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**Town of Louisa
Monthly Meeting
May 20, 2014**

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Present: James S. Artz, Mayor; Mary Jane Clarke, Vice-Mayor; Matthew L. Kersey, Warren D. Gehle, R. Garland Nuckols, A. Daniel Carter, Council Members; Jeff Gore, Legal Counsel; Brian W. Marks, Town Manager; Jessica M. Ellis, Clerk; M. Brad Humphrey, Project Manager; Jessie Shupe, Chief of Police

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Also Attending: Paula Hawthorne, The Central Virginian; Andy Conclin, Allen Stevens, and Mark Baker, representatives for Sheetz; Pamela Miller, town resident at 301 Lyde Avenue Apt. 1030; Deborah Martin, town resident at 201 Carter Street

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Absent: None.

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All copies including: reports, handouts, and documents can be found following the minutes.

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Mayor Artz called the Louisa Town Council meeting to order at 7:01p.m.

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Council Member Kersey gave the invocation.

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BUSINESS FROM THE FLOOR

None.

CONSENT AGENDA

Council member Kersey made the motion to approve the consent agenda. Council member Gehle seconded the motion. The vote went as follows: 5-0 in favor.

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2 **PUBLIC HEARING**

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4 **SUP 2014-001 Sheetz Convenience Store & Fuel Station**

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6 Mr. Marks reported that the public hearing was advertised in the
7 newspaper for two consecutive weeks as required, the property was
8 posted, and that the adjoining property owners were notified via
9 certified mail. Mr. Marks stated that he had not received any
10 comments from the public on the SUP.

11
12 Mr. Andy Condlin and Mr. Allen Stevens, representatives for Sheetz,
13 stood and briefly discussed the project.

14
15 Mayor Artz opened the public hearing at 7:09 p.m. asking if there was
16 anyone present that would like to speak for or against SUP 2014-001.

17
18 Deborah Martin, town resident, questioned if the store would provide
19 adequate lighting, and also questioned whether they would allow
20 large truck traffic. Pamela Miller, town resident and local school bus
21 driver, also addressed her concerns with the additional traffic the
22 store would generate in an already busy intersection/area of town.

23
24 Mr. Condlin and Mr. Stevens fielded their questions stating that there
25 would be more than adequate lighting on the premises; and added
26 that VDOT had conducted a traffic study to address the flow of
27 traffic/increased traffic that would impact that area.

28
29 Hearing no other response, Mayor Artz closed the public hearing at
30 7:17 p.m.

31
32 Following the public hearing, Council member Nuckols also
33 expressed his concerns with the potential traffic impact. Mayor Artz
34 explained that his concerns were valid and that the matter should be
35 brought up and addressed with the Planning Commission, as that
36 would be the next step if Council approved the SUP.

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2 **Amendment to Section 165-72 E of the Louisa Town Code – Site**
3 **Plan Review**

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5 Mr. Marks reported that the public hearing was advertised in the
6 newspaper for two consecutive weeks as required and that he had
7 not received any comments from the public on the proposed
8 amendment. Mr. Marks stated that the amendment would simply
9 allow more time to review site plans.

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11 Mayor Artz opened the public hearing at 7:21 p.m. asking if there was
12 anyone present that would like to speak for or against the proposed
13 amendment.

14
15 Hearing no response, Mayor Artz closed the public hearing at 7:22
16 p.m.

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18 **FY 2014-15 Budget and Fee Schedule**

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20 Mr. Marks reported that the public hearing was advertised in the
21 newspaper for two consecutive weeks as required, and stated that he
22 had not received any comments from the public on the budget & fee
23 schedule.

24
25 Mayor Artz opened the public hearing at 7:23 p.m. asking if there was
26 anyone present that would like to speak for or against the FY 2014-15
27 Budget and Fee Schedule.

28
29 Deborah Martin, town resident, expressed her concern with the water
30 rate increase; and Pamela Miller, town resident questioned what the
31 increase covers. Mr. Marks responded to them both by stating that
32 we did not raise water/sewer rates last year; and that we are only
33 raising the water rate (not the sewer rate) this year because we
34 purchase our water from the Louisa County Water Authority and they
35 have raised the purchase rates. Mr. Marks noted that the rate
36 increase only reflects the amount charged to the town by the LCWA
37 and that the town would not profit anything.

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2 Hearing no other response, Mayor Artz closed the public hearing at
3 7:25 p.m.

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5 **OLD BUSINESS**

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7 **1) Action/Discussion: SUP 2014-001 – Sheetz**

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9 Council member Carter made the motion to approve SUP 2014-001.
10 Council member Clarke seconded the motion. The vote went as
11 follows: 5-0 in favor.

12
13 **2) Action/Discussion: Amendment to Section 165-172 E – Site**
14 **Plan Review**

15
16 Council member Kersey made the motion to approve the amendment
17 to Section 165-172 E of the Louisa Town Code. Council member
18 Gehle seconded the motion. The vote went as follows: 5-0 in favor.

19
20 **3) Discussion: FY 2014-15 Budget & Fee Schedule**

21
22 A very brief discussion was held between Council and staff, wherein
23 staff informed Council that the only changes they could make to the
24 budget now would be to lower expenditures, fees, taxes, etc. unless
25 they were to hold another public hearing (and would be required to
26 wait seven days to adopt it).

