

**ROCKY MOUNT TOWN COUNCIL
NOVEMBER 10, 2014**

The November 10, 2014 regular meeting of the Rocky Mount Town Council (hereafter referred to as "Council") was held at the Council Chambers of the Rocky Mount Municipal Building located at 345 Donald Avenue, Rocky Mount, Virginia at 7:00 p.m. with Mayor Steven C. Angle presiding. The following members of Council were present:

Vice Mayor Gregory B. Walker and Council Members Bobby M. Cundiff, P. Ann Love, Robert L. Moyer, Jon W. Snead, and Billie W. Stockton.

The meeting was called to order by Mayor Angle.

For the record, the following were present: All members of Council as noted, Town Manager C. James Ervin, Assistant Town Manager/Community Development Director Matthew C. Hankins (and Planning & Zoning Administrator), Town Attorney John T. Boitnott, Acting Chief of Police Kenneth Criner, Finance Director Linda Woody, Public Works Director Cecil M. Mason, Superintendent of Water Department Robert Deitrich, Superintendent of Wastewater Department Timothy Burton, Fire Chief Charles Robertson, and Town Clerk Patricia H. Keatts.

PLEDGE OF ALLEGIANCE

The Mayor led in the Pledge of Allegiance.

SPECIAL ITEMS

A moment of silence was held in honor of the late Chief of Police David Cundiff who had recently passed away due to an illness.

For the record, the Rocky Mount Police Department submitted to Council a "thank you" card expressing their gratitude of support from the Rocky Mount Town Council during their loss of former Chief of Police David Cundiff.

APPROVAL OF AGENDA

Prior to the meeting, Council had received the agenda for review and consideration of approval.

There being no comments, the Mayor entertained a motion.

Motion Action Taken:

Motion was made by Vice Mayor Walker to approve the agenda as presented, with motion on the floor being seconded by Council Member Snead. There being no discussion, let the record show the motion on the floor passed unanimously by those present.

PUBLIC HEARING

Let the record show the Mayor recessed the meeting to hold the first of two following public hearings:

- A. Review and consideration of approval of draft ordinance of the Town of Rocky Mount providing for the exemption from real and personal property taxes on the real and personal property owned by the Free Clinic of Franklin County, Inc. trading as Bernard Healthcare Center.

The Mayor stated that submitted for Council's review and consideration of approval was a draft ordinance of the Town of Rocky Mount providing for the exemption from real property and personal property taxes on the real and personal property owned by Free Clinic of Franklin County, Inc., trading as Bernard Healthcare Center. During the October 13, 2014 regular Council meeting, the request was originally received from the Free Clinic of Franklin County, Inc. that they receive tax exemption on real estate and personal property tax owned by the Free Clinic located at 1171 Franklin Street, Rocky Mount, Virginia. At the advice of the Town Attorney, a public hearing was scheduled for the November 10, 2014 regular Council meeting to receive public input prior to Council considering granting the request.

The Mayor opened the floor to anyone wishing to come forward to speak regarding the request.

- Eric Ferguson, attorney with Rhodes, Ferguson & Stone, located at 305 South Main Street, Rocky Mount, Virginia, and representing the Free Clinic of Franklin County, Inc., came before Council stating the following:
 - Thanked the Town for all their support to the Free Clinic.
 - Franklin County also is a partner and has adopted similar proposed resolution.
 - Went over statistics of how many visits and prescriptions during 2014 the Free Clinic has assisted with.

There being no further comments, the Mayor reconvened the meeting back into open session and entertained a motion.

Motion Action Taken:

Motion was made by Council Member Moyer to grant the request and approve draft ordinance as submitted, with motion on the floor being seconded by Council Member Love. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

Let the record show the Mayor recessed the meeting to hold the second following public hearing:

B. Review and consideration of approval of draft ordinance vacating the Town's right-of-way currently known as Fleming Avenue.

The Mayor stated that submitted for Council's review and consideration of approval was a draft ordinance vacating the Town's right-of-way currently known as Fleming Avenue. Fleming Avenue is an alley connecting Lawndale Street and Old Furnace Road that has been partially improved but is not considered a street (per Virginia Department of Transportation standards). A resident of Old Furnace Road, adjacent to the alley, has approached the Town for abandonment of the alley due to the fact that his dwelling extends partially into the alley and this results in an inability to refinance or sell the property. The Town Attorney has contacted the three property owners that abut the alley and they have agreed that abandonment is in their mutual interests.

