

Mayor D. Dwayne Tuggle called a regular monthly meeting of the Amherst Town Council to order on December 13, 2017, at 6:30 P.M. in the Council Chambers of the Town Hall at 174 S. Main Street. Council members André Higginbotham, Kenneth S. Watts, Kenneth G. Bunch, Mark A. Stinnett, and Rachel A. Carton were present. Interim Town Manager Peter Huber, Town Attorney W. Thomas Berry, Office Manager Tracie Wright, Clerk of Council Vicki K. Hunt, and Police Chief Robert A. Shiflett, II, were present.

Mr. Watts made the following motion, which was seconded by Mr. Higginbotham and carried 5-0 with Mrs. Carton and Messrs. Higginbotham, Bunch, Stinnett and Watts voting in favor: I move that the Town Council go into closed session per §2.2-3711A.1 and A7 of the Code of Virginia as related to discussion of the hiring of the new town manager.

At 6:33 PM Mr. Watts made the following motion, which was seconded by Mrs. Carton and carried 5-0 with Mrs. Carton and Messrs. Higginbotham, Bunch, Stinnett and Watts voting in favor: I move that the Town Council return to open session.

Mr. Watts made the following motion, which was seconded by Mr. Stinnett and carried 5-0 on a roll call vote with Mrs. Carton and Messrs. Higginbotham, Bunch, Stinnett and Watts voting in favor certifying 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.

Council recessed until 7:00 PM.

Recitation of the Pledge of Allegiance to the Flag was followed by an invocation given by André Higginbotham.

Mayor D. Dwayne Tuggle opened the floor for citizen comments.

Janice Norvell Wheaton, Amherst, VA, came forward, citing concerns over the numerous pavement color markings beginning to look "junky" and stated that she has not noticed color markings of this type in any other nearby city.

Mr. Watts made a motion that was seconded by Mr. Higginbotham to hire Sara Carter as the Amherst Town Manager who will begin full time on January 10, 2018. The motion passed 5-0 with Mrs. Carton and Messrs. Watts, Higginbotham, Stinnett and Bunch voting "Aye."

Following a report by Interim Town Manager Huber a duly advertised public hearing on the rezoning request by Waukeshaw Development, Inc., through its representative J. David McCormack, would, if approved, rezone 7.17 acres of land at 140 Union Hill Road (TM#s96A7 A 26-29) otherwise known as the Old Mill Property, from General Residential District R-2 to B-2 for the purpose of allowing a brewery and related restaurant to be located on the property was opened at 7:08 PM.

David McCormick, Owner of Trapezium Brewing, and representative of Waukeshaw Development, Inc., was present to answer questions.

Harvey Sellers, Amherst, VA, came forward, and spoke in opposition citing an increase in traffic on the roads that are not now suitable for heavy trucks bringing in raw materials.

David McCormick responded to Mr. Seller's concern saying that most of the manufacturing needed for the incoming business will be done at the facility in Petersburg and that he does not anticipate bringing in large amounts of outside ingredients, that it will be a small brewing system using ingredients grown on the property.

James (Jeep) W. Newman, Jr., Mount Olive Road, Amherst, VA, came forward in favor of the rezoning and development plan.

There being no one else present who wished to speak on the matter, the public hearing closed at 7:19 P.M.

After discussion, Mr. Higginbotham made a motion that was seconded by Mr. Watts, and carried 5-0 to approve the rezoning request by Waukeshaw Development, Inc., to rezone 7.17 acres of land at 140 Union Hill Road (TM#s96A7 A 26-29) otherwise known as the Old Mill Property, from General Residential District R-2 to B-2. Mrs. Carton and Messrs. Higginbotham, Watts, Bunch, and Stinnett voted "Aye."

Following a report by Interim Town Manager Peter Huber, a duly advertised public hearing on the rezoning request by Matthew Hines, on behalf of Blue Ridge Realty Holdings, would, if approved, rezone 4.92 acres of land at 258 S. Main Street (TM#96A4-A-49&50 adjacent to Wells Fargo Bank), from General Residential District R-2 to R-3 High Density Residential, was opened at 7:26 P.M.

Matthew Hines, Owner, Blue Ridge Realty Holdings, was present to answer questions and stated that he is aware that the property owners are concerned over the chance there could be Section 8 housing if rezoned R3 and he is willing to accept conditional R3 zoning that stipulates in writing that no subsidized housing can be built on the parcel. He assured the Town that he only has the best of intentions for the Town, that this would be an added value for the Town, and that he is a man of his word.

