

**ROCKY MOUNT TOWN COUNCIL  
MEETING MINUTES  
JANUARY 12, 2015**

The January 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
- Jon W. Snead
- Billie W. Stockton

Let the record show that Council Member Robert L. Moyer was absent.

The following staff members were present:

- Town Manager C. James Ervin
- Assistant Town Manager Matthew C. Hankins
- Finance Director Linda Woody
- Acting Chief of Police Ken Criner
- Public Works Director Cecil Mason
- Wastewater Treatment Plant Superintendent Tim Burton
- Water Treatment Plant Superintendent Robert Dietrich
- Town Clerk Patricia H. Keatts
- Deputy Town Clerk Stacey B. Sink

The meeting was called to order by Mayor Angle.

Mayor Angle asked for an update on Council Member Moyer who is recovering from surgery.

**PLEDGE OF ALLEGIANCE**

Mayor Angle led in the Pledge of Allegiance.

## **APPROVAL OF AGENDA**

Mayor Angle asked for any additions or corrections to the presented agenda, and being none entertained a motion.

**Motion:** To approve the agenda as presented

**Motion By:** Council Member Love

**Second:** Council Member Stockton

**Motion Discussion:** None

**Action:** The agenda was approved as presented by a unanimous vote of members present

## **SPECIAL ITEMS**

### ***Special Item No. 1: Recognition of Patricia H. Keatts on her retirement and for years of service to the Town of Rocky Mount***

Mayor Angle called Mrs. Keatts to the podium and for the record made the following statement:

“Patricia Keatts was hired to work for the Town of Rocky Mount, Virginia on January 2, 1990. She had no idea that her name would be added to the long list of town clerks since the Town of Rocky Mount's incorporation in 1873. As it stands now, Mrs. Keatts is the longest serving town clerk for the Town of Rocky Mount. During the past 25 years, Mrs. Patricia Keatts has not only had the distinct honor of being the town clerk for the Town of Rocky Mount, starting the journey on January 2, 1990, but also the executive assistant to the town manager, with both of these responsibilities running hand-in-hand with one another. During that time, she has seen the Town of Rocky Mount transition from a small town to one that has grown and expanded throughout those years. She experienced first-hand the transition from the mayor form of government during former Mayor Allen O. Woody, Jr.'s governance of the Town, to a town manager style of government by the Rocky Mount Town Council. From the first Town Manager Mark Henne, to Keith Holland, Jack Gross, and now James Ervin, Mrs. Keatts has experienced each and every day what it takes to keep government open and inviting to all its citizens. In 2006, Mrs. Keatts obtained her Certified Municipal Clerk designation through the International Institute of Municipal Clerks, and in 2010 obtained her Master Municipal Clerk designation through the same organization. On April 19, 2012, Mrs. Keatts achieved the highest honor given by the Virginia Municipal Clerks Association when she received the "Clerk of the Year" award for the state of Virginia. She was overwhelmed by the support of her peers for this nomination and award. As town clerk, she has had the privilege of serving five mayors: the late Allen O. Woody, Jr., the late Broaddus Shively, Benjamin Pinckard, Mark Newbill, and currently myself. During her tenure with each mayor, she has learned a great deal of how one commits to serving others. Mrs. Keatts leaves behind 25 years of legacy with

the Town of Rocky Mount, having helped five mayors and four town managers 'get it right' while working hard to help those elected to office in over 13 elections. The Town Council of Rocky Mount, the staff of our great organization, and the citizens of our great town salute Mrs. Keatts on a job well done and a career well spent."

Following his comments, Mayor Angle presented Mrs. Keatts with a key to the Town of Rocky Mount and a crystal plaque honoring her 25 years of dedicated service.

Following a standing ovation from Council and others in attendance, Mrs. Keatts made the following comments:

"I am truly thankful for the opportunity to serve the Rocky Mount Town Council and citizens of the Town for the past 25 years. During that time, I have worked with some wonderful members of Council, Town employees, and volunteers. Upon the swearing-in of Stacey Sink as town clerk, and as noted in the Town Code, Mrs. Sink will become the official keeper of the Town seal. It is my belief that this seal symbolizes the importance of the town clerk's duties to council in their trust in their town clerk to keep sacred the official duties of that office. I am sure Mrs. Sink will serve the Town in the same manner as she has served as deputy clerk, with honor, integrity, and respect. I want to personally congratulate her as her name is added to the time-honored position of town clerks for the Town of Rocky Mount. I pray the very best for her and Council in the years ahead."

Mrs. Keatts then presented Mrs. Sink with the town clerk lapel pin and the official Town seal for safe keeping.

**Special Item No. 2: Swearing-in ceremony of Stacey B. Sink as new Rocky Mount town clerk due to retirement of current Town Clerk Patricia H. Keatts**

Mrs. Sink was administered the oath of office by Franklin County Clerk of Circuit Court Teresa Brown.

**PUBLIC HEARING**

**Public Hearing No. 1: Grove Rocky Mount LLC doing business as The Early Inn at the Grove special exception permit request to make an addition to an existing accessory building located at 50 Floyd Avenue, Rocky Mount, Virginia and known as Franklin County tax map and parcel number 2070050600**

Staff Comments by Assistant Manager Hankins: The Early Inn At The Grove has submitted a Special Exception request for the property at 50 Floyd Avenue, Tax Map and Parcel Number 2070050600. The company operates the antebellum house as a bed and breakfast and wishes to expand the gate house/law office at the front of the property to create an additional suite by adding a bathroom. This is a small construction

project and a small request. Out of an abundance of caution, staff has classified this building as an accessory building not permitted in the Central Business District, making this a nonconforming structure. Expansion of the nonconformity requires a special exception, and that is the matter before Council this evening. Should the Town Council grant a special exception to allow the expansion of the building in question? If so, should it impose conditions on that exception? The Planning Commission held a public hearing on this matter on Tuesday, January 6. No citizens gave comment regarding the request. The Planning Commission recommended approval of the special exception request with a vote five for and zero against. Planning Commission Member Hall abstained from voting, citing a personal conflict, and Planning Commission Member Tiggle was absent. Mr. Hochstein does plan to keep the same architectural style as currently exists on the building.

Discussion with staff: None.

Comments from applicant: Bryan Hochstein, of 2430 Goldfield Court, Greensboro, NC, and owner of The Early Inn at the Grove, addressed the Council confirming Assistant Town Manager Hankins's comments and reiterating his intention to keep the same architecture on the building addition.

General discussion:

- Cundiff expressed a reservation about the request, specifically, how the Council will address others who may request permission to add restrooms to accessory buildings in the future.
- From a planning perspective, the request is in keeping with the use. Council Member Cundiff's reservation is a valid concern.
- The zoning on the property was changed from single-family Residential (R1) to Central Business District (CBD) last year.
- It is unusual for a CBD property to be this large or to have room for additional accessory structures.
- The addition of the restroom will change the footprint. It is a 6' x 12' bumpout. The building is already plumbed.
- There are probably other garages with restrooms in them already existing in town.
- There are very few properties to compare to the Grove property in CBD. Most existing accessory buildings are on residential properties.

Public comment: Let the record show that no one from the public came forward to speak regarding the special exception request.

There being no further discussion, Mayor Angle entertained a motion.

Motion: To approved the special exception request as presented.

Motion By: Council Member Stockton.

Second: Council Member Snead.

Motion Discussion: None.

Ayes: Love, Snead, Stockton, Walker.

Nays: Cundiff.

Action: Motion to approve the special exception request of Grove Rocky Mount LLC was approved with a vote of four to one.

### APPROVAL OF MINUTES

Prior to the meeting, Council received for review and consideration of approval the following draft minutes: **December 8, 2014 - regular Rocky Mount Town Council Minutes.**

Mayor Angle asked if there were any additions or corrections to the presented draft minutes. Council Member Snead noted that there should be a correction to Council Member Moyer's motion in regards to the renaming of the Peter Saunders Memorial Bridge. The actual motion was to rename the bridge the Peter Saunders Veterans' Memorial Bridge. Town Manager Ervin clarified that the actual naming of the bridge will be taken up by Delegate Poindexter as a legislative matter.

There being no further discussion, Mayor Angle entertained a motion.

Motion: To approve the minutes as amended.

Motion By: Council Member Snead.

Second: Vice Mayor Walker.

Motion Discussion: None.

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

Nays: None.

Action: December 8, 2014 draft minutes approved as amended by a unanimous vote of members present.

### APPROVAL OF CONSENT AGENDA

Prior to the meeting, Council received, for review and consideration of approval, a list of consent agenda items, which consists of any miscellaneous resolutions, proclamations, miscellaneous action items, departmental monthly reports, and the bill list. This month's consent agenda consists of the following:

- Miscellaneous Resolutions/Proclamations (none at this time)
- Miscellaneous Action (none at this time)
- Departmental Monthly Reports: Community Development (none at this time), Finance Department, Fire Department, Police Department, Public Works Department, Waste Water Department, Water Department
- Bill List

There being no discussion, Mayor Angle entertained a motion.

Motion: To approve the consent agenda as presented.

Motion By: Vice Mayor Walker.

Second: Council Member Stockton.

Motion Discussion: Vice Mayor Walker (in reference to the Police Department's monthly report) thanked Acting Chief Criner and the Police Department for their work this season with Heavenly Manna and the children's hospital. He feels the department is doing a great job of being in the public and being seen.

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

Nays: None.

Action: Consent agenda approved by a unanimous vote of members present.

## **HEARING OF CITIZENS**

Let the record show that no one contacted the town clerk's office prior to the meeting wishing to come before Council to speak.

Mayor Angle opened the floor to anyone wishing to come before Council to speak.

Let the record show that no one from the public came forward to address Council.

## **OLD BUSINESS**

### **Old Business Item No. 1: Town of Rocky Mount credit card acceptance update**

Staff Report By Town Manager Ervin: The Town began accepting credit cards in December 2014. The process has this far been well received by citizens and customers. The Town is absorbing the fees associated with accepting credit cards, but is charging a \$2.50 per transaction processing fee. The Finance Director will summarize the overall cost to the Town of the credit card acceptance process once a full annual payment cycle has occurred. Staff currently estimates that the total processing fees collected will closely equal the fees paid to the credit card processing firm, but this is only an estimate at this time. There is some discussion about how the charging of a flat processing fee could be going against State Code. The Town's processing software which is specially geared toward government transactions does not have the ability to calculate the 2.5 percent processing fee the Town incurs for accepting the card. The Town currently charges a flat fee of \$2.50 per transaction. The issue is under discussion by staff and the town attorney. Staff recommends that until a resolution is found, the Town suspends collecting a fee until the Finance Committee meets to review the matter. Small charges that are less than \$100 will cause Town to overcollect which could lead to legal issues.

### **General Discussion:**

- Council Member Cundiff expressed concern with suspending the fees. This is a choice that the customer has: \$2.50 to pay with a card, or pay with a check or cash with no fee. Does not think it is fair to the people who pay in a manner that does not

cost the town. Does not think that processing fee should be passed on to the utility departments.

- Town Manager Ervin reiterated that if suspended, the Town would only cover the processing fee until such time as the issue can be resolved.
- Vice Mayor Walker clarified that the idea is to suspend the fee short term so that the Town does not get in legal trouble and until the Finance Committee can meet to determine an acceptable manner to charge the fee that meets code.
- Consensus of Council that the fee should be passed on to the customer.
- Town Manager Ervin noted that the guiding code section is relevant only to local government. Also noted that Council also has the option of suspending taking credit cards.
- Discussion continued regarding how to best meet the code.