The Town Attorney came before Council stating the following:

- Mentioned that some time ago the Town Manager had mentioned to Council that there were a number of paper alleys that need to be reviewed and considered for vacation, and at this time, one of those paper alleys is before Council for review.
- Went over how the proposed alleyway laid in conjunction with the properties.
- It is not a Virginia Department of Transportation or Town maintained road.
- It is appropriate to vacate the paper alley.
- Council needs to vacate with a condition so Dr. Francis Amos will have an easement of right-of-way, with it needing to be the width of current road.

The Mayor opened the floor to anyone wishing to come forward to speak regarding the request.

- Dr. Francis Amos of 65 Lawndale Street, Rocky Mount, Virginia, came before Council stating that he has no problem with vacating the alley, and he has maintained this alley for some time. He would like to have one condition that they have ingress/egress for their use. Other than that, no objection to abandoning.

The Town Attorney confirmed that the Town does need an easement or right-of-way out of Dr. Amos' property.

There being no further comments, the Mayor reconvened the meeting back into open session and entertained a motion.

Motion Action Taken:

Motion was made by Council Member Stockton to approve: the vacation of the alleyway; the draft ordinance; and that ingress/egress will be available for Dr. Amos, with motion on the floor being seconded by Council Member Snead. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

APPROVAL OF MINUTES

Prior to the meeting, Council had received for consideration of approval the following draft minutes:

- October 13, 2014 regular Council meeting minutes

The Mayor asked if there were any changes to the draft minutes, and there being none, entertained a motion.

Motion Action Taken:

Motion was made by Council Member Love to approve the draft minutes as presented, with motion on the floor being seconded by Council Member Moyer. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

APPROVAL OF CONSENT AGENDA

The approval of the *Consent Agenda* consists of approving any miscellaneous resolutions/proclamations, miscellaneous action, departmental monthly reports, and bill list that were submitted prior to the meeting for Council's review and consideration.

- Miscellaneous Resolutions/Proclamations (*none at this time*)
- Miscellaneous Action (*none at this time*)
- Departmental Monthly Report
- Bill List

There being no comments, the Mayor entertained a motion.

Motion Action Taken:

Motion was made by Vice Mayor Walker to approve the "Consent Agenda" as presented, with motion on the floor being seconded by Council Member Stockton. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

HEARING OF CITIZENS

Let the record show that no one had contacted the Town Clerk's Office wishing to come before Council to speak.

At this time, the Mayor opened the floor to anyone wishing to come before Council to speak. Let the record show that no one came forward at this time.

OLD BUSINESS

Let the record show that there were no "Old Business" items to discuss at this time.

NEW BUSINESS

- A. Review and consideration of approval of draft "Resolution by the Rocky Mount Town Council Seeking Approval to Expand the Virginia Rail Heritage Region to Include County of Franklin and the Towns of Rocky Mount and Boones Mill, Virginia".

The Town Manager informed Council that the Town of Boones Mill Council has requested that the Rocky Mount Town Council, along with other localities as listed in the draft resolution, to petition Delegate Charles Poindexter (by said draft resolution) to introduce a bill to the 2015 Virginia General Assembly seeking the expansion of the Virginia Rail Heritage Region to include the County of Franklin and the Towns of Rocky Mount and Boones Mill.

The Town Manager confirmed to the Mayor that there were no dollars assigned to this draft resolution, and that the Town of Boones Mill is looking for funding sources for their depot renovation project and to basically support their efforts to refurbish it.

Motion Action Taken:

Motion was made by Vice Mayor Walker to approve the draft resolution as presented, with motion on the floor being seconded by Council Member Love. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

COMMITTEE REPORTS

- A. Public Facilities & Special Events Committee

The Town Manager informed Council that the Public Facilities & Special Events Committee met on November 4, 2014 to consider parking issues at the Farmers' Market.

