

**ROCKY MOUNT TOWN COUNCIL
REGULAR COUNCIL MEETING
JANUARY 8, 2007**

The January 8, 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, Town Manager Keith Holland, 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

Motion was made by Council Member Agee to approve the agenda, seconded by Council Member Tuning and carried unanimously.

SPECIAL ITEMS

Let the record show that the Acting Chief of Police, Sergeant Erik Mollin, introduced to Council the two new patrol officers, Chris Shelton and Terry Dameron. Sergeant Mollin mentioned that they both are getting ready to start the Academy in a couple of weeks. The Mayor and Council welcomed both men to the Town.

PUBLIC HEARING

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

A) Rezoning Request of Franklin County Youth Center,

As a point of reference and background information leading up to this public hearing, let the record show that the Planning Commission had previously met on December 5, 2006 to review a rezoning request of Franklin County Youth Center to rezone Tax Map 200 and Parcel Numbers 010 and 009 to be rezoned from Residential Agricultural (RA) to Commercial Office, Limited District (C1). The exact location of the property is located east of Cornell Road. Let the record further show that the Planning Commission at that time requested the Franklin County Youth Center to come back before them on January 2, 2007 as the Planning Commission felt they needed more information from the applicant before they could make a decision on a recommendation to the Town Council public hearing scheduled for December 12, 2006. During the December 12, 2006 public hearing, it was the unanimous decision of Council to reschedule that portion of the meeting to their regular meeting to be held January 8, 2007. The Planning Commission reheard the rezoning request on January 2, 2007 in order to make a recommendation to Town Council for the Council meeting scheduled for the January 8, 2007 Council public hearing.

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

- Mr. Eric Ferguson, an attorney in Rocky Mount, came before Council on behalf of the Franklin County Youth Center (FCYC). Mr. Ferguson relayed to Council the following:
 - Regarding the tract of land that the FCYC is looking at buying, the first tract of land is approximately 77 acres, with the second tract being about 6 acres.
 - Contract for the purchase of the land is subject to the rezoning.
 - Read the FCYC's mission statement.
 - The FCYC is designed to work with after school programs, mentoring and reading programs, and will not focus primarily on athletic programs as the primary focus of the building is for educational purposes.
 - The FCYC has already started small educational programs in the County.
 - This project was long in the making, with a lot of people working on the concept.
 - Referenced proposed exterior of the building that is proposed to be built, with it being composed of brick and metal.
 - There is available water and sewer at the site.
 - There should be no traffic problems due to its ideal location.
 - Buffering around the site is good, with the only thing close by being a mobile home park and used car dealership. On top of the plateau is open land.
 - Called attention to how much of the land is usable on the property. Believes only about 50% is developable. The FCYC needs about 25 acres for the project.
 - FCYC will be a 501(c)3. Being said, a 501(c)3 can dispose of land other

than to another 501(c)3.

- FCYC will be interested in working with the Town if a business wants to locate on the site.
- FCYC hopes to invest in the youth of today to help deter problems in the future. The success of the youth are priceless, even if the property comes off the tax rolls for the Town.
- Reiterated that the FCYC would like to use this property as it is ideal for them and they can expand in the future if need be.
- FCYC will not only compliment the Town, but the County also to have a youth center on this site.

Mr. Ferguson respectfully requested that the Town Council grant the rezoning request as submitted by the applicant.

- Mike Patterson, FCYC Board member, confirmed to the Mayor the following:
 - The building will contain primarily four classrooms, a basketball gym, and a commercial kitchen.
 - Building would not be used for housing.
 - Normal hours of operation are not known at this time.
- Justin Scott of 220 Greenview Drive, Rocky Mount, Virginia, stated that he is in favor of the rezoning request and referenced his status as President of the Franklin County High School student body. He further stated that he saw the need of the “have nots” being able to “have” and that there should be no disparity between the two.

There being no further discussion or comments from the public, the Mayor recessed the meeting back into open session.

Upon the request of the Mayor, the Planning & Zoning Administrator relayed to Council that it was the recommendation of the Planning Commission for Council to approve the rezoning request of the Franklin County Youth Center.

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

- Motion was made by Council Member Greer to approve the rezoning request, with motion on the floor being seconded by Council Member Lester. There being no further 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:

- December 11, 2006 Regular Council Meeting Minutes

- December 21, 2006 Special Council Meeting Minutes
- Motion was made by Vice Mayor Seale to approve the draft council meeting minutes as presented with motion on the floor being seconded by Council Member Tuning. There being no further 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.

- Under "Miscellaneous Action", the following item was presented for Council's review and consideration:
 - Consideration of approval of Fiscal Year 2007-2008 budget calendar
- Motion was made by Vice Mayor Seale to approve the draft *Consent Agenda*, with motion on the floor being seconded by Council Member Dillon. There being no further discussion, let the record show that the motion on the floor passed unanimously.

HEARING OF CITIZENS

A) Request of Russell and Catherine Jones

Russell and Catherine Jones of 185 Dent Street came before Council requesting that no parking signs be placed on Wilson Street near their apartment complex that is located at the intersection of Dent and Wilson Streets. They stated that vehicles parking there are blocking the road, leaving trash, and that portion of the road is being destroyed. The Mayor informed Mr. and Mrs. Jones that this matter would be referred to the Streets, Sidewalks & Sanitation Committee, with them setting up a date and time to come out to the site to review and that the Town will contact them when this meeting is set up.

