

**ROCKY MOUNT TOWN COUNCIL
REGULAR COUNCIL MEETING
JUNE 8, 2009**

The June 8, 2009 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 Posey W. Dillon and Council Members Jerry W. Greer, Sr., John H. Lester, Roger M. Seale, Robert W. Strickler, and Gregory B. Walker

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 C. James Ervin, Assistant Town Manager/Community Development Director Matthew C. Hankins (and Planning & Zoning Administrator), Town Attorney John T. Boitnott, Chief of Police Erik Mollin, Finance Director Linda Woody, Fire Chief Posey W. Dillon, Public Works Director Cecil R. Mason, and Town Clerk Patricia H. Keatts.

The Mayor led the *Pledge of Allegiance*.

MOMENT OF SILENCE

The Mayor requested a moment of silence in memory of Raymond Prunty, who passed away this past Saturday. The Mayor noted that Mr. Prunty had been a long-time employee of the Town, spanning approximately 60 years.

APPROVAL OF AGENDA

Prior to the meeting, Council had received the agenda for review and consideration of approval.

- Motion was made by Vice Mayor Dillon to approve the agenda as presented, seconded by Council Member Walker and carried unanimously.

SPECIAL ITEMS

A) Special Recognition for Butch and Mary Ann Wilcox

The Mayor presented and read for the record a "Resolution by the Rocky Mount Town Council Honoring Butch & Mary Ann Wilcox in Association with the Hub Restaurant" in honor of them celebrating 36 in business at the Hub Restaurant. On behalf of himself and his wife, Mr. Wilcox thanked Council for the resolution. The Mayor thanked Mr. and Mrs. Wilcox for all they do for the Town.

B) Special Recognition for Rocky Mount Lions Club

The Mayor read into the record "Resolution Honoring the 85th Anniversary of the Founding of the Rocky Mount Lions Club" that was presented during the June 1, 2009 Special Council meeting, but not read into the record at that time.

PUBLIC HEARING

Let the record show the Mayor recessed the meeting to hold the following public hearing:

Special Use Permit Request from Four Star Rent A Car, Inc.

Four Star Rent A Car, Inc. is requesting a special use permit to operate an automobile rental office at 380 Franklin Street, Suite 1, Rocky Mount, Virginia, known as Tax Map & Parcel Number 207-01040-00 (formerly where Franklin County Chamber of Commerce was located at), which is required by Town Code 15-4, as automobile renting and leasing is not a use by right in the Central Business District (defined in Article 26 of the Town Zoning Ordinance).

► Staff Summary of Request

The Mayor opened the floor to the Assistant Town Manager to give a staff summary of the request, with the Assistant Town Manager giving a brief overview:

- Four Star Rent A Car, Inc. has applied for a special use permit to operate a rental agency at 380 Franklin Street, Suite 1. That property is half of the former Franklin County Chamber of Commerce office and visitor center, now partially occupied by its owner, Dean Hodges, who operates Franklin Heating & Air.
- Mr. Hodges has reached an agreement to lease the space to Ralph Barrett, who has operated Four Star Rent A Car in Roanoke, Virginia since 1981. He wishes to expand his business to Rocky Mount, and will have an available fleet of about seven cars, primarily engaged in the automobile insurance rental business.

- Automobile rental and leasing is not listed as a permitted use in the Central Business District (CBD), requiring a special use permit.
- It is the view of the Assistant Town Manager that the parking lot is adequate to handle the required parking for the use, particularly since the applicants expects that seven or fewer cars will be attached to the use.
- A single office will meet the business needs of the user, as it is not a high-volume business, and is likely to generate less traffic through the adjoining intersection than most other uses that could be contemplated for this property.
- The guidelines for CBD development say that the Town can take into account those users that minimize traffic congestion, encourage a pedestrian-friendly environment, and enhance the economic viability of the district. The Assistant Town Manager does not believe that the retail rental use violates any of those tenets, and if it does in the future, the special use permit provides the Planning Commission, the Council, and staff with the flexibility to revoke the special use permit.
- During the public hearing, Mr. Hodges indicated that car cleaning and routine maintenance on the vehicles will not be done there on the site, but will either be completed at his sheet metal shop, or at area garages.

