

**ROCKY MOUNT TOWN COUNCIL  
REGULAR COUNCIL MEETING  
APRIL 9, 2007**

The April 9, 2007 regular council meeting of the Rocky Mount Town 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:

Vice Mayor Roger M. Seale and Council Members Stephen F. Agee, Posey W. Dillon, Jerry W. Greer, Sr., John H. Lester, and Sadie W. Tuning

The meeting was called to order by Mayor Angle.

The Town Clerk read for the record the following being present: All members of Town Council as noted, Interim Town Manager Jack Gross, Assistant Town Manager/Community Development Director C. James Ervin, Town Attorney John Boitnott, Acting Chief of Police Sergeant Erik Mollin, Finance Director Linda Woody, Planning & Zoning Administrator Paul Stockwell, Fire Chief Posey Dillon, Public Works Director Cecil Mason, and Town Clerk Patricia Keatts.

The Mayor led the *Pledge of Allegiance*.

### **APPROVAL OF AGENDA**

The Mayor indicated that the agenda needed to be amended in order to add under *Old Business* a section "C" regarding representatives from SuddenLink to come before Council to reply to some questions from last month's regular council meeting. Council so noted.

Motion was made by Vice Mayor Seale to approve the amended agenda, seconded by Council Member Greer and carried unanimously.

### **SPECIAL ITEMS**

The Mayor read for the record a "Resolution of Appreciation in Recognition of 40<sup>th</sup> Anniversary of J&J Fashions" and presented to Ben and Jewell Hunt such resolution. Also present to receive the resolution were Ben and Jewell Hunt's daughter Shelia and son-in-law, Vince Copenhaver. Mrs. Hunt voiced their appreciation for such resolution.

## **PUBLIC HEARING**

Let the record show the Mayor recessed the meeting to hold a public hearing.

### A) T. Keister Greer Rezoning Request

After being duly advertised, T. Keister Greer had requested a rezoning of property known as Tax Map and Parcel Number 207-508 of .62 acres (+/-) from Central Business District (CBD) to Residential District (R-1). The exact location of the property is located at the intersection of Floyd Avenue and West Court Street. The applicant is rezoning the property to its original zoning designation since the Blue Lady Bookshop that Mrs. Greer owns has closed. The remainder of the property is already zoned Residential District (R-1).

The Mayor opened the floor to anyone wishing to come before Council to speak for or against the rezoning request.

- Elizabeth Greer, wife of T. Keister Greer of 50 Floyd Avenue, came before Council and basically said that they had to close the Blue Lady Bookshop as their insurance company would not cover a business on their property used primarily for residential use; therefore, they are requesting that that small piece of property be rezoned back to residential use.
- As the Planning & Zoning Administrator was not present, the Assistant Town Manager/Community Development Director informed Council that the recommendation of the Planning Commission was for Council to approve the rezoning request as stated.

Let the record show that no one else came forward to speak for or against the rezoning request.

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

- Motion was made by Council Member Greer to revert the zoning back to Residential District (R-1), with motion on the floor being seconded by Council Member Lester. There being no discussion, let the record show that the motion on the floor passed unanimously.

## **APPROVAL OF MINUTES**

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

- March 8, 2007 Joint Work Session/Town Council and Planning Commission Meeting Minutes
  - March 12, 2007 Regular Town Council Meeting Minutes
  - March 22, 2007 Special Town Council Meeting Minutes
- Motion was made by Council Member Lester to approve the draft council meeting minutes as presented with motion on the floor being seconded by Council Member Tuning. There being no discussion, let the record show that the motion on the floor passed unanimously.

### **APPROVAL OF CONSENT AGENDA**

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

Let the record show that under *Miscellaneous Resolutions/Proclamations* before Council for their review and consideration prior to the meeting were the following:

- Draft "Resolution Regarding Regional Water Supply Planning and Application for FY 08 Water Supply Planning Grant".
- Draft "Proclamation for Municipal Clerks Week – April 29 through May 5, 2007".

