



Appomattox Regular Council meeting Agenda

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

Tuesday, October 10, 2023

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

Public Hearing

1. The purpose of this public hearing will be to receive public comments concerning adoption by the Town Council of:

AN ORDINANCE TO AMEND AND REENACT Section 185-185-19 of the Code of the Town of Appomattox, Chapter 185, Article III, Section 19, entitled "Parking in conformity with signs; yellow curb markings".

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

Amendment to the FY 2024 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 2024:

General Fund Expenditure Amendments	\$1,108,793.00
Water Fund Expenditure Amendments	\$1,200,956.00
Sewer Fund Expenditure Amendments	\$ 689,788.00
ARPA Fund Expenditure Amendments	<u>\$1,574,994.00</u>
Total Expenditures Amendments	\$4,574,531.00

General Fund Revenue Amendments	\$1,108,793.00
Water Fund Revenue Amendments	\$1,200,956.00
Sewer Fund Revenue Amendments	\$ 689,788.00
ARPA Fund Revenue Amendments	<u>\$1,574,994.00</u>
Total Revenue Amendments	\$4,574,531.00

Mayor's Comments

Scheduled Public Appearances

3. Nathan Harbin - Train Depot - NH Consulting Landscape Architecture

Adoption of the Consent Agenda - October 10, 2023

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.

4. Minutes of the August 29, 2023 Council Workshop meeting

Unfinished Business

5. Consideration to appointment individuals to the "Train Depot Advisory Committee".

New Business

6. Consideration to adopt an Ordinance to Amend and Reenact Section 185-19 of the Code of the Town of Appomattox.
7. Consideration to adopt Resolution 2024-001 amending FY 2024 Operating Budget for the Town of Appomattox.
8. Consideration to select the firm, CHA for development of the Town of Appomattox Water Study.
9. Discussion of adding handicapped accessible playground equipment at the Kiddie Park.

Council Standing Committee Reports

Citizen Comment

Town Manager's Report

Council Comment

Adjournment

File Attachments for Item:

1. The Appomattox Town Council will hold a public hearing on Tuesday, October 10, 2023 at 6:30 p.m. in the Council Chambers of the Appomattox Municipal Building located at 210 Linden Street, Appomattox, Virginia. The purpose of this public hearing will be to receive public comments concerning adoption by the Town Council of: AN ORDINANCE TO AMEND AND REENACT Section 185-185-19 of the Code of the Town of Appomattox, Chapter 185, Article III, Section 19, entitled "Parking in conformity with signs; yellow curb markings".

PUBLIC HEARING

The Appomattox Town Council will hold a public hearing on Tuesday, October 10, 2023 at 6:30 p.m. in the Council Chambers of the Appomattox Municipal Building located at 210 Linden Street, Appomattox, Virginia.

The purpose of this public hearing will be to receive public comments concerning adoption by the Town Council of:

AN ORDINANCE TO AMEND AND REENACT Section 185-185-19 of the Code of the Town of Appomattox, Chapter 185, Article III, Section 19, entitled “Parking in conformity with signs; yellow curb markings”.

§ 185-19. Parking in conformity with signs; yellow curb markings.

- A. No motor vehicle or other vehicle shall be parked on any of the streets or alleys of the Town at any time except in strict conformity with the signs or markings controlling such parking. Yellow curb marking means "no parking allowed."
- B. *Any person violating the provisions of this section shall be fined \$50. Any vehicle violating the provisions of this section will be towed away at the expense of the owner thereof.*

A complete copy of the current ordinance and proposed changes are available at the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia or by calling Roxanne W. Casto, Clerk of Council at 434-352-8268.

File Attachments for Item:

2. General Fund Expenditure Amendments \$1,108,793.00

Water Fund Expenditure Amendments \$1,200,956.00

Sewer Fund Expenditure Amendments \$689,788.00

ARPA Fund Expenditure Amendments \$1,574,994.00

Total Expenditures Amendments \$4,574,531.00

General Fund Revenue Amendments \$1,108,793.00

Water Fund Revenue Amendments \$1,200,956.00

Sewer Fund Revenue Amendments \$689,788.00

ARPA Fund Revenue Amendments \$1,574,994.00

Total Revenue Amendments \$4,574,531.00

**TOWN OF APPOMATTOX
PUBLIC HEARING NOTICE
AMENDMENTS TO THE FY 2024 BUDGET**

The Appomattox Town Council will hold a public hearing on Tuesday, October 10, 2023 at 6:30 p.m. at the Appomattox Municipal Building, Council Chambers, 210 Linden Street, Appomattox, Virginia.