The Assistant Town Manager reported that the Planning Commission had met on June 3, 2009 to hear this request, reviewing staff recommendations, and believe that a limit on the number of cars is appropriate, as does the property owner, with the Planning Commission recommending a seven car parking limit as a condition of the special use, with additional parking available from Mr. Hodges on other properties near the office. With this being said, by a 5-0 vote, with one vacant seat and one absent, the Planning Commission recommended to Council that it approve a special use permit for Four Star Rent A Car on the condition that he not store more than seven cars on the lot at one time.

► The Mayor opened the floor for representatives submitting the request to make comments regarding their submittal:

- Mr. Dean Hodges confirmed to the Mayor that the Assistant Town Manager had relayed all that he needed to say regarding his special use request.

► The Mayor opened the floor for public/citizen input:

- Let the record show that no one came forward to speak.

There being no further public input, the Mayor reconvened the meeting back into regular session, opening the floor to comments or questions from Council:

- Council Member Lester questioned if there would be any other equipment/tools/etc. stored at the site, with Mr. Hodges confirming that it would not be any.
- Vice Mayor Dillon stated that he appreciates what Mr. Hodges has done to improve the property and he thinks he would not have anything on his property that would take

away from its nice appearance; further stating also that he appreciates what he has done.

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

- Motion was made by Council Member Seale to approve the request as recommended by the Planning Commission, 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:

- May 11, 2009 Regular Council Meeting Minutes
- June 1, 2009 Special Council Meeting Minutes
- Motion was made by Council Member Seale to approve the draft Council meeting minutes as presented 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 CONSENT AGENDA

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

- Miscellaneous Resolutions/Proclamations
 - Review and consideration of approval of draft "Town of Rocky Mount Supplemental Appropriation Resolution for the Fiscal Year Ending June 30, 2009" where the Virginia Department of Criminal Justice Services has awarded the Town Police Department a Byrne Justice Assistance Grant.
 - Review and consideration of approval of draft "Town of Rocky Mount Supplemental Appropriation Resolution for the Fiscal Year Ending June 30, 2009" where the Wal-Mart Foundation has awarded the Town Police Department a Community Grant for safety awareness.
- Miscellaneous Action
- Departmental Monthly Report
- Bill List
- Motion was made by Council Member Strickler to approve the draft *Consent Agenda*, with motion on the floor being seconded by Council Member

Walker. There being no discussion, let the record show that the motion on the floor passed unanimously.

HEARING OF CITIZENS

The Mayor stated that no one had contacted the Town Clerk prior to the meeting wanting to address Council, but at this time, he opened the floor to anyone wishing to come before Council to speak. Let the record show that no one came forward.

OLD BUSINESS

A) Review and Consideration of Approval of Town of Rocky Mount Fiscal Year Proposed Budget 2009-2010

Council held a public hearing on June 1, 2009 to receive public input regarding the proposed Town of Rocky Mount Fiscal Year 2009-2010 proposed budget, and in accordance with Virginia State Code Section 15.2-2506, Council can consider taking action on the proposed budget at this time.

The Mayor turned this portion of the meeting over to the Town Manager, who proceeded to state that Council has held two work sessions, with the Finance Director presenting the budget to Council for review for Council's consideration at this time to approve prior to July 1, 2009.

Council Member Lester stated the following:

- Employees are very valuable to the Town, just as the Town's fire fighters, both of which have high value, character, and work ethic.
- What Council has done to employees by cutting their wellness program funding is what he believes is wrong.
- Hopes bonuses stay in budget when reviewed in November.
- Let Council keep its perspective where value is and what can be afforded to do.
- Would like Manager position for Farmers' Market advertised, and not appointed as it is currently.
- Would like agency funding for Goodwill to stay in Town and County.