27
28 **4) Report: Reinvestment of Certificates of Deposit**

29
30 Mr. Marks reported that the CD was reinvested on April 28, 2014 with
31 Essex bank for 18 months at .70%.

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33 **NEW BUSINESS**

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35 **1) Discussion/Action: VRA Commitment Letters**

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37 Mr. Marks referred to the commitment letters in the packet and briefly
38 explained that he and legal counsel felt the conditions were very
39 restrictive and unfair and therefore recommended that they allow Mr.

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Gore, Mrs. Perry, and himself to further review and work on the matter and return to Council at a later date.

2) Discussion/Action: Buckingham Branch Resolution

Mr. Gehle stated that he still felt the same as he did in September 2013 when the Buckingham Branch Railroad Company submitted a resolution seeking the town's support. Mr. Gehle added that if the BBRC will not meet/speak with us about our request for a sidewalk and repair work to the depot, then he feels we should not give them our support. Mr. Gehle went further to state that he felt Council should draft a letter that should be sent to the BBRC, CSX and the granting agency stating that they are not supportive of their endeavors with an explanation of why they are non-supportive. Council member Kersey echoed Mr. Gehle's comments.

Council member Gehle then made the motion to draft a letter to be sent to the BBRC, CSX and the granting agency stating that Council is not supportive of their endeavors with an explanation of why they are non-supportive. Council member Kersey seconded the motion. The vote went as follows: Carter, for; Kersey, for; Clarke, for; Gehle, for; Nuckols, against (4-1 in favor).

3) Discussion/Action: Parade Permit – July 4, 2014

Mr. Marks reported that the permit was lacking information and therefore sent a letter asking the applicant to complete several questions. Mr. Marks stated that he has yet to hear back from the applicant.

4) Action/Discussion: VRS Contribution Rates

After a brief explanation given by Mr. Marks, Council member Kersey made the motion to adopt the resolution with the certified rate of 5.43%. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

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5) Action/Discussion: Delinquent 2013 RE Tax List and Authorization for Publication

After a brief discussion, Council member Clarke made the motion directing the Town Manager and Town Treasurer to revise and update the tax list and report back to Council at the June meeting before advertising the delinquencies. Council member Kersey seconded the motion. The vote went as follows: 5-0 in favor.

STANDING COMMITTEE REPORTS

Police Department:

(Please refer to the Police Department report.)

Chief Shupe stood and quickly updated the Police Department's report and fielded questions from Council.

Water & Sewer Department:

(Please refer to the Water & Sewer Department report.)

Mr. Humphrey stood before Council and read aloud from his report, highlighting areas of interest.

Litter Committee:

No report.

Streets & Sidewalks

No report.

Cemetery

No report.

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REPORTS FROM STAFF

Counsel

No report.

Clerk

No report.

Treasurer

No report.

Manager

Mr. Marks reported:

- Ms. Pope, of the Louisa County Democratic Committee, has resubmitted the parade permit with the walking route to be entirely conducted on sidewalks.
- The abstract of election results/votes was included in the packet.
- Mr. Marks updated Council on a lawsuit involving a previous town employee (letter from law firm in packet).
- The Chamber of Commerce sent a membership renewal form. Mr. Marks recommended renewing the town's membership.
- The WWTP project begins on June 2nd and entails a 60 construction period.
- Jade, the owner of Obrigado restaurant, is requesting that Council revisit the town's policy and allow outdoor dining. Mr. Marks provided the Scottsville Ordinance for Sidewalk Tables for Council to review and consider. Mr. Marks recommended that if Council would be interested in changing the policy that they should forward the matter to the Planning Commission.

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Council member Clarke made the motion to send the matter to the Planning Commission for review. Council member Kersey seconded the motion. The vote went as follows: 5-0 in favor.

- A letter from Breese Glennon was included in the packet. Mr. Marks reported that he has spoken with Mrs. Glennon about her suggestions and explained to her that the EDA has already begun to display similar signage in the downtown area and would look further into her proposal.
- The Central Virginia Criminal Justice Academy letter was included in the packet. Mr. Marks stated that the matter needs further review by staff and legal counsel and they would report back at the June meeting.

CLOSED SESSION

Council Member Kersey made the motion to convene in closed session to discuss the following: as permitted by Virginia Code § 2.2-3711(A)(5) to discuss a prospective business that has not been publicly announced. Council member Gehle seconded the motion. The vote went as follows: 5-0 in favor.

Council went into closed session at 8:04 p.m.

REGULAR SESSION

Council Member Carter made the motion to go back in to Open Session. Council Member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

Council returned to regular session at 8:15 p.m.

CERTIFICATION OF CLOSED SESSION

Council member Kersey made the motion certifying that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed under the

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provisions of the Virginia Freedom of Information act cited in that motion. Council member Gehle seconded the motion. The vote went as follows: Carter, for; Kersey, for; Clarke, for; Nuckols, for; Gehle, for (5-0 in favor).

ACTION:

Council member Kersey made the motion to advertise for a public hearing for subletting 301 W. Main Street. Council member Carter seconded the motion. The vote went as follows: 5-0 in favor.

Council member Gehle made the motion to have VDOT review the Right on Red matter at the intersection of Route 208 & Main Street. Council member Kersey seconded the motion. The vote went as follows: 5-0 in favor.

COMMUNICATIONS

None.

ADJOURNMENT

At 8:22 p.m., Council Member Clarke made the motion to adjourn the meeting.

Mayor

Clerk