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

1. **Amendment to the FY 2024 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 2024:

General Fund Expenditure Amendments	\$1,108,793.00
Water Fund Expenditure Amendments	\$1,200,956.00
Sewer Fund Expenditure Amendments	\$689,788.00
ARPA Fund Expenditure Amendments	\$1,574,994.00
Total Expenditures Amendments	\$4,574,531.00
General Fund Revenue Amendments	\$1,108,793.00
Water Fund Revenue Amendments	\$1,200,956.00
Sewer Fund Revenue Amendments	\$689,788.00
ARPA Fund Revenue Amendments	\$1,574,994.00
Total Revenue Amendments	\$4,574,531.00

Documentation is available at the Appomattox Municipal Building, Town Office, 210 Linden Street from 8:30 a.m. until 4:30 p.m., Monday through Friday. If there are any questions, please contact R. Terry McGhee, Town Manager at 434-352-8268.

File Attachments for Item:

4. Minutes of the August 29, 2023 Council Workshop meeting

1 | **Appomattox Town Council**
Workshop Meeting
August 29, 2023

The Appomattox Town Council held a Workshop meeting on Tuesday, August 29, 2023 at 6:30 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette, and Nathan A. Simpson.

Others present: Carlton Duck; 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.

DISCUSSION:

Mr. Simpson requested Council's input regarding the installation of automatic cameras in work zones and school zones. After much discussion, Council provided consensus for the Town Manager to review options for future considerations and options for the Town to keep the funds from the tickets issued.

On a motion by Mr. Simpson, seconded by Mr. Garrett, Council voted to approve the out-of-town water connection for 3909 Richmond Highway. All members present voting aye. Motion carried 6-0.

Mr. McGhee spoke on behalf of Mr. Nathan Harbin regarding a presentation on exterior hardscape and landscape plans for the train depot. Mr. Harbin was unable to attend tonight. Mr. Harbin's proposal is for \$5,700 for detailed plans to include placement of benches, tables, trash cans, bike racks and low-profile plants. The work would begin after the completion of the exterior train depot renovations.

On a motion by Mr. Boyce, seconded by Mr. Simpson, Council voted to release \$5,700 for Nathan Harbin to provide the scope of work outlined for the exterior hardscaping and landscaping plans for the train depot.

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

Additionally, Mr. Simpson requested Council consider forming a short-lived (3 month) advisory committee to come up with ideas for what to do with the train depot. Council by consensus agreed to bring back a name of someone at the next Workshop meeting.

COUNCIL COMMENTS:

Puckette – none

Simpson – none

Garrett – none

Boyce – none

Allen – none

2 | **Appomattox Town Council**
Workshop Meeting
August 29, 2023

Ms. Spiggle has had more than one person ask her why the council meetings are not accessible through Facebook Live or YouTube. Those asking do not have cable TV. Reverend Duck put together several options for the Town's consideration. He suggests allowing the Town to get their website launched and proceed with posting the video after the completion of the new website. Reverend Duck also suggested not placing the workshop meeting online. Allow the workshop meeting to be for development. The regular meeting would be what is projected to the community.

STANDING COMMITTEE REPORTS:

Finance and Planning/ARPA – None

Physical Development Committee - None

STAFF REPORTS:

Kim Ray, Treasurer provided the July 2023 financial report and an update on ARPA projects and funding. In other financial matters she reported real estate and personal property taxes were mailed on August 15, 2023. The staff is collaborating with the consultant regarding the internal audit.

[Mr. Simpson left the meeting at 7:30 p.m.]

Mr. Elder, Facilities Director requested Council consider purchasing a different Cat model backhoe for \$154,157 instead of the model presented at the August 14, 2023 meeting for \$121,044. Mr. Elder explained he later learned the lesser amount model did not meet the specifications.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to purchase the Cat Model Backhoe for \$154,157 instead of \$121,044.

Roll Call Vote: Allen – yes, Boyce – yes, Garrett – yes, Puckette – yes, Spiggle – yes. Motion carried 5-0.

Mr. Elder also reported the contractor for the Smart Scale project on Old Courthouse Road has started moving the waterline. The contractor will be installing the streetlights and pavers, etc. for the downtown revitalization project soon. Lastly, smoke testing will begin on September 5, 2023.

Mr. McGhee also reported on the following items:

- The Original Italian Pizza (OIP) is planning to open in several weeks. The owner of the Triangle Plaza is not selling the property.
- The new town website is scheduled to be released on September 8, 2023.
- The Sheriff is planning to attend the September 11, 2023 meeting.
- The train depot renovations are slow but ending soon.

3 | **Appomattox Town Council**
Workshop Meeting
August 29, 2023

- Dr. Jeff Garrett and Mr. McGhee met with the Central Virginia Family Practice associates.
- The Regional State Manager for GFL stopped by for a visit recently and Mr. McGhee shared the over two hundred stops missed by GFL during the last week.
- The brownfield discussions with the Central Virginia Planning District Commission and their consultant should start next month.
- The Request for Proposals for a Town Water Source Study has been released. The due date is Thursday, September 28, 2023 at 2:00 p.m.
- The loan closure has occurred for the Church Street Waterline project.

Council members inquired about the date for the retreat. Mr. Boyce cited he would not be available after September 28th. Mr. McGhee will schedule the event prior to September 28th.

ADJOURNMENT:

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to adjourn at 7:55 p.m. All council members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

File Attachments for Item:

6. Consideration to adopt an Ordinance to Amend and Reenact Section 185-19 of the Code of the Town of Appomattox.

VEHICLES AND TRAFFIC
ARTICLE III
Stopping, Standing and Parking

§ 185-18. Parking regulations.

The Town Manager shall prescribe all parking regulations, subject to approval of the Council.

§ 185-19. Parking in conformity with signs; yellow curb markings.

No motor vehicle or other vehicle shall be parked on any of the streets or alleys of the Town at any time except in strict conformity with the signs or markings controlling such parking. Yellow curb marking means "no parking allowed."

§ 185-20. Use of rear entrance required for making deliveries to business establishment.

A. No person shall stop or park any motor vehicle or other vehicle in any street for the purpose of making deliveries to or from any business establishment when such establishment has a rear entrance for that purpose.

B. Any person violating the provisions of this section shall be fined \$50. Any vehicle violating the provisions of this section will be towed away at the expense of the owner thereof.

§ 185-21. Parking in fire lanes and areas for Town trash containers prohibited; penalty. [Amended 2-28-2006; 10-14-2014]

A. It shall be unlawful for any person to park a vehicle within any area on public or privately owned property which is designated to be a fire lane or an area reserved for Town trash containers or to block access to a Town trash container.

B. Designation of a fire lane shall be made in at least one of the following manners:

(1) Installation of fire lane signs; or

(2) Marking of the pavement constituting such fire lane with block lettering reading "NO PARKING – FIRE LANE."

C. Any person violating the provisions of this section shall be fined \$50. Any vehicle violating the provisions of this section will be towed away at the expense of the owner thereof.

§ 185-22. Removal and disposition of unattended, abandoned or immobile vehicles.

A. Whenever any motor vehicle, trailer or semitrailer or part thereof is left unattended on a public highway or other public property and constitutes a traffic hazard; is illegally parked; is left unattended for more than 10 days either on public property or on private property without the permission of the property owner, lessee or occupant; or is immobilized on a public roadway by weather conditions or other

emergency situation; any such motor vehicle, trailer or semitrailer or part thereof may be removed for safekeeping by or under the direction of a police officer to a storage area, provided that no such vehicle or part thereof shall be so removed from privately owned premises without the written request of the owner, lessee or occupant thereof. The person at whose request such motor vehicle, trailer or semitrailer or part thereof is removed from privately owned property shall indemnify the Town against any loss or expense incurred by reason of the removal, storage or sale thereof.

- B. It shall be presumed that a motor vehicle, trailer or semitrailer, or part thereof, is abandoned if:
 - 1) It lacks either:
 - a) A current license plate; or
 - b) A current county, city or Town license plate or sticker; or
 - c) A valid state inspection certificate or sticker; and
 - 2) It has been in a specific location for four days without being moved.
- C. Each removal of a motor vehicle, trailer or semitrailer or part thereof under this section shall be reported immediately to the Town office, and notice thereof given to the owner of the motor vehicle, trailer or semitrailer as promptly as possible. The owner of such motor vehicle, trailer, semitrailer or part thereof, before obtaining possession thereof, shall pay to the persons entitled thereto all reasonable costs incidental to the removal, storage and locating of the owner of the motor vehicle, trailer or semitrailer. Should such owner fail or refuse to pay the cost or should the identity or whereabouts of such owner be unknown and unascertainable after a diligent search has been made, and after notice to him at his last known address and to the holder of any lien of record in the office of the State Department of Motor Vehicles against the motor vehicle, trailer, semitrailer or part thereof, the vehicle shall be treated as an abandoned vehicle under the provisions of Code of Virginia, § 46.2-1200 et seq.