Vice Mayor Dillon stated the following:

- Still carries the same thought when Council first went over the budget, as he is concerned over citizens that pay taxes, with one of those concerns being the Town insurance. He doesn't take away from what other Council members are doing regarding being on Town's health insurance, but has reservations the way it was initiated at the beginning. Even though it may have not been a big expenditure at that time, if you have a full Council on the Town's insurance, plus wanting family coverage, the expenditure would be high. He is concerned over

what type of exposure this would be for the Town. Again, he does not promote taking away from those Council members currently on the insurance, but Council needs to work towards funding it in such a way that citizens don't have to carry the burden, especially in these economic times. Just want Council to do what is effective and beneficial to the Town's citizens.

The Mayor went over Council Member Lester's concerns:

- Regarding restoring the wellness program to where it was instead of paying one-half of the coverage, this would have to be taken up by Council as it was a policy made by Council. The Town Manager confirmed that there were funds in the budget to pay for the full coverage, but to change this would have to be a decision made by Council.
- Bonuses are still in the budget and would be reviewed again in November.
- Managing the Farmers' Market is a policy decision that would have to be made by Council, as it was a Council decision to begin with.
- Confirmed with Council Member Lester to have the funding for Goodwill Industries redistributed at a later time, giving Goodwill Industries the opportunity to use for individuals in Town and County. The Town Manager confirmed to the Mayor that he has spoken with Goodwill Industries about this, relaying to them that Council would much rather give them the funding to be used in the Town and County, and that they needed to work up some type of proposal to present to Council regarding this matter, but in the meantime, the Town will hold the funding until such plan is brought to Council by Goodwill Industries.

The Mayor stated that he will bring under *New Business* those two items dealing with Council policy.

Vice Mayor Dillon confirmed to the Mayor that he did not want to take away the health insurance that is being currently given to Council members that have it now, but may have to deal with this issue at a later time. The Mayor stated that Council will deal with it during the next budget year.

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

- Motion was made by Council Member Strickler to approve the proposed Fiscal Year 2009-2010 budget, with motion on the floor being seconded by Council Member Seale. Let the record show a roll call vote was taken. Voting in favor of the motion on the floor were Vice Mayor Dillon and Council Members Greer, Seale, Strickler, Walker and Mayor Angle. Voting in opposition to the motion on the floor was Council Member Lester. Let the record show that the motion passed six to one.

- B) Review and Consideration of Approval of Town of Rocky Mount Fiscal Year 2010-2014 Capital Improvement Plan and Review and Consideration of Adoption of Draft Appropriation Resolution

Council held a public hearing on June 1, 2009 to receive public input regarding the proposed Town of Rocky Mount 2010-2014 Capital Improvement Plan, and in accordance with Virginia State Code Section 15.2-2506, Council can consider taking action on the proposed Capital Improvement Plan at this time.

Also, Council had been presented a draft "Town of Rocky Mount – Fiscal Year 2010 Appropriation Resolution" for their review and consideration of approval.

The Mayor turned the meeting over to the Town Manager, who informed Council that after the vote on the budget, the real issue is approving the appropriation resolution.

There being no discussion, let the record show the Mayor entertained a motion.

○ Motion was made by Council Member Seale to approve the FY 2010 Appropriation resolution as presented, with motion including the approval of the proposed Fiscal Year 2010-2014 Capital Improvement Plan. Let the record show that the motion on the floor was seconded by Council Member Lester. A roll call vote was taken. Voting in favor of the motion on the floor were Vice Mayor Dillon and Council Members Greer, Lester, Seale, Strickler, Walker, and Mayor Angle. Let the record show the motion passed seven to zero.

C) Update on New Traffic Pattern in Front of Courthouse

The Town Manager informed Council that per their request, the Police Department, in conjunction with the Mr. Nathan Wright of the Community Development Department, had monitored the new traffic pattern at the intersection of Main Street and Court Street (at the courthouse). The Town Manager asked the Chief of Police to report his findings to Council.

