



Town of Farmville

Town Council

October 12, 2022 at 7:00 PM
Council Chamber of the Town Hall
116 North Main Street, Farmville, VA

AGENDA

- 1. Call to Order and Welcome Guests**
- 2. Invocation by Rev. Susie Thomas, Pastor of Farmville United Methodist Church**
- 3. Pledge of Allegiance led by Vice-Mayor Reid**
- 4. Roll Call**
- 5. Public Hearing - Conditional Use Permit - Case CUP22-002 - to allow for a multifamily dwelling containing four apartment units at 1306 Longwood Avenue**
- 6. Public Hearing - Proposed Changes to Town of Farmville Charter**
- 7. Public Comment Period - Please Limit Comments to Three Minutes**
- 8. Request Approval of the Consent Agenda**
 - a. Draft Minutes of the 2022-09-07 Work Session, Draft Minutes of the 2022-09-14 Special Meeting, Draft Minutes of the 2022-09-14 Town Council Meeting.
- 9. Request Approval of the Finance Report**
 - a. Finance Report
- 10. OLD BUSINESS**
 - a. Request Approval of Resolution 2022-10-01 Providing ARPA Funds for General Government Use for New Playground Equipment at Wilck's Lake
- 11. NEW BUSINESS**
 - a. Request Approval of Conditional Use Permit - Case CUP22-002 - to allow for a multifamily dwelling containing four apartment units at 1306 Longwood Avenue
 - b. Request Approval of Resolution 2022-10-02 Proposed Changes to Town of Farmville Charter
- 12. Staff Reports**
- 13. Standing Committee Reports**
- 14. Comments by the Mayor and Members of Town Council**



Town of Farmville

Agenda Item Summary

MEETING DATE: October 12, 2022

ITEM NUMBER: 8.a. – Draft Minutes of the 2022-09-07 Work Session, Draft Minutes of the 2022-09-14 Special Meeting, Draft Minutes of the 2022-09-14 Town Council Meeting.

BACKGROUND: The Consent Agenda includes the Draft Minutes of:
September 7, 2022 Work Session
September 14, 2022 Special Meeting
September 14, 2022 Town Council Meeting

RECOMMENDATION: Approve the Consent Agenda, as presented.

FISCAL IMPACT:

ATTACHMENTS:

1. 2022-09-07 Work Session Minutes (DRAFT)
2. 2022-09-14 Special Meeting (DRAFT)
3. 2022-09-14 Town Council Meeting (DRAFT)

REGULAR WORK SESSION OF THE FARMVILLE TOWN COUNCIL
HELD ON SEPTEMBER 7, 2022

At the regular work session of the Farmville Town Council held on Wednesday, September 7, 2022, at 11:00 AM, in the Council Chamber of the Town Hall, 116 North Main Street, Farmville, Virginia, there were present Vice-Mayor A.D. Reid, presiding, and Council members S.O. Amos, D.E. Dwyer, B.R. Vincent and T.M. Pairet. Mayor D.E. Whitus was absent.

Staff present were Town Manager C. Scott Davis, Finance Director Julie Moore, Deputy Police Chief and Captain William Hogan, Community Development Director Lee Pambid, Recreation Director Thomas Woodson, IT Support Ashley Austin, Deputy Clerk Jacqueline Vaughan, and Clerk Mary McKay.

Vice-Mayor Reid called the meeting to order.

The Clerk called the roll, noting G.C. Cole and D.L. Hunter as absent.

DISCUSSION: AMERICAN RESCUE PLAN ACT (ARPA) FUNDS – WILCK’S LAKE PLAYGROUND EQUIPMENT

Town Manager reported on the project to replace the playground equipment at Wilck’s Lake using the American Rescue Plan Act funds, noting it more cost effective to install new equipment.

DISCUSSION: AMERICAN RESCUE PLAN ACT (ARPA) FUNDS – SPLASH PAD

Town Manager reported on another project using ARPA funding-to install a splashpad near the playground at Lions Park, closer to the Sarah Terry Trail on the raised section of the property. The turnkey project has an approximate cost of \$638,806.38. At a later date and at an additional expense, a permanent restroom/changing area facility will be added to enhance the park.

DISCUSSION: AMERICAN RESCUE PLAN ACT (ARPA) FUNDS – PUBLIC WORKS CRASH BARRIER

Town Manager reported on the need for a crash barrier for the Public Works Department. This type of safety equipment is required to be used for any maintenance such as hanging banners or changing overhead lights. The approximate cost of the crash barrier is \$33,596.80, and ARPA funding will be requested as this item was not budgeted.

DISCUSSION: MOTON MUSEUM OVERLAY DISTRICT

Town Manager reported on the zoning topic and announced there will be a Community Meeting and Conversation at the Robert Russa Moton Museum on September 8, 2022, to discuss the World Heritage Initiative and Proposed Moton Museum Gateway Overlay District. Community Development Director Lee Pambid provided a presentation on what an overlay district is and how it is beneficial to the museum and the Town of Farmville.

OTHER MATTERS THAT MAY COME BEFORE THE COUNCIL

Mr. Vincent noted a topic for Council to think on. Over last weekend, a mural on the High Bridge Trail was painted over by the owner of the business. There has been some conversation about whether the Town and Council would be amenable to the interfaith mural reappearing on the Farmville Marketplace. The interfaith mural offered a welcome to historic Farmville and was about the unity of the community.

There being no other business and on a motion by Mr. Vincent, seconded by Mr. Pairt, with all in agreement, the meeting adjourned at 11:36 AM.

APPROVED:

ATTEST:

A.D. Reid, Vice-Mayor

Mary H. McKay, Clerk of Council

SPECIAL MEETING OF THE FARMVILLE TOWN COUNCIL
HELD ON SEPTEMBER 14, 2022

At the special meeting of the Farmville Town Council held on Wednesday, September 14, 2022, at 5:30 PM, in the Emergency Operations Center, located at 116 North Main Street, Farmville, Virginia, there were present Mayor David E. Whitus, presiding, and Council members T.M. Pairet, A.D. Reid, B.R. Vincent, S.O. Amos, D.E. Dwyer, and D.L. Hunter.

The staff present were Town Manager C. Scott Davis, and Clerk Mary McKay.

The Clerk called the roll, noting G.C. Cole as absent.

CLOSED SESSION: SECTION 2.2-3711(A)(1)

On a motion by Mr. Vincent, seconded by Mr. Pairet, and with all Council members voting “aye”, Council went into closed session under the provisions of A.1. of Section 3711, for the discussion of the Town Manager’s Performance Evaluation.

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: Six “ayes”, No “nays”

MOTION: Vincent

SECOND: Hunter

AYES: Hunter, Reid, Pairet, Dwyer, Amos and Vincent

NAYS: None

ABSENT DURING VOTE: Cole

ABSENT DURING MEETING: Cole

There being no other business and on a motion by Mr. Pairet, seconded by Mr. Vincent, and with all Council members voting “aye”, the meeting was adjourned.

APPROVED:

ATTEST:

David E. Whitus, Mayor

Mary H. McKay, Clerk of Council

DRAFT

REGULAR MEETING OF THE FARMVILLE TOWN COUNCIL
HELD ON SEPTEMBER 14, 2022

At the regular meeting of the Farmville Town Council held on Wednesday, September 14, 2022, at 7:00 PM, in the Council Chamber of the Town Hall, located at 116 North Main Street, Farmville, Virginia, there were present Mayor D. E. Whitus, presiding, and Council members B.R. Vincent, A.D. Reid, T.M. Pairet, D.L. Hunter, D.E. Dwyer, and S.O. Amos.

The staff present were Town Manager C. Scott Davis, Town Attorney Gary Elder, Finance Director Julie Moore, Director of Community Development Lee Pambid, Director of Public Works Robin Atkins, IT Support and Deputy Clerk Jacqueline Vaughan and Clerk Mary McKay.

Mayor Whitus called the meeting to order and welcomed all guests including members of Dr. Eric Hodges' American Government class who were in attendance.

Pastor Austin Williams of Baptist Collegiate Ministries provided the Invocation, followed by the Pledge of Allegiance led by Vice-Mayor Reid.

The Clerk called the roll, noting Council member G.C. Cole as absent.

INTRODUCTION OF NEW TOWN OF FARMVILLE EMPLOYEES

Town Manager introduced Human Resources Manager Chris McAllister and Fire Chief Daniel Clark. Town Manager and Mayor Whitus welcomed the new staff.

PRESENTATION OF PROPOSED TOWN OF FARMVILLE CHARTER BY JEFF GORE

Town Manager introduced Jeff Gore of Hefty, Wiley, and Gore and advised Town Council contracted with the firm to represent the Town in adjusting the charter. Mr. Gore provided a presentation on the proposed changes including an overview of the process with the General Assembly and the local process to have the charter updated.

PUBLIC HEARING – ORDINANCE NO. 212 AMENDING SECTION 29-31 OF ARTICLE IV OF CHAPTER 29 – ZONING AND SUBDIVISION

With no one signed up or wishing to speak, the Public Hearing was closed.

PUBLIC COMMENT PERIOD

With no one signed up or wishing to speak, the Public Comment period was closed.

REQUEST APPROVAL OF THE CONSENT AGENDA

On a motion by Mr. Hunter, seconded by Mr. Vincent, and with all Council members voting "aye", the consent agenda was approved as presented. The consent agenda includes the

draft minutes of the regular Council meeting held on August 10, 2022. The August 3, 2022 Work Session was cancelled.

REQUEST APPROVAL OF THE FINANCE REPORT

On motion by Mrs. Amos, seconded by Mr. Vincent, and with all Council members voting “aye”, the Finance Report was approved as submitted.

