

Mayor D. Dwayne Tuggle called a regular monthly meeting of the Amherst Town Council to order September 12, 2018, at 7:00 P.M. in the Council Chambers of the Town Hall at 174 S. Main Street. It was noted that a quorum was present as follows:

P	D. Dwayne Tuggle	P	Kenneth G. Bunch
A	Andr Higginbotham	A	Mark A. Stinnett
P	Kenneth S. Watts	P	Rachel A. Carton

Town Manager Sara E. Carter, Town Attorney W. Thomas Berry, Clerk of Council Vicki K. Hunt, Office Manager Tracie L. Wright, Major Greg Harler, Director of Plants Gary Williams, Lead Water Operator Becky L. Cash, and Utilities Maintenance Foreman Charles Thompson, were present.

Recitation of the Pledge of Allegiance to the Flag was followed by an invocation by Kenneth S. Watts.

Mayor D. Dwayne Tuggle opened the floor for citizen comments. No comments were made.

Sally Glynn, 127 Vista Drive, came forward to read the preamble to the United States Constitution to promote Constitution Week. Mayor Tuggle presented her with a Proclamation declaring September 17th – 23rd Constitution Week in the Town of Amherst.

Mayor Tuggle read a Resolution to honor Vernon Wood, former member of the Industrial Development Authority, for his years of service as a member of the Industrial Development Authority. A copy of the resolution is attached and made a part of these minutes.

John R. Mason, II, VFW Post 9877, came forward with a proposal to install an additional memorial at the Village Garden Memorial Park that would honor the servicemen that died during World War I. Mr. Bunch made a motion that was seconded by Mr. Watts and passed 3-0-2 to authorize installment of a memorial at the Village Garden Memorial Park that would honor the servicemen that died during World War I as proposed. Mrs. Carton and Messrs. Watts and Bunch voted “Aye.” Mr. Higginbotham and Mr. Stinnett were absent.

Stephen Poleski, VFW Post 9877, came forward to request financial support for replacement of 45 flags placed along Main Street. Mrs. Carton made a motion that was seconded by Mr. Bunch and passed 3-0-2 to authorize Town Manager to make a contribution in the amount to fully defray the cost of the replacement of 45 flags placed along Main Street purchased from Lowes. Mrs. Carton and Messrs. Watts and Bunch voted “Aye.” Mr. Higginbotham and Mr. Stinnett were absent.

After Town Manager gave a background report, a duly advertised public hearing was opened at 7:23 PM on a proposed amendment to Section 601.01 of the Zoning Ordinance that would, if approved, allow non-conforming lots to be used for single family residential development if they were legal at the time of subdivision, can meet all setback requirements, and provide for the safe provision of water and wastewater.

There being no one present who wished to speak on the matter, the public hearing closed at 7:24 PM.

After discussion, Mr. Watts made a motion that was seconded by Mrs. Carton and carried 3-0-2 to approve adoption of the proposed amendment to Section 601.01 of the Zoning Ordinance allowing non-conforming lots to be used for single family residential development if they were legal at the time of subdivision, can meet all setback requirements, and provide for the safe provision of water and

wastewater. Mrs. Carton and Messrs. Watts and Bunch voted “Aye.” Mr. Higginbotham and Mr. Stinnett were absent. A copy of the amended ordinance is attached and made a part of these minutes.

Derrin Foor, Owner of Loose Shoe Brewery, came forward presenting his concerns related to the cost of water and sewer for a business expansion requesting that a waiver be extended to all businesses having more than one store front.

The Utilities Committee was asked to take the lead on review of concerns of business owners related to costs associated with water and sewer for current and future business expansion. Further discussion was deferred.

Mrs. Carton made a motion that was seconded by Mr. Bunch and carried 3-0-2 to approve the minutes from the August 8, 2018, meeting. Mrs. Carton and Messrs. Watts and Bunch voted “Aye.” Mr. Higginbotham and Mr. Stinnett were absent.

