

**ROCKY MOUNT TOWN COUNCIL
REGULAR MEETING MINUTES
OCTOBER 12, 2015**

The October 12, 2015 regular meeting of the Rocky Mount Town Council (hereafter referred to as "Council") was held in 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:

- Mayor Steven C. Angle
- Vice Mayor Gregory B. Walker
- Bobby M. Cundiff
- P. Ann Love
- Robert L. Moyer
- Jon W. Snead
- Billie W. Stockton

The following staff members were present:

- John Boitnott, Town Attorney
- Bob Deitrich, Water Treatment Plant Superintendent
- Rebecca Dillon, Interim Executive Assistant
- C. James Ervin, Town Manager
- Josh Gibson, Town Planner
- Amy Gordon, Assistant Finance Director
- Matthew Hankins, Assistant Town Manager
- Mark Lovern, Lieutenant, Rocky Mount Police Department
- Cecil Mason, Public Works Director
- Jeff Rakes, Fire Chief
- Linda Woody, Finance Director

The meeting was called to order by Mayor Steven C. Angle.

PLEDGE OF ALLEGIANCE

Mayor Angle led in saying the Pledge of Allegiance.

APPROVAL OF AGENDA

Vice Mayor Walker moved to amend the agenda to include authorization for Goodwill Industries to hold a parade.

Motion: To approve the amended agenda as presented

Motion By: Vice Mayor Walker

Second: Council Member Snead

Motion Discussion: None

Ayes: Cundiff, Love, Moyer, Snead, Stockton, Walker

Nays: None

Action: The amended agenda was approved by a unanimous vote

SPECIAL ITEMS

Let the record show there were no special items to discuss at this time.

PUBLIC HEARINGS

Mayor Angle recessed the meeting to go into public hearing.

- A. ***Public Hearing No. 1:*** Franklin County Historical Society's special use permit request to demolish and reconstruct a two-story accessory building on its property at 460 South Main Street, tax map parcel #2070053900. The property is zoned Central Business District (CBD).

Staff Report by Asst. Town Manager Hankins:

Staff supports a special exception permit to construct an accessory building on this property. Its impact is expected to be minimal and the building itself serves as a buffer between the sole adjacent residential use and South Main Street. It does not substantially change the character of the neighborhood, helps facilitate a permitted use and supports the mission of a community educational and cultural resource. The Planning Commission held a public hearing on October 6, 2015. Both staff and the Planning Commission recommend an approval of the rezoning with the following conditions:

- The site shall be developed in substantial conformance with the conceptual plans submitted as a part of the rezoning application.
- A vegetative or screening buffer shall be installed and maintained between the building and the adjacent residential use.

Let the record show there were no comments from Council

Public Hearing: Let the record show that no member of the public came forward to speak.

Mayor Angle called the meeting back into regular session.

Motion: To approve the special use permit for Franklin County Historical Society per the Planning Commission's recommendation

Motion By: Vice Mayor Walker

Second: Council Member Cundiff

Motion Discussion: None

Ayes: Cundiff, Love, Moyer, Snead, Stockton, Walker

Nays: None

Action: The request was approved by a unanimous vote

Mayor Angle recessed the meeting to go into public hearing.

- B. **Public Hearing No. 2:** Ntelos' request for special use permit to install cellular antennae on the tower at CenturyLink's local exchange building at 280 South Main Street, tax map parcel #2070056000.

Staff Report by Asst. Town Manager Hankins:

Staff supports a special exception permit to erect an antenna array for wireless service on the tower at 280 South Main Street. Since the tower exists, its anticipated visual impact is expected to be minimal—certainly in comparison with a new tower. The Planning Commission held a public hearing on October 6, 2015. Both staff and the Planning Commission recommend an approval of the rezoning with the following conditions:

- The site shall be developed in substantial conformance with the conceptual plans submitted as a part of the special exception application.

Comments from Council:

Mayor Angle stressed his concern regarding the language of sections of the Mead & Hunt and KCI reports of the structural integrity of the tower and building. Attorney Maxwell Wiegard from Gentry Locke (10 Franklin Rd., SE, Suite 900, Roanoke, VA. 24011) and Debbie Balsler with nTelos (1154 Shenandoah Village Dr., Waynesboro, VA. 22980) stated that KCI is Centurylink's engineering firm, who performed a structural analysis on the tower, and Mead & Hunt were contracted by nTelos to perform an examination of the rooftop of the Centurylink building. Centurylink would not allow nTelos to perform an analysis on the tower itself. Planner Gibson addressed Mayor Angle's concern by explaining that no actual weights were placed on the tower; only theoretical measures were performed, hence the reason for the language placed in each report.