BACKGROUND: Finance Director reported the total unrestricted funds are down from the prior month mainly due to the purchase of fixed assets such as a truck with a dump body and the street sweeper along with moving \$150,000. to set-aside. The 911 Wireless and E911 Reserve both declined in August due to paying for the dispatch radios. \$15,533.64 was earned with the money being moved to the Local Government Investment Pool (LGIP) in August. Ms. Moore also reported \$250,000. will be transferred in September from the Sewer Fund to the General Fund. Town Manager advised this transfer is done every year for cash flow until income from taxes is received in December.

REQUEST ADOPTION OF ORDINANCE NO. 212 AMENDING SECTION 29-31 OF ARTICLE IV OF CHAPTER 29 – ZONING AND SUBDIVISION

On a motion by Mr. Vincent, seconded by Mr. Pairet, and with Council members Hunter, Dwyer, Amos, Vincent, Reid and Pairet voting “yes”, a motion was approved to adopt Ordinance No. 212 Amending Section 29-31 of Article IV of Chapter 29 – Zoning and Subdivision.

BACKGROUND: Town Manager reported the ordinance adjusts for certain signs in business areas.

ORDINANCE NO. 212

Amending Section 29-31 of Article IV of Chapter 29 – Zoning and Subdivision.

THE TOWN OF FARMVILLE HEREBY ORDAINS:

1. Section 29-31 of Article IV of Chapter – Zoning and Subdivision is amended as follows:

Sec. 29-31. Signs.

- (f) *Sign standards: B-2 and B-3 zoning districts.* Any business located within a B-2 and B-3 zoning districts shall be limited to displaying no greater than two (2) square feet of signage per linear foot of ~~business street~~ frontage for freestanding buildings, or store frontage for in-line shopping center establishments. and in no case shall any business display greater than one-hundred and fifty (150) square feet of signage per ~~building street frontage~~. All

signs are allowed to be internally illuminated if in compliance with all requirements set forth in this section. Individual signs shall be limited in their size and placement according to the following regulations:

Table 4: Maximum Sign Dimensions—B-2 and B-3 Zoning Districts

Sign Type	Number	Area	Height (ft.)
Window	Not limited	Lesser of 20% of window area or 6 sq. ft.	Not limited
Freestanding	1 per street frontage, limit 2 per lot	25 50 sq. ft.	15 ft.
Projecting	1 per business per street frontage	12 sq. ft.	No less than 9 ft.
Wall	1 2 per business per street frontage	25 100 sq. ft.	15 ft. max. above grade level Not limited
Canopy	Permitted	Letters not more than 12 inches high.	No less than 9 ft clearance; not to exceed canopy height.
A-Frame	1 per 30 feet of frontage	6 sq. ft. per side	4 ft.
Painted	1 on side or rear wall	Shall not exceed 15 50% of that wall area	As per other standards Not limited
Temporary (freestanding, banner, or wall only) ¹	Not limited	12 sq. ft.	4 ft.

¹ Temporary signs shall not count toward sign allotment for each business.

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

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 Pairet _____.

The Honorable Brian Vincent _____.

The Honorable Donald L. Hunter _____.

The Honorable Greg Cole _____.

**REQUEST ADOPTION OF RESOLUTION 2022-09-01 PROVIDING AMERICAN RESCUE
PLAN ACT FUNDS FOR GENERAL GOVERNMENT USE**

On a motion by Mr. Pairet, seconded by Mr. Dwyer, and with Council members Dwyer, Amos, Vincent, Reid, Pairet and Hunter voting “yes”, a motion was approved to adopt Resolution 2022-09-01 Providing American Rescue Plan Act Funds for General Government Use.

BACKGROUND: Town Manager reported receiving pricing on two items: a Splash Pad which would be placed at Lions Park and a Crash Barrier as safety equipment to be used by the Public Works Department. After a motion and second, an inquiry was made by Mr. Vincent if the Library Playground Equipment is included. Town Manager reported once a good model and pricing is received for the equipment, it will be brought forth to Council.

Resolution #2022-09-01

Providing American Rescue Plan Act Funds for General Government Use

WHEREAS, the Town of Farmville received funds from the United States Treasury through the American Rescue Plan Act in June of 2021 and the second phase of funding in June 2022; and

WHEREAS, the United States Treasury has issued a final ruling on the use of said funds by local governments; and

WHEREAS, general government use is an allowed use of American Rescue Plan Act Funding; and

WHEREAS, Town Council recognizes the need for enhanced recreation equipment and safety for our employees; NOW THEREFORE,

BE IT RESOLVED BY THE TOWN OF FARMVILLE TOWN COUNCIL:

1. The Town of Farmville Town Council approves the funding of a splash pad with a not to exceed cost of \$650,000 and for a crash barrier trailer with all needed accessories with a not to exceed cost of \$40,000 from the American Rescue Plan Act funds.
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 Pairat _____.

The Honorable Brian Vincent _____.

The Honorable Donald L. Hunter _____.

The Honorable Greg Cole _____.

APPOINTMENTS TO THE FARMVILLE INDUSTRIAL DEVELOPMENT AUTHORITY

(FIDA) On a motion by Mr. Reid, seconded by Mr. Hunter, and with a recorded vote of Council members Amos, Vincent, Reid, Pairet, Hunter and Dwyer voting “yes”, a motion was approved to accept the recommendation of the Personnel Committee and appoint Rhett Weiss, James Kimbrough and Cory Wingo to the Farmville Industrial Development Authority.

BACKGROUND: There are three FIDA resignations with replacements to be named. The Personnel Committee met on September 14, 2022, and recommended Rhett Weiss, James Kimbrough and Cory Wingo to the Farmville Industrial Development Authority to fill the unexpired terms of Travis Mason, Mark Kernohan, and Perry Carrington. Travis Mason has an unexpired term of 02/28/2025. Mark Kernohan has an unexpired term of 02/28/2026. Perry Carrington has an unexpired term of 02/28/2026.

REQUEST ADOPTION OF RESOLUTION NO. 2022-09-02 AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER FUNDS WITHIN THE GENERAL FUND FROM THE FINANCE DEPARTMENT TO THE LIBRARY DEPARTMENT FOR THE LIBRARY TRUST FUND PAYMENT AND THE STREET DEPARTMENT TO THE NON-DEPARTMENTAL DEPARTMENT FOR THE TDFP GAP FINANCING-WEYANOKE PAYMENT

On a motion by Mr. Vincent, seconded by Mr. Hunter, and with a recorded vote of Council members Vincent, Reid, Amos, Pairet, Hunter, and Dwyer voting “yes”, a motion was approved to adopt Resolution No. 2022-09-02 Authorizing the Finance Director to Transfer Funds Within the General Fund from the Finance Department to the Library Department for the Library Trust Fund Payment and the Street Department to the Non-Departmental Department for the TDFP Gap Financing-Weyanoke Payment.

BACKGROUND: Finance Director provided a report on the proposed transfers. Funds held by the Town for the Library Board needed to be returned once a Library Trust Fund was created. Not being a budgeted item, funds need to be transferred for this. By an agreement signed by Council

in December 2016 and being difficult to budget for as it is based on sales tax, additional funds need to be transferred to the Weyanoke budget line for Fiscal year 2021-2022.

Resolution No. 2022-09-02

To transfer funds within the General Fund for the fiscal year beginning July 1, 2021 and ending June 30, 2022. To transfer funds from the Finance Department within the General Fund in the amount of \$178,116.68 to the Library Department for the Library Trust Fund payment and a transfer of funds from the Street Department to the Non-Departmental Department for the TDFP Gap Financing-Weyanoke payment. The purpose of the transfer is to cover insufficient funding in the Library Department and the Non-Departmental Department.

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF FARMVILLE:

1. That a transfer of funds in the amount of \$129,506.38 from the Finance Department to the Library Department for the Library Trust Fund payment and \$48,610.30 from the Street Department to the Non-Departmental Department for the TDFP Gap Financing-Weyanoke payment. The purpose of the transfer is to cover insufficient funding in the Library Department and the Non-Departmental Department.
2. That this resolution shall be in full force and effect upon its passage.

Approved:

Mayor

Attest:

Town Clerk

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 Brian Vincent _____.

The Honorable Donald L. Hunter _____.

The Honorable Greg Cole _____.

REQUEST ADOPTION OF RESOLUTION NO. 2022-09-03 AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER BUDGETED FUNDS FROM FY21-22 TO FY22-23 IN THE GENERAL FUND, STREET MAINTENANCE FUND, WATER FUND, AND AIRPORT FUND

On a motion by Mr. Pairet, seconded by Mr. Reid, and with Council members Dwyer, Hunter, Pairet, Amos, Reid and Vincent voting “yes”, a motion was approved to adopt Resolution No. 2022-09-03 Authorizing the Finance Director to transfer budgeted funds from FY21-22 to FY22-23 in the General Fund, Street Maintenance Fund, Water Fund, and Airport Fund.

BACKGROUND: Finance Director reported on the need to move budgeted funds to the current fiscal year to pay for items previously committed to in the previous fiscal year. Town Manager provided examples of items not yet received.

Resolution No. 2022-09-03

To transfer funds to the General Fund for the fiscal year beginning July 1, 2022 and ending June 30, 2023. To transfer funds from FY21-22 to FY22-23 in the aggregate amount of \$2,284,172.14 to the General Fund in the amount of \$918,403.61, Street Maintenance Fund in the amount of \$104,848.00, Water Maintenance Fund in the amount of \$43,418.74 and Airport Fund in the amount of \$1,217,501.79 for the purpose of budgeted funds for items and projects that have not been received or invoiced as of June 30, 2022.