The Chief of Police presented the following:

- Intersection monitored once a week for a period of one hour to record driver's reaction to the new northbound pattern, with counts being performed and compiled by GIS Inspector Nathan Wright.
- It should be noted that no enforcement activities were performed related to this intersection.
- There was no signage change during the period of review.
- Those who failed to properly navigate the intersection did so in one of two ways: (1) minimal group of drivers who made a left turn onto West Court Street against the new signage and pattern; and (2) there was a larger group of drivers who failed to properly navigate the lane changes during northbound-thru travel.
- The amount of drivers to properly navigate the intersection increased from 69% during first review to most recent review of 83.5%. Believe there will continue to be a steady rise in compliance with the new pattern as drivers continue to use the

intersection. As with any traffic intersection, will never be able to reach 100% compliance, although it is what staff at Police Department strive for.

The Chief of Police stated that he and the Town Manager recommend to Council that the intersection not change, but that the traffic pattern continue to be monitored once a month over the next six months.

Vice Mayor Dillon requested that the lines at that intersection not be painted until after the lines wear off, giving enough time to see how the traffic at the intersection will flow.

The Mayor requested that the Police Department continue monitoring until time to paint and see how the traffic flows.

Council Member Walker questioned if SunTrust Bank had been contacted regarding the “no left turn” onto West Church Street, with the Chief of Police stating that he had not contacted them, but before any changes were made to the traffic pattern, the intersection had been monitored and only six vehicles had made the left-hand turn, but now with the new traffic pattern, anyone wanting to visit the bank have a protected turn on Floyd Avenue and can access anything they need from Floyd Avenue that once was available from turning onto West Court Street. The Town Manager confirmed that he will contact SunTrust Bank about the new traffic pattern.

Council Member Strickler commented that there may be a need to advertise “no left turn” on West Court Street. The Chief of Police stated that *The Franklin News-Post* reporter, Joel Turner, had been good about getting the news out regarding the new traffic pattern in *The Franklin News-Post*.

D) Review of Request for Recycling Center In-Town

The Town Manager informed Council that at their request and a follow-up to a citizen’s request for a recycling bin inside of the Town limits, the following is being presented regarding his findings:

- In conversations with Mr. Larry Moore, Assistant Franklin County Administrator, (who oversees the recycling operation for the County) the Wal-Mart site currently accepts cans and newspapers belonging to the County. Mr. Moore also reported that the County could expand the Wal-Mart site, with permission from Wal-Mart to accept plastics, if the Town paid for the containers, at an estimated cost of \$800 each. Mr. Moore also had indicated that the County would service a new recycling center if such a facility were to be constructed by the Town.
- The Town has two options to setup a full service recycling facility:
 - (1) Expand the Wal-Mart site at an estimated cost of \$1,600.
 - (2) Develop a new site at an estimated cost of \$4,800. Suitable locations can be

found on existing Town land, including the Municipal Building, the triangle of land owned across from the Depot, and other sites.

Council was recommended by the Town Manager that they work with the County to expand the Wal-Mart site, while working to advertise that site to the Town citizens, and keeping the development of an alternate site as a future option.

The Town Manager confirmed to the Mayor that he has contacted the Manager at Wal-Mart, and he is willing to expand the site.

Council Member Lester stated that a long time ago when he had worked for the County of Franklin, he had set up recycling site for recycling goods at the high school, with a special collection on Saturdays. He further stated that as Council funds these types, it is primarily geared towards County procedures, and that although the Town provides trash collection, it needs to keep in mind that the Town citizens pay for what the County has to do.

Council Member Seale stated that he believes the option to expand the site at Wal-Mart is a feasible one, as it is still in-town. He does not like the idea of setting up a site at the Municipal Building, with Council Member Greer and Lester agreeing with him.

The Town Manager confirmed to Council that the County will service the containers, but wants the Town to purchase them.

Council Member Greer questioned if there were any grants available to help the Town buy the recycling bins. The Assistant Town Manager informed Council that the one thing the Town does qualify for is a non-competitive grant that can pay for this type of container, and that there is no match from the Town for it. He also confirmed that currently those funds are being used to help the Public Works Department crew pickup trash, with the funding basically all going towards the same thing. The Town Manager confirmed that if the funds were used for the purchase of recycling bins, there would be no reduction in the Public Works Department funding.

