

1 Regular Council Meeting
Tuesday, October 11, 2011

The Appomattox Town Council held a Regular Council Meeting on Tuesday, October 11, 2011 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner, and Joyce B. Bennett.

Others Present: Stephanie James, Cliff Harvey, Don and Martha Falls, Elizabeth Milton, Rev. Russell Cheatham, Jeff Elder, Stacey Wilkes, Town Treasurer; Roxanne W. Paulette, Clerk of Council; C. William Gillespie, Interim Town Manager and Rhonda W. Guill, Deputy Clerk

Mayor Harvey called the meeting to order

Rev. Russell Cheatham led in the invocation

Rev. Russell Cheatham led the Pledge of Allegiance

Public Appearances – None

Mayor's Comments

Mayor Harvey thanked the Historic Appomattox Railroad Festival committee for all their hard work. He also thanked the Town Staff and Town Utility Crew for always doing a great job.

Mayor Harvey made note that item #2 under new Business has been removed and item #6 Discussion of Dress Code under New Business has been added to the agenda.

On a motion by Councilmember Garrett, seconded by Councilmember Conner, Council voted to adopt the Consent Agenda for October 11, 2011. All members present voting aye. Motion carried.

Unfinished Business – None

New Business

On a motion by Councilmember McDearmon, seconded by Councilmember Conner, Council voted to amend an ordinance the Code of the Town of Appomattox, Zoning Ordinance by revising certain provisions of the Zoning Ordinance text, as described in the Section 3 of Chapter 195, Divisions of Town into districts; enumeration is hereby amended to add the following: Gateway Area Overlay District. All members present voting aye. Motion carried.

On a roll call vote, Council voted not to authorize Paul D. Harvey, Mayor to execute the Joint Planning Commission By-Laws.

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Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Mayberry – yes, Conner – yes, Bennett – yes. Motion carried

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to refer the Sweet Briar Radio Tower request to the Physical Development Committee. All members present voting aye. Motion carried.

On a motion by Councilmember Conner, seconded by Councilmember Spiggle, Council voted to declare Engine #3 a 1972 Chevrolet Pumper Truck titled to the Town of Appomattox as surplus and donates the same item to the Appomattox Volunteer Fire Department in accordance with §15.2-953 (B) ii of the Code of Virginia. The record will show Councilmember Garrett abstained from the vote. All other members voting aye. Motion carried.

On a motion by Councilmember Garrett, seconded by Councilmember Conner, Council voted to amend the Employee Handbook, Chapter 14, Personal Appearance and re-enact Chapter 14, Dress Code. All members present voted aye. Motion carried.

Citizen Comment Period

Martha Falls of 191 Sunnydale Ave, Appomattox, Virginia addressed Council concerning chicken in the Town limits. Ms. Falls would like Council to consider allowing chickens to be allowed in the Town of Appomattox. She added that chickens are the most popular pet in America, they are allowed in Roanoke, Lynchburg City, Blacksburg and Richmond. They teach children responsibility and give us eggs. She thanked council for their time.

Council Concerns

Mr. Conner remarked what a good job the Town Crew did with clean up both during and after the Railroad Festival.

Mr. Gillespie added a letter will be drafted to Town employees thanking them for their efforts during the festival.

Closed Session

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to convene to Closed Session, pursuant to §2.2-3711 (A) 3 of the Code of Virginia, 1950, as amended, for the purpose of discussion or consideration of the acquisition of real property for the public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically being for the expansion and/or relocation of the Public Works facilities. All members present voting aye. Motion carried.

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

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matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this council.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye.

On a motion by Councilmember Bennett, seconded by Councilmember McDearmon, Council voted to adjourn at 8:22 p.m. All members present voting aye. Motion carried.

Rhonda W. Guill, Deputy Clerk

Paul D. Harvey, Mayor