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF FARMVILLE:

1. That a transfer of funds from FY21-22 to FY22-23 in the aggregate amount of \$2,284,172.14 to the General Fund in the amount of \$918,403.61, Street Maintenance Fund in the amount of \$104,848.00, Water Maintenance Fund in the amount of \$43,418.74 and Airport Fund in the amount of \$1,217,501.79 for the purpose of budgeted funds for items and projects that have not been received or invoiced as of June 30, 2022.

2. That this resolution shall be in full force and effect upon its passage.

Approved:

Mayor

Attest:

Town Clerk

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 Brian Vincent _____.

The Honorable Donald L. Hunter _____.

The Honorable Greg Cole _____.

STAFF REPORTS

Town Manager reported on several items: The Heart of Virginia Festival will be held on Saturday, September 17, 2022, with a block party afterwards. North Street will be blocked off from five to midnight. On Friday, September 16, 2022, the Heart of Virginia Festival Committee, and the Farmville Jaycees will host a joint event with a concert at Riverside Park.

An engineering firm will be sought to complete a capacity study for the Belmont pump station to ensure sufficient capacity for current and future use.

A load rating study is to be completed on a portion of the road on Fourth Street that goes over Grosses Creek. Tape has been placed for safety with a sign not to walk on that portion of the sidewalk as there may be some issues with the bridge underneath the roadway. If the bridge needs to be replaced, the repair will be at the Town's expense. ARPA funding may be sought.

A contract has been signed for the paving of the parking lot in front of the Mary E. Branch building and the Elks Lodge, and the Town is awaiting a begin date from the paving company.

An Employee Appreciation Luncheon is scheduled for Thursday, September 15, 2022, from 11 AM-2 PM at Wilck's Lake.

STANDING COMMITTEE REPORTS

No committee reports were offered.

COMMENTS BY THE MAYOR AND MEMBERS OF TOWN COUNCIL

Mr. Vincent asked if the Library Playground topic will be revisited once estimates are received. He also commented on the percentage of allocated ARPA funding used for the Splash Pad, and that there are funds still available for infrastructure items. He offered a friendly competition for anyone wanting to join him in running the 10K race this Saturday morning.

Mayor reminded all that the October Work Session has been cancelled due to attendance at conferences. Heart of Virginia Festival is scheduled this weekend.

There being no other business, on motion by Mr. Hunter, seconded by Mr. Vincent, and with all Council members voting "aye", the meeting was adjourned at 7:38 PM.

APPROVED:

ATTEST:

David E. Whitus, Mayor

Mary McKay, Clerk of Council



Town of Farmville

Agenda Item Summary

MEETING DATE: October 12, 2022

ITEM NUMBER: 9.a. – Finance Report

BACKGROUND: Verbal Report by the Finance Director.

RECOMMENDATION: Approve the Finance Report, as presented.

FISCAL IMPACT:

ATTACHMENTS: None



Town of Farmville

Agenda Item Summary

MEETING DATE: October 12, 2022

ITEM NUMBER: 10.a. – Request Approval of Resolution 2022-10-01 Providing ARPA Funds for General Government Use for New Playground Equipment at Wilck's Lake

BACKGROUND: Verbal report by the Town Manager.

The proposed playground equipment was discussed at the September 7, 2022 Work Session. A proposal, site plan, and drawings are included in the packet.

RECOMMENDATION: Approve Resolution 2022-10-01 Providing ARPA Funds for General Government Use for New Playground Equipment at Wilck's Lake

FISCAL IMPACT:

ATTACHMENTS:

1. ARPA Resolution - Wilck's Playground Equipment
2. PROPOSAL #27434A
3. Farmville Rec Dept-Site Plan
4. Farmville Rec Dept Drawings 09-15
5. Additional Farmville Rec Dept Drawing

Resolution #2022-10-01

Providing American Rescue Plan Act Funds for General Government Use

WHEREAS, the Town of Farmville received funds from the United States Treasury through the American Rescue Plan Act in June of 2021 and the second phase of funding in June 2022; and

WHEREAS, the United States Treasury has issued a final ruling on the use of said funds by local governments; and

WHEREAS, general government use is an allowed use of American Rescue Plan Act Funding; and

WHEREAS, Town Council recognizes the need for enhanced recreation equipment;
NOW THEREFORE,

BE IT RESOLVED BY THE TOWN OF FARMVILLE TOWN COUNCIL:

1. The Town of Farmville Town Council approves the funding of new playground equipment at Wilck's Lake with a not to exceed cost of \$35,000 from the American Rescue Plan Act funds.
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 Brian Vincent _____.

The Honorable Donald L. Hunter _____.

The Honorable Greg Cole _____.



Playground Specialists Inc
29 Apples Church Road
Thurmont, MD 21788
(800) 385-0075
www.playspec.com

ADDRESS

TOWN OF FARMVILLE PARKS
& RECREATION
ATTN: LEEANNA GRANT
124 SOUTH ST
FARMVILLE, VA 23901

SHIP TO

WILCK'S LAKE PARK
C/O PLAYGROUND
SPECIALISTS

Proposal 27434A**DATE** 09/14/2022**SALES REP**

JOE LATHAM

TYPE	QTY	RATE	AMOUNT
PLAYWORLD EQUIPMENT PSD-1108-FTD - PLAYSIMPLE DESIGN #8 - FOOTED	1	20,440.00	20,440.00
APS BORDER 8" BLACK PLASTIC BORDER	26	38.00	988.00
APS-ADAHalfRamp ACCESSIBLE HALF RAMP	1	750.00	750.00
INSTALLATION CERTIFIED INSTALLATION OF ALL EQUIPMENT ABOVE	1	7,211.00	7,211.00
WOODCARPET PROVIDE AND SPREAD 35 CY WOODCARPET EWF AT 9" COMPACTED DEPTH	35	46.00	1,610.00

NOTE

PRICING ABOVE IS SITE UNSEEN AND ASSUMES A
CLEAR AND LEVEL AREA WITH GOOD ACCESS. IF
DEMO OR SITE WORK IS REQUIRED PRIOR TO
INSTALLATION OR ACCESS IS POOR, ADDITIONAL
CHARGES WILL APPLY

*Net 30 w/ PO

*3% service charge for all credit card payments.

*Pricing only guaranteed for 30 days unless specified above.

*Absolutely no engineering, permit fees, bonding, or additional
insurance included in above pricing unless specified on line item.

*Additional mobilization, poor soils, limited access, or utility
issues may result in change orders.

*Standard lead times always apply. Contact sales agent for
details.

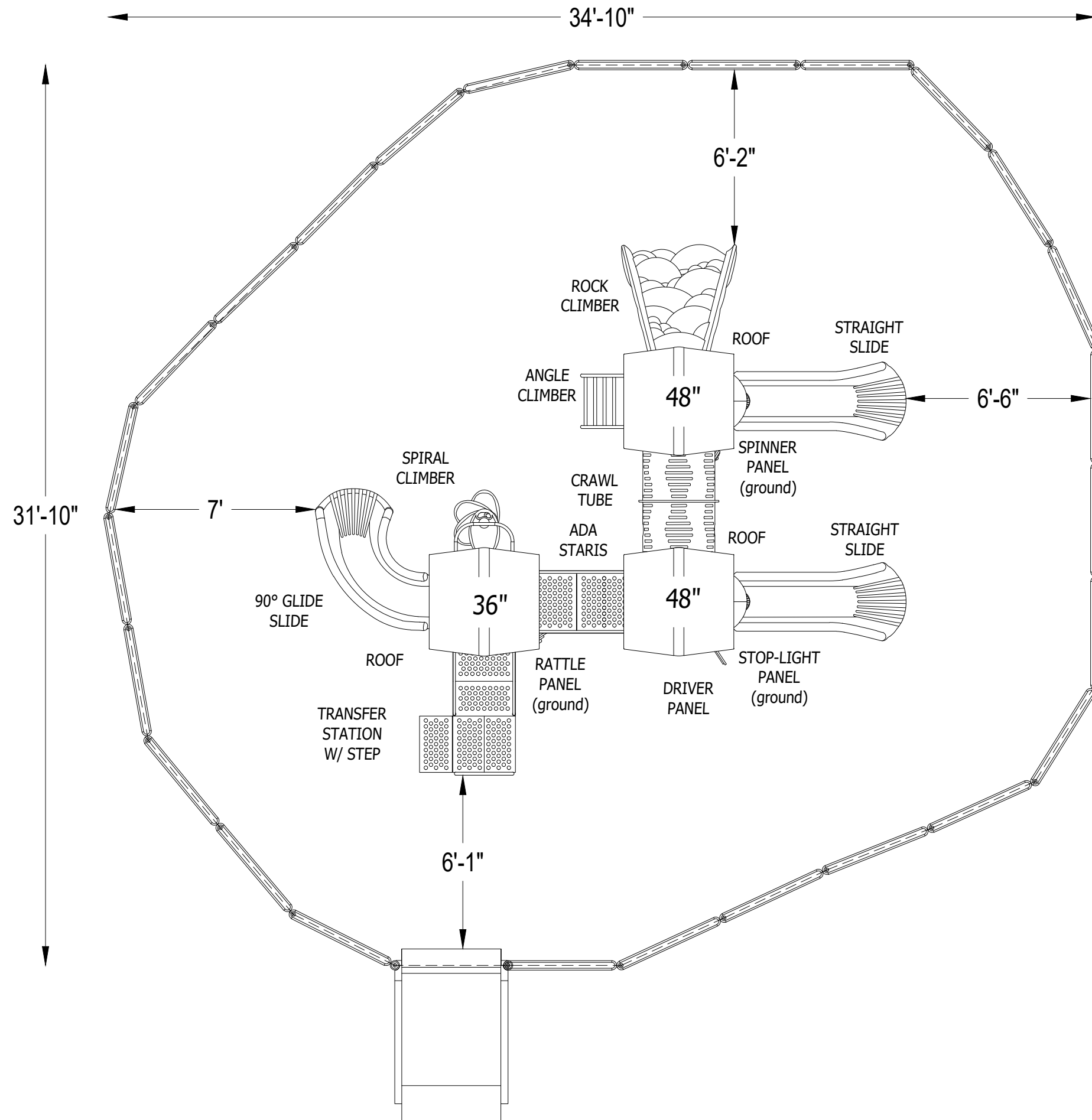
**Sign and return when approved. Thank you!

SUBTOTAL	30,999.00
TAX (0%)	0.00
SHIPPING	2,098.00

TOTAL	\$33,097.00
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Accepted By

Accepted Date



PLAYGROUND SPECIALISTS INC
29 APPLES CHURCH ROAD
THURMONT, MD 21788

EQUIPMENT SIZE:
X' x Y' x Z'

USE ZONE:
X' x Y'

AREA:
883 SqFt.

PERIMETER:
108 Ft.

FALL HEIGHT:
4 Ft.

USER CAPACITY:
28

AGE GROUP:
2-5

ADA SCHEDULE	Total Elevated Play Activities: X		
	Total Ground-Level Play Activities: X		
	Accessible Elevated Activities	Accessible Ground-Level Activities	Accessible Ground-Level Play Types
Required	X	X	X
Provided	X	X	X

- ✓ ASTM F1487-17
- ✓ CPSC #325



PROJECT NO:
P091422-10A

SCALE:
1/4"=1'-0"

DRAWN BY:
LMARKER

Paper Size

DATE:
14-SEPT-22

B

Farmville Recreation Department

City, State



Farmville Recreation Department

playground
Specialists Inc.

800.385.0075
www.playspec.com
sales@playspec.com



PRIMARY



Farmville Recreation Department

playground
Specialists Inc.

800.385.0075
www.playspec.com
sales@playspec.com



PRIMARY



Farmville Recreation Department



800.385.0075
www.playspec.com
sales@playspec.com



PRIMARY



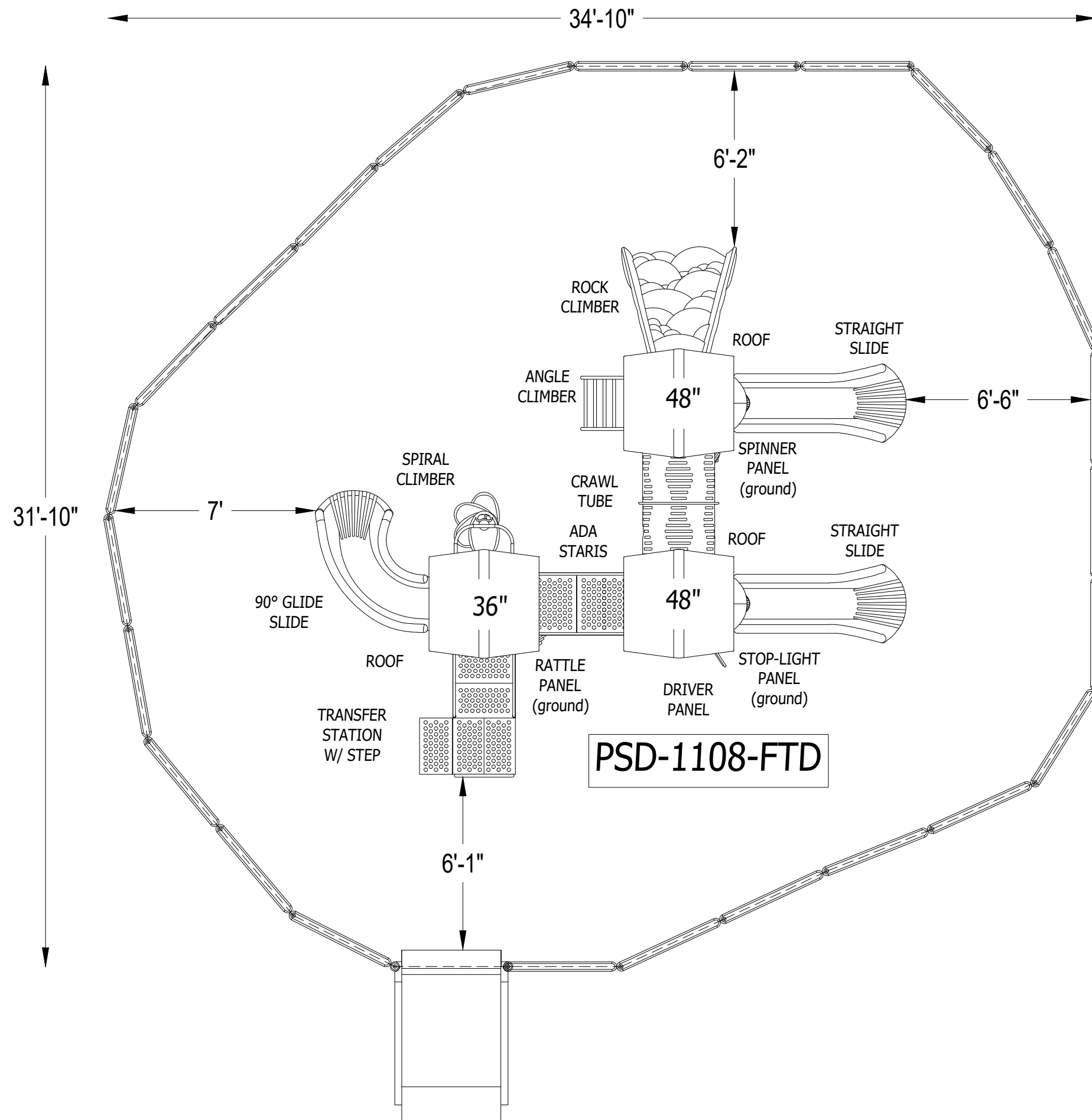
Farmville Recreation Department

playground
Specialists Inc.

800.385.0075
www.playspec.com
sales@playspec.com



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*PLAYGROUND SUPERVISION REQUIRED



PLAYGROUND SPECIALISTS INC
29 APPLES CHURCH ROAD
THURMONT, MD 21788

EQUIPMENT SIZE:
X' x Y' x Z'

USE ZONE:
X' x Y'

AREA:
883 SqFt.

PERIMETER:
108 Ft.

FALL HEIGHT:
4 Ft.

USER CAPACITY:
28

AGE GROUP:
2-5

ADA SCHEDULE	Total Elevated Play Activities: X		
	Total Ground-Level Play Activities: X		
	Accessible Elevated Activities	Accessible Ground-Level Activities	Accessible Ground-Level Play Types
Required	X	X	X
Provided	X	X	X

✓ ASTM F1487-17
✓ CPSC #325



PROJECT NO:
P091422-10A

SCALE:
1/4"=1'-0"

DRAWN BY:
LMARKER

Paper Size

DATE:
14-SEPT-22

B

Farmville Recreation Department





Town of Farmville

Agenda Item Summary

MEETING DATE: October 12, 2022

ITEM NUMBER: 11.a. – Request Approval of Conditional Use Permit - Case CUP22-002 - to allow for a multifamily dwelling containing four apartment units at 1306 Longwood Avenue

BACKGROUND: Verbal report by the Town Manager.

RECOMMENDATION: Accept the recommendation of the Planning Commission and approve Conditional Use Permit - Case CUP22-002 - to allow for a multifamily dwelling containing four apartment units at 1306 Longwood Avenue

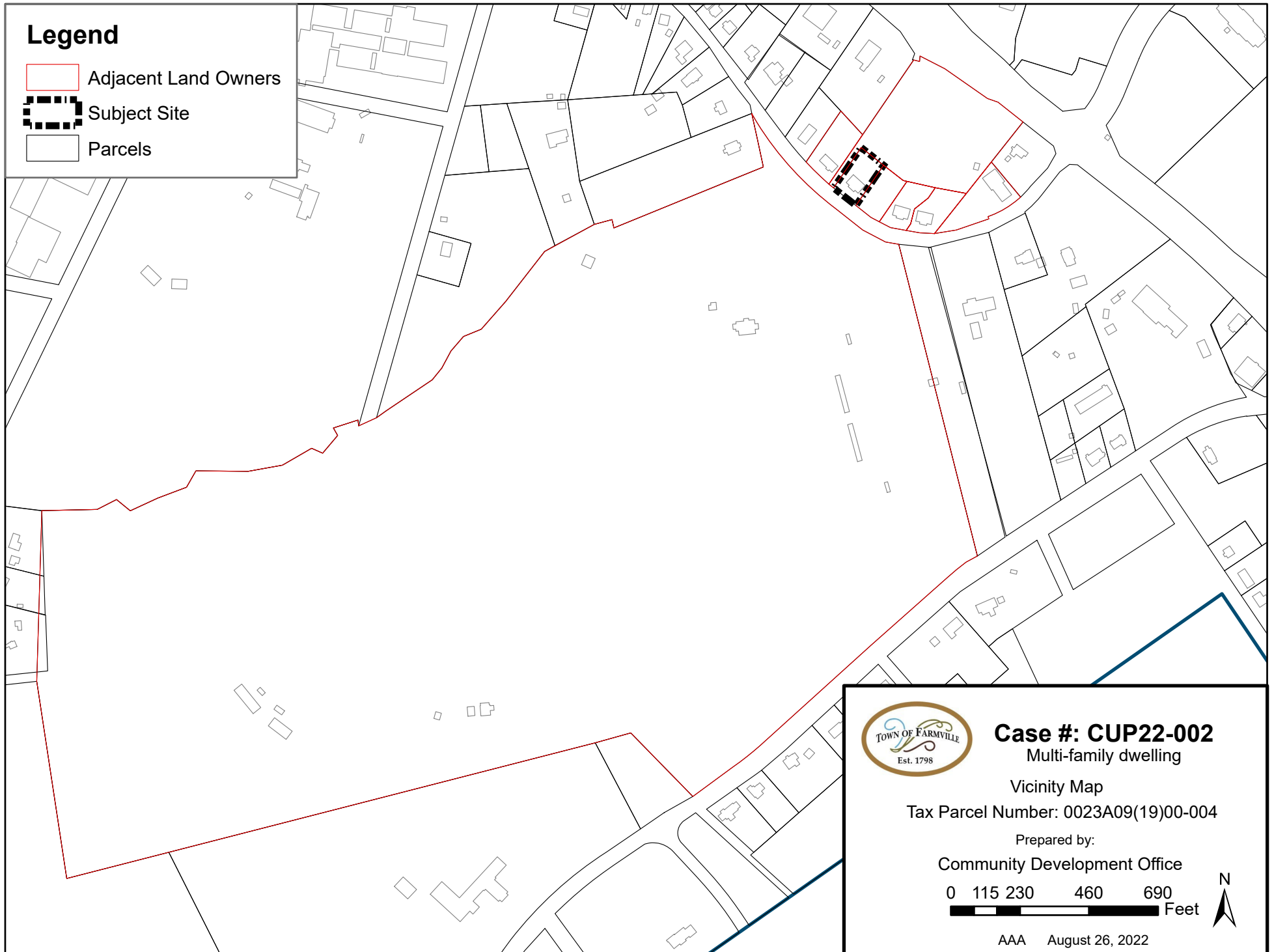
FISCAL IMPACT:

ATTACHMENTS:

1. Community Development Staff Report

Legend

-  Adjacent Land Owners
-  Subject Site
-  Parcels



Case #: CUP22-002
Multi-family dwelling

Vicinity Map

Tax Parcel Number: 0023A09(19)00-004

Prepared by:

Community Development Office

0 115 230 460 690 Feet

AAA August 26, 2022



Legend

-  Subject Site
-  Adjacent Land Owners
-  Parcels



Case #: CUP22-002
Multi-family dwelling

Aerial View

Tax Parcel Number: 0023A09(19)00-004

Prepared by:

Community Development Office

0 25 50 100 150
Feet

AAA August 26, 2022





116 North Main Street
Farmville, Virginia 23901
434-392-8465
www.farmvilleva.com

Department of Community Development

CUP22-002

Locket Creek Real Estate Group Multi-Family Residence

Staff Report for 10/12/2022 Town Council Meeting

Identification and Location Information

Applicant	David Furlong representing Locket Creek Real Estate LLC
Property Owner	Same as above
Location	1306 Longwood Avenue, Tax Map # 0023A09(19)00-004
Ward	D, Council Member D. Hunter
Acreage	15,481sf, 0.355 acre
Zoning	B2 Transitional Commercial
Density	11.27 units per acre
Future Land Use Recommendation	Mixed Use Commercial
Overlays	Enterprise Zone
Adjacent Zoning	R2 Medium Density Residential to the left, B2 Transitional Commercial to the right and rear. "LU" across Longwood Avenue.
Adjacent Uses	Two-family dwellings to left and right, vacant commercial to the rear, Institutional (Longwood athletic fields) across Longwood Avenue
Staff Contact	Ashley Atkins-Austin, GIS Analyst/Grant Administrator Phone: 434-392-8465 Email: aaustin@farmvilleva.com

Background and Existing Conditions

The request is to add two (2) below ground dwelling units to an existing duplex for a total of four (4) dwelling units, which is by definition a multi-family dwelling. See *Zoning Ordinance Considerations* for additional background.

According to Prince Edward Tax Records the structure was built as a two-family dwelling in 2001. The current two-family dwelling has two (2) units that contain two (2) bedrooms and two (2) bathrooms each. The structure has a full walk-out lower area that is approximately 1,600 square feet. The site is located on a local street with a speed limit of 25 MPH and light traffic. The parcel is currently zoned B-2, Transitional commercial District. In the B-2 district, both two-family and multi-family dwellings are allowed by Conditional Use Permits.

Planning Commission Actions

The Planning Commission held a public hearing on Wednesday, September 21, 2022 at 7pm:

- It voted 6-0 to **recommend approval** of the Conditional Use Permit CUP22-002 with six (6) conditions.
 1. The parking and driveway spaces within 25' of the right-of-way shall be paved with at least chip-and-tar paving. Gravel is prohibited. The parking area shall be swept free of excess gravel prior to the issuance of a certificate of occupancy.
 2. Four (4) required off-street spaces shall be provided to the rear of the site.
 3. Mailboxes or any other appurtenances required to serve these units shall not be located within the sidewalk or public right-of-way.



4. Improve the landing area of current steps leading from the rear exits of the main floor units.
 5. In addition to the standard plot plan requirements for a single-family dwelling, the applicant shall provide the following information at the time of application for zoning and building permits: the dimensions and locations of all proposed improvements including parking spaces and arrangement, trash receptacle locations, pathways, underground utility connections, and mailbox(es).
 6. The applicant shall provide a scaled copy of a current survey of the property.
- David Furlong was present to answer questions about his application. He requested that the parking for the additional units be located at the rear of the structure. The Planning Commission agreed and amended the conditions accordingly. No other members of the public commented on the case at the public hearing.

Zoning Ordinance Considerations

Multi-family dwellings are permitted by **Conditional Use Permit** in the B2 Transitional Commercial District pursuant to the zoning use matrix in Section 29-22.a (Table 1, Zoning Use Matrix).

A Dwelling, multi-family is defined in Section 29-81- Definitions as the following:

- *A building arranged or designed to be occupied by three (3) or more dwelling units for permanent occupancy, regardless of the method of ownership. Included in the use type would be garden apartments, low and high rise apartments, apartments for elderly housing and condominiums.*

The B2 District's purpose and intent is as follows:

- *Transitional commercial district, B-2, is intended to encompass the expanding major downtown center and to provide for its orderly expansion. Business district B-2 should provide a framework for the perpetuation of a strong nucleus for the business community in which each business can enhance other businesses and where all the amenities and services of downtown can be provided. Business district B-2 is intended to accommodate shopping facilities which can supply the needs of families living in the immediate area. At the same time, business district B-2 is intended to be relatively free of the nuisance effects which businesses can render on adjacent residential areas.*

Zoning ordinance standards for specific uses, Section 29.35.3.a and 29.35.3.b state:

- 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.*



Comprehensive Plan Considerations

Land Use – B-2 Business (Transitional Commercial)¹

- The B-2 district is intended to be a transitional zone between downtown commercial areas, general commercial areas and residential neighborhoods. This is an appropriate place for higher density residential uses such as apartments and townhomes, but also makes room for light commercial uses such as offices, financial services, boutique retail, and other service uses that can serve neighborhood residents while fitting in with the character of nearby neighborhoods.*

Land Use – Mixed Use Commercial² (Up to 24 Units per Acre)

- The Mixed Use Commercial category is intended to be a transitional zone between downtown commercial areas and residential neighborhoods. This is an appropriate place for higher density residential uses, such as apartments and townhomes, and also provides opportunity for light commercial uses such as offices, financial services, boutique retail, and other service uses that can serve neighborhood residents while fitting in with the character of nearby neighborhoods. Restaurants and other high volume or highly-active businesses may not be appropriate for these areas. Commercial and residential uses may be located in adjacent separate structures or in single structures that include both use types in a coordinated building plan. Commercial uses should occupy ground floors, street corners, or other logical spaces with exclusive entrances and parking. While uses transition between residential and commercial, building design should likewise transition between typical residential design and the appearance of Farmville's historic downtown.*

Land Use – East Third Mixed Use Gateway³

- Existing Conditions-** *East Third Street is a newly developing gateway into the Town. Once a rural area comprised mostly of open space, it has recently seen a large amount of residential development and some commercial development. Currently, this area includes a shopping center with a movie theatre, apartments, and a hotel. Adjacent to these uses are numerous open spaces, single family dwellings, and an incomplete interchange to the US 460 Bypass. There is potential for this area to grow substantially. However, planning is needed to encourage organized development.*
- Development Goal-** *The goal in developing this area is to establish a niche community that can live, work, and play in one location while inviting other citizens in to enjoy the amenities the area offers. The Town has envisioned the completion of the US 460 interchange and listed it in the 2035 Transportation Plan as well as the Transportation chapter of this plan. This project will spur economic development here and in adjacent areas. Development for the planning area must occur thoughtfully so that businesses and residential units infill, creating a sense of place and preserving green space for recreational uses.*

¹ P. 52, Town of Farmville Comprehensive Plan, Adopted 6/10/2020

² P. 56, Town of Farmville Comprehensive Plan, Adopted 6/10/2020

³ P. 60, Town of Farmville Comprehensive Plan, Adopted 6/10/2020



- **Development Tools and Strategies-** *Strategies to achieve this successful mixed-use gateway include:*
 - *Move forward with the completion of the US 460 interchange;*
 - *Ensure connection to and the preservation of recreational and green spaces while allowing specific uses that will be beneficial to neighborhood residents and commuting traffic;*
 - *Coordinate strategic land use planning with Prince Edward County to ensure compatible and cohesive development;*
 - *Establish an Entrance Corridor Overlay to improve signage, landscaping, and building design standards in the area;*
 - *Seek designation as an Urban Development Area (UDA) to access funding for projects in this gateway. The purpose of UDAs is to allow the concentration of growth in certain areas and to guide the design of such areas to ensure they are livable and attractive environments. The essential design criteria include pedestrian-friendly road design, interconnection of streets, preservation of natural areas, mixed-use neighborhoods, reduction of front and side setbacks, among other things. Minimum densities are set by floor-to-area ratio for commercial and dwelling-units-per-acre for residential development.*
 - *Utilize the existing Enterprise Zone designation to encourage development and business location within the area.*

Utilities

The property is on the Town's public water and sewer system. Currently this site has two taps, one each for Units A and B. Staff recommends the applicant discuss adding additional taps for the new units with the Director of Public Works.

Transportation/ Streets

Staff recommends expanding the parking area to accommodate eight (8) parking spaces and paving that area with an all-weather driving surface. Eight (8) parking spaces will be required. This will require the minimum parking area to be 72' X 18'. Staff is recommending separating the parking with a walkway between two groups of parking spaces. To accommodate the parking area the owner will need to expand the curb cut. Staff recommends making sure the new curb cut meets VDOT standards for a parking entrance. Staff has suggested that the mailbox be moved from the current location in the center of the sidewalk. We recommend that the owner meet with staff of the Community Development Department to work on a better location for the mail receptacle. The nearest Farmville Area Bus stop is approximately 1,000 feet to the west.

Environmental

The site is a standard residential lot and is not located in a floodplain or other protected area. There are no impacted watercourses, steep slopes, or other atypical environmental factors. Emissions (dust, heat, noise, light, vibrations, etc.) should be standard for a residential use.



Findings and Recommendations

Staff's Findings

- The application appears to meet the standards of review for Conditional Use Permits set forth in Section 29-13.c.1 of the Town Zoning Ordinance.
- The application is substantially consistent with the Future Land Use Map and Mixed Use Districts.
- There are no significant impacts to the capacities of the utility or transportation systems.
- There are no significant environmental impacts to the site or adjacent properties.
- An approval in this single instance will not have a detrimental effect on the neighborhood fabric or neighboring properties because a change to a multi-family dwelling will not change the character of the dwelling from the road or from a land use perspective.

Staff's Recommendations

The Staff recommends **approval** of the Conditional Use Permit for a multi-family dwelling with seven (7) conditions that were subsequently amended by the Planning Commission.

Additional Information

1. In response to the CUP application question, *Will proposed use have any detrimental effects on adjoining property owners? If so, please describe (ex. Noise, dust, fumes, etc.),* the applicants stated:

"Adjoining property owner will have no detrimental effects."

2. There are no other zoning or code enforcement violations pending.

Attachments

1. Vicinity and aerial maps
2. Images
3. Standard plot plan requirements
4. Applicant narrative



Standards for Review

Section 29-13.c- Standards for review (of a Conditional Use Permit)

1. Conditional use permits may be issued for any of the uses for which a conditional use permit is required by the provisions of this chapter, provided that the governing body, upon a recommendation by the planning commission, shall find that:
 - A. The proposed use will not affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use.
 - B. The proposed use will not be detrimental to the public welfare or unduly injurious to property values or improvements in the neighborhood.
 - C. The proposed use will not be in conflict with the policies and principles of the town's adopted comprehensive plan.
 - D. Adequate public services, including streets and other trafficways, utilities, police and fire protection, are or reasonably will be available to support the proposed use.
2. In granting any conditional use permit, the governing body shall give due consideration to these relevant factors, as well as to any other reasonable land use and zoning considerations as may be required by the nature of the proposed use or as may be otherwise appropriate to effectuate the intent of this chapter, and the governing body shall designate such conditions as it deems necessary to carry out the intent of this chapter. The application for such conditional use permit shall be accompanied by such written and graphic material as may be necessary to enable the planning commission and the governing body to make the recommendation and findings set forth above.









Conditional use permit request

for

1306 Longwood Avenue,
Farmville VA 23901

Requested by:

Locket Creek Real Estate LLC

David Furlong 434-390-6223

Prince Edward County Planning Commission,

I am writing you to obtain a conditional use permit for my property at 1306 Longwood Avenue. The property currently has a duplex home on it that has 2 bedrooms and 2 bathrooms on each side. Due to the topography of the lot, it has a full walk out lower area that has 10' ceilings and a concrete floor. My intentions are to turn each side of the walkout area into a one bedroom studio apartment. Each side is approximately 725 square feet. I would plan on installing laminate flooring throughout, one bathroom, a kitchen area with all appliances and a PTAC air conditioning unit on each side. The apartments would be fitted with higher end amenities, be senior citizen friendly and also appealing to young professionals.

The area the home is located is surrounded by other multi-family homes. To the rear of the property is the Third Street Wrecker yard and It is also very close to the Longwood University field hockey and soccer fields. I currently own the vacant lot next to it as well as the two duplexes continuing down Longwood Avenue towards the Moose Lodge. I advise you of this to make you aware of the minimal impact this conditional use permit will have on the surrounding neighborhood.

I have included pictures of the existing building as well as the proposed apartment area. It should be noted there is adequate area for additional parking. Once the front entryway is cleared at the road, the entire parking area will measure 70' X 26' thus allowing plenty of room for the fourplex unit. The posted speed limit is 25 MPH and there is not a sightline issue for the future tenants.

I appreciate your consideration in this matter and please do not hesitate to contact me with any additional questions.

Respectfully submitted,

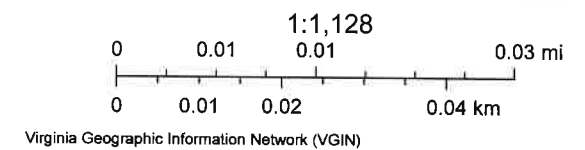


David Furlong
Locket Creek Real Estate Group LLC
(434) 390-6223

Furlong Multifamily Inquiry 0023A09(19)00-004



July 1, 2022





Existing Duplex



**Back View With
Old Stairs and
Landing**



**Neighboring
Property**



**Future Parking
Area for
Apartments**



**Left side Future Walkway
to Apartments**



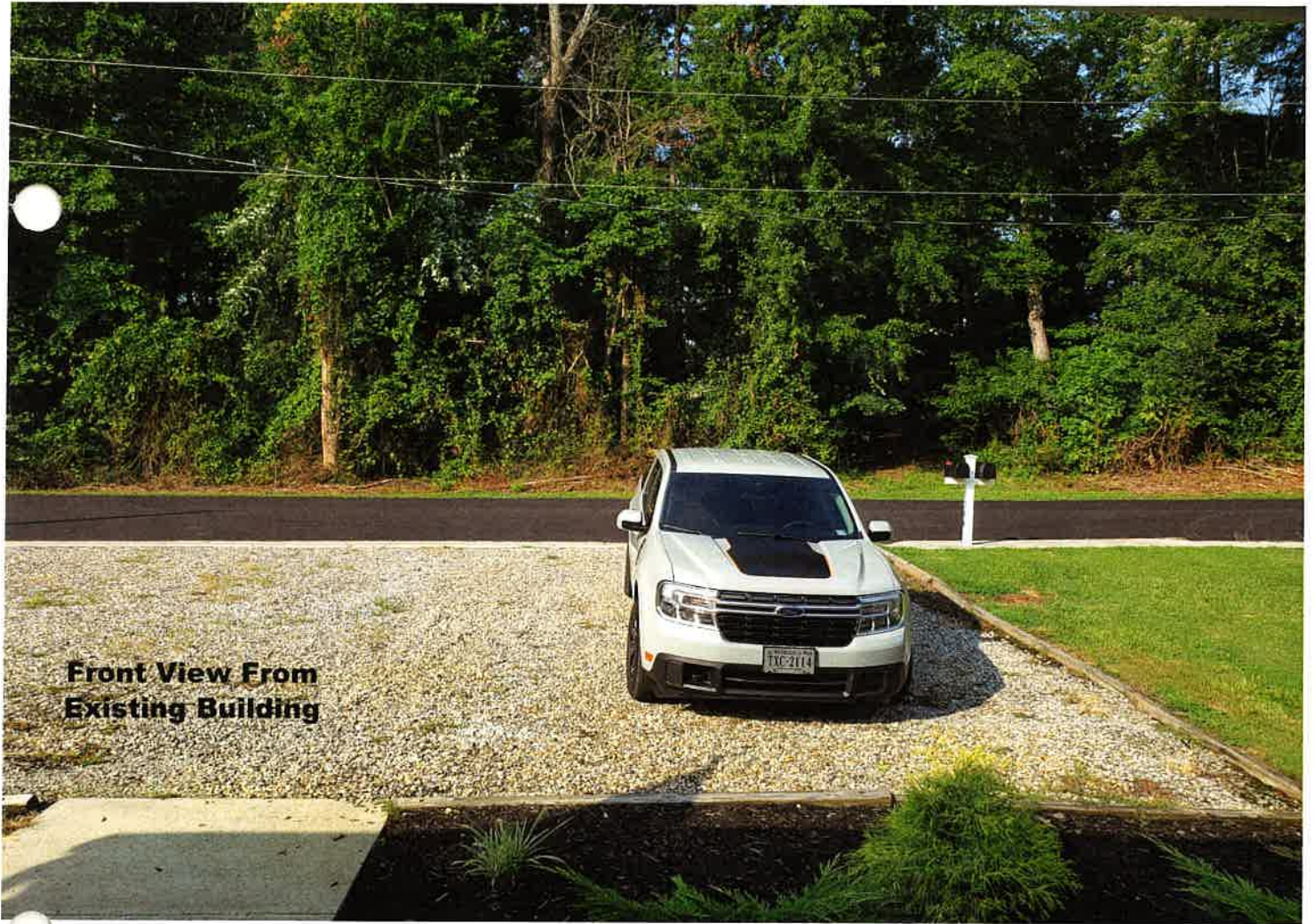
**Right Side Vacant Lot
Also Owned By
Homeowner**

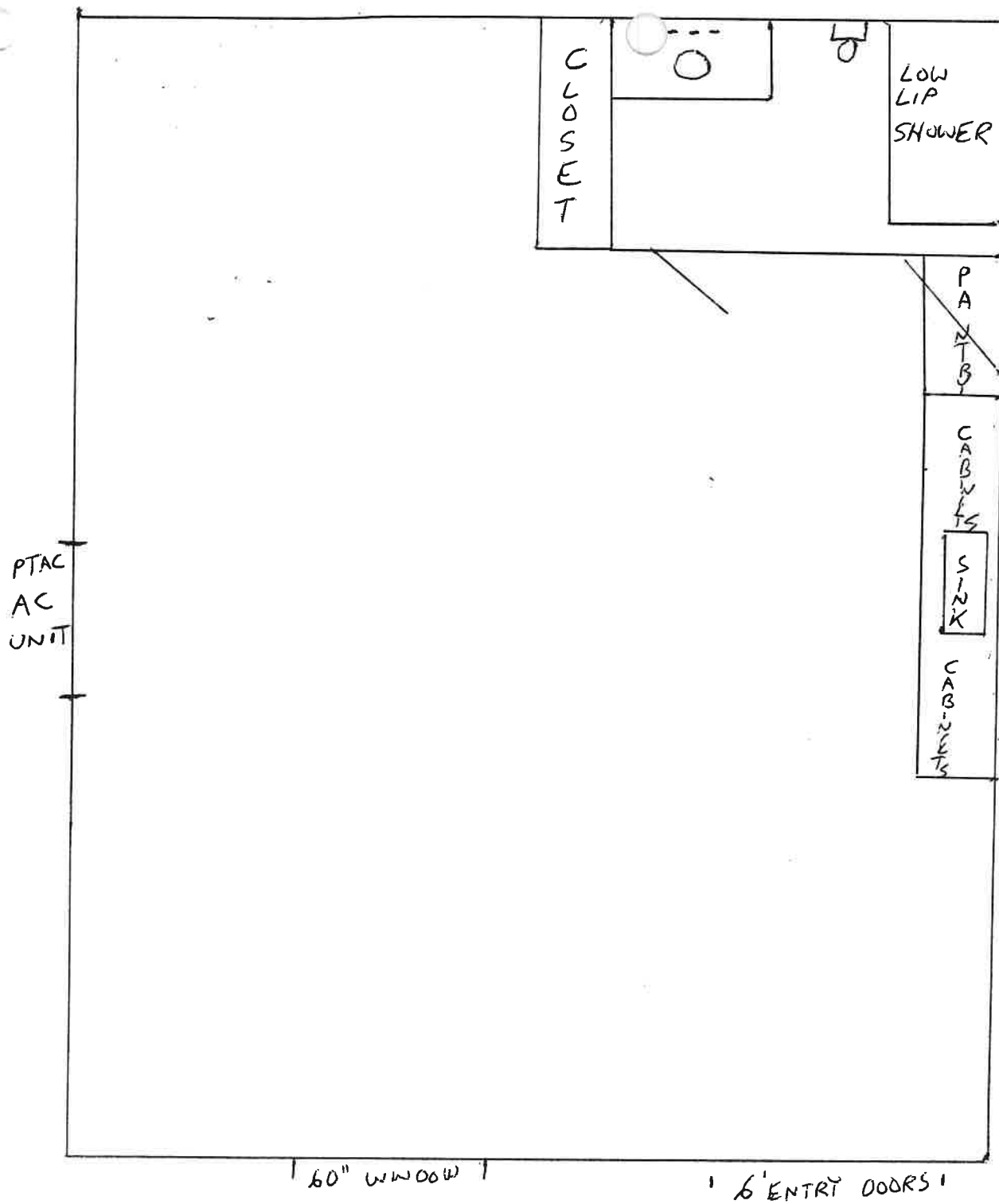


**View As You Exit
Apartments**



**Street View From
Existing Building**





$$\frac{1}{4}'' = 1'$$



Town of Farmville

Agenda Item Summary

MEETING DATE: October 12, 2022

ITEM NUMBER: 11.b. – Request Approval of Resolution 2022-10-02 Proposed Changes to Town of Farmville Charter

BACKGROUND: Verbal Report by the Town Manager.

Jeff Gore of Hefty, Wiley, and Gore reviewed the proposed changes with Council at the September 14, 2022 Town Council meeting. An overview of the process with the General Assembly and the local process to have the charter updated was provided.

RECOMMENDATION: Approve Resolution 2022-10-02 Proposed Changes to Town of Farmville Charter

FISCAL IMPACT:

ATTACHMENTS:

1. Town of Farmville - Resolution 2022-10-02
2. Farmville Charter HWG DRAFT 9.8.22

Resolution #2022-10-02

**Repeal Town of Farmville Charter adopted in 1956 and Request 2023
General Assembly Approve a New Charter for the Town of Farmville**

WHEREAS, the Town of Farmville Town Council has reviewed the existing Charter adopted by the Virginia General Assembly in 1956 and realizes there are numerous obsolete provisions; and

WHEREAS, the Town Council has hired outside legal counsel to draft a new Charter eliminating the obsolete provisions and bringing the Charter in line with current Town operating procedures; and

WHEREAS, the Town Council has advertised for and provided a public hearing to receive public comments on the proposed new Charter pursuant to Section 15.2-202 of the Code of Virginia.

NOW THEREFORE BE IT RESOLVED BY THE TOWN OF FARMVILLE TOWN COUNCIL that:

1. The town of Farmville Town Council approves the form of the new Charter presented to it at the public hearing, with any amendments adopted following such hearing, and requests the 2023 Virginia General Assembly to approve the new Town Charter and to repeal the existing Town Charter.
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 Brian Vincent

The Honorable Donald L. Hunter

The Honorable Greg Cole

Farmville, Town of
County of Prince Edward

History of incorporation

Established, 1798, c. 59.

Incorporation and charter, 1833, c. 191.

Charter, 1847, c. 218; repealed 1852, c. 380.

Charter, 1852, c. 380; repealed 1870, c. 298.

Charter, 1870, c. 298; repealed 1890, c. 196.

Charter, 1890, c. 196; repealed 1912, c. 162.

Charter, 1912, c. 162; repealed 1956, c. 315.

Current charter

Charter, 1956, c. 315.

Amendments to current charter

1968, c. 580 (§§ 3, 26 [repealed], 26.1 [added], 27 through 29 [repealed], 30)

Incorporation, Boundaries, and Powers Generally

§ 1. Incorporation.

The inhabitants of the territory comprised within the present corporate limits of the town of Farmville, Virginia, as the same now are or may hereafter be established by law, are hereby declared to be a body politic and corporate under the name of town of Farmville, and as such shall have perpetual succession, may sue and be sued, contract and be contracted with, and may have a corporate seal which it may alter, renew, or amend at its pleasure.

§ 2. Corporate boundaries.

The boundaries of the town shall remain as now established unless changed in accordance with applicable law.

§ 3. Powers.

The powers set forth in Title 15.2 of the Code of Virginia as in force on the date that this act takes effect, and all acts amendatory thereof, and all other powers that are now or may be conferred upon or delegated to towns under the Constitution and laws of the Commonwealth and all other powers pertinent to the conduct of a town government the exercise of which is not expressly prohibited by said Constitution and laws and which, in the opinion of the town council are necessary and desirable to promote the general welfare of the town and the safety, health, peace, good order, comfort, convenience, and morals of its inhabitants, are fully and completely conferred upon the Town of Farmville as though such powers specifically were enumerated in this Charter, and no enumeration of particular powers in this Charter shall be held to be exclusive but shall be held to be in addition to this general grant of powers.

In addition to the powers granted by other sections of this Charter, the town shall have the power to raise annually by taxes and assessments, as permitted by general law, in the town, such sums of money as

the council shall deem necessary to pay the debts and defray the expenses of the town, in such manner as the council shall deem expedient. In addition to, but not as a limitation upon, this general grant of power the town shall have power to levy and collect ad valorem taxes on real estate and tangible personal property and machinery and tools; to levy and collect taxes for admission to or other charge for any public amusement, entertainment, performance, exhibition, sport, or athletic event in the town, which taxes may be added to and collected with the price of such admission or other charge; to levy and collect taxes on hotel and motel rooms; to levy and collect privilege taxes, local general retail sales and use tax as provided by law, and capitation taxes; unless prohibited by general law, to require licenses, prohibit the conduct of any business, profession, vocation, or calling without such a license, and require taxes to be paid on such licenses in respect to all businesses, professions, vocations, and callings that cannot, in the opinion of the council, be reached by the ad valorem system; and to require licenses of all owners of vehicles of all kinds for the privilege of using the streets and other public places of the town, require taxes to be paid on such licenses, and prohibit the use of streets, alleys, and other public places in the town without such license, said town to have the power to require as a condition precedent to the issuance of motor vehicle licenses the exhibiting by the motor vehicle license applicant of adequate proof of the payment of all personal property taxes then due and payable to the town by the license applicant.

In addition to the other powers conferred by law, the Town of Farmville shall have the power to impose, levy, and collect, in such manner as its council may deem expedient, a consumer or subscriber tax upon the amount paid for the use of water, gas, electricity, telephone, and any other public utility service within the town or upon the amount paid for any one or more of such public utility services, and may provide that such tax shall be added to and collected with bills rendered consumers and subscribers for such services.

Administration and Government.
The Mayor and Council.

§ 4. Powers enumerated.

All powers of the Town of Farmville as a body politic and corporate shall be vested in the town council.