- Committee members commented on the long-term parking occurring at the Farmers' Market and their desire to see that the Farmers' Market parking lot is used for customers of the downtown businesses and the Farmers' Market itself.
- To help encourage this, the Committee recommends that the spaces on the left hand side, facing the market stalls, be marked for Farmers' Market customers only, and that the spaces on the left hand side, facing Cox's, as well as the spaces in the back parking area, be enforced for the existing one hour parking.
- A period of significant parking time enforcement (via overtime parking tickets) is recommended to encourage those using the lot for day-long parking to park elsewhere. Additionally, the Committee recommends clearly marking the Town's lot

by the bank drive-through as public parking, suitable for day-long parking. The Town's current parking ticket rate for overtime parking is \$10.00.

Council Member Moyer (as Chair of the Committee) stated that more people are parking at the Farmers' Market more than an hour and some all the day, and that some of the vendors are stating that some people are parking at least four hours at a time at the Farmers' Market.

The Town Manager confirmed to Vice Mayor Walker:

- Some vendors are renting at the Farmers' Market approximately nine months out of the year.
- Basically, the Farmers' Market is vacant during January through April.
- Signs that will be put in place will state a time constraint for parking at the Farmers' Market, and after 5:00 p.m., it will be open to all parking since that time will not hurt any existing structures.
- Will talk with the businesses it will impact.

There being no further comments, the Mayor entertained a motion.

Motion Action Taken:

Motion was made by Council Member Cundiff to accept the recommendations of the Public Facilities & Special Events Committee and to put into force, with motion on the floor being seconded by Vice Mayor Walker. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

OTHER MATTERS & COMMENTS

A. Referrals to Planning Commission from Town Council

Let the record show there were no referrals at this time.

B. *Rise 'N Shine* Appearances

Let the record show there were no *Rise 'N Shine* appearances.

COUNCIL CONCERNS

A. Council Member Moyer

Council Member Moyer stated that during the Veterans' Memorial Commission meeting the other day, there was a consensus of the members to try to get Virginia Department of Transportation to name the new bridge over Pigg River the "Veterans' Memorial Bridge". Council Member Snead mentioned that the Franklin County Historical Society

also has an interest in what they would like to see the bridge named. The Town Manager stated he would contact Virginia Department of Transportation regarding the renaming of the bridge.

Motion Action Taken:

Motion was made by Council Member Moyer to pursue Virginia Department of Transportation in renaming the bridge as suggested by the Veterans' Memorial Commission, with motion on the floor being seconded by Council Member Cundiff. Discussion ensued. Council Member Snead commented that the Franklin County Historical Society wants to keep the old name, which was "Peters Saunders Memorial Bridge". There being no further discussion, let the record show motion on the floor passed five to one, with Council Member Snead voting in opposition to the motion on the floor.

The Town Manager reiterated that he would contact Virginia Department of Transportation to see if they allow the bridge to be named something else other than the existing name that was previously on the old bridge.

B. Council Member Love

Council Member Love questioned how the project was going regarding the streetlights in the Harvester Performance Center area. The Town Manager informed Council that he, along with the Assistant Town Manager, have gone out to survey where the streetlights needed to be and will have Appalachian Power Company put lights on every pole that is available; will put a LED light on the Harvester Performance Center itself; and will bring in an engineer already under contract with the Town to see what is needed to be done in order to put in conduit so decorative lights can be put on Floyd Avenue.

C. Council Member Cundiff

Council Member Cundiff questioned where the parking spaces were suppose to be placed in front of the Boone building located at the intersection of Randolph Street and South Main Street, as he was under the impression that they would be on South Main Street. There was discussion regarding where the spaces were suppose to be placed, as several Council members were under the impression it was on Randolph Street and some thought it was South Main Street. The Town Manager stated that he, along with the Public Works Director, will go to the site to see where they need to go.

D. Mayor Angle

Mayor Angle questioned the progress of the intersection of Floyd Avenue and Franklin Street. The Town Manager relayed that he his trying to get an engineering firm under contract with the Town to do a traffic count, but it will probably be after a Planner is hired for the Town; further commenting also that he does not see the Community Development Department being fully staffed until January 2015.

CLOSED MEETING

Let the record show there were no "Closed Meeting" items to discuss at this time.

ADJOURNMENT

At 7:30 p.m., motion was made by Council Member Moyer to adjourn, seconded by Vice Mayor Walker and carried unanimously by those present.

Steven C. Angle, Mayor

ATTEST:

Patricia H. Keatts/Town Clerk

/phk