



Appomattox Regular Council Meeting Agenda

Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia 24522

Monday, November 14, 2022

6:30 PM – Regular Council Meeting

(Location: Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia 24522)

Call to Order and Welcome to Visitors

Prayer & Pledge of Allegiance to the Flag of the United States of America

Mayor's Comments

Scheduled Public Appearances

1. Daniel Kutessa, Vice-Mayor, Abaitababiri, Uganda
2. Melissa Lucy, Chief Executive Officer, Horizon Behavioral Health

Adoption of the Consent Agenda - November 14, 2022

All matters listed under consent agenda are considered routine by the council and will be approved or received by one motion in the form listed. Items may be removed from the consent agenda for discussion under the regular agenda upon motion of any council member and duly seconded.

- [3.](#) September 12, 2022 Regular Council meeting minutes
- [4.](#) September 27, 2022 Council Workshop meeting minutes

Unfinished Business

5. Continued discussion of the Dominion Energy request for a Memorandum of Understanding needed for the Rural Broadband project.

New Business

6. Consideration to award the contract for seal coating the town owned parking lots to DuraSeal, Inc. for a total bid of \$42,585.00.

Council Standing Committee Reports

Citizen Comment

Town Manager's Report

Council Comment

Closed Session

7. Pursuant to §2.2-3711 (A) 8 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel retained by the Town regarding a specific legal matter requiring the provision of legal advice by such counsel, such matter specifically being issues pertaining to enforcement of the Town's zoning ordinance in the context of a potentially nonconforming property.

Adjournment

File Attachments for Item:

3. September 12, 2022 Regular Council meeting minutes

1 | **Appomattox Town Council**
Regular Council Meeting
September 12, 2022

The Appomattox Town Council held a Regular Council meeting on Monday, September 12, 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, Mary Lou G. Spiggle, and Nathan A. Simpson.

Others: Carlton Duck, Alive Media TV; Drew and Tiffany Dearing, Janice Goude, Sharon Walker, Rob Fowler, Zoning Administrator; Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order and welcomed the visitors.

Rev. Carlton Duck stated he is grateful to be standing here with you tonight. Rev Duck led the prayer and Pledge of Allegiance to the flag of the United States of America.

Mayor's Comments:

Mayor Conner remembered those who have fallen because of September 11, 2001. He encouraged everyone to remain vigilant. Especially honoring those who serve in the Armed Forces and fight terrorism.

Scheduled Public Appearances:

Gwen Olivarri, 402 Jones Street appeared before Council to request consideration to rezone her property from B-2 to R-3. In 2013 a mobile home on her property burned due to arson. She desires to replace the mobile home. She has been living there for 47 years. Her parents bought the property with the intent to live on it.

Mr. Fowler explained to Council the property at 402 Jones Street has been zoned B-2 for quite a while. The Town and Ms. Olivarri have previously been to court for replacing the trailer once before. In April 2022, another trailer was brought to the property which is a violation of the zoning ordinance.

Mr. Fowler stated he spoke with the Town Attorney, however more time is requested for discussion.

Council will review the request with legal counsel and reply to Ms. Olivarri's request. She thanked Council for their time.

Adoption of the Consent Agenda:

On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to accept the consent agenda as presented for September 12, 2022. All members present voting aye. Motion carried 5-0.

Unfinished Business:

2 | **Appomattox Town Council**
Regular Council Meeting
September 12, 2022

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt Option #4 (attached) as is for the Town of Appomattox logo. All members present voting aye. Motion carried 5-0.

New Business

Council gave consensus to approve the water connection for Lot #9 at Woodchase Subdivision.

Council Standing Committee Reports:

Finance & Planning – no report.
Physical Development Committee – no report.

Citizen Comment:

None

Town Manager's Report:

Mr. McGhee reported on the following items:

- The Council Retreat is scheduled for September 23, 2022 at the Appomattox Inn and Suites.
- The overgrown grass along the access road between Walmart and the Shoppes of Appomattox has been cut.
- The first phase of the document disposition has been completed. Nearly 200 boxes were identified for destruction.
- The Train Depot renovation project for construction is expected to be advertised next month.
- The first set of LED streetlights will be ordered tomorrow.
- The Chamber of Commerce requested space at the train depot.

On a motion by Mr. Boyce, seconded by Ms. Spiggle, Council voted to deny the request by the Chamber of Commerce for space at the train depot. All members present voting aye. Motion carried 5-0.

Council Comment:

Mrs. Puckette – none

Mr. Boyce – Freedom in not free; be vigilant, proud of who we are.

Mr. Simpson asked several questions of Mr. McGhee – 1) Any update on the AV system for Council Chambers? Mr. McGhee indicated he should have more information in the next two weeks.

2) Which staff members will be attending the retreat? Mr. McGhee said Jeff Elder, Kim Ray, Roxanne Casto and Rob Fowler.

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3) Any update on the R-2 zoning classification for short term rentals and definitions of village homes and residential primary structures? According to Mr. McGhee the Town Attorney is drafting an ordinance for Town Council to consider.

4) Train depot project – Mr. McGhee advised that Dominion Seven Architects will be visiting the site on Thursday morning and the project is expected to be placed out to bid by the end of October.

5) Trailer restrictions – replace a non-conforming use as defined in the state code. Mr. McGhee indicated that no matter the use – trailers are not allowed in the business district.

Ms. Spiggle – none

Mr. Garrett – none

Adjournment:

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to adjourn at 7:30 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

File Attachments for Item:

4. September 27, 2022 Council Workshop meeting minutes

1 | **Appomattox Town Council**
Workshop Meeting
September 27, 2022

The Appomattox Town Council held a Workshop meeting on Tuesday, August 23, 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, and Mary Lou Spiggle.

Others: Drew and Tiffany Dearing, Carlton Duck, Jeff Elder, Facilities Director; Rob Fowler, Zoning Administrator; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order and opened the public hearing.

Public Hearing

The purpose of this public hearing will be to receive public comments concerning the following:

1. **Amendment to the FY 2023 Budget for the Town of Appomattox** - In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget amendment by the Town of Appomattox for FY 2023:

General Fund Expenditures Amendments	66,739.40
Water Fund Expenditures Amendments	30,739.40
Sewer Fund Expenditures Amendments	30,739.40
ARPA Fund Expenditures Amendments	930,652.00
Total Expenditures Amendments	1,058,870.20
General Fund Revenue Amendments	66,739.40
Water Fund Revenue Amendments	30,739.40
Sewer Fund Revenue Amendments	30,739.40
ARPA Fund Revenue Amendments	930,652.00
Total Revenue Amendments	1,058,870.20

There were no public comments received during this public hearing.

Mayor Conner closed the public hearing.

Discussion Items:

On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to adopt the following budget amendment resolution:

1. Consideration to adopt a resolution amending the FY 2023 Operating Budget for the General Fund, Water Fund, Sewer Fund, and the ARPA Fund for an increase for the Street LED Bulb

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Replacement project, carry forwards from FY 2022 for projects in progress and the increase in ARPA proceeds.

2. WHEREAS, Section 15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time
3. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2023 Operating Budget for the General Fund, Water Fund, Sewer Fund, and the ARPA Fund.

General Fund Expenditures

10-4700-3010	Electricity	\$	36,000.00
10-5000-6001	CIP – Public Works	\$	<u>30,739.40</u>
	Net Increase in Budget	\$	<u>66,739.40</u>

General Fund Revenues

10-3901-0000	Use of Undesignated Reserve	\$	<u>66,739.40</u>
	Net Increase in Budget	\$	<u>66,739.40</u>

Water Fund Expenditures

30-6000-7092	CIP – Water	\$	<u>30,739.40</u>
	Net Increase in Budget	\$	<u>30,739.40</u>

Water Fund Revenues

30-3901-7091	Use of Fund Balance	\$	<u>30,739.40</u>
	Net Increase in Budget	\$	<u>30,739.40</u>

Sewer Fund Expenditures

31-7000-7091	CIP – Sewer	\$	30,739.40
	Net Increase in Budget	\$	<u>30,739.40</u>

Sewer Fund Revenues

31-5901-0000	Use of Undesignated Funds	\$	<u>30,739.40</u>
	Net Increase in Budget	\$	<u>30,739.40</u>

ARPA Fund Expenditures

20-5000-0010	ARPA General Expense	\$	100,000.00
20-5000-0030	ARPA Water Expense	\$	415,326.00
20-5000-0031	ARPA Sewer Expense	\$	415,326.00
Net Increase in Budget		\$	<u>930,652.00</u>

ARPA Fund Revenues

20-3802-0000	ARPA Grant Funds	\$	<u>930,652.00</u>
Net Increase in Budget		\$	<u>930,652.00</u>

SECTION XIII: BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2023 budget amendments are hereby adopted, and the monies necessary to fund it are hereby appropriated and shall be certified by the Clerk of Council and maintained as an archive document with the official minutes of the Town Council of Appomattox, Virginia.

Amended this ____ day of _____ 2022.

Attest:

Roxanne Casto, Town Clerk

Roll call vote: Boyce – yes, Garrett – yes, Puckette – yes, Simpson – yes, Spiggle – yes.
Motion carried 5-0.

On a motion by Mr. Boyce, seconded by Mrs. Puckette, Council voted to approve a water connection and availability waiver request for the Carver Price Legacy Museum on Confederate Boulevard. Vote: Boyce – yes, Garrett – yes, Puckette – yes, Simpson – yes. Spiggle – abstained because she is an executive board member of the Carver Price Legacy Museum. Motion carried 4-0-1.

Mr. Fowler presented a draft zoning ordinance for an amendment to the R-2 Zoning District to clarify short term rentals, home occupations, village homes and primary residential dwellings. The sign ordinance will need a little more attention before distributing a draft for Council review.

Mr. McGhee provided feedback by summarizing the handouts from the Council retreat.

Mr. McGhee discussed with Council updating the Town website. After much discussion, Council provided a consensus to seek a contract vendor for the project and allow Mr. McGhee to manage the project.

Council Comment:

Mrs. Puckette expressed her concern for the drug problem in this community. She requested the Council write letters to the Senators and Congressman. She would also like for Council to consider participating in the Railroad Festival with the Sheriff's Office to help educate about dangers of drug use.

Mr. Garrett encouraged everyone to do their own research about the drugs in this country.

Mr. Boyce appreciates the concern this Council is showing for other people. We were elected to make sure this community is safe and secure.

Mr. Simpson expressed his appreciation for the Council retreat. Hands down it was an engaging format.

Ms. Spiggle agreed to put in effort for the drug problem and make them aware of the dangers.

Mayor Conner thanked staff for the information shared at the Council retreat.

Council Standing Committee Reports:

None

Staff Reports:

Mr. Elder - none

Mrs. Ray, Town Treasurer presented the financial report as of August 31, 2022.

Mr. McGhee, Town Manager updated the Town Council on the following items:

- The relationships between the public and health professionals can be accomplished in an organized manner regarding the drug problem.
- The Town's involvement with the 2022 Railroad Festival is being discussed and minimized this year.

Mrs. Puckette asked what part of the County revenue comes from Town citizens? Mrs. Ray will work on this information for a future meeting.

Adjournment:

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to adjourn at 7:50 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor