

**ROCKY MOUNT TOWN COUNCIL
REGULAR COUNCIL MEETING
SEPTEMBER 14, 2009**

The September 14, 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, 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.

Let the record show that Town Manager C. James Ervin was absent due to attending the ICMA Annual Conference in Quebec, Canada; therefore, Assistant Town Manager Matthew C. Hankins was in attendance during the Council meeting on behalf of Mr. Ervin.

The Mayor led the *Pledge of Allegiance*.

APPROVAL OF AGENDA

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

There being no comments, the Mayor entertained a motion.

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

SPECIAL ITEMS

The Chief of Police recognized Corporal T. J. Robertson of the Rocky Mount Police Department for the role he played while responding to a motor vehicle accident near the intersection of Franklin Street and Main Street (near the Hub Restaurant) on August 27, 2009 that involved six vehicles, with him being assisted by a bystander, Stephanie Hodges,

a Carilion Franklin Memorial Hospital Emergency Room nurse. With the actions of Corporal Robertson and Ms. Hodges, the patient involved has made a complete recovery.

PUBLIC HEARING

Let the record show there were no public hearings.

APPROVAL OF MINUTES

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

- August 10, 2009 Regular Council Meeting Minutes
- August 24, 2009 Special Council Meeting Minutes
- September 1, 2009 Special Council Meeting Minutes

There being no comments, the Mayor entertained a motion.

- 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 "Proclamation by the Rocky Mount Town Council for the Promise to Schedule Your Mammogram Day".
 - Review and consideration of approval of draft "Resolution by the Rocky Mount Town Council in Support of United Way of Franklin County, Inc."
- Miscellaneous Action
 - Review and consideration of approval of request of Finance Director for Town Council to consider approval of write-off of uncollectible utility accounts.
- Departmental Monthly Report
- Bill List

There being no discussion, the Mayor entertained a motion.

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

HEARING OF CITIZENS

The Mayor opened the floor to anyone wishing to come and address Council.

Let the record show that no one came forward at this time.

OLD BUSINESS

- A) Review and Consideration of Authorization for Town to Enter into Contract with Virginia Carolina Paving for Uptown Revitalization Project

Prior to the meeting, Council had received from MCC Acquisition, LLC d/b/a Virginia Carolina Paving Company a draft contract for the Town's uptown revitalization project for review and consideration of approval, being the low bidder at a price of \$1,990,917.25.

The Assistant Town Manager informed Council that the Town has gone through the bid process for the uptown revitalization project, and had went through the process of reviewing the submitted bid documents. He further stated that the Town was informed by the Virginia Department of Transportation that the Town cannot negotiate any change orders before the contract is awarded, but would either have to accept as bid, or bid out the documents again. He also stated that he has had discussions with the low bidder, and they are very willing to agree to lower the cost with change orders.

The Assistant Town Manager requested Council's consideration of authorizing the Town Manager or Assistant Town Manager to execute a contract agreement with the low bidder, MCC Acquisition, LLC d/b/a Virginia Carolina Paving Company, at the bid price of \$1,990,917.25, pending review approval of the Town Attorney prior to the 90-day deadline set in the bid documents.

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

- Motion was made by Council Member Lester to approve the low bid, with amount and conditions as stated by the Assistant Town Manager, with motion of the floor being seconded by Council Member Seale. Discussion ensued. Vice Mayor Dillon stated he had voted earlier against the uptown revitalization project due to

him hoping the Town could pay for the project up front, instead of borrowing the funds. He further stated that the proposed contract has some sizeable money being paid to his employer, Appalachian Power Company, and although he does not get a percentage of these monies, he would prefer abstaining from voting on this matter. There being no further discussion, motion on the floor passed five to one (five in favor of the motion on the floor, and one abstention).

B) Review and Consideration of Approval of Funding to Goodwill Industries of the Valleys

Council was reminded by the Assistant Town Manager that the Town had reduced Goodwill Industries of the Valleys' (Goodwill) funding to \$7,000, requiring them to provide some type of local service to receive the funding. At the request of Council, the Town Manager had met with the management staff of Goodwill and expressed Council's desire for a local program that had local results as a return on the Town's investment. Goodwill is proposing that the Town funds be used to support a life experience simulation event called "Reality Check" at Franklin County High School, which is designed to help at-risk youth recognize the different paths their lives might take and the importance of making responsible decisions. Dr. Charles Lackey (Superintendent of the Franklin School Board) had received a copy of Goodwill's proposal from the Town Manager, who wanted Dr. Lackey's input and approval.

It was confirmed to the Mayor that to the best of staff's knowledge, Dr. Lackey had yet to respond to the Town Manager's request.

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

- Motion was made by Council Member Lester to table the release of \$7,000 to Goodwill until a reply has been received from Dr. Lackey with the Franklin County School Board, 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.

C) Review and Consideration of Approval of Work for Traffic Signals in 40 East Corridor

The Chief of Police stated that in an effort to try and streamline the traffic pattern on the 40 East corridor, the Town had received a quote to synchronize all eight traffic signals. He further stated the following:

- Early discussions with Virginia Department of Transportation show their willingness to assist by bringing two of their intersections up to meet the Town's work in this corridor.
- Under the Town's new current maintenance contract with Richardson-Wayland Electrical, the cost to synchronize these intersections and resolve the problems is estimated at \$58,250 with the Town cost of \$40,500. The remainder of the costs will be worked out by the Virginia Department of Transportation with either Richardson-

Wayland, or their own staff.