Let the record further show that under *Miscellaneous Action* were the following requests:

- Consideration of approval of general engineering services contract(s).
  - The review committee had met with the two engineering firms to review their scope of services for general engineering services contract(s) with the Town. As a result of that meeting, it was the recommendation of the review committee that contract(s) for such services be awarded to Thompson + Litton, Inc. and Mattern & Craig, Inc. These contracts will be for a period of two years beginning January 1, 2007 to provide survey services on an "as needed" basis, with the Town having the option of renewing the contract(s) for up to one additional year thereafter. Staff recommended approval of the review committee's recommendation.
- Consideration of approval of extended warranty on Municipal Building's HVAC units and fire alarm system.
  - The proposed agreements were from Johnson Controls, Inc. and were for ten years and includes the old Trane unit that had previously been on top of the Municipal Building roof prior to the renovations by Spectrum Design. The fire alarm system had been installed originally by Security Services, Inc., but Johnson Controls, Inc. was the apparent low bidder for the fire alarm system. Staff recommended approval of the submitted proposed agreements from Johnson Controls, Inc.

- Consideration of approval of Town's sponsorship of annual Pig Pickin' event.
  - For the past several years, the Town in conjunction with Community Partnership for Revitalization (CPR), has held an annual Pig Pickin' event in April at the Farmers' Market to celebrate the Town's revitalization projects, with the Town providing the food and CPR providing the music entertained. This year, it was the recommendation of CPR that due to time constraints for this event, it be combined with the annual "Young Artists: Old Tunes Music Festival" to be held at the Farmers' Market April 27-28, 2007. CPR has the food vendors for this event already in place and CPR will allow people attending the event to pick up a free lunch pass on the Town in order to get a free lunch at the vendors that will be in place. CPR would provide signage about the celebration lunch provided by the Town on April 28 and have the Mayor speak at Noon. The amount of the sponsorship by the Town would not exceed \$1,000. It was staff's recommendation to Council for the approval of this request with the amount not to exceed \$1,000.

Motion was made by Vice Mayor Seale to approve the draft *Consent Agenda*, with motion on the floor being seconded by Council Member Greer. There being no discussion, let the record show that the motion on the floor passed unanimously.

### **HEARING OF CITIZENS**

Let the record show there were none at this time.

### **OLD BUSINESS**

#### **A) Finance Department Teller Stations**

The Finance Director informed Council of the following:

The Finance Department had just finished their tax and decal season, with the teller stations receiving a good work-out, with the Finance Department getting feedback from both customers and those that work within the Finance Department on how well the teller stations function. It has been determined from that input that the teller stations, as they exist, are not configured for optimum functionality. All customers coming to the teller stations go to the handicapped stations because the cut-out section is more user friendly and allows more room for the customer to lay their paperwork out. Unfortunately, the Finance Department has not been able to utilize that station because there is not enough room for the Finance Department to lay out their paperwork, and instead, have been using the middle station to allow them enough space to work in. It is also noted that this station has a high ledge and both the customer and Finance Department personnel must reach over it to pass paperwork between them. It is the Finance Department's thoughts that it would be

best to bring the entire ledge down to the level of the present handicapped station and to remove the two back partition walls, allowing them to be more functional and efficient while customers are being waited on. Based on an August estimate of last year from Nichols Construction (the company that renovated the building and made the teller stations based on Spectrum Design's recommendation) for the replacement of millwork and electrical work, plus painting and patching, the teller station reconfiguration would be approximately \$7,000. It was also brought out that while the teller stations are being reconfigured, the Town could add some panic buttons for security purposes for an estimated price of eight buttons of \$1,275 that was submitted by Security Services, Inc. The panic buttons are wireless so they can be spread throughout the building, but the central monitor would be in the Finance Department. It was suggested that up to five buttons (if needed) could be located in the Finance Department, two in the Town Manager's Office, and one or two in the Community Development area. It was pointed out that the Town has funds in both the Municipal Building account and the Finance account that could be used for the alterations.

Let the record show that it was staff's recommendation for Council to approve the request.

There was discussion regarding if the Town could get other estimates from other companies for the same work done at a lesser price, and it was suggested that this matter be tabled until other estimates could be submitted to the Town. The Finance Director did confirm to Council that at this time, no other estimates had been received.

- Motion was made by Council Member Lester to table the request until the next Council meeting and to get additional estimates, with motion on the floor being seconded by Council Member Greer. There being no discussion, let the record show that the motion on the floor passed unanimously.