Doug Thompson, Amherst, VA came forward to state that he has no objection if Mr. Hines will state in writing what he truly intends to put on the property and not just what he will not do.

Rachel Thompson, 268 Main Street, Amherst, VA, came forward in opposition, presenting a written statement to the councilors with attachment referencing that a piece of the property was being marketed for sale. She requests that his intentions to only build patio or townhomes on the property is in writing.

James (Jeep) W. Newman, Jr, Amherst, VA, came forward in favor citing that it is important to let young developers come into the Town of Amherst and that restrictions should not be placed on developers.

Janice Wheaton, Amherst, VA, came forward and asked that we come together as neighbors and stated that if it is rezoned that it is done properly and tastefully.

Manly Rucker, came forward and stated that it would be nice to know what is going on the property in addition to what is not going on the property.

Wanda Spradley, 153 West Court Street, Amherst, VA, came forward in opposition stating that she has been a long time resident and doesn't want anything done that will jeopardize her neighborhood. She does not want additional traffic on roads that are not already properly maintained.

Andy Klepac, P.E., Hurt & Proffitt, Inc., was present on behalf of Matthew Hines, and stated that because of the expense of soil and other testing it is necessary that a decision on the rezoning issue come first in order to determine what would be allowed on the property before going forward with testing which would then determine what type of homes and how many could be built on the property in accordance with the rezoning allowance and restriction agreed to by Mr. Hines for no subsidized housing.

Mr. Higginbotham stated that even though we would all like to see growth we should want to protect our neighborhoods but we need to know what is being approved and it needs to be clearer what Mr. Hines is doing.

Mr. Watts stated that he felt that Mr. and Mrs. Thompson and Mr. Rucker's request for Mr. Hines to agree in writing that he would only place patio or townhomes on the property, if that is his intention, seems appropriate.

Mrs. Carton felt that what the citizens are requesting Mr. Hines to agree to in writing are already stated in the R3 zoning allowances.

There being no one else present who wished to speak on the matter, the public hearing closed at 8:12 P.M.

After discussion, Mr. Bunch made a motion that was seconded by Mrs. Carton to approve the rezoning request by Matthew Hines, on behalf of Blue Ridge Realty Holdings to rezone 4.92 acres of land at 258 S. Main Street (TM#96A4-A-49&50 adjacent to Wells Fargo Bank), from General Residential District R-2 to R-3 High Density Residential. The motion failed 3-2 with Mrs. Carton and Mr. Bunch voting "Aye" and Messrs. Higginbotham, Watts and Stinnett voting "No."

Mayor D. Dwayne Tuggle called for a short recess.

Mayor D. Dwayne Tuggle reopened the meeting at 8:23 PM.

Becky Cash, Lead Water Treatment Plant Operator, was present to answer questions related to testing results of Lead and Copper samplings on approximately 6 homes or businesses.

Mrs. Carton made a motion that was seconded by Mr. Stinnett, and carried 5-0 to approve the minutes from the November 8, 2017, meeting. Mrs. Carton and Messrs. Higginbotham, Watts, Bunch, and Stinnett voted "Aye."

Mrs. Carton made a motion that was seconded by Mr. Bunch, and carried 5-0 to authorize closure of Town Hall from 2 p.m. to 4 p.m. on Friday, December 15, 2017, for an office staff/employee holiday cookout/potluck luncheon, as recommended by Interim Town Manager Peter Huber.

Mrs. Carton made a motion upon recommendation from the Finance Committee, as follows:

1. To authorize utilization of standardized uniform chart of accounts published in the Uniform Financial Reporting Manual by the Virginia Auditor of Public Accounts, to take effect on July 1, 2018;
2. To authorize updates to the Town of Amherst Procurement Policy to include a \$100 purchase order minimum and addition of Sole Source purchases; and

3. To authorize revision to Town of Amherst Payment Acceptance Policy to reflect a \$50.00 handling fee and/or bank fee for any payments not honored by the bank; and, revision of I.D. requirement for payment of fees by credit card when the name on the credit card is not the same as the name reflected on the Town's water bill account.

The motion carried 5-0 with Mrs. Carton and Messrs. Higginbotham, Watts, Bunch, and Stinnett voting “Aye.”

By consensus of Council Interim Town Manager Huber is authorized to upgrade Town Manager’s office furniture and equipment by replacement of desk and the purchase of a large screen TV/monitor, docking station and CD reader at total cost estimate of \$2,240 (desk \$1,500, monitor \$400, wall mount \$100, docking station \$200, and CD reader \$40).