Town Manager Ervin reminded Council that the Town's initial position on this matter was to not allow this tower to still be located on top of the Centurylink building downtown, as we took action to have the structure removed because it was an abandoned nonconformity. The legal process that followed overruled the Town's position, allowing us to consider options such as this that would provide the Town some return and function on its impact.

Public Hearing: Let the record show that no member of the public came forward to speak.

Mayor Angle called the meeting back into regular session.

Discussion By Council: Let the record show there was no discussion by Council.

Motion: To approve the special use permit for nTelos per the Planning Commission's recommendation

Motion By: Council Member Moyer

Second: Council Member Snead

Motion Discussion: None

Ayes: Cundiff, Love, Moyer, Snead, Stockton, Walker

Nays: None

Action: The request was approved by a unanimous vote

APPROVAL OF MINUTES

Received by Council in their packet for this scheduled meeting were draft minutes for review and consideration of approval:

- July 13, 2015 Special Meeting Meeting Minutes
- July 13, 2015 Regular Meeting Minutes
- September 14, 2015 Regular Meeting Minutes
- September 24, 2015 Special Meeting Minutes

Motion: To approve the draft minutes as presented

Motion By: Council Member Stockton

Second: Council Member Walker

Motion Discussion: None

Ayes: Cundiff, Love, Moyer, Snead, Stockton, Walker

Nays: None

Action: The draft minutes presented were approved by a unanimous vote

APPROVAL OF CONSENT AGENDA

This month's consent agenda consists of the following items:

- (1) **Miscellaneous Action**, including:
 - Review and consideration of Lynda Spence for re-appointment to the Economic Development Authority for a term of four (4) years.
- (2) **Miscellaneous Resolutions/Proclamations** including:
 - Review and consideration of Resolution by the Rocky Mount Town Council for National Business Women's Week.
- (3) **Department Monthly Reports**, including:
 - Community Development Department
 - Finance Department
 - Fire Department
 - Police Department
 - Public Works Department
 - Waste Water Department
 - Water Department

Discussion: None

Motion: To approve the consent agenda as presented

Motion By: Council Member Love

Second: Council Member Cundiff

Motion Discussion: None

Ayes: Cundiff, Love, Moyer, Snead, Stockton, Walker

Nays: None

Action: The presented consent agenda was approved by a unanimous vote

HEARING OF CITIZENS

Let the record show that prior to the meeting, there was one person who requested to speak during the "Hearing of Citizens" segment of the meeting.

- A. Mayor Angle called upon Verdella Law-Williamson (50 Warren St., Rocky Mount, VA. 24151) to come forward and address Council.

Discussion:

Ms. Williamson addressed Council regarding an issue she has with parking for her place of business, Law's Barber Shop, located on Warren Street. Her customers are having difficulty finding a place to park on the street, in which she has previously spoken to the police department and Town Manager Ervin about. She is requesting to have one or two parking places designated for her patrons in front of her business from the hours of 9:00 a.m. through 6:00 p.m., Monday through Saturday.

Motion: To approve two parking places with designated hours of 9:00 a.m. through 6:00 p.m., Monday through Saturday.

Motion By: Council Member Love

Second: Council Member Stockton

Motion Discussion: None

Ayes: Cundiff, Love, Moyer, Snead, Stockton, Walker

Nays: None

Action: Approved by a unanimous vote

- B. Ms. Williamson also had concerns over numerous seats being reserved at the Harvester Performance Center, as her understanding it was "first come first serve" and the reason why patrons stood in line early. Mayor Angle explained that sometimes seats are reserved for the band members or their guests. Asst. Manager Hankins confirmed this and added that volunteers are eligible to attend a certain number of shows as well. Asst. Manager Hankins also stated that he would review the reservation of seats with the Harvester staff and make sure that it was being utilized correctly.

Mayor Angle opened the floor to any other citizens wishing to speak. Let the record show no one came forward.

OLD BUSINESS: Let the record show there was none at this time.

NEW BUSINESS

- A. ***New Business Item No. 1:*** Consider security improvements to the Town of Rocky Mount Municipal Building and approval of contract with Spectrum Design and State Security.