After discussion, Mr. Bunch made a motion which was seconded by Mrs. Carton and carried 3-0-2 that the Town of Amherst endorse the Amherst County Chamber of Commerce Cruise-In event scheduled for September 29, 2018, (with a rain date of October 5) as being a positive activity that provides community recreation and promotes business traffic in downtown Amherst subject to the following understandings:

- The event sponsor is responsible for contacting all adjacent property owners and tenants and working with each to ensure minimal disruption to the neighborhood,
- 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 for the event is approved,
- The event sponsor will reserve four spaces at 174 S. Main Street for the Amherst Police Department,
- The Town will sponsor an application for VDOT to close E. Court and Goodwin Streets from 4 PM to 8:30 PM on the evening of the event,
- 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 (posting fliers, Facebook promotion, word of mouth, etc.),
- The event area will be monitored by the Town of Amherst Police Department,
- The event sponsor will provide the Town an insurance certificate naming the Town of Amherst, its officers and employees as an additional insured, and
- The Town of Amherst contribute \$500.00 to defray the cost of the band for the event.

Mrs. Carton and Messrs. Watts and Bunch voted “Aye.” Messrs. Higginbotham and Stinnett were absent.

Office Manager Wright gave a report on the FY2019-2020 budget timetable and capital improvement plan that staff would like to follow.

After discussion, Mrs. Carton made a motion that was seconded by Mr. Bunch and carried 3-0-2 to approve the FY2019-2020 Budget Calendar and Capital Improvement Plan as presented by staff. Mrs. Carton and Messrs. Watts and Bunch voted “Aye.” Messrs. Higginbotham and Stinnett were absent.

After discussion, Mr. Watts made a motion that was seconded by Mr. Bunch and carried 3-0-2 to support a charter change request by Virginia’s Regional 2000 Partnership - Regional Council to be renamed “Central Virginia Planning District Commission.” Mrs. Carton and Messrs. Watts and Bunch voted “Aye.” Messrs. Higginbotham and Stinnett were absent.

After discussion, Mr. Bunch made a motion that was seconded by Mrs. Carton and carried 3-0-2 to designate Kenneth S. Watts voting delegate for the Town of Amherst at the Virginia Municipal League Annual Business Meeting, October 2, 2018. Mrs. Carton and Messrs. Watts and Bunch voted “Aye.” Messrs. Higginbotham and Stinnett were absent.

After discussion, Mrs. Carton made a motion that was seconded by Mr. Watts and carried 3-0-2 to approve appropriation of \$190,648.10 from the General Fund Capital Reserve for purchase of property for the Police Station at 127 West Court Street, Amherst, VA 24521. The motion 3-0-2 via the roll call method with Mrs. Carton and Messrs. Watts and Bunch voting “Aye.” Messrs. Higginbotham and Stinnett were absent.

After discussion, Mr. Bunch made a motion that was seconded by Mr. Watts and carried 3-0-2 to authorize Town Manager to proceed with work on details including securing survey, preparation of deeds, and contact with property owners to procurement easements, in joint participation with VDOT to address and improve drainage issues on West Court Street by the car wash. Mrs. Carton and Messrs. Watts and Bunch voted “Aye.” Messrs. Higginbotham and Stinnett were absent.

Town Manager Carter gave a brief report on The Village Garden Club’s efforts to seek support of a proposed town-wide event to be held on the 4th Saturday in April, coordinating springtime group activities and events with business sidewalk sales.

After discussion, Mrs. Carton made a motion that was seconded by Mr. Watts and carried 3-0-2 to authorize The Village Garden Club to proceed with efforts to organize a town-wide event on the 4th Saturday in April. Mrs. Carton and Messrs. Watts and Bunch voted “Aye.” Messrs. Higginbotham and Stinnett were absent.

