

Mayor J. Paul Kilgore, Jr. called a regular monthly meeting of the Amherst Town Council to order on May 14, 2014 at 7:00 P.M. in the Council Chambers of the Town Hall at 186 S. Main Street. Council members Kenneth Bumgarner, Mike Mozingo, Rachel Thompson, Kenneth Watts and Richard Wydner were present. Town Manager Jack Hobbs, Town Attorney Tom Berry, Police Chief Kelvin Brown, Director of Public Utilities Tom Fore and Office Manager Colan Davis were present.

Mayor Kilgore asked for a moment of silence.

At 7:03 P.M. a public hearing on the proposed FY15 budget was opened. There being no one present who wished to speak, the hearing was closed at 7:04 P.M. It was understood that the Town Council would have a final discussion and consider adopting the proposal during its June 11 meeting.

Tim Ware came forward to review the April 26 Cruise In event and to ask for endorsement of a planned September 27 event. Mr. Bumgarner made a motion, that was seconded by Mrs. Thompson and carried 5-0, that the Town of Amherst support the planned September 27, 2014 Cruise In event proposed by Tim Ware and the Amherst County Chamber of Commerce subject to the following understandings:

- The Town of Amherst generally endorses the event as being a positive activity that provides community recreation and promotes business traffic in downtown Amherst,
- Use of Town parking lots at the end of E. Court Street and at 174 S. Main Street and Town bathrooms at 174 S. Main Street is approved,
- The Town will sponsor an application for VDOT to close E. Court and Goodwin Streets from 3 PM to 6 PM that evening,
- The Town will loan event sponsors available traffic barricades, cones and trash cans for use during the event,
- The Town will provide the usual and customary non-financial promotional assistance (fliers, Facebook, word of mouth, e-blast, etc.),
- The Town will request the chamber of commerce to provide promotion and event organization assistance, and
- The event area will be monitored by the Town of Amherst Police Department.

Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye".

Mr. Watts made a motion that was seconded by Mr. Bumgarner and approved 5-0 to approve the minutes from the April 9 and 28, 2014 meetings. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted "Aye".

By consensus, the Council agreed to hold a public hearing at the June meeting on a special use permit application by Duncan and Janice Augustine that would, if approved, allow a bed and breakfast to be operated at 138 Garland Avenue.

The Town Attorney gave a report on the demolition of the Beverly house (201 Washington Street) that was referred to him on October 10, 2012 and the Town's position as a holder of surety for the completion of the roads in the Mill Race subdivision now that the development is involved in a foreclosure procedure.

Chief Brown came forward to request authority to contract for the purchase and installation of a new police computer system. After some discussion, Mrs. Thompson made a motion that was seconded by Mr. Mozingo and approved 4-0-1 to approve the procurement with the understanding that it would be funded with monies from the seizure fund to the extent

possible. Messrs. Bumgarner, Mozingo, Thompson, and Wydner voted “Aye”; Mr. Watts abstained.

The Council discussed the Town’s role in downtown events. It was agreed that Main Street closures should be discouraged due to the inconvenience to adjacent residents and business operators and it was understood that this would not apply to the annual Christmas Parade. The Council discussed developing consistent policies related to the use of the new Town Hall property. The Community Relations Committee was asked to develop a policy regarding these items for consideration at a future meeting.

The Council was reminded that policies related to trip charges, utility account liens and late payments are included in the budget proposal. The Town Manager asked the Council to consider voting on adjusted the refuse collection fee language articulated in the Town Code, payment acceptance (credit cards) and cell phone reimbursement policies at that same meeting.

The Town Manager gave status reports on the Water Plant, ACHS-Briar Patch water line, visitors center and Town Hall renovation projects. A request for proposals for a janitorial contractor, signage for the new Town Hall site, and the process for disposing the old Town Hall were discussed.

Mrs. Thompson made a motion that was seconded by Mr. Watts and approved 5-0 to reappoint a series of individuals to the boards for terms listed below. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted “Aye”.

<u>Board</u>	<u>Appointee</u>	<u>Term</u>
Planning Commission	Kevin Belcher	July 1, 2014-June 30, 2018
Industrial Development Authority	Vernon Wood	July 1, 2014-June 30, 2018
Industrial Development Authority	Jim Meade	July 1, 2014-June 30, 2018

The Council discussed the Police Chief replacement process.

The Council received a staff realignment proposal involving amendments to the charter, the town code and policies and agreed to discuss the issue at the June meeting.

It was understood that items that to be on the June meeting agenda include:

- Recognition of the auxiliary police force
- A public hearing followed by a decision on the Augustine Special Use Permit application
- Adoption of the FY15 budget,
- Adoption of various policy items noted above,
- Discussion on the staff realignment proposal, and
- A resolution regarding retirement fund contributions that is required by the legislature.

The Councilors were reminded that the filing deadline for the fall Town Council election is June 10.

Mr. Mozingo noted that he would be absent for the June 10 council meeting.

Mr. Bumgarner made a motion that was seconded by Mrs. Thompson and approved 5-0 to reconvene in closed session for:

- (a) discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation per the exemption at §2.2-3711A.1 of the Code of Virginia, and
  - (b) discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body per the exemption at §2.2-3711A.3 of the Code of Virginia.
- Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted “Aye”.

Mr. Bumgarner made the following motion that was seconded by Mr. Watts to reconvene in open session:

I move that the Town Council certify that to the best of each councilors’ knowledge that (i) only public business matters lawfully exempted from open meeting requirements under Title 2.2, Chapter 37 and §15.2-2907 of the Code of Virginia and (ii) only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed or considered in the session.

The motion passed 5-0 via the roll call method; Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted “Aye”.

There being no further business, Mr. Watts made a motion that was seconded by Mr. Bumgarner and approved 5-0 to adjourn the meeting at 9:48 P.M. Messrs. Bumgarner, Mozingo, Thompson, Watts and Wydner voted “Aye”.

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J. Paul Kilgore, Jr.  
Mayor

Attest: \_\_\_\_\_  
Clerk of Council