

**ROCKY MOUNT TOWN COUNCIL
REGULAR COUNCIL MEETING
AUGUST 13, 2007**

The August 13, 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., and John H. Lester

Let the record show that Council Member Sadie W. Tuning was not present.

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 A. 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 requested that the agenda be amended to include under *New Business* item (B) VML Conference – Certificate of Voting Delegate for Business Session; and item (C) Consideration of Adoption of Draft Ordinances (adding section number to two existing ordinances that the Town already has).

- Motion was made by Council Member Agee to approve the amended agenda, seconded by Council Member Greer and carried unanimously by those present.

SPECIAL ITEMS

A) Introduction of New Police Officers

The Acting Chief of Police introduced three new police officers recently hired by the Rocky Mount Police Department, being:

- David Finney (Resource Officer for the Franklin County High School)

- Andy Pendleton
- Chris Williams

The Mayor and Town Council welcomed the officers to the Town.

B) Resolutions of Appreciation and Recognition

The Mayor read for the record the following resolutions:

- “Resolution of the Rocky Mount Town Council for the Appreciation and Recognition of Eugene “Gene” Guffey, II”. The Mayor mentioned that the Town has enjoyed working with Mr. Guffey, and would be missed upon his retirement and move to South Carolina. Let the record show that the Mayor had previously already given Mr. Guffey a key to the Town and official Town lapel pin. Mr. Guffey thanked the Mayor and Council for the resolution and presentation, commenting also that he had enjoyed working with the Town when he worked with the Franklin County Department of Juvenile Services.
- “Resolution of the Rocky Mount Town Council for Appreciation and Recognition of Florella H. Johnson.” Let the record show that the Mayor presented also at this time a key to the Town and official Town lapel pin. Mrs. Johnson thanked the Mayor and Council for the resolution and presentation, commenting also that she certainly enjoyed working with the Town over the years.

PUBLIC HEARING

Let the record show that there were no public hearings at this time.

APPROVAL OF MINUTES

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

- July 9, 2007 Regular Council Meeting Minutes
- July 19, 2007 Special 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 Greer. There being no further 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 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", the following draft resolutions were reviewed and considered by Council for approval:

- "Resolution of the Rocky Mount Town Council to Nominate Route 40 in the Town of Rocky Mount for Designation as a Virginia Byway"
- "Proclamation Honoring the Rocky Mount First Church of the Brethren 50th Anniversary"
- Motion was made by Vice Mayor Seale to approve the draft *Consent Agenda*, with motion on the floor being seconded by Council Member Agee. There being no further discussion, let the record show that the motion on the floor passed unanimously by those present.

HEARING OF CITIZENS

A) Bobby Cundiff

Bobby Cundiff of 450 Hilltop Drive in Franklin Heights Subdivision came before Council thanking them and the Mayor for Council's assistance in closing the street during the Franklin County Retail Merchants Fun Festival, further stating that he appreciated their efforts in doing this.

OLD BUSINESS

Let the record show there was none at this time.

NEW BUSINESS

A) Business Concerning the Town Manager Position

The Mayor stated that the Town has been operating with an Interim Town Manager for the past six months, and during that time, the Town has had the distinct pleasure of having Jack A. Gross fill-in that position. During that period, the Town Council has conducted a search for a full time Town Manager, and although it took some time to do so, Council wanted to make sure the right person was found for that position. And in saying that, the Mayor stated that effective September 1, 2007, the new Town Manager for the Town of Rocky Mount will be C. James Ervin. It was further pointed out by the Mayor that Mr. Ervin has served as Assistant Town Manager/Community Development

Director for the past several months, and during that time, Council has been able to observe his interaction with the public and Council feels that Mr. Ervin is the right person for the Town Manager position.

- Motion was made by Vice Mayor Seale to appoint Mr. C. James Ervin as the Town of Rocky Mount's Town Manager effective September 1, 2007, with motion on the floor being seconded by Council Member Greer. There being no further discussion, let the record show that the motion on the floor passed unanimously by those present.

Mr. Ervin addressed Council, stating that he appreciates their faith in him and he looks forward to working with Council and making the community as great as it can be. He further stated that he and his family are proud to consider Rocky Mount their home.

B) Virginia Municipal League (VML) – Certificate of Voting Delegate for Business Session

Let the record show that the Mayor appointed the Assistant Town Manager/Community Development Director to serve as the voting delegate for the business session for the upcoming VML conference to be held in October.