B) Paving Services for Fiscal Year Ending June 30, 2007

The Interim Town Manager reported to Council that the Town had received bids on April 5, 2007 for paving services for the Town for Fiscal Year ending June 30, 2007, and it was the Public Works Director recommendation, along with staff, that the bid be awarded to the apparent low bidder, Adams Construction Company, in the amount of \$192,955.80. The Public Works Director did confirm that the bids had come in lower than what he had expected due to the rising cost of petroleum.

- Motion was made by Vice Mayor Seale to accept the bid submitted by Adams Construction Company; for the Town to proceed in a timely fashion for paving; and to allow the Town Manager to enter into agreement for said amount. Let the record show that the motion on the floor was seconded by Council Member Lester. There being no discussion, let the record show that the motion on the floor passed unanimously.

C) Response of SuddenLink

Michael Kelemen, Director of Government Relations with SuddenLink, came before Council to give a response to the concerns and questions that Council had raised during the last regular Council meeting of March 12, 2007, which included the following:

- Basically relayed to Council that one of the concerns was the time limit of reaching a knowledgeable customer service representative.
- Council was informed that they have increased the number of customer service representatives from 121 employees to 162 and have increased the training program extra weeks.
- Customer service representatives are now doing a better job.
- On April 2 there was an asset purchase agreement signed between SuddenLink and Jet Broadband, but due to discussions still being held at the time of the March 12 Council meeting, could not confirm this to Council.
- Confirmed to Mayor that he has addressed concerns that were voiced by those citizens that had attended the March 12 Council meeting.
- Mentioned briefly that SuddenLink could not keep the costs down in one of their packages due to increase by Showtime.
- Agreed that SuddenLink could always do a better job with communication.

**NEW BUSINESS**

A) Presentation of Jet Broadband

John Brinker, Vice President of Jet Broadband, came before Council introducing himself and Billy Martin, local technician for Broadband. Stated that they are from the Rustburg, Virginia office. The following was briefly discussed and brought out:

- Confirmed to Council that Jet Broadband is requesting the Town to transfer the existing Franchise to Jet Broadband.
- Handed out information from Jet Broadband's website that Council may be interested in looking at.
- Went over a quick history of Jet Broadband.
- Confirmed that they are rural operators.
- There is a lot of upside to purchasing SuddenLink.
- Believes good communication is important and hopefully will keep the customers happy 99.9% of the time after the acquisition is completed.
- Confirmed that with the acceptance of the Franchise, Jet Broadband accepts all the conditions.
- Briefly discussed what channels they may be able to add and they do rate increases that are required.
- Confirmed that they will not be switching out SuddenLink's internet, but have a third party that might be available later on that would do the internet.

- Their support people are 24/7, and they do a really great job.
- Confirmed that they would look into the request of the Mayor regarding keeping Cable 12 on the air and will be getting Cable 12 contact information from the Assistant Town Manager/Community Development Director.
- Confirmed that they will still have people working at the Redwood office.
- Will make sure Council has his contact information.
- Everything they do is to not lose sight of their customers.

The Mayor informed Mr. Brinker that the Town hasn't done business with Jet Broadband yet, but the Town will proceed very cautiously due to past experience with SuddenLink. He further stated that the Assistant Town Manager/Community Development Director was very instrumental in preparing the Franchise agreement, and the Mr. Brinker will work closely with him and the Town Attorney regarding the Franchise transfer. The Mayor further thanked Mr. Brinker and Mr. Martin for coming and doing their presentation before Council.

## **COMMITTEE REPORTS**

### A) Streets, Sidewalks & Sanitation Committee

The Interim Town Manager informed Council that the committee had met on April 3 to discuss several items with the following recommendations:

#### 1. Action Item:

- a. Recommended that Council consider appointing a Farmers' Market Committee for the purpose of monitoring the parking, maintenance, and general upkeep of the Market. Council Members Greer and Lester have agreed to serve on said committee.

There was discussion that this would be a short term committee and that they would also be looking into the operational rules and concerns about the Farmers' Market as voiced by the vendors.

The Mayor appointed Vice Mayor Seale and Council Members Greer and Lester to serve on said committee.