The Mayor stated that the Town should put in a recycling bin at the Wal-Mart site and see what kind of use it gets for 60 to 90 days before the Town considers expanding it further.

The Town Manager stated that it would be a good investment for \$800, and that some type of advertising would be done to let the Town citizens know about it. Council Member Greer stated that the County should be able to help with this.

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

- Motion was made by Council Member Lester to place one plastic recycling bin at the Wal-Mart site for \$800, and to monitor it for 60 to 90 days to see how much use it would get, with funding coming from the State non-competitive grant, with motion on the floor being seconded by Council Member Greer. Discussion ensued. Council Member Seale questioned why the Town Manager had put in his proposal two containers, with the Town Manager stating one had been for plastic, which has the highest demand, and the other one would have been for cardboard. There being no further discussion, let the record show that the motion on the floor passed unanimously.

NEW BUSINESS

A) Review and Consideration of Approval of APCo Agreements for Electric General Service and Street Lighting Contracts Between APCo and Local Governments and Other Political Subdivision

The Town Manager reported the following to Council:

- In February, reported that the Virginia Municipal League (VML) and the Virginia Association of Counties (VACo) had formed a Steering Committee of those localities that purchase power from Appalachian Power Company (APCo). This was to ostensibly renegotiate the special public sector rate that APCo charges public authorities (Towns, Counties, School Systems and other government facilities that it serves in the Commonwealth). This rate expired in July of 2007 and negotiations for the renewal started in 2006.
- Though the two years of negotiations have at times been difficult, an agreement in principal has been reached between VML/VACo and APCo. As such, all cities, counties and towns in the Commonwealth have been presented with new contracts for electrical service. These new contracts and a resolution authorizing the Town Manager to execute the contract on behalf of the Town are submitted for Council's consideration.
- This agreement is for a period of three years. There are two aspects to the agreement. One is an increase in the cost of street lights and the other is a decrease in the cost of electricity. The public authority street light rate will increase slightly, taking the Town's estimated monthly street light bill from \$6,900 a month to \$7,057 a month. The reduction in electricity costs will be calculated based upon three years of credit applied to all public authorities. The first year will be \$1.5 million, the second will be \$1.75 million, and the third will be \$2 million. This credit will be applied on a per kilowatt hour basis and is calculated in the first year to be \$.00237/kwh. The Town uses an average of 3 million kilowatt hours a year and a rough estimate of the credit will be \$7,000 for the first year and more in subsequent years.
- Further, APCo agrees that future rates will be based on the cost of service and

APCo has committed to getting the metering required in the field to calculate a future rate based on costs.

- The Town's outside counsel on this matter, Howard Dobbins with Williams Mullen, has reviewed the proposed contracts and recommends their approval by all public authorities. The Town Attorney has also reviewed the documents as to form.

Vice Mayor Dillon went over how this works, giving an illustration of a house using a 100 watt bulb, and how the home owner can monitor how much electricity is used.

There being no further discussion, the Mayor entertained a motion. Let the record show that Vice Mayor Dillon stated he would be abstaining from voting. The Mayor explained that Vice Mayor Dillon was abstaining as he is employed by APCo.

- Motion was made by Council Member Lester to approve the request of the Town Manager, with motion on the floor being seconded by Council Member Walker. There being no discussion, let the record show that Vice Mayor Dillon abstained, and all other Council members voting in favor of the motion on the floor.

B) Review and Consideration of Town Mowing Foreclosed Property

The Assistant Town Manager presented to Council information gathered by the GIS Tech/Code Inspector regarding tall weeds and grass, which outlines the complaints received, properties foreclosed, neglected, or abandoned, and what the Town is doing to abate such blighted conditions within the Town's neighborhoods to preserve a high standard of living, and to show that the Town does not let these issues go unattended.