Staff Report by Town Manager Ervin:

With the recent incident at Bridgewater and HR actions by the Town, we have had an assessment of our building security performed. In addition, we are to a point where it is

time to re-key the municipal building as we have been using the same key system for a decade. Staff presents two proposals:

- The first is a proposal for Architectural Services from Spectrum Design to design, bid and manage the installation of the majority of the improvements recommended by the security review. The estimate for the design work quoted is \$14,800.
- The second proposal is from our current security system vendor to migrate to an electronic access control system used in most public buildings whereby a user is assigned an electronic key card that can be programmed to access individual doors as needed and revoked if lost or stolen without the need to re-key the entire building. The estimate for this is \$19,973.53.

Staff recommends these items to be considered by Council for completion in the current fiscal year by making budgetary adjustments approved by the board.

General Discussion:

Mayor Angle, Vice Mayor Walker, and Council Member Moyer expressed concerns over cost and suggested that some of the work could possibly be performed by Town staff or other vendors, without using architectural services. Town Manager Ervin stated that items such as shrub removal and installation of additional cameras were more simplistic in nature and could be performed without an architect. Town Manager Ervin stated though that the more complex projects, such as removal of the sliding gate and installation of bullet proof glass in the finance department, should predicate the use of architectural services.

Motion: To meet with the Public Facilities Committee with estimates of building improvements and approve the proposal of the migration to an electronic access control system with our current security system vendor.

Motion By: Council Member Stockton

Second: Council Member Snead

Motion Discussion: None

Ayes: Cundiff, Love, Moyer, Snead, Stockton, Walker

Nays: None

Action: The motion was approved by a unanimous vote

- B. ***New Business Item No. 2:*** Consider donation to Franklin County Historical Society of two bus sponsorships - \$600.00 for annual Ghosts & More tours on October 17 and October 24, 2015.

Staff Report by Town Manager Ervin: This is Franklin County Historical Society's annual request and in keeping with previous years. These funds have already been approved in the current year's budget.

Motion: To approve the request as presented

Motion By: Council Member Love

Second: Council Member Cundiff

Motion Discussion: None

Ayes: Cundiff, Love, Moyer, Snead, Stockton, Walker

Nays: None

Action: The request was approved as presented by a unanimous vote

C. ***New Business Item No. 3:*** Update on Southwest Virginia and Mountain Region tourism initiatives.

Staff Report by Asst. Manager Hankins: Regional tourism marketing will be considered by the Virginia Tourism Corporation (VTC) after a December 1 deadline for regions to submit their affiliations. For many years, the Roanoke Region has been lumped in with the Shenandoah Valley, the Central Virginia Region or other regions which do not necessarily share the tourism assets or appeal that Roanoke and its contiguous counties have. The Roanoke Convention & Visitors Bureau, of which Franklin County and the Town of Rocky Mount is a part, is making an effort to brand the Roanoke region as the Mountain Region of Virginia in VTC's marketing materials, including its website and the Virginia Visitors Guide. Simultaneously, the Friends of Southwest Virginia organization (an umbrella for The Crooked Road) has begun an effort to classify and brand its 19 county and city service territory (including Franklin County) as the Southwest Virginia tourism region. Therefore, the Town is being competed over by these two organizations.

There are merits to being in one region or being split between two, but there are also potential negative impacts. Virginia Tourism has indicated to the Southwest Virginia folks that it would consider splitting Franklin County between two regions if all interests are served by such an unusual split, which is not without precedent in Virginia tourism marketing. Town Council though has never had the opportunity to express a preference.

We have significant investments in the Southwest Virginia initiatives over the years, but our membership in the Crooked Road and 'Round The Mountain would not be affected by the tourism region designation. We also receive significant and timely help from the Roanoke CVB, particularly in developing travel writers visits, directing customers to local venues and supporting our social media presence by spreading Town tourism-related social media posts to a much broader audience. Both are valuable and appreciated partners in our efforts to make Rocky Mount a destination.

Staff recommends the following options:

- If you believe Rocky Mount and Franklin County should be marketed *exclusively with Roanoke*, Smith Mountain Lake and other Roanoke-region entities, you should take no action.
- If you believe we should be marketed *exclusively with the Southwest Virginia* group, you should indicate that preference by a vote and direct me to express that preference to the Board of Supervisors, the Southwest Virginia group and the Virginia Tourism Corporation.
- If you believe Franklin County and Rocky Mount should be marketed partially by one group and partially by another – *effectively putting Rocky Mount in both tourism regions* – you should indicate that preference by a vote and direct me to express that preference to the Board of Supervisors, the Southwest Virginia group and the Virginia Tourism Corporation.