C) Review and Consideration of Adoption of Draft Ordinances

The Town Attorney presented to Council for their review and consideration two ordinances dedicated as part of the Town Code to properly enforce them. These two ordinances were originally adopted February 12, 2007, but did not contain section numbers that are needed by the Rocky Mount Police Department for enforcement.

The Mayor read into the record each ordinance:

1. Section 42-19: Prohibiting Loitering; refusal to identify self upon request of police.
2. Section 42-20: Designation of Chief of Police and designee as "persons lawfully in charge of property" for the purpose of enforcing laws prohibiting trespassing.

Let the record show there were no questions from Council for the Town Attorney regarding these ordinances.

- Motion was made by Council Member Lester to approve the draft ordinances as presented, with motion on the floor being seconded by Council Member Greer. There being no further discussion, let the record show that the motion on the floor passed unanimously by those present.

COMMITTEE REPORTS

The Assistant Town Manager/Community Development Director presented to Council the

following committee reports:

A) Public Facilities & Special Events Committee

The Assistant Town Manager/Community Development Director reported that the Public Facilities & Special Events Committee met on July 16, 2007 to discuss several items, with the following recommendations:

1. Consideration and review of constructing a volley ball court at Mary Elizabeth Park. The total cost estimate for the project is \$10,948.38; of that amount, \$5,166.25 is for material, with the remaining amount of \$5,782.13 being equipment and labor costs provided by the Public Works Department.

The Mayor asked that instead of putting post in and the net up, why not go the "grass route" and let the people play volley ball on a grass area without putting in the drain and gravel, allowing the Town to see if the court would be used extensively before investing \$10,948.38. The Assistant Town Manager/Community Development Director stated he did not see why this would not work by going the "grass route" first, and then see how the summer progresses to see how much the volley ball area will be used, and if need be, have the issue addressed for the expense. There was also discussion regarding the poles being mounted on tires, and also to keep in mind that if existing trees have to be removed, to make sure they were not the ones planted at the Park in someone's memory.

Let the record show that no motion was needed, but that the Assistant Town Manager/Community Development Director so noted the direction of Council regarding the matter.

2. Consideration and review of requests from Ms. Kathy Hodges of The Franklin Center for the Town to re-paint the roller hockey court; close the fence between the hockey court and The Franklin Center; and to replace the railing along the sidewalk on Claiborne Avenue.

The recommendation of the committee was to proceed with closing/repairing the fence and to contact Ms. Hodges for clarification of the requests for work on the hockey court and sidewalk railing. The committee also recommended it would like for the Town to investigate the potential of cost sharing for the railing work, if any, with the County and/or The Franklin Center.

The Assistant Town Manager/Community Development Director reported that Town staff inspected the railing along Claiborne Avenue and found that it is well maintained and in generally good condition, and appears to provide adequate safety for pedestrians using the sidewalk; and if Council desires, an outside engineering/architectural opinion as to the safety of the railing can be obtained. He further reported that Ms. Hodges was contacted to clarify the request regarding the painting

of the hockey court, and she reports that the blue color of the court is not very harmonious with the surroundings, with it standing out. She further requests that the court be painted a green that is similar to the green used on the tennis courts. Council was informed by the Assistant Town Manager/Community Development Director that the hockey court was just recently painted at a cost of \$5,000 and that it could be repainted now or the Town can keep the color change request in mind when it is time to paint the facility again. It was also mentioned that Ms. Hodges was in agreement to let the hockey court stay the same color until the Town decides it needs to be repainted. Council was also informed that the Public Works Department has been requested to move forward with the closing of the fence.

Let the record show that no motion was needed, but that the Assistant Town Manager/Community Development Director so noted the direction of Council regarding the matter.

B) Streets, Sidewalks & Sanitation Committee

The Assistant Town Manager/Community Development Director reported that the Streets, Sidewalks & Sanitation Committee met on August 6 to discuss several items, with the following recommendations:

1. Review and consideration of request of American Electric Power for a quitclaim of property in relation to the construction of a new substation.

The committee recommended to Council that the property in question be quitclaimed to American Electric Power in exchange for a longer lease notification period on the adjacent land leased by the Town. If Council decides to accept the recommendation, a public hearing should be held in September to consider the request. The Assistant Town Manager/Community Development Director confirmed to Council that the piece of property in question was not very big and no larger than the size of a ping-pong table.

- Motion was made by Council Member Lester for the Town to advertise for a public hearing to be held in September to hear American Electric Power's request for a quitclaim of property in relation to the construction of a new substation, with motion on the floor being seconded by Council Member Greer. There being no further discussion, let the record show that the motion on the floor passed unanimously by those present.
2. Consideration of a request of Mr. Marc Arrington regarding conveyance of deed.