At this point, Mr. Wright (GIS Tech/Code Inspector), came before Council, outlining what he has done in regards to what the Assistant Town Manager had brought before Council:

- Over the past 30 days, have received numerous complaints regarding tall grass and/or weeds from concerned citizens. When investigating these complaints, found that several of the properties are in foreclosure, and the remaining properties are either abandoned or neglected.
- The properties that are in foreclosure are:
 - 55 Buckner Street
 - 310 Green Meadow Lane
 - 580 Pell Avenue
- These properties present a challenge when trying to enforce the Town Code because the only points of contact are the mortgage companies or a trustee. In

all the cases in-town, the mortgage company is unresponsive, and the appointed trustee is a law firm that is commonly used by the mortgage companies to handle these properties when in foreclosure.

- Written communication is not possible and phone communication is limited to an automated message that directs callers to the mortgage company.
- In all but one of these cases, the Town's Public Works Department has mowed, and will continue to mow, in order to protect the quality of life of the surrounding residents. After that, the Town will place a lien on the parcel. The Town Attorney explained how placing a lien against a parcel works.
- Properties that have been neglected are abandoned are:
 - 20 Spring Street
 - This property continues to generate complaints from the surrounding residents. Several certified mailings have been sent to the owner of this property and they are mainly returned as undeliverable.
 - 105 and 110 Anderson Street
 - These properties present several problems: tall grass, weeds, and potential to harbor nuisance species. In addition to these problems, the house at 110 Anderson Street is home to a large colony of honey bees. Honey bees are generally subdued insects, but if provoked, they will attack any intruders.
 - 275 Anderson Street

In all these locations, the Town's Public Works Department has mowed the grass to protect the quality of life for the surrounding residents.

- In all these cases, the first step was to investigate the complaint to ensure the validity, and to gather photos and other information used to notify the property owner of the violation(s). In the few cases that were written and verbal communication attempts were not successful, the Town's Public Works Department will intervene to correct any of the violation(s), and the charges for such actions will be placed as a lien on each specific parcel of land. The risk with this specific course of action is that the property may take a long time to change ownership, at which time all liens must be satisfied. However, it is the Town's duty to abate such blight conditions within the Town's neighborhoods to preserve a high standard of living, and to show the citizens that the Town does not let these issues go unattended.

The Town Manager stated that his guidance to the Assistant Town Manager, Public Works Director, and Mr. Wright was to not have a street suffer by trying to work through all the paperwork on who owns the house, and instead, for them to err on the side of getting the parcel mowed. He further stated that Mr. Wright has been doing a great job and he appreciates the updates to Council.

There was discussion between Council Member Seale and Mr. Wright regarding the large colony of bees, and the most safely way to remove them from the home. The Town Manager assured Council that staff will continue to keep looking for someone who could remove them safely.

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

○ Motion was made by Council Member Lester to proceed accordingly to approve the request of Mr. Wright and for him to do what needs to be done, with motion on the floor being seconded by Council Member Walker.

There being no discussion, let the record show that the motion on the floor passed unanimously.

C) Review and Consideration of Award of Water Loss & Engineering Analysis: Permit the Assistant Town Manager to Enter Contract Negotiations and Execute a Contract with Thompson + Litton Engineers to Conduct a Water Loss Study

The Assistant Town Manager presented to Council information regarding the water loss study, making the following points:

- After the Town received the \$25,000 grant from the Virginia Department of Health Office of Drinking Water to conduct a water loss study, the Assistant Town Manager asked Council's permission to advertise for a contractor to conduct such a survey. The Town received the Request for Proposal (RFP) responses on May 26, 2009, and staff has reviewed the responses.
- Per the Virginia Department of Health Office of Drinking Water guidance, Town staff solicited four minority business enterprises directly, and advertised locally and regionally. The Town received three proposals, and one notice of no-bid, with three of those proposals coming from minority/disadvantaged business enterprises.
- Based on the Town's criteria and expectations, staff believes that Thompson + Litton Engineers submitted the most thorough response; and due to their familiarity with the Town's water distribution system and past experience, staff recommends that Council grant the contract to Thompson + Litton Engineers.