A public hearing will be held at the next meeting on January 10, 2018, following a recommendation by the Town of Amherst Planning Commission. The subject of the hearing is a special use permit requested by Reggie Catlett to allow JAK, LLC to do light machining and processing of electrical equipment and components in the former Brockman building located at 488 S. Main Street (TM#95A56).

There was a discussion on a committee appointment. It was approved 5-0 to appoint Kenneth G. Bunch to the committee for the term listed below subject to his willingness to serve. Messrs. Higginbotham, Watts, Bunch, Stinnett and Mrs. Carton voted “Aye.”

Board	Appointed	Term of Office
Planning Commission	Kenneth G. Bunch	12/31/2017 - 12/31/18

Peter Huber gave an oral report on advertisements for bids which included the Water Treatment Plant Upgrades and the West Court Street Water Line Replacement Project.

After discussion, Mr. Watts made a motion which was seconded by Mr. Stinnett, and carried 5-0 to authorize Interim Town Manager Peter Huber to accept Sweet Briar’s December 1, 2017, rescission of its August 15, 2017, letter stating its intention to terminate the existing cost sharing agreement for sewer improvements. Mrs. Carton and Messrs. Higginbotham, Watts, Bunch, and Stinnett voted “Aye.”

After discussion, Mr. Watts made a motion which was seconded by Mr. Higginbotham, and carried 5-0 to authorize Interim Town Manager Peter Huber to hire a Sweet Briar intern at the rate of \$9.00 per hour for 10 hours per week for the purpose of file management and assisting with the management of the Water Treatment Plant Upgrades and West Court Street Water Line Replacement Project. Mrs. Carton and Messrs. Higginbotham, Watts, Bunch, and Stinnett voted “Aye.”

After discussion, Mr. Watts made a motion which was seconded by Mrs. Carton, and carried 5-0 to authorize Interim Town Manager Peter Huber to enter into a contract in the amount of \$18,000 with the Berkley Group for an Organization Strategic Assessment (OSA) for the Town of Amherst to include utilities. Mrs. Carton and Messrs. Higginbotham, Watts, Bunch, and Stinnett voted “Aye.”

Mayor Tuggle thanked Charles Thompson and Town Maintenance for set-up and clean-up of the

Christmas Parade; Tracie Wright and staff for the Evening with Santa; the Police Department for security; and all staff for going above and beyond to make the Christmas Parade a success.

After discussion, Mr. Stinnett made a motion which was seconded by Mr. Bunch, and carried 5-0 to contract Hawkins Lock & Key Company to rekey all outside and inside doors at Town Hall at a quote of \$749.50 plus the cost of a couple of additional locks. Mrs. Carton and Messrs. Higginbotham, Watts, Bunch and Stinnett voted "Aye."

By consensus of Council Mayor D. Dwayne Tuggle is authorized to sign a Proclamation Commemorating the 200th Anniversary of the Town of Amherst, New York.

It is the consensus of Council that the Police Department Residency Policy adopted January 12, 2011, is revised as follows:

"Policy – All sworn officers employed by the Town of Amherst Police Department on a full time basis shall be residents of the Town of Amherst or live in a permanent residence within 2.5 miles of the corporate limits of the Town of Amherst within ninety (90) days of their first day on the job and must continue to live within this specified area as a condition of continued employment."

By consensus of Council a reception will be held for Interim Town Manager Peter Huber, Carrie Brown, and Sara Carter at 6:30 P.M. on January 10, 2018.

Mrs. Carton made a motion which was seconded by Mr. Higginbotham and carried 5-0 to authorize Mayor D. Dwayne Tuggle and Town Attorney William Berry to enter into a contract with Sara Carter as Town Manager for the Town of Amherst. Mrs. Carton and Messrs. Higginbotham, Watts, Bunch and Stinnett voted "Aye."

Mayor Tuggle opened the floor to citizen comments.

Clifford Hart, Amherst, VA, came forward and asked whether the Berkley Group offered a reduction in its pricing if only a portion of their recommendations are accepted. Mr. Huber responded that the Berkley Group's fees are on a flat rate basis.

There being no further business, the meeting adjourned on a motion by Mr. Higginbotham seconded by Mr. Stinnett at 9:20 PM.

D. Dwayne Tuggle
Mayor

Attest: _____
Clerk of Council