General Discussion:

Council discussed all three options. Asst. Manager Hankins feels that we will be marketed well in any of these regions, but the most important issue here is that Council be given the opportunity to express their preference. The County's preference is to stay

in the Mountain Region. The Town should be safe staying in the Mountain Region as well.

Mayor Angle stated to leave the Town in the Mountain Region. Let the record show no motion was made.

- D. ***New Business Item No. 4:*** Growth of kudzu and possible removal being addressed under the Town zoning ordinance.

Staff Report by Asst. Manager Hankins and Planner Gibson: Town Council has asked whether Town staff can enforce overgrowth of kudzu using existing Town Code. Unlike species like paradise trees, kudzu is not specifically mentioned as a prohibited species, limiting what we are able to do to prevent its spread to public streets and rights-of-way. Therefore, there is no code Town staff has to enforce regarding kudzu. No surrounding localities have ordinances related to controlling the spread of kudzu. Problems created between neighbors by kudzu are currently civil matters and should remain so.

Staff recommends that you do not change the ordinance. If you do change the ordinance, you should be prepared to hire an additional staff person to conduct code enforcement.

General Discussion:

Council understands that the issue of kudzu should be approached civilly and there is no current ordinance that addresses this nuisance.

Let the record show no motion was made.

- E. ***New Business Item No. 5:*** Request for authorization for Goodwill Industries to hold a parade on North Main Street to support the independence of its employees.

Venice Rutrough (1045 N. Main St., Rocky Mount, VA. 24151) with Goodwill Industries stated that last year Goodwill Industries held a parade for their special needs adults that begins at the Rocky Mount Bowling Alley and ends at the Goodwill facility, using one lane of traffic. The route of the parade has already been reviewed and approved by the police department.

Motion: To approve the request as presented

Motion By: Council Member Snead

Second: Council Member Love

Motion Discussion: None

Ayes: Cundiff, Love, Moyer, Snead, Stockton, Walker

Nays: None

Action: The request was approved as presented by a unanimous vote

COMMITTEE REPORTS

The Finance Committee met on September 24, 2015 to consider the YMCA's request for financial assistance. The Committee asked that the Town Manger meet with Mr. Currie

and review this history so that he would understand the Town's existing level of financial commitment to the YMCA.

A meeting occurred with Mr. Currie on Friday October 8, 2015. Mr. Ervin expressed the Town's desire to see the YMCA be successful, and for Mr. Currie to understand the commitment the Town has already made to the organization in getting them to where they are today. Mr. Ervin suggested that future encounters should come with this perspective in mind.

OTHER MATTERS & CONCERNS

Mayor Angle and Assistant Town Manager Hankins appeared on *Rise and Shine Franklin County* this morning, with Mr. Hagee as host.

CLOSED MEETING & ACTION

Entering Closed Meeting:

Motion: To go into closed session under the Virginia Code Section cited below

Time: 8:33 p.m.

Virginia Code Sections: Section 2.2-3711(A).3 - Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Motion By: Council Member Stockton

Second: Council Member Love

Motion Discussion: None

Ayes: Cundiff, Love, Moyer, Snead, Stockton, Walker

Nays: None

Action: Meeting convened into a closed session by a unanimous vote

Exiting Closed Meeting and Adjournment:

Motion: To reconvene back into open session and adjourn meeting

Time: 9:00 p.m.

Motion By: Vice Mayor Walker

Second: Council Member Stockton

Motion Discussion: None

Ayes: Cundiff, Love, Moyer, Snead, Stockton, Walker

Nays: None

Action: The meeting was reconvened into regular session and adjourned by a unanimous vote

Certificate of Closed Meeting Discussion:

Council certified unanimously that nothing was discussed in the closed meeting other than what was stated in the motion to enter the closed meeting. No action was taken during the closed meeting.

Whereas, the Rocky Mount Town Council has convened a closed meeting on Monday, October 12, 2015 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 of the Code of Virginia (1950), as amended, requires certification by this Council that such closed meeting was conducted in conformity with Virginia law;

Now, Therefore, Be It Resolved that the Rocky Mount Town Council hereby certifies that, to the best of each members' knowledge: (1) only public business matters lawfully exempted from open meeting requirements under this chapter; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting by the public body.

Steven C. Angle, Mayor

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ATTEST:

Amy D. Gordon, Acting Town Clerk