OLD BUSINESS

A) Revision to Agreement with Piedmont Community Services

On behalf of Mr. Jim Tobin, Executive Director of Piedmont Community Services, the Town Manager presented to Council for review and consideration their request to extend their agreement for the substantial completion date on the construction to June 30, 2008. The Town Manager further stated that Piedmont Community

Services funding source for construction, the Rural Development/USDA, was in the process of reviewing all the paperwork and it is anticipated that their review may raise a concern on the current Option Agreement with the Town Council's amendment hopefully helping them to avoid a delay in their review process. It was also mentioned by the Town Manager that it appears that Piedmont Community Services is very close to a final USDA approval, and as soon as approved, the bid for construction will be released to their engineering firm, Spectrum Design, and if all goes well, construction is hoped to be underway by spring with an anticipated approximate 12 month building process. The Town Manager also confirmed to the Mayor that the letter from Piedmont Community Services was serving as the written request to the Town as requested by Council.

- Motion was made by Council Member Greer to approve the request of Piedmont Community Services for a six month extension to June 30, 2008, with motion on the floor being seconded by Vice Mayor Seale. There being no further discussion, let the record show that the motion on the floor passed unanimously.

B) Consideration of Snow Removal

Council was informed by the Town Manager that per the direction of Council during their December 11, 2006 regular Council meeting, he was instructed by Council to re-advertise for snow removal services for a one-year contract as opposed to a three-year contract. The Town Manager informed Council that only one bid was received this time from Paul R. Shively, Inc. of Floyd, Virginia with his rates staying the same for a one-year contract as he would have for a three-year one. Based on this information, the Town Manager respectfully requested approval of the submitted bid from Paul R. Shively, Inc.

- Motion was made by Council Member Greer to approve the snow removal agreement for a one-year period submitted by Paul R. Shively, Inc. on an as needed basis, 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.

NEW BUSINESS

A) Proposed Draft Historic Tax Abatement Ordinance

The Town Attorney informed Council that at this time he would not be presenting to Council for their review and consideration the proposed draft Historic Tax Abatement Ordinance, but would have ready for their consideration at the next regular Council meeting scheduled for February 12, 2007. Council so noted.

B) Development of Music Venue to Support The Crooked Road Initiative

Council Member Lester addressed Council regarding the possibility of the Town creating a performance music venue in Rocky Mount to take advantage of The Crooked Road: Heritage Music Trail. Council Member Lester stated that he has a deep interest in this program, further stating that he did not want the Town to have to wait three years or better for anything to be done in creating some type of performance music venue in Rocky Mount, one of the gateways to The Crooked Road. There was discussion between Council Member Lester, Town Council and the Town Manager regarding needing more space for the events that support The Crooked Road that are currently taking place. It was also mentioned that to begin these type of discussions, an open form meeting could be held that the Mayor had previously mentioned he wanted to see take place in-town. The Town Manager confirmed to Council that he will see about getting an open forum meeting for the month of February with The Crooked Road being the main topic.

COMMITTEE REPORTS

A) Public Safety Committee

It was reported by the Mayor that the Public Safety Committee had met on January 4, 2007 to consider several items, but at this time, no action was needed by Town Council.

COUNCIL CONCERNS

A) Council Member Greer

Requested that the Public Works Director to have a dump truck delivered to Mrs. Robertson's house on Dent Street this coming Friday, and that he would take care of everything at the Town office. The Public Works Director so noted.

B) Council Member Lester

Mentioned that he had received a copy of an article in *The Richmond Times Dispatch* about The Crooked Road music venue and the project itself.

C) Mayor Angle

Requested that the Town Manager look into getting in touch with someone higher up at SuddenLink to address the concerns of citizens to regarding the price increase, inability of citizens being able to talk to someone who knows something, and the length of time someone has to be on the phone waiting for customer service to respond. The Town Manager so noted.

CLOSED MEETING

At 7:33 p.m., motion was made by Vice Mayor Seale to go into Closed Meeting, and seconded by Council Member Tuning and carried unanimously to discuss the following:

- 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.

At 8:10 p.m., motion was made by Council Member Dillon to come out of Closed Meeting and to reconvene the meeting back into open session, with motion on the floor being seconded by Council Member Tuning and carried unanimously.

CERTIFICATE OF CLOSED MEETING

Whereas, the Town of Rocky Mount Council has convened a Closed Meeting on this date 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 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

Motion was made by Vice Mayor Seale certifying that nothing was discussed in Closed Meeting other than what was stated. Motion was seconded by Council Member Lester. The Mayor swore to adopt the motion on the floor by Vice Mayor Seale that this was all that was discussed as defined in Section 2.2-3412 Code of Virginia. Voting yes were 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 Mayor reported that no action was taken.

ADJOURNMENT

At 8:13 p.m., motion was made by Council Member Dillon to adjourn, seconded by Council Member Agee and carried unanimously.

Steven C. Angle, Mayor

ATTEST:

Patricia H. Keatts/Town Clerk

/phk