

**ROCKY MOUNT TOWN COUNCIL
REGULAR COUNCIL MEETING
MAY 11, 2009**

The May 11, 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*.

The Mayor requested a moment of silence for the passing away of A. Milton Arrington, a member of the Town's Planning Commission and life-long citizen of Rocky Mount, and someone who was very active in civic activities, further stating that he will be missed by the Town of Rocky Mount.

The Mayor also recognized the Franklin County High school students from Mrs. Shepherd's class.

APPROVAL OF AGENDA

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

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

SPECIAL ITEMS

Let the record show there were no special items at this time.

PUBLIC HEARING

Let the record show there were no public hearing items at this time.

APPROVAL OF MINUTES

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

- April 13, 2009 Regular Meeting Draft Minutes
- April 27, 2009 Budget Work Session No. 1 Draft Minutes
- April 29, 2009 Budget Work Session No. 2 Draft 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 Strickler. 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 "Resolution by the Rocky Mount Town Council Proclaiming June 23-29, 2009 Amateur Radio Week".
- Miscellaneous Action
- Departmental Monthly Report
- Bill List

- Motion was made by Vice Mayor Dillon to approve the draft *Consent Agenda*, 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.

HEARING OF CITIZENS

A) Request of Audio Tronics

Mr. Christian Morgan of 3226 Taylors Road, Boones Mill, Virginia, came before Council representing Audio Tronics, who are in the process of preparing for an event

to be held at the Law parking lot at Franklin County High School, with the intent to hold a local car stereo and car show that will be held on May 30, 2009 from 9:00 a.m. to 6:00 p.m. Mr. Morgan confirmed to Council that he has checked with the Chief of Police regarding this event and was advised by the Chief of Police to petition Council for the event to be excluded from the local noise ordinance. The Chief of Police stated that he has spoken with Mr. Morgan and that he has not problem with them holding the event at the location indicated. He also stated this event is similar to the one held last year right outside of the Town limits, with that event being very successful.

- Motion was made by Council Member Greer to grant Mr. Morgan's request, 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) Request of Donnie Meeks

Mr. Donnie Meeks of 150 Woodland Drive, Rocky Mount, Virginia, came before Council voicing concerns over the new traffic pattern at the intersection of West Court Street, East Court Street, and South Main Street near the Franklin County Courthouse. It was Mr. Meeks' opinion that the traffic pattern did not make any sense and requested that Council consider changing it back to what it was before. The Chief of Police informed Council that he understood what Mr. Meeks was referring to, but that the pattern was changed at Council's instructions, with the pattern helping truck traffic to be able to now not block the intersection, and also creating a better flow for the traffic in the long run. The Mayor requested that the Police Department monitor this location and bring back before Council during the June Council meeting its findings. Council Member Lester requested that other options be looked at also for this location. The Town Manager stated that staff will watch this intersection for 30 days, but cautioned about flip-flopping too quickly in changing the pattern. The Mayor also requested a traffic count at the location.

C) Request of Mr. Bill Chase

Mr. Bill Chase of 120 High Street, Rocky Mount, Virginia, came before Council stating that he had a concern over the three traffic lights located on State Route 40 West coming from the Lowes location down to the Kroger shopping center location, stating that vehicles were going through red lights. He asked if Council had ever considered installing traffic cameras, and that if they were installed, it may help keep people from going through red lights. The Town Manager informed Council that the Town does not have these cameras due to the extreme cost for them. The Town Attorney stated that the Town is not authorized by the State to have the cameras, but that he could check on this. The Town Manager informed Council that staff will follow through with Mr. Chase's concern and get back to Council regarding their findings. The Mayor requested that the Chief of Police have the Police Department monitor the location that Mr. Chase had mentioned.

OLD BUSINESS

A) Review and Consideration of Proposal on Emergency Services Building Roof Repairs

The Town Manager gave Council an update on the Emergency Services Building roof repairs, stating that the Town has acquired the services of Lionberger Construction Company to repair and troubleshoot the multiple leaks in the building.

- The scope of the original contract has been fulfilled as the repairs made to both the Police and Fire sides have proven successful in stopping a great deal of leaks.
- The current contract covered the repair of known leaks with known resolutions and further investigation of remaining points of water intrusion.
- Lionberger Construction Company has responded multiple times, and with the assistance of the Rocky Mount Volunteer Fire Department, has been able to investigate possible solutions to the remaining leaks.
- With the help of the two roofing contractors, it was determined that a large portion of the existing leaks can be attributed to the metal coping that is installed around the building perimeter.
- A copy of the Lionberger Construction Company quote was given to Council prior to the meeting. In the document it was noted that all coping will be removed and replaced.
- Council was given pictures of the current state of the coping for their review.
- The replacement will be a product that will maintain the "look" of the existing flashing, but may differ due to fading of the existing roof metal, etc.

The Town Manager stated that with the Town's current experience and satisfaction with Lionberger Construction Company, he recommends Council's consideration of accepting the quote from Lionberger Construction Company in the amount of \$9,600.