#### 2. Consent Items:

- a. Informed the Public Works Department to install 150' curb and gutter, and drop inlet at residence located on Donald Avenue at a cost to the property owner of \$8.75 a foot. The Town policy states that the property owner will be presented an agreement to pay \$50 a month for the work (a total of \$1,312.50), and upon a signed agreement by the property owner, the Public Works Department will install the curb and guttering, along with the drop inlet. The Public Works Director estimates that the work will be \$8,796.06.

The Interim Town Manager mentioned that there are funds available in this year's fiscal year budget for this.

3. For Your Information Items:

- a. Viewed the area located on Brookshire Drive where the property owner was requesting a drainpipe to be installed. The Committee instructed the Public Works Department to replace some of the rip-rap in that general area and that the Committee would review the request again in August.
- b. Committee will ask to attend the next meeting of the BUD Commission so that the Commission members could share their long-range plans for the corridor planting of the garden areas.

It was mentioned by the Town Manager that the BUD Commission has already extended the invitation for the Committee to meet at their next BUD Commission meeting scheduled for April 18 at 5:00 p.m.

- c. Instructed the Public Works Department to go ahead and mark all the crosswalks in the downtown area with standard white striping to insure the safety of pedestrians and to be more visible to traffic.
- d. Instructed the Public Works Department to install stopbars at the stop sign on Powder Creek Lane (where BB&T Bank and Fidelity Bank are located).
- e. Instructed the Planning & Zoning Administrator to set up a public hearing for the proposed amendment to the Zoning Ordinance.
- f. Concluded that no action needed to be taken regarding the speed limit on Pell Avenue.

The Mayor entertained a motion.

- Motion was made by Council Member Greer to approve the action item as requested by the Interim Town Manager, with motion on the floor being seconded by Council Member Lester. There being no discussion, let the record show that the motion on the floor passed unanimously.

B) Public Facilities & Special Events Committee

The Interim Town Manager informed Council that the committee had met on April 5 to discuss the development of a music venue in conjunction with festivals and signature events in relations to The Crooked Road and 'Round the Mountain. The following is what the committee recommended staff to do:

1. Set up a meeting of all parties interested in pursuing a venue for bluegrass, gospel, Celtic and country music. The meeting would also explore the possibility of other interested groups (such as 'Round the Mountain) in developing such a venue, with the community benefiting from these types of venues.
2. Review possible sites for the venue.
3. Review the Town's website and link to the schedules of various local and Crooked Road programs.
4. Check with The Crooked Road Board of Directors to see if the Community & Hospitality Center could be added on The Crooked Road route, as the Town is the eastern gate to The Crooked Road.
5. Follow-up on a letter that was written to local colleges to explore the feasibility of adding folk music classes to their curriculum.
6. Review the legislation establishing The Crooked Road and to see if Federal, State, or private grants/funds may be available.

There was discussion that this is a major concern for the Town, since the Town is the eastern gateway for The Crooked Road. It was mentioned that Bill Fuller's name needed to be added to the list to attend the meeting of interested parties in pursuing such a venue. It was also mentioned that Franklin County needed to be sent an invitation as well as this music venue benefits the County also since the Blue Ridge Institute located in Ferrum is a part of The Crooked Road Music Heritage Trail. It was also mentioned that if such a venue could be established, all types of music could be used, not just bluegrass. The Interim Town Manager also confirmed to Council that he is actively pursuing Bill Smith, the Executive Director of The Crooked Road, regarding getting the soundtrack working for the kiosk that has been set up for The Crooked Road near the caboose located next to the Community & Hospitality Center (former Depot).

### **MISCELLANEOUS**

1. The Mayor welcomed Mr. Brad Craig of Mattern & Craig, Inc. and also Mr. Brian Tew of Thompson + Litton, Inc., who are the consulting engineers that the Town had just awarded the general engineering services contracts to.
2. The Mayor also welcomed the Franklin County High School government class of Mrs. Shepherd for attending the meeting.

**COUNCIL CONCERNS**

There were no Council concerns at this time.

**CLOSED MEETING**

There were no *Closed Meeting* items at this time.

**ADJOURNMENT**

At 8:04 p.m., motion was made by Vice Mayor Seale to adjourn, seconded by Council Member Dillon and carried unanimously.

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Steven C. Angle, Mayor

ATTEST:

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Patricia H. Keatts/Town Clerk

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