There being no further discussion, Mayor Angle entertained a motion.

**Motion:** To suspend the collection of the credit card convenience fee temporarily and to authorize the Finance committee to issue a recommendation and judgment on the matter that staff can act on so that the matter does not have to wait until February for the Council to come back together.

**Motion By:** Council Member Snead.

**Second:** Vice Mayor Walker.

**Motion Discussion:**

-Council Member Cundiff thinks the Town will not be any deeper in trouble if it is left alone. Unless a special meeting is called it could be 30 days and up to 60 transactions before Council meets to decide on the issue. As chairman of the utilities committee, he is not willing to sit still and pay this.

-Council Member Love questioned fees paid in previous transactions.

-Finance Department has records on those transactions and the Finance Committee can also look at refunding fees already charged.

-Following the discussion, Mayor Angle summarized the motion on the floor to be: To suspend the collection of fees temporarily, waiting for a recommendation from the Finance Committee on what would be an appropriate amount to collect and whether or not to refund those who have already paid the fee and to turn the process around post haste.

**Ayes:** Love, Snead, Stockton, Walker.

**Nays:** Cundiff.

**Action:** Approved by a vote of five to one.

### **Old Business Item No. 2: Town of Rocky Mount water, sewer and refuse collection rates update**

**Staff Report by Town Manager Ervin:** Council received in its packet the water, sewer and refuse collection rates scheduled to take effect this month, with the associated billing in February 2015. This is the third of four modest rate adjustments passed by Town Council on November 8, 2012. There will be a \$3.00 increase for internal

customers and a \$6.00 increase for external customers. The elderly and disabled rate remains flat. There is one more increase to take place in the future. It is staff's hope to bring Council together in work session in the fall to look at utility finances now that four years have passed.

This was an informational item for Council. No discussion occurred and no action was taken.

## **NEW BUSINESS**

### ***New Business Item No. 1: Review and consideration of approval of request from Outlaw Cruisers Car Club to hold annual event***

Staff report by Town Manager Ervin: Mr. Ron Guertin, President of Outlaw Cruisers Car Club, requests that Council allow the club to hold its annual car show event scheduled for Sunday, May 24, 2015, from 1:00 p.m. until 4:00 p.m. (with a rain date of Sunday, May 31, 2015 during the same time frame), and that the club be able to close Franklin Street as outlined in the letter contained in the meeting packet. Lieutenant Mark Lovern with the Rocky Mount Police Department has reviewed this request and has no issues with the club holding the event as outlined in the letter.

General Discussion: Assistant Town Manager Hankins noted that a Harvester concert had to be rescheduled to the requested Outlaw Cruisers date, but the concert should be at a time that does not conflict with the event.

There being no further discussion, Mayor Angle entertained a motion.

Motion: To approve the request of Outlaw Cruisers Car Club as presented.

Motion By: Council Member Cundiff.

Second: Council Member Love.

Motion Discussion: None.

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

Nays: None.

Action: Approved by a unanimous vote of members present.

### ***New Business Item No. 2: Review and consideration of approval for Johnny Nolen to hold Johnny CASA 5Miler-5K Run/Walk event***

Staff report by Town Manager Ervin: Mr. Johnny Nolen, Race Director for Johnny CASA 5Miler-5K Run/Walk Event, requests that Council allow the group to hold its annual event on Saturday, October 20, 2015, starting at 8:30 a.m. per the proposed route as outlined in the letter contained in the meeting packet. Lieutenant Mark Lovern with the Rocky Mount Police Department has reviewed the request and has no issues with the event being held as outlined in the letter.

Mr. Nolen came forward to speak in reference to his request, noting that this is the tenth year of the event and third year in Rocky Mount. The route is the same as the past two years, and he expects it to be over in one hour.

There being no discussion, Mayor Angle entertained a motion.

