered a thank you. Congratulations also was expressed to hometown Luther Cifers on his Senate seat win.

Mayor Vincent followed the comments made about the work being done by Public Works staff. Appreciation also was expressed to the Public Safety staff. A reminder was made of the Council Retreat to be held on Friday, February 7, 2025. The public is welcome to attend. Congratulations also expressed to Mr. Cifers on his victory. A thank you was given to everyone in attendance and participating in the process.

There being no other business and on a motion by Mr. Hardy, seconded by Mr. Dwyer, with all in favor stating “aye”, the meeting adjourned at 7:00 PM.

APPROVED:

ATTEST:

Brian R. Vincent, Mayor

Mary H. McKay, Clerk of Council