

**Town of Louisa  
Monthly Meeting  
October 17, 2007**

**Present:** James S. Artz, Mayor; Mary Jane Clarke, Vice-Mayor; A. Daniel Carter; Pamela H. Stone, Warren D. Gehle, Matthew L. Kersey, Council Members; Ronald M. Maupin, Attorney; Brian W. Marks, Town Manager; Donna L. Pinter, Treasurer; Jessica M. Ellis, Clerk; M. Brad Humphrey, Project Manager

**Also Attending:** Pat Wilson, The Central Virginian; Mr. & Mrs. Andrew Kenny, Kenny's Real Estate; Mr. & Mrs. R. L. Thomas, owners of 216 East Main Street

**Absent:** Stan Batten, Chief of Police

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

(Vice-Mayor Clarke stated that she would be presiding until Mayor Artz's arrival.)

Vice-Mayor Clarke called the meeting to order at 7:03 p.m.

Council Member Kersey gave the invocation.

**BUSINESS FROM THE FLOOR**

None.

**CONSENT AGENDA**

Council member Carter made a motion to approve the consent agenda as corrected. Council member Stone seconded the motion.

The vote went as follows: Kersey, for; Gehle, for; Stone, for with the exception of the C.V.; Carter for.

### **PUBLIC HEARING**

**The Town of Louisa anticipates submitting a grant application to the Virginia Department of Transportation for funding a Transportation Enhancement Act (TEA 21) project to improve Pedestrian Safety.**

Mr. Marks stated that the public hearing is standard procedure while applying for the TEA 21 grant. Mr. Marks noted that the funding the town is hoping to receive would be used towards Phase III C which would extend the pedestrian corridor from Main Street to the Town Hall and park, then over to the baseball fields and back up Church Street to Main Street.

Vice-Mayor Clarke opened the public hearing at 7:06 p.m. asking if there was anyone in attendance that would like to speak for or against the application for the TEA 21 grant. Hearing no response, Vice-Mayor Clarke closed the public hearing at 7:07 p.m.

### **OLD BUSINESS**

**A. Mr. Andrew Kenny requests authorization from the Town of Louisa to allow a commercial entrance on the 208 Connector.**

Mr. Marks reported that this item was carried over from the previous month as a discussion item. Mr. Marks added that he had been waiting for a letter from VDOT stating that the current entrance and exit to the property was unsafe and that VDOT approved of a curb cut to the property on the 208 connector.

Mr. Kenny stood before Council and stated that his plans had not changed for the property and that he too had received a letter from VDOT giving their approval to do a curb cut into the property from the 208 connector.

(Mayor Artz arrived at 7:10 p.m. and began presiding over the meeting.)

Council member Kersey questioned Mr. Kenny about the age of the existing building. Mr. Kenny and the current owner responded that they did not know the exact date it was built, but stated that they felt it was somewhere close to 100 years old.

Council member Clarke questioned whether the structure would be torn down. Mr. Kenny stated that he was unsure of what they would do with the building as the cost of the curb cut and the cost of materials, labor, etc. for the new structure will determine the fate of the current structure. Mr. Kenny stated that if the building was not demolished, it would be completely restored similarly to the Cooke Building.

Council member Kersey made the motion to allow the curb cut on the 208 connector as requested. Council member Gehle seconded the motion. The vote went as follows: 5-0.

**B. 2007 Comprehensive Plan Update and Planning Commission recommendation to the Louisa Town Council.**

Mr. Marks reported that the 2007 Comprehensive Plan Update has been completed and the Planning Commission has reviewed the update and they recommend the plan be forwarded to the Town Council for their review and approval.

Mr. Marks stated that if Council would review the plan and report back at the November meeting, he would have enough time to advertise for a public hearing in December.

**C. Discussion Item: Downtown Streetscapes Improvements Phase II.**

Mr. Humphrey stood and reported that he, Mr. Marks, and Mayor Artz met with VDOT to discuss Phase II of the Downtown Improvements

project. Mr. Humphrey stated that they learned the Town can not improve the intersection involving Fredericksburg Avenue, Rosewood, and Main Street due to the lack of funding available. However, Mr. Humphrey stated that Council may be able to use the funds to improve the sidewalk on Main Street from Church Street to Cutler Avenue and then put in side walks on Church Street and Cutler Avenue from the point where they meet Main Street to the railroad tracks.

Mr. Marks stated that he felt the best thing to do would be to begin advertising and interviewing engineering firms for the job so that the Town would be ahead of the game instead of having to play catch up if VDOT moves quicker than anticipated.

Council member Carter made the motion to give Mr. Marks the authorization to advertise for engineering proposals. Council member Clarke seconded the motion. The vote went as follows: 5-0 for.

## **NEW BUSINESS**

### **A. Consideration of a request to use the Louisa Town Hall and Arts Center Parking lot for overnight parking for a specific event.**

Mayor Artz reported that he had been approached by a member of the local AARP group with a request to use the Town Hall parking lot for overnight parking a few times a year while the group goes on trips. Mr. Artz then stated that after the item was placed on the agenda for discussion, the gentleman called him back and reported that they had found another more suitable location to park and was no longer interested in using the lot.

### **B. Authorization for traditional Halloween activities.**

Council member Kersey made the motion to authorize trick or treating in the Town of Louisa on Wednesday, October 31, 2007 from 6:00 p.m. to 9:00 p.m. for children ages 12 years of age and younger. Council member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

**C. Discussion Item: Delinquent Commercial Landfill Tipping Fee Accounts.**

Mr. Marks reported that there are several businesses in the Town that are delinquent in paying the required Commercial Landfill Tipping Fees. Mr. Marks stated that the list includes businesses that are behind in paying and also businesses that have yet not made the first payment. Mr. Marks stated that the Public Works Department has been continually picking up the trash at each location regardless of their account status so as not to cause further trash problems. Mr. Marks requested assistance from Mr. Maupin and Council on the matter.

Mr. Maupin stated that Mr. Marks could file a warrant in debt against each of them. Mr. Maupin suggested that he file a civil complaint in the General District Court and get a judgment.

Council member Clarke made the motion to give the Town Manager and the Town Treasurer authorization to take legal action in the General District Court against such delinquent accounts as they deem appropriate. Council member Stone seconded the motion. The vote went as follows: 5-0 in favor.

**D. Resolution Supporting an Application submitted to VDOT for a TEA 21 grant.**

Mr. Marks stated that the Resolution is a requirement to accompany the grant application that will be submitted for the TEA 21 grant.

Council member Kersey moved to adopt the Resolution. Council member Stone seconded the motion. The vote went as follows: 5-0 in favor.

**STANDING COMMITTEE REPORTS**

Police Department:

(Please refer to the Police Department report following the minutes.)

Water & Sewer Department:

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

Litter Committee:

No report.

Streets & Sidewalks

(Please refer the Project Manager's report following the minutes.)

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

Mayor Artz took a moment to appoint two members of Council to serve on the Economic Development Committee which was created to discuss the Retail Site Assessment from Buxton. Mayor Artz reported that Mr. Carter had volunteered to serve on the committee. Mr. Kersey then stated that he would also volunteer to serve on the committee. Mr. Artz stated that the committee would be comprised of the two council members and Mr. Humphrey.

Mr. Maupin suggested that the committee arrange a meeting with the IDA to also discuss the assessment.

Cemetery

No report.

**REPORTS FROM STAFF**

Counsel

Mr. Maupin stated that there would two items to discuss in closed session.

Clerk

No report.

Treasurer

No report.

Manager

Mr. Marks stated that the MOA with DHR will be completed on Thursday, October 18, 2007 after a meeting with the Louisa County Historical Society.

Mr. Marks also stated that the letter from the Town of Louisa and the Town of Mineral to the Virginia Department of Transportation involving the six year plan had been submitted to the board.

Mr. Marks then revisited the junk car problem that can be seen through out the town. Mr. Maupin stated that he and Mr. Marks would look further into the issue and report back to Council.

Mr. Marks also made mention of the "Fall Bash" that Louisa County's Economic Development Department will be hosting on Saturday, October 27<sup>th</sup>, 2007 from 5:00 p.m. to 10:00 p.m. at the Courthouse Square.

**CLOSED SESSION**

Council Member Clarke made the motion to go into Closed Session to discuss 2.2-3711A1 of the Code of Virginia – Discussion of a Personnel Matter and 2.2-3711A3 of the Code of Virginia – Discussion Concerning the Possible Disposition of Publicly Held Property Where Discussion in Open Meeting Would Adversely Affect the Town's Bargaining Position. Council Member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

Council went into closed session at 8:05 p.m.

### **REGULAR SESSION**

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

Council returned to regular session at 9:04 p.m.

### **CERTIFICATION OF CLOSED SESSION**

Council Member Kersey made the motion to certify the closed session. Council Member Clarke seconded the motion. The vote went as follows: 5-0 in favor.

### **COMMUNICATIONS**

None.

### **ADJOURNMENT**

Council Member Clarke moved to adjourn the October 17, 2007 meeting at 9:04 p.m.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

## **CERTIFICATION OF CLOSED SESSION**

**WHEREAS**, The Louisa Town Council has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

**WHEREAS**, Section 2.2 – 3712 (D) of the Code of Virginia requires a certification by this Town Council and such executive meeting was conducted in conformity with Virginia Law;

**NOW THEREFORE, BE IT RESOLVED** that the Town Council hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion covering the executive meeting were heard, discussed or considered by the Town Council.

### **VOTE**

**AYES:** Gehle, Kersey, Clarke, Stone, Carter.

**NAYES:** None.

**ABSENT DURING VOTE:** None.

**ABSENT DURING MEETING:** None.