After discussion, a motion was made by Mr. Bunch which was seconded by Mrs. Carton and carried 3-0-2 to adopt Special Event Policy changes as recommended by staff. Mrs. Carton and Messrs. Watts and Bunch voted “Aye.” Messrs. Higginbotham and Stinnett were absent. A copy of the approved policy is attached and made a part of these minutes.

New Wastewater Treatment Plant trainee Fred Adams was introduced by Plant Director Gary Williams and welcomed by Town Council.

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

Tim Ware, Amherst, VA, came forward to extend his appreciation to Council for its support of the Cruise-In event and efforts to establish the bike trail system in the Town of Amherst.

There being no further business, the meeting adjourned on a motion by Mrs. Carton seconded by Mr. Bunch at 8:02 PM.

Attest: _____
Clerk of Council

D. Dwayne Tuggle Mayor

Resolution
of the
Town Council of the Town of Amherst

WHEREAS, Vernon Wood is a highly respected citizen and a long-time resident of the Town of Amherst;
and

WHEREAS, Vernon Wood was a member of the Industrial Development Authority of the Town of Amherst
from 1992 through 2018; and

WHEREAS, Vernon Wood gave freely of his time, energy and knowledge for the betterment of the Town
of Amherst as an active member of the Industrial Development Authority of the Town of Amherst; and

WHEREAS, Vernon Wood consistently demonstrated essential qualities of leadership and diplomacy while
rendering loyal and dedicated service to the residents of the Town of Amherst and the surrounding area
through his career in public service, civic efforts and community involvement; and

WHEREAS, the Town Council of the Town of Amherst wishes to acknowledge the services that Vernon
Wood has given to his community and also to express its appreciation for all that Vernon Wood has done,
is doing, and will probably do for years to come for the Town of Amherst.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Amherst does, on this date,
acknowledge the outstanding service that Vernon Wood has given to our community; and

BE IT FURTHER RESOLVED that the Town Council of the Town of Amherst hereby declares that the Town
of Amherst has been greatly improved as a result of Vernon Wood's tenure on the Industrial Development
Authority of the Town of Amherst; and

FINALLY, BE IT RESOLVED the Clerk of the Council of the Town of Amherst is ordered to deliver an original
copy of this Resolution to Vernon Wood as a token of the Council's deep appreciation for his contributions
to our community and that this resolution be spread upon the minute books of the Town Council of the
Town of Amherst as a tribute to a

Good Neighbor and a Friend of the Town of Amherst.

Adopted September 12, 2018.

Mayor Dwayne Tuggle

Attest:

Clerk of Council

Sec. 18.1-601.01

Lots of record. Where a lot of record at the time of enactment of this ordinance does not contain land of sufficient area or width to permit conformity with dimensional requirements of this ordinance, the following provisions shall apply:

- When ~~two or more adjoining and vacant lots with continuous frontage are in single ownership~~ a lot was legally created and platted at the time of enactment of this ordinance or amendments thereto, and ~~each of such~~ the lots has width or lot area less than is required by the district in which it is located, ~~such lot shall be platted and re-parcelled so as to create one or more lots which conform to the minimum lot width and area requirements of the district.~~
- ~~Where a single nonconforming lot of record at the time of enactment or amendment of this ordinance is not of continuous frontage with other lots in the same ownership,~~ such lot may be used as a single family building site, provided that yard dimensions, and requirements other than those applying to area or width of the lot shall conform to the regulation for the district in which such lot is located and safe provision and appropriate permitting has been made for water and wastewater. Variances of yard requirements may be obtained only through an appeal to the board of appeals, as outlined in Section 1008 herein.



TOWN OF AMHERST

Office of the Town Manager and Town Council

174 S. Main Street, Virginia 24572

Telephone (434) 946-7885

Fax - (434) 946-2087

SPECIAL EVENTS USE POLICY

Adopted by Council: _____

1. Purpose

The Town of Amherst welcomes and encourages special events that enhance the life of the community. The purpose of this Special Events Use Policy is to promote enjoyment of public property through such events, while also establishing standards for protecting it and respecting the reasonable expectations of our town neighbors. This policy also clarifies the responsibilities and liabilities for those conducting private activities on public property.