§ 185-23. Reserved parking for the disabled. [Amended 9-9-1996; 1-13-2014]

- A. It shall be unlawful for a vehicle not displaying disabled parking license plates, an organizational removable windshield placard, a permanent removable windshield placard, or a temporary removable windshield placard issued under § 46.2-731 of the Code of Virginia or DV disabled parking license plates issued under § 46.2-739B of the Code of Virginia to be parked in a parking space reserved for persons with disabilities that limit or impair their ability to walk or for a person who is not limited or impaired in his ability to walk to park a vehicle in a parking space so designated except when transporting a person with such disability in the vehicle.
- B. Any person violating this section shall be fined \$100.
- C. A summons or parking ticket for the offense may be issued by law enforcement officer or other uniformed personnel employed by the county to enforce parking

regulations within the Town without the necessity of a warrant being obtained by the owner of the private parking lot.

§ 185-24. Presumption where vehicle illegally parked. [Added 1-13-2014]

In any prosecution charging a violation of any parking regulation contained in this article, proof that the vehicle described in the complaint, summons or warrant was parked in violation of such regulation, together with proof that the defendant was at the time of such parking the registered owner of the vehicle, as required by Chapter 3 of Title 46.2 of the Code of Virginia, shall constitute in evidence a prima facie presumption that such registered owner of the vehicle was the person who parked the vehicle at a place where, and for the time during which, such violation occurred.

File Attachments for Item:

7. Consideration to adopt Resolution 2024-001 amending FY 2024 Operating Budget for the Town of Appomattox.

1. Consideration to adopt a resolution amending the FY 2024 Operating Budget for the General Fund, Water Fund, Sewer Fund and the ARPA Fund for an increase in the depot painting and landscaping, purchase of property, outsourcing of grass cutting, an additional USDA loan and carry forwards from FY 2023 for projects in progress.
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 2024 Operating Budget for the General Fund, Water Fund, Sewer Fund and the ARPA Fund.

General Fund Expenditures

Downtown Revitalization	319,821	Multi-year grant remaining balance
Depot	21,697	Additional for historical paint
Depot	5,700	Landscape Plan
Depot	219,469	Carryforward for Depot Construction
LED Street Light Replacement	29,674	Carryforward for LED Street Light Replacement Project
CIP - Backhoe	3,000	Overage for purchase of Backhoe
CIP - Pavement Reseal/Reline	30,000	Carryforward for work contracted in FY23-reline and reseal pavement
Contract for Grass (RSG)	14,596	Outsourced Grass Cutting Contract with RSG
Land Purchase	17,864	Purchase of Land
Downtown Revitalization	<u>446,972</u>	Carryforward Downtown Rev. Town Portion
TOTAL	<u>1,108,793</u>	

General Fund Revenues

Use of Undesignated Reserve	<u>1,108,793</u>
Net Increase in Budget	<u>1,108,793</u>

Water Fund Expenditures

Church St. Waterline (Loan #61)	1,156,000	Additional USDA Loan required for cost of project
CIP - 1M Gallon Tank	30,000	Carryforward 1M Gallon Tank Valve, Vault Replacement, & Altitude Valve
Contract for Grass (RSG)	<u>14,956</u>	Outsourced Grass Cutting Contract with RSG
TOTAL	<u>1,200,956</u>	

Water Fund Revenues

Use of Fund Balance	<u>1,200,956</u>
Net Increase in Budget	<u>1,200,956</u>

Sewer Fund Expenditures

USDA - I&I Project	641,192	Multi-year grant balance remaining after YE per July spreadsheet
CIP - Basin Influent Valve	19,000	Carryforward for Basin influent Valve (backordered)
CIP - Reseal pavement - SBR Plant	15,000	Carryforward for work contracted in FY23 - reline and reseal pavement
Contract for Grass (RSG)	<u>14,596</u>	Outsourced Grass Cutting Contract with RSG
TOTAL	689,788	

Sewer Fund Revenues

Use of Undesignated Fund	<u>689,788</u>
Net Increase in Budget	<u>689,788</u>

ARPA Fund Expenditures

ARPA - General	157,499	10% of remaining funds as of 6-30-2023
ARPA - Water	708,747	45% of remaining funds as of 6-30-2023
	<u>708,748</u>	
ARPA - Sewer		45% of remaining funds as of 6-30-2023
TOTAL	<u>1,574,994</u>	

ARPA Fund Revenues

ARPA Grant Funds	<u>1,574,994</u>
Net Increase in Budget	<u>1,574,994</u>

SECTION XIII: BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2024 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 _____ 2023.

Attest:

Roxanne Casto, Town Clerk