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Workshop Meeting
March 29, 2022

The Appomattox Town Council held a Public Hearing and Workshop meeting on Tuesday, March 29, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson, Mary Lou G. Spiggle, and Aaron M. Tilton.

Others: Kenny gobble, Robert Fowler, David Mikula, Laura Dawson, Susan Walton, Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; Christy Torrence, Office Manager; and Roxanne W. Casto, Interim Town Manager/Clerk of Council.

Mayor Conner called the meeting to order and opened the public hearing by stating the purpose. The purpose of this public hearing will be to receive public comments concerning the adoption by the Town Council of:

AN ORDINANCE TO AMEND Chapter 195 of the Code of the Town of Appomattox, Chapter 195, Article I, entitled “General Provisions”, to incorporate the following definitions into the existing definitions of this section.

AN ORDINANCE TO AMEND a portion of the Code of the Town of Appomattox, in Chapter 195, Article III “Residential District, Limited, R-1” and Article V “Residential District, General, R-3”.

Mayor Conner opened the floor for comments/questions from Town Council:

Mr. Simpson asked why the draft ordinances excluded R-2?

Mr. Fowler, Director of Community Development and Zoning Administrator responded that R-2 zones were small lots, approximately 4,500 square feet with deed restrictions.

Mr. Garrett asked about the definition of Short-Term Rentals.

Mr. Fowler gave the definition of a short-term rental as the primary, accessory or secondary use of a residential dwelling unit or a portion thereof by the owner or a host to provide room or space that is intended to be occupied for a period of fewer than thirty consecutive days.

Mr. Fowler reported speaking with Sheriff Simpson about other Airbnb’s or Short-Term Rentals in the County. Sheriff Simpson said their office had not received any complaints or calls for service. He would treat this issue as they do any other. Fire Chief Jonathan Garrett said he would like to see the property owners install a “Knox Box” for safety reason. The definition of Bed & Breakfast was added to the definitions to clean up the code.

Public comments:

Susan Walton, 209 Highland Avenue (location of proposed Airbnb):

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Guests are not just coming to Appomattox. Tourists do other things. There is a pre-screening of guests and hosts. There are also significant rules to be followed.

She raised a question of “traveling nurses” and if they rented the property for more than 30 days would they be subject to lodging tax?

Laura Dawson – 151 Burke Street:

Has anyone ever traveled and used an Airbnb for lodging? She has remodeled the small cottage next to her home (one of the oldest structures in Town). Before doing so, she spoke with Mr. Shanaberger to make sure hosting would be a green light. It appears out of the blue, there is some push back. Understands the concerns of disorderly conduct, which would be a rare occurrence. The Airbnb program has checks and balances. The location is rated, and the renters are also rated. Please consider this as a plus for our community.

Kenny Gobble – RE Max Realtor, lives at 170 Woodlawn Trail:

If the property owner is continually improving the property, why tax them? It could discourage others from buying property in Town to renovate or upgrade.

Mayor Conner closed the hearing.

Mayor Conner moved item #2 on the agenda ahead of #1.

On a motion by Mr. Simpson, seconded by Ms. Spiggle, Council voted to approve an Ordinance to Amend Chapter 195 of the Code of the Town of Appomattox, Chapter 195, Article I General Provisions and Chapter 195, Article III Residential District, Limited, R-1 and Article V Residential District, General, R-3.

Vote: Boyce – aye, Spiggle – aye, Garrett – aye, Simpson – aye, Puckette – aye, Tilton – no. Motion carried 5-1.

Mr. David Mikula of Mikula Harris presented the Branding and Marketing components of the study performed because of the Appomattox Downtown Revitalization Program. Mr. Mikula explained how the logo and marketing material came to existence and how this can be used for all Town activities, tourism, economic development, newsletters, website, etc. He explained how beneficial it would be if Experience Appomattox or the Appomattox Tourism Committee would use the same products particularly for media/advertising. A presentation to the Appomattox Tourism Committee is planned for April 26, 2022. Council thanked Mr. Mikula for the information.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to approve the purchase of a 2022 Ford F-150 Super Cab 4WD in the amount of \$41,463.30 and a 2022 Ford F250 Super Crew 4WD in the amount of \$45,521.80 as were identified in the FY 2022 Capital Improvement Plan.

Roll Call Vote: Puckette – yes, Simpson – yes, Garrett – yes, Spiggle – yes, Tilton – yes, Boyce – yes. Motion carried 6-0.

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Standing Committee Reports:

None

Council Comment:

Mr. Simpson – The Town hires the experts, and we should listen to them. Thanked staff and other staff for all the extra work during the last few months.

Mr. Boyce – Airbnb (short-term rentals) should be treated as a business and should pay a business license and lodging tax.

Mr. Tilton – If we are going to tax short-term why not on long-term rentals?

Staff Reports:

Mr. Elder - none

Mrs. Ray, Town Treasurer presented the financial report as of February 28, 2022 along with information on the funding of Church Street Waterline replacement project. The Town's FY 2022 annual audit has been posted on the federal portal. The Town will be returning approximately \$200 to Appomattox County for the Utility Grant Funding. All accounts that qualified for the relief were less than the funding we received. The Town has one customer on a payment plan.

Mrs. Casto, Interim Town Manager/Clerk of Council provided an update on the following items:

- A draft Educational Assistance Policy will be presented at the next meeting for consideration or discussion.

Closed Session:

On a motion by Mr. Boyce, seconded by Mr. Tilton, Council voted to convene in Closed Session, pursuant to §2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended for the purpose of discussion of prospective candidates for the position of Town Manager with the Town of Appomattox, specifically being candidates A and G.

Vote: Boyce – yes, Garrett – yes, Puckette – yes, Spiggle – yes, Tilton – yes, Simpson – yes.
Motion carried 6-0.

The meeting was reopened to the public.

Certification of Closed Session:

Council Member Spiggle made the following motion:

WHEREAS, the Council of the Town of Appomattox 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

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

NOW, THEREFORE, BE IT RESOLVED that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted from open meetings requirements by Virginia law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this council.

The motion was seconded by Council Member Puckette and Council by the following recorded vote adopted the motion:

Vote: Boyce – yes, Garrett – yes, Puckette – yes, Spiggle – yes, Tilton – yes, Simpson - yes.
Motion carried 6-0.

Mayor Conner read the following statement:

The Town Council, as authorized by Virginia Code §2.2-3712(B), within fifteen (15) days of said announcement, will be interviewing potential Town Manager candidate(s), in Closed Session, at undisclosed time(s) and location(s). Following such interview(s), the Council will certify the same at its next regular schedule meeting.

Adjournment:

On a motion by Councilmember Garrett, seconded by Councilmember Simpson, Council voted to adjourn at 9:15 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor