

Proceedings of the Regular Town Council Meeting Held on Monday, July 13, 2020 at 7:00 PM at the Crewe Library and Conference Center, Crewe, Virginia

Council Members Present:

Mayor Miskovic and Council Members Aaron Reed, Wendy Bowen, Billy Abel, Anne Stinson, Susan Yeatts, and Sean Davis.

Staff present:

Brian S. Thrower, Town Manager, Scott Dixon, Police Chief, and Tessie Bacon, Town Attorney

Invocation and Pledge:

Mayor Miskovic called the meeting to order with a moment of silence and reflection followed by the Pledge of Allegiance.

Legislative Updates:

Senator Frank M. Ruff, Jr. and Delegate Thomas C. Wright presented legislative updates to Council.

Public Hearing:

Rezoning Request – 200 W. Tennessee Avenue

The Town Manager stated the following: Jim and Anne Stinson are seeking to rezone the properties located at 200 W. Tennessee Avenue (parcel numbers 18A29 351 6A and 18A29 351 3) to C-1 Commercial District. The properties are currently zoned R-3 Residential District.

Crewe Community Center (200 W. Tennessee Avenue) is currently used as an “assembly hall.” Assembly halls are only permitted in the C-1 Commercial District. These properties are currently zoned R-3 Residential District. As such, the use of these properties is considered non-conforming.

As previously stated, these properties are currently zoned R-3 Residential District. According to Section 4-0 of the Town’s Zoning Code, “This district is composed of high density residential areas located near the commercial areas or near the center or older part of town. This residential district is not completely residential as it includes public and semipublic, institutional and other related uses. However, it is basically residential in character and, as such, should not be spotted with commercial and industrial uses.”

The applicant is seeking to rezone these parcels to C-1 Commercial District. Per Section 6-0 of the Town’s Zoning Code, “The purpose of this district is to provide for the establishment or continuance of a business area that is convenient to the whole community. Since this district is a focal point of all business activity the traffic and parking congestion will be heavy and off-street parking should be adequate to serve a great number of people.”

Section 15.2-2284 of State Code lists the relevant factors to consider in rezoning applications. Every proposed rezoning should be accompanied by an analysis of how the amendment will satisfy one or more of these factors. A locality is not required to consider all nine factors in each zoning decision.

The most pertinent factors applicable to this request involve the existing use and character of property and the Comprehensive Plan. In terms of the existing use and character of property, the subject property is presently used as an assembly hall and is a permitted use within the C-1 Commercial District. Moreover, properties in close proximity to the subject property, just one-half block away, are also zoned C-1 Commercial District (see attached zoning map of area).

In terms of the Town's Comprehensive Plan Future Land Use Map, this property is designated as being within the "Secondary Development Corridor." As stated, in the Comprehensive Plan, "these corridors have generally good access to public services, shopping and economic opportunities available within the Town and therefore are good areas for a wide variety of moderately complex medium density developments... Secondary development corridors are good areas for a wide range of land uses including housing subdivisions, and small retail and service businesses. These corridors are not appropriate for large industrial developments." Given the description of the Secondary Development Corridor, small scale "assembly halls" seem to be a compatible use with this corridor.

Given the information provided above, I recommend these parcels be rezoned from R-3 Residential District to C-1 Commercial District. At its June 24, 2020 meeting the Planning Commission also recommended (4 to 0) you rezone these parcels to C-1 Commercial District.

The Mayor opened the public hearing and asked if there was anyone in attendance who wanted to speak on the matter. There were no individuals who wanted to speak on the matter. The Mayor closed the public hearing.

Consent Calendar:

Council Member Reed made the motion to approve the June 8, 2020 Town Council meeting minutes. Council Member Bowen seconded the motion. The motion was approved 6 to 0.

Town Manager's Report:

The Town Manager updated Council on several items. A written report was included in the packet for Council's review.

Mayor's Report:

Mayor Miskovic stated that he would like Council to conduct a work session possibly every other month starting July 27, 2020 at 6:30 p.m. He also stated that he and Supervisor John Roark would be conducting a Town Hall sessions every other month.

Town Attorney's Report:

The Town Attorney distributed her report to Council.

New Business:

Item 9 (a) Rezoning Request – 200 W. Tennessee Avenue

Council Member Stinson recused herself from participating in the discussion of this item due to having an interest (property owner) in the matter.

Council Member Reed made the motion to approve the rezoning request to rezone the property for R-3 Residential District to C-1 Commercial District. The motion was seconded by Council Member Davis. The motion was approved 5 to 0 with Council Member Stinson abstaining from the vote.

Item 9 (b) Shentel Cable Television Franchise Agreement Renewal and Amendment – Request to Adopt Resolution

The Town Manager stated the following: As you may be aware, the existing cable television franchise agreement with Shentel Cable Television, LLC (Shentel) expired on August 10, 2017. Since that time, both parties have been operating under the existing agreement on a month to month basis.

I recommend you adopt the attached resolution approving the renewal and amendment of the cable television franchise agreement with Shentel Cable Television, LLC for a term of fifteen (15) years.

Council Member Davis made the motion to adopt the resolution. Council Member Abel seconded the motion. The motion was approved 6 to 0.

Item 9 (c) Planning Commission – Request to Appoint Members

The Town Manager stated the following: Per Town Code, the Planning Commission shall be comprised of five (5) members. The Planning Commission is currently comprised of four (4) members. As such, Council needs to appoint an additional member to the Planning Commission. Furthermore, the current members of the Planning Commission also need to be assigned terms.

I recommend you appoint one member of Town Council to the Planning Commission, which is allowed by State and Town Code. That individual's tenure shall run concurrent with his or her term of office. I also recommend you reappoint the current members to the following terms:

Robbie Knight – 4 years, expiring June 30, 2024

Arthur Booth – 3 years, expiring June 30, 2023

Mac Dews – 2 years, expiring June 30, 2022

Whip Wilson – 1 year, expiring June 30, 2021

Council Member Stinson made the motion to appoint the individuals recommended by the Town Manager to the terms recommended by the Town Manager, as well as appoint Council Member Yeatts as the Council representative. Council Member Yeatts term shall run concurrent with her term on Council. Council Member Bowen seconded the motion. The motion was approved 6 to 0.

Item 9 (d) Vice Mayor Election – Request to Elect

The Town Manager stated the following: Per Town Charter Section 3.6 (see attached), the Town Council shall elect from its members a Vice Mayor.

I recommend you elect a member of Town Council to serve as Vice Mayor.

After some discussion, Council Member Yeatts made the motion to elect Council Member Bowen to the position of Vice Mayor. Council Member Davis seconded the motion. The motion was approved 5 to 0. Council Member Reed abstained.

Item 9 (e) Council Vacancy – Request to Fill

The Town Manager stated the following: Steve Sisk, Jr. resigned from Town Council effective July 10, 2020 (see attached). As such, Council needs to temporarily fill the vacancy with a qualified voter of the town. The Town will also need to petition the Circuit Court to issue a writ of election to hold a special election to fill the vacancy for the remainder of the term.

I recommend you appoint an individual to temporarily fill the vacancy.

After much discussion, Council Member Bowen made the motion to appoint Jess Faas to Town Council and to request a decision from the judge as to whether a special election was needed. Council Member Yeatts seconded the motion. The motion was approved 6 to 0.

Public Comment:

Sandra Pettis stated the need for the Town to provide more information in terms of having the agenda available. She also asked about the Town establishing priorities.

Council Member Points of Personal Privilege:

Council Member Davis stated the need for streetlights on Gatewood Avenue.

Council Member Abel stated cars were blocking the alley in the area behind A&J Produce and the automotive repair shop. He said it was a thoroughfare and needed to be kept open. He asked that this be looked into.

Council Member Reed thanked the Public Works Department and Police Department for its hard work.

Council Member Bowen thanked town staff for its property maintenance efforts. She also thanked the first responders for their work.

Council Member Yeatts stated she was excited to have the new Town Manager on board and thanked him for property maintenance efforts.

Adjournment

Mayor Miskovic adjourned the meeting.