The council shall be the policy-determining body of the town and shall be vested with all of the rights and powers conferred by state law on councils in towns, not inconsistent with this Charter. In addition to the foregoing, the council shall have the following powers:

- (1) To have full power to inquire into the official conduct of any office or officer under its control and to investigate the accounts, receipts, disbursements, and expenses of such townemployees; for these purposes it may subpoena witnesses, administer oaths, and require theproduction of books, papers, and other evidence; and in case any witness fails or refuses to obey any such lawful order of the council, he shall be deemed guilty of a misdemeanor.*
- (2) To fix a schedule of compensation for all town officers and employees. The council may define certain*

classes of town employees whose salaries shall be set by the town manager.

(3) To prescribe the amount and condition of surety bonds to be required of such officers and employees of the town as the council may designate.

The town manager, the clerk of the council, and the town attorney shall serve at the pleasure and will of town council. Where the selection and tenure in office of officers and employees are otherwise specified in this Charter, the Constitution of Virginia, or state statute, those provisions shall govern.

§ 5. Election, term, and filling of vacancies.

The Council and the Mayor shall be elected in the manner provided by law as follows:

The terms of the three members of the council who were elected in May 2020, shall expire on December 31, 2024. At the regular municipal election to be held on the first Tuesday in November 2024, and every four years thereafter three councilmen shall be elected for a term of four years each. The term of the mayor and the four members of the council who were elected at the regular municipal election in November 2022 shall expire on December 31, 2026. Terms of office shall begin on the first day of January next following their election. Each council member and the mayor elected as hereinabove provided shall serve for the term stated or until ~~his~~ their successor has been elected and qualified.

The council shall have five members elected from wards and two members elected at-large. The three members elected in November 2024 and thereafter shall be one from ward D, one from ward E, and one at-large. The four members elected in November 2026 and thereafter shall be one from ward A, one from ward B, one from ward C, and one at-large. The mayor shall be elected at-large. Any vacancy in the office of any council member elected from a ward must be filled by a qualified voter actually residing in the ward in which the vacancy shall have occurred. Each member of council may receive a salary to be fixed by the council, payable at such times and in such manner as the council may direct. The mayor may receive a salary to be fixed by the council, payable in such manner and at such times as the council may direct.

§ 6. Oath of office.

The mayor and other municipal officers of the town, before entering upon the duties of their respective offices, shall be sworn in according to the laws of the Commonwealth by any one authorized to administer oaths, which said oaths shall be subscribed in writing and filed with the clerk of the council.

The failure of any person elected or appointed to an office under this Charter to qualify within thirty days after the commencement of the term for which he was elected or appointed, or if elected or appointed to fill a vacancy, for thirty days after such election or appointment, shall vacate his office.

§ 7. Duties of mayor generally.

The mayor shall preside over the meetings of the council, shall have the same right to speak therein as other members of council. The mayor shall not have a vote as other members of 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. The mayor shall have authority to appoint such committees of the council as deemed necessary and expedient in the proper administration of the town government.

The mayor shall be recognized as the head of town government for all ceremonial purposes, the purpose of military law, and the service of civil process. The mayor shall authenticate, by their signature, such instruments as the council, this Charter, or the laws of the Commonwealth may require.

§ 8. Selection and duties of vice mayor.

At the first meeting of each new and succeeding council elected hereunder, council shall elect from its membership one of its members to serve as vice mayor. The vice mayor shall preside over meetings of the council in the absence of the mayor and may vote on all matters. The vice mayor shall not have a veto power.

Council Procedures.

§ 9. Meetings generally.

The council shall, by ordinance, fix the time and place of its meetings. It shall have authority to adopt such rules as it may deem proper for the regulation of its proceedings. All appropriations of money shall be by roll call vote and the vote shall be recorded in the minutes of the council.

§ 10. Quorum.

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.

§ 11. Special meetings.

The mayor or any three members of the council may call special meetings of the council after a written notice to each member of 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 council are present.

§ 12. Clerk of Council.

The council shall appoint a clerk to the council to serve at the pleasure of the council. The clerk shall

keep the journal of the council's proceedings and shall record all ordinances in a book kept for the purpose. The clerk shall be the custodian of the corporate seal of the town and shall be the officer authorized to use and authenticate it. The clerk shall receive such compensation as may be determined by the council.

Enactments.

§ 13. Ordinances and resolutions.

Except as otherwise provided in this Charter, state law or the Constitution of Virginia, an affirmative vote of a majority of the members of council present shall be necessary to adopt any ordinance or resolution. An ordinance or resolution may be presented and enacted at the same meeting.

Town Manager

§ 14. Appointment and term of office.

There shall be a town manager who shall be responsible to the council for the proper administration of the town government. He shall be appointed for an indefinite period and shall hold office at the pleasure of the council. At the time of his appointment he need not be a resident of the town or the Commonwealth, but during his tenure of office he shall reside within the town unless such requirement is waived by council.

§ 15. Duties of town manager.

- (1) To see that all laws and ordinances of the town are enforced.*
- (2) To exercise supervision and control over all administrative departments and divisions, unless otherwise provided by resolution or ordinance of the council.*
- (3) To attend all regular meetings of council with the right to take part in the discussion but having no vote.*
- (4) To recommend to the council for adoption such measures as he may deem necessary or desirable.*
- (5) To execute all contracts on behalf of the town.*
- (6) To prepare and submit to the council the annual budget.*
- (7) To keep the council advised as to the present and future needs of the town and as to all operations of its government.*

(8) *To perform all such duties as may be prescribed by the Charter or be required of him by the council.*

§ 16. *Absence or disability.*

During the absence or disability of the town manager or in case of a vacancy, the council shall designate some properly qualified person to perform the duties of the office during such absence, disability or vacancy.

§ 17. *Council-manager relationship.*

Except for the purpose of conducting administrative inquiries and hearings by the council or a committee thereof, the mayor and members of the council shall deal with the administrative service solely through the town manager, and neither the council nor any member thereof shall give orders to any subordinates of the town manager, either publicly or privately.

§ 18. *Council members and Mayor not to succeed to office of town manager.*

No council member, or the mayor, shall be appointed as town manager during the term for which he has been elected nor within one year after the expiration of his term.

Financial Administration

§ 19. *Fiscal year.*

The fiscal year of the town shall be from July 1 through June 30 inclusive.

§ 20. *Submission and adoption of budget; hearings and tax levy.*

No later than the first day of May annually the town manager shall prepare and submit to the council a budget presenting the financial plan for conducting the affairs of the town for the ensuing fiscal year. Such budget shall be set up in the manner provided by law and shall include such information as council, by ordinance or resolution, may require.

Hearings on the budget shall be held and notice thereof given and the budget adopted in accordance with general laws of the Commonwealth.

The tax levy for each fiscal year shall be made and a budget for the fiscal year shall be adopted prior to the first day of the fiscal year for which they were made or adopted.

§ 21 Borrowing powers.

The council may, in the name of and for the use of the town, incur indebtedness by issuing its bonds or notes for the purposes, in the manner, and to the extent provided for in this Charter and by the general law of Virginia.

§ 22. Purpose for which bonds or notes may be issued; manner of issuance.

Bonds and notes in anticipation of bonds when the issuance of bonds has been authorized as hereinafter provided may be issued for any purpose for which towns are authorized to issue bonds by the Constitution or general laws of the Commonwealth.

Notes in anticipation of collection of revenue may be issued when authorized by the council at any time during the fiscal year. Bonds and notes of the town may be issued in any manner provided by general law.

§ 23. Audits generally.

At the close of each fiscal year the council shall cause to be made an independent audit of the accounts, books, records, and financial transactions of the town by the auditor of public accounts of the Commonwealth or by a firm of independent certified public accountants to be selected by the council. The report of such audit shall be filed within such time as the council shall specify, and one copy thereof shall be available for public inspection in the office of the clerk of the council at any time during regular business hours. Upon the death, resignation, or termination of employment of any town officer or employee, council may order an audit of the accounts, books, records, and financial transactions of that office.

Town Attorney

§ 24. Town Attorney appointment and qualifications.

There shall be a town attorney appointed by council, and he shall hold office at the pleasure of the council and shall receive such compensation as council may determine. He shall be an attorney at law licensed to practice under the laws of the Commonwealth. The town attorney shall be the chief legal adviser of the council, the town manager, and all departments, boards, commissions, and agencies of the town in all matters affecting the interest of the town. He shall represent the town in all civil proceedings except in cases where other counsel is appointed. It shall be his duty to perform all services as may be required by the laws of the Commonwealth, this Charter, or by ordinance.

General Provisions

§ 25. Contractual relationships.

The town may enter into contractual relationships with the Commonwealth; the Commonwealth's departments, bureaus, boards, and agencies; neighboring political subdivisions; or private agencies for the performance of all or any part of the functions or purposes of the town, on such terms and for such periods as the council may determine to be in the public interest, where such contractual relations are not specifically prohibited by the Constitution and general laws of the Commonwealth.

§ 26. Applicability of state law; conflicts with jurisdiction of State Corporation Commission.

If there is omitted from this Charter any provision essential to the valid sale or granting, renewing, extending, or amending of any franchise, privilege, lease, or right of any kind to use any public property in the town, the provisions of the general law with reference to this subject shall supply such omissions, provided that nothing contained in this Charter shall affect any franchise heretofore granted or any contract heretofore made with a public utility corporation, nor shall anything contained in this Charter be construed to conflict with the jurisdiction of the State Corporation Commission.

§ 27. Severability; short title.

If any clause, sentence, paragraph, or part of this Charter shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of said Charter, but shall be confined in its operations to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

This act may for all purposes be referred to or cited as the Town of Farmville Charter of 2023 and shall be effective on July 1, 2023.