**Motion:** To approve the request of Johnny Nolen as presented.

**Motion By:** Council Member Stockton.

**Second:** Council Member Snead.

**Motion Discussion:** None.

**Ayes:** Cundiff, Love, Snead, Stockton, Walker.

**Nays:** None.

**Action:** Approved by a unanimous vote of members present.

**New Business Item No. 3: Presentation of United Way of Franklin County regarding Healthy Franklin County grant award**

Staff report by Town Manager Ervin: Ms. Nancy Bell, Executive Director of United Way of Franklin County, requests to address Council with a 15-minute presentation regarding a grant that Healthy Franklin County, in partnership with West Piedmont Health District and Activate Martinsville, has been awarded. Contained in the meeting documents is a letter from Ms. Bell detailing the grant and how she feels it will benefit the Town of Rocky Mount and Franklin County.

Ms. Bell gave a slide presentation regarding Healthy Franklin County which has resulted in a grant award totaling \$434,000 per year for the next four years for Franklin County and surrounding communities.

This presentation was for informational purposes only. No action was taken.

**New Business Item No. 4: Review and consideration of approval of allowing engineering firm to proceed with Virginia Department of Transportation revenue sharing funds to construct curb, gutter and stormwater drainage improvements along Scuffling Hill Road**

Staff report by Assistant Town Manager Hankins: The Town of Rocky Mount applied for and received revenue sharing funds from the Virginia Department of Transportation (VDOT) to construct curb, gutter and stormwater drainage improvements along Scuffling Hill Road. Included in the packet is a memorandum from Assistant Town Manager Hankins regarding "Scuffling Hill Revenue Sharing Project." This is a long standing project for the Town. There has been an issue with gravel and drainage on Scuffling Hill Road for awhile. In 2011 the Town commissioned Thompson & Litton to do a preliminary study to see what the cost would be to improve the Scuffling Hill corridor

from Old Fort Road to the Catholic Church. After approval from Council to seek funding, VDOT awarded approximately \$900,000 for the project. This is a revenue sharing project and will cost the Town about \$454,000. To proceed with the project, staff will need to complete the engineering at a cost of about \$90,000, and there is a time commitment in that the Town only has a couple of years to get the work done if Council wishes to proceed. He is asking for an approval to proceed with the engineering and a commitment to move forward with budgeting the funds to complete the project, or a "no" so that he can tell VDOT to use the money for other purposes.

General Discussion:

- Clarified that the budgeting would be done for Fiscal Year 2016 and the the Town would have to pay about half of the engineering costs, or approximately \$45,000.
- Mayor Angle noted that the Town has been talking about this for a long time and it is not going to get cheaper. Some are concerned about the trucks throwing gravel in the ditches.
- Council Member Cundiff feels that the Town has to make a priority decision. Veterans' Memorial Park also needs to be fixed and there was no money to do that last year. Need to set priorities.
- Regarding Veterans' Park, the engineering was started by Anderson and Associations, and then was completed by Earth Environmental. Thompson & Litton was not involved.
- The Veterans' Park issue and the Scuffling Hill improvements were both in the package that was proposed to bond out, but when the bond was decided against, a small amount of funds were carved out for Veteran's Park, but the amount ended up not being enough. Staff is planning to bring up the Veteran's Park issue as part of the next budget discussion to see if the amount can be supplemented.
- The Scuffling Hill Road Improvements project would require an approximate \$0.5 million bond and would be brought back to Council as part of the next budget session.
- If it is Council's intent to proceed with the project in 2016, then Assistant Manager Hankins is asking for approval to proceed with the engineering.
- Veterans' Park is for the County as well as the Town, and the County should be asked to help with fixing the park.
- Both projects are important and need to be addressed in 2016.
- The original project scope was to also include sewer service to six properties that are not currently served by Town sewer and the expected cost was over \$1 million. However, that portion of the project was removed.
- Discussion could be delayed until the FY 2016 budget talks, which may result in having to get the engineering costs updated.
- Council Member Cundiff would like to see the overrun in the budget for projections on the Tank Hill demolition project and other areas to transfer back to the general fund.
- Saved \$150,000 on Tank Hill project and nothing has been spent from the \$700,000 in funds designated for Veterans' Park.