2. Definition

Special Event: An outdoor temporary activity or promotion, commercial or non-commercial, at a specific location that is open to the public and is planned or reasonably expected to attract large assemblies of persons or require street closures. Special events include, but are not limited to, parades, carnivals, festivals, circuses, music fairs or concerts, tent revivals, art shows, craft shows, rodeos, corn mazes, historic reenactments, equestrian shows, firework displays and events, or similar events open to the public. A private party held at a Banquet/Event Facility (including Hotel, Conference Center, Restaurant, Bed and Breakfast, Country Inn, Rural Retreat or Rural Resort or similar facility) shall not be deemed a special event.

3. Special Events Policy

The Town of Amherst hereby establishes the following policy to govern special events. This policy shall apply to applications for use of public roads closed upon request and all town parks and grounds. Activities that take place on public property shall not be required to obtain a permit from the town council if otherwise permitted by the public agency that owns the property, provided the reimbursement requirement for the town's expenses (i.e., extra police service) is met.

Any individual or organization planning an event must complete a "Special Event Application Form" available at www.amherstva.gov or Town Hall, 174 S. Main Street, Amherst, VA 24572.

The Town of Amherst will consider each application including, as needed, input from the Town of Amherst Police Department, Amherst Sheriff's Department, Amherst Fire Department, Public Works and any other town, county or state agency that may be involved in the event. **Ninety (90) days in advance of the event date.**

4. Application Procedure

- a) The completed application and special event application map showing potential road closures, on-site sanitary facilities based on crowd size and event duration must be submitted to the Town Manager with payment of an application fee of \$100 for each day of the event with the application. The Town Manager is located in Town Hall at 174 S. Main Street. Upon receipt of the completed application, the Town Manager will route the application to the Town of Amherst departments as needed and recommendation to the Town Manager. Any questions regarding special events should be addressed with the Town Manager at (434) 946-7885.
- b) Provide a certificate of insurance in the amount of \$1,000,000.00 listing the Town as additionally insured. Said certificate shall be filed with the Town Manager upon the applicant obtaining approval either by staff or Town Council, if such approval is required. The special event permit shall be null and void without an insurance certificate as required herein.
- c) At least 30 (thirty) days prior to holding a special event, to the extent such is required, provide to the Town written proof of approval, including copies of any permits or licenses if required, from the:
 - i. Virginia Department of Transportation
 - ii. Amherst County Health Department
 - iii. Virginia Department of Alcoholic Beverage Control
- d) Provide adequate security subject to coordination with police, including emergency, sanitation, traffic control and refreshment services at each special event or activity at their cost.
- e) Provide portable toilets as needed.
- f) Comply with state law and all requirements of the Town Code and all additional requirements that either the Town Council or the Town Staff impose upon the event.
- g) Restore the site to its original condition, removing all trash, equipment, etc., immediately following the event, regardless of the source. The permitted group shall compensate the Town of Amherst for any extraordinary clean-up or repairs required as a result of the approved activity.

5. Town Council Approval

Some special event applications that involve closure of public roads or uses of town parks and grounds which cannot be approved administratively require Town Council approval. You will be notified when your special event application is on the Town Council agenda as your presence is expected. The Council is aware of the problems that street closures may cause to businesses, residents and drivers. The time and day of the event will be key factors in considering whether to allow an event requiring street closures.

Applications which may be administratively approved by the Town Manager include:

- a. Special Events which have been approved in consecutive years prior to the current request and which have no proposed changes to layout, logistics and schedule times.
- b. Events which do not require street closures or reservation of public parking spaces.

DRAFT FOR APPROVAL