The Assistant Town Manager requested Council's permission to negotiate and execute a contract with Thompson + Litton Engineers to conduct the water loss study, and prepare all necessary reports for the Virginia Department of Health Office of Drinking Water.

It was confirmed to the Mayor by the Assistant Town Manager that Council had already approved the \$5,000 Town matching amount.

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

- Motion was made by Council Member Lester to allow the Assistant Town Manager to enter into agreement with Thompson + Litton Engineers for a water loss study, with motion on the floor being seconded by Council Member Seale. There being no discussion, let the record show that the motion on the floor passed unanimously.

BUDGET CONCERNS

The Mayor informed Council Member Lester that although he had stated that he would add under *New Business* the concerns stated by Council Member Lester, after retrospect, this could not be done at this time, as it should have been added during the approval of the agenda at the beginning of the meeting in order for it to have been amended properly to add any new items. He further stated that Council Member Lester's concerns would be brought up at the next regularly scheduled Council meeting in July. Council Member Lester so noted.

COMMITTEE REPORTS

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

OTHER MATTERS & COMMENTS

A) Referrals to Planning Commission from Town Council

The Assistant Town Manager informed Council that in recent practice, the Council has referred staff-generated items to the Planning Commission to show that Council considers these items important to the planning process. Thus being said, in reviewing the Town Code, staff is concerned that certain classes of businesses not specifically addressed by Town Code should be reviewed and considered. Specifically, the Town doesn't specifically address tattoo and piercing shops, and staff believes those businesses should be regulated as part of the special use permit process. The Assistant Town Manager requested that with Council's consent, staff will develop a full list of those business classes to be considered by the Planning Commission and put on the Commission's July agenda.

Let the record show no motion was taken, but the Mayor advised the Assistant Town Manager to proceed.

B) Rise 'N Shine Appearances

The Assistant Town Manager informed Council that he had appeared on the *Rise 'N Shine* show, which was hosted by Mr. Richard (Dick) Shoemaker.

COUNCIL CONCERNS

Council Member Lester: referenced an article that was in *The Franklin News-Post* regarding the Rocky Mount Volunteer Fire Department funding, stating the following:

- Still questions the funding, but that is done now.
- Highly respects the Fire Department, and his concerns are not political.
- Not going to apologize for something he did not say, did not do, and did not intend.
- As long as he is on Council, will do the best he can do.
- As stated before, he holds the Town's employees and volunteers in the highest esteem.
- Wanted to increase the Fire Department's stipend from \$10 to \$15, and also that they be put on the Town's health insurance, but that was rejected.

CLOSED MEETING

At 8:25 p.m., motion was made by Council Member Lester to go into *Closed Meeting*, and seconded by Council Member Greer and carried unanimously to discuss the following:

- Section 2.2-3711(A).1 -Discussion, consideration or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body (consideration of appointment to Planning Commission, and the Board of Zoning Appeals).
- 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 (consideration of purchase of property in conjunction with Town's water production facility).

At 9:10 p.m., motion was made by Council Member Seale 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 Strickler 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 Council Member Walker certifying that: (1) only public business matters lawfully exempted from open meeting requirements under this chapter was discussed; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or consider in the meeting by the public body was discussed. Motion was seconded by Council Member Greer. The Mayor swore to adopt the motion on the floor by Council Member Walker that this was all that was discussed as defined in Section 2.2-3412 Code of Virginia. Voting yes were Vice Mayor Posey W. Dillon and Council Members Jerry W. Greer, Sr., John H. Lester, Roger M. Seale, Robert W. Strickler, and Gregory B. Walker.

The Mayor reported that no action was taken.

ADJOURNMENT

At 9:15 p.m., motion was made by Council Member Greer to adjourn, seconded by Council Member Lester and carried unanimously.

Steven C. Angle, Mayor

ATTEST:

Patricia H. Keatts/Town Clerk

/phk