There being no further discussion, Mayor Angle entertained a motion.

Motion: To delay the Scuffling Hill Road Improvements discussion until the first budget work session on April 15.

Motion By: Council Member Love.

Second: Vice Mayor Walker.

Motion Discussion: Vice Mayor Walker questioned if this would give the Town enough time to complete the work within the allotted time. Assistant Manager Hankins will request an extension from VDOT.

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

Nays: None.

Action: Motion to postpone the Scuffling Hill Road Improvements discussion approved by a unanimous vote of members present.

***New Business Item No. 5: Review and consideration of approval of Fiscal Year 2015 budget calendar***

Staff Report by Town Manager Ervin: Presented in the packet for Council's approval is a draft Fiscal Year 2016 budget calendar which will culminate in the adoption of the FY 2016 budget and FY 2016-2020 Capital Improvements Plan at the May 11, 2015 regular Rocky Mount Town Council meeting.

General Discussion: Mayor confirmed that dates are not etched in stone.

There being no further discussion, Mayor Angle entertained a motion.

Motion: To approve the Fiscal Year 2016 budget calendar.

Motion By: Vice Mayor Walker.

Second: Council Member Love.

Motion Discussion: None.

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

Nays: None.

Action: Fiscal Year 2016 Budget Calendar approved by a unanimous vote of members present.

***New Business Item No. 6: Review and consideration of approval of request from R. Fralin Development that Old Fort Road be placed within the Town of Rocky Mount's road system***

Staff report by Town Manager Ervin: Contained in the meeting documents is a letter from Robert P. Fralin, President of R. Fralin Development, which respectfully requests that Old Fort Road placed within the Town of Rocky Mount's road system. The first section has been constructed to state standards and taking into Town system would allow extra funding from VDOT. The road is four-tenths of a mile, and accepting it into the Town system will help with resurfacing and snow removal budgets.

There being no discussion, Mayor Angle entertained a motion.

Motion: To approve the request as presented.

Motion By: Council Member Love.

Second: Vice Mayor Walker.

Motion Discussion: None.

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

Nays: None.

Action: Motion to accept Old Fort Road into the Town's system approved by a unanimous vote of members present.

### COMMITTEE REPORTS

Let the record show there were no committee reports at this time.

### OTHER MATTERS & COMMENTS

***Referrals to Planning Commission:*** Let the record show there were no referrals to Planning Commission at this time.

***Rise 'N Shine:*** Let the record show that Town Manager Ervin appeared on the Rise 'N Shine show with host Richard Shoemaker this morning.

### COUNCIL CONCERNS

***Council Member Love:*** Council Member Love questioned when the crosswalks will be installed on 40 East. Public Works Director Mason advised that Richardson & Wayland has been promising to come for two months. All of the sidewalk has not been installed due to issues with right-of-way. He will continue to work with Richardson & Wayland to see that the project is completed.

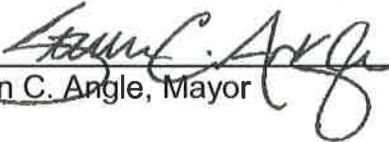
### CLOSED MEETING

Let the record show there were no closed meeting items discussed at this time.

### ADJOURNMENT

There being no further business to discuss, Mayor Angle entertained a motion to adjourn.

MOTION BY: Council Member Stockton  
SECOND: Vice Mayor Walker  
MOTION DISCUSSION: None  
ACTION: Meeting adjourned at 8:12 p.m.

  
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Steven C. Angle, Mayor

ATTEST:

  
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Stacey B. Sink, Town Clerk

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