The committee recommended to Council that the Town convey to Mr. Arrington the land upon which he currently has been granted an easement via a "fee simple deed". Council Member Greer expressed a desire that such conveyance be tied to a final resolution of the proposed construction of an alternative exit for Mr. Jim Wray's property. If Council agrees with the recommendation, it was suggested a

public hearing in September will be needed to hear the recommendation. Council Member Lester stated that he doesn't see in his opinion that there was any reason to hold one piece of property that is being discussed and move the other piece of property in regards to the two separate properties, with the Arrington property being discussed needing to be combined with the other part of the Wray property, with the Arrington property needing to be decided upon first.

- Motion was made by Council Member Lester to advertise for a public hearing in October for the consideration of conveying property for a fee simple deed, with motion on the floor being seconded by Vice Mayor Seale. Let the record show that there was no roll call vote taken, but Council Member Greer voted no during the course of the Mayor asking for "ayes" and "nays" to the motion on the floor. Let the record further show that the motion on the floor passed four to one.

C) Finance & Human Services Committee

The Assistant Town Manager/Community Development Director reported that the Finance & Human Services Committee met on August 6 to discuss several items, with the following recommendations:

1. Review of notification and consideration of a change in the Hazardous Duty Employees (LEOS) retirement multiplier.

The committee recommended to Council that a resolution be adopted increasing the LEOS benefit from a 1.70 multiplier to a 1.85 multiplier, effective July 1, 2008. The Finance Director will prepare a resolution for the September or October agenda, as well as a cover sheet with background information.

- Motion was made by Council Member Lester to approve adopting the increase for the LEOS benefit from a 1.70 multiplier to a 1.85 multiplier, effective July 1, 2008, with motion on the floor being seconded by Council Member Agee. There being no further discussion, let the record show that the motion on the floor passed unanimously by those present.
2. Review and consideration of a Micro-Enterprise Loan Fund that is part of the Community Development Block Grant

The committee recommended to Council that the draft Micro-Enterprise Loan Fund be approved as modified during their meeting. It was also confirmed to Council by the Assistant Town Manager/Community Development Director that part of the grant is to create a loan fund.

- Motion was made by Council Member Lester to approve the Town of Rocky Mount Uptown Business District Micro-Enterprise Loan Fund Program, with motion on the floor being seconded by Council Member Agee. There being no further discussion, let the record show that the motion on the floor passed unanimously by those

present.

D) Farmers' Market at Citizen Square Committee

The Assistant Town Manager/Community Development Director reported that the Farmers' Market at Citizen Square Committee had met on August 7 to discuss several options, with the following recommendation:

1. Review and consideration of electronic sign.

The committee recommended that staff continue to pursue costs associated with purchasing an electronic sign for the Farmers' Market at Citizen Square and bring before the committee at a future date those costs. Council Member Lester stated that this type of sign is one which will be placed at a strategic location, with information being changed to keep citizens focused on what the Town is doing, and also what programs will be taking place in Town in connection with the Crooked Road program.

Let the record show that no motion was needed, but that the Assistant Town Manager/Community Development Director so noted the direction of Council regarding the matter.

COUNCIL CONCERNS

Let the record show there were no Council concerns at this time.

OTHER MATTERS & COMMENTS

1. The Mayor indicated to the Interim Town Manager and Assistant Town Manager/Community Development Director that they need to start advertising for the Assistant Town Manager/Community Development Director position as soon as possible in all the appropriate publications. The Interim Town Manager and Assistant Town Manager/Community Development Director so noted.
2. The Mayor read for the record a "Resolution of the Rocky Mount Town Council for Appreciation and Recognition of Jack Arthur Gross". The Interim Town Manager informed Council that he certainly appreciated the resolution and further stated that this is his fourth time coming out of retirement to work for communities through the Virginia Municipal League Range Rider program, and that he can honestly say he has thoroughly enjoyed working with the Town and leaves the Town in good hands with C. James Ervin. The Mayor stated that he could not say enough about Mr. Gross and that Council truly appreciates all the he has done for the Town of Rocky Mount.

ADJOURNMENT

At 7:48 p.m., motion was made by Council Member Lester to adjourn, seconded by Council Member Dillon and carried unanimously.

Steven C. Angle, Mayor

ATTEST:

Patricia H. Keatts/Town Clerk

/phk