The Town Manager also informed Council that Mr. Bowles of Stanley W. Bowles Corporation (the original contractors for the Emergency Services Building) had been contacted and offered a chance to participate, or financially contribute to the repairs of the building, especially since Mr. Bowles had indicated to Council Member Seale that he would like to be contacted regarding looking at the roof problems. He further informed Council that Mr. Bowles had contacted him and was eager to fix the problems with the roof. It was also pointed out by the Town Manager that there was some inside work needing to be done in the building and that Mr. Bowles would like to look at this also, after the roof is fixed.

- Motion was made by Council Member Lester to authorize the Town Manager to proceed forward with fixing the roof problems for an amount not to exceed \$9,600, 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.

NEW BUSINESS

A) Introduction of New Executive Director for Community Partnership for Revitalization

Mrs. Katie McElroy was introduced to Council by the Town Manager as the new Main Street and Executive Director for Community Partnership for Revitalization (CPR), stating that staff looks forward to working with her. Mrs. McElroy stated that she can't wait to move to the area, as it seems like a great place so far and she has met a lot of nice people. She further stated that she is excited to look around and see what works, and will bring things from other places in the State that might work for the Town.

B) Report on Recent Drug Arrests/Roundup by Rocky Mount Chief of Police

The Chief of Police reported that a recent drug roundup had taken place on May 7, 2009, and that he is proud of his department's young officers that had taken part in this. He further stated that the Town had benefited from this effort more than the County because of the people involved, with 43% living in Town, and 75% close or near the Town limits. He further commented that this was the best step towards curbing drug activating in-town. It was also brought to Council's attention that the GIS Department had helped with this by being able to locate those areas that were within ruling of the schools, with Officer Shelton working with Nathan Wright (GIS) to show on mapping and charts that were used in the Court; further stating that with using the GIS with these types of projects will help the Police Department in the future. The Mayor stated for them to keep up the good work.

COMMITTEE REPORTS

The Assistant Town Manager/Community Development Director presented to Council the following committee report:

Public Facilities & Special Events Committee

Council was informed by the Assistant Town Manager that the Public Facilities & Special Events Committee had met on April 20, 2009 to hear several requests: (1) a request from staff to establish criteria for waiver of fees for use of the Farmers' Market facilities; and (2) requests from the Warren Street Society for use of the Farmers' Market for two events.

The Committee recommended the following:

➤ Recommendation #1:

- Establish the following criteria for waiving fees:
 - Event hosted by a non-profit agency or group
 - Event is free and open to the public
 - Event draws a large number of attendees
 - Event has an impact on downtown businesses

If the non-profit agency meets these criteria, it must write a check to the Town according to the normal rates and fees. If the Farmers' Market is not damaged, is cleaned up and left in good condition, that check will be returned in full to the event organizer within two weeks of the event.

➤ Recommendation #2:

- Permit the use of the Farmers' Market upper parking lot for the Warren Street Society's Poker motorcycle run, starting at 11:00 a.m. on May 16, 2009. The riders will return to the Farmers' Market at 3:00 p.m. for music and barbecue, concluding at 6:00 p.m. The Farmers' Market Manager will need to notify vendors that they are welcome and encouraged to stay throughout the event, but the Committee believes disruption to the Farmers' Market sales will be negligible.
- In regard to waiving fees for the Warren Street Society Street festival in August, staff will follow the recommendation as requested earlier if adopted by Council during this Council meeting.

- Motion was made by Council Member Lester to accept both recommendations as proposed by the Public Facilities & Special Events Committee, 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.

OTHER MATTERS & COMMENTS

A) Fiscal Year 2009-2010 Budget Work Session Review

1. The Assistant Town Manager informed Council that the Planning Commission held their public hearing on May 5, 2009 to review the draft Fiscal Year 2010-2014 Capital Improvement Plan (CIP), with it being the unanimous recommendation of those members present to recommend to Council approval of the CIP. The Assistant Town Manager stated that no one from the public had spoken during the public hearing for or against the proposed draft CIP.
2. During their budget work sessions, Council had requested staff to estimate the value of the Community & Hospitality Center (Depot) office and meeting space. The Assistant Town Manager had presented to Council prior to the meeting a breakdown of the value:
 - In the analysis, both the Town and County receive significant economic benefits from the Franklin County Chamber of Commerce's (Chamber)

- location in the Depot.
- If the Chamber were not operating in the Depot, the Town still would expend the full amount of utilities, and would incur the same costs for communications, janitorial service, maintenance, and repairs. If the Chamber were in another facility, it would likely have similar costs for those services.
- In addition, the Town would have labor costs associated with operating the Depot. For the quarter from October 1, 2008 to December 31, 2008, the Town paid a total of \$4,489 to the two hostesses. The Town operated the Depot 42 hours per week at a labor cost of \$8.70 per hour. Annual labor cost for 52 weeks at the same wage, then, would be \$19,001.
- Under the current agreement, the Chamber provides the Depot labor in exchange for the office space and utilities. Under this arrangement, the net savings to the two organizations is estimated at \$43,851.
- Below is a chart showing the comparison of savings in operation of the Depot as prepared by the Assistant Town Manager:

Comparison of Savings In Operation of Depot		
	Chamber	Town
Electric	\$8,076.14	
Office/Meeting Space Value	\$12,000.00	
Communications	\$719.74	
Janitorial Service	\$2,688.00	
Maintenance & Repairs	\$1,000.00	
Water, Sewer & Garbage Collection	\$366.00	
Labor		\$19,001.00
Total Annual Savings	\$24,849.88	\$19,001.00
<i>Combined Savings</i>		<i>\$43,850.88</i>

- It was confirmed by the Town Manager that the combined savings is value of cost to the Chamber of Commerce.
3. During the budget work sessions, it was Council's request that staff research the funding and services provided by Goodwill Industries of the Valley (Goodwill) to the Town, especially since Goodwill had moved their work center from the Town to Roanoke, Virginia. Prior to the meeting, Council had received a memorandum from the Finance Director dated May 1, 2009 that went into detail regarding Council's request. The Town Manager confirmed to Council that the bottom line was that Goodwill was busing clients from the Town and County of Franklin to Roanoke that were involved in their training program. It was also confirmed that the Town has been giving Goodwill a yearly agency contribution, and that the County of Franklin also pays for their County citizens. It was confirmed by the Finance Director that in the upcoming Fiscal Year 2009-2010 budget, \$7,000

was budgeted to give Goodwill. There was discussion regarding the Town had also employed Goodwill for cleaning services at the Farmers' Market, such as doing janitorial services, watering flowers, etc., which they are not doing now. It was voiced by Council that Goodwill does good for the community, and that they are busing Town and County citizens to Roanoke to train them. It was the consensus of Council for staff to leave the funding as is and for the Town Manager to follow-up with Goodwill, with the Town Manager mentioning that he will try to have a Goodwill representative to come to the budget public hearing. The Finance Director stated that Council can't take any action at the public hearing regarding approving the budget, as they will have to wait seven calendar days to approve.

4. Staff was asked to report back to Council regarding the Town's fitness program (part of the wellness program). During the budget work sessions, Council had discussed the Town reducing the Town's contribution to 50%, with the employee picking up the remaining amount. Council Member Lester indicated that by doing so, this would be taking away from the employees, as Council is already indicating cutting the employee's bonuses. It was confirmed by the Mayor that at this time, the bonuses were being left in the budget to be reconsidered in November to see how the economy was doing before giving to the employees. There was discussion between Council Member Lester and Vice Mayor Dillon regarding the Fire Department (as Vice Mayor Dillon is also the Fire Chief for the Town) that included what the County Public Safety Department was operating off of from what the County gave them, versus how the Town's Fire Department operated off of money received from the County and the Town. The Fire Chief indicated to Council Member Lester that he would be glad to furnish any reports that he wanted to see regarding the Fire Department's budget. Council Member Lester indicated that the Town is not a big city and he wanted to make sure everything is in its proper perspective and served within the cost it can afford, further asking that the Town make sure its employees come first, including the fire fighters, and volunteers. The Fire Chief explained how the cost of fire equipment is driven by NFPA (National Fire Protection Association) standards.

B) Other Concerns or Requests of Council

Let the record show there were none.

C) Referrals to Planning Commission from Town Council

It was mentioned by the Mayor that a new member will be needed for the Planning Commission due to the passing away of Mr. A. Milton Arrington. The Town Manager indicated that this will be placed on the June Council regular meeting agenda.

D) Rise 'N Shine Appearances

The Town Manager, along with Council Member Seale, had appeared on today's *Rise 'N Shine* show, with them being interviewed by Mrs. Barbara Chauncey in lieu of Mr. Richard Shoemaker, who was out-of-town.

CLOSED MEETING

At 8:00 p.m., motion was made by Council Member Lester to go into *Closed Meeting*, seconded by Council Member Seale, 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 (Town Manager's performance evaluation).
- Section 2.2-3711(A).7 - Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel (regarding State Code impacting benefits).

At 8:45 p.m., motion was made by Council Member Lester 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 Greer 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 Greer 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 Walker. The Mayor swore to adopt the motion on the floor by Council Member Greer 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 the budget discussions resumed, with the following consensus of Council being noted:

- It was the consensus of Council to reduce the Town's contribution to 50% for the Town's contribution to a fitness program, and not offer it to the Fire Department as previously discussed.
- It was the consensus of Council that the use of the Community & Hospitality Center was sufficient support to the Franklin County Chamber of Commerce, versus giving them the proposed \$3,000 agency funding.

ADJOURNMENT

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

Steven C. Angle, Mayor

ATTEST:

Patricia H. Keatts/Town Clerk

/phk