- This is a budgetary quote only, as actual price will be time and material as set forth under the Town's current contract.

- Every contract the Town has had with Richardson-Wayland Electrical has come in lower than the proposed contract amount, but what is submitted is what the company can expect.

- Explained how the synchronization would work, and how it has worked for the Town in the past.

- Explained that adding the opticom would have been too expensive (approximately \$150,000).

The Chief of Police asked Council to consider approving the work on the 40 East corridor at the costs set forth in the Town's current maintenance agreement, pending finalization of an agreement with the Virginia Department of Transportation.

The Finance Director confirmed to Council that the funds for this project can come out of the funds from the State for maintenance (road funds).

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

- Motion was made by Vice Mayor Dillon to move forward on the 40 East corridor traffic signals, 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.

D) Review and Consideration of Approved of Contract for Cleaning and Sealing the Emergency Services Building

It was explained to Council by the Chief of Police that the Town has undergone some repairs to the Emergency Services Building to stop the water damage that has occurred inside of both the Rocky Mount Police Department and the Rocky Mount Fire Department. The Chief of Police explained that Lionberger Construction has been completing the repairs of the building and has worked with him to determine the best suited match for the sealing of the brick. He went over what repairs have already been done.

Vice Mayor Dillon stated that he knew when Cindy Perdue was working for the Town, she had taken some pictures of the damages to the building, with him questioning on whether or not she had filed a claim with the Town's insurance on the damages to the building at that time. The Finance Director stated that she was not aware of Mrs. Perdue filing a claim.

The Chief of Police stated that the Town had received quotes from three contractors, which included a wide variety of sealer types and life expectancy.

Through discussions with the contractors, the Chief of Police stated that staff recommends using Cabots sealer with the effective range of up to ten years, which will be applied by Gaubautz Painting, at a cost of \$5,860.

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

- Motion was made by Council Member Seale to approve the sealing work at the Emergency Services Building as proposed by the Chief of Police, 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.

NEW BUSINESS

A) Review and Consideration of Approval of West Piedmont Planning District Commission Regional Hazardous Mitigation Plan

The Assistant Town Manager informed Council that as part of its emergency management, the Town is required by law to participate in a regional hazard mitigation program, and to do so through West Piedmont Planning District Commission (WPPDC). And as such, WPPDC is applying for grant funds to prepare an updated regional plan; therefore, needing the endorsement of all participating localities as part of its grant application.

It was the request of the Assistant Town Manager that Council continue its participation in the regional hazard mitigation program, endorse the planning grant application as presented by WPPDC, and authorize the Town Manager to sign the documents presented.

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

- Motion was made by Council Member Lester for the Town to approve the WPPDC regional hazardous mitigation plan, with motion on the floor being seconded by Council Member Seale. Discussion ensued. It was confirmed by the Assistant Town Manager to Vice Mayor Dillon that the Town had the MSDS (material safety data sheets) at each locality that required such data sheets. Vice Mayor Dillon asked that staff look into having these data sheets put on the Town's website. There being no further discussion, let the record show that the motion on the floor passed unanimously.

B) Review and Consideration of Approval of Adopt-A-Street Program in the Town of Rocky Mount

Council was informed by the Assistant Town Manager that this year, staff has received two requests from groups wanting to adopt streets from which to clean litter. He pointed out the following:

- Since the Town has no such program in place, staff believes that the Town should establish guidelines to ensure safety and consistency.
- Explained that the Virginia Department of Transportation residency has reviewed these guidelines and did not have any changes to suggest.
- The draft guidelines presented to Council for review and consideration of approval were guidelines taken from other communities that have such a program in-place. The Assistant Town Manager confirmed to Council Member Lester that the Planning Commission had not reviewed the draft guidelines. Council Member Lester requested that they be able to do so and be actively involved in this process to keep moving along, but he would support the program whether the Planning Commission was involved or not. There was discussion when the next Planning Commission meeting would be, with the Town Clerk confirming that they would be meeting with Town Council on September 24, 2009 for a joint work session.

The Assistant Town Manager requested Council to approve the guidelines for the "Adopt-A-Street" program as presented.

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

- Motion was made by Council Member Lester to approve the guidelines for the "Adopt-A-Street" program as presented, with motion on the floor being seconded by Vice Mayor Dillon. There being no discussion, let the record show that the motion on the floor unanimously.
- C) Report of Chief of Police Regarding Diamond Avenue Extension Neighborhood Meeting

It was reported by the Chief of Police that he attended the Diamond Avenue Extension Neighborhood meeting that was held just recently. This area is outside the Town limits. This meeting was also attended by the Town's Assistant Town Manager, representatives from County of Franklin, and Virginia Department of Transportation representatives.

The following was discussed:

- The County of Franklin has resolved the concerns regarding the lack of dumpsters.
- Lack of secondary ingress/egress route in that area. In talking with the Virginia Department of Transportation, they had presented several options. One of the options of being able to come from Diamond Avenue Extension to Sycamore Street will be presented by the Virginia Department of Transportation (VDOT) at the next neighborhood meeting to be held on September 30, and that VDOT bringing a map that shows what options are being presented. All this would be pending approval of land owners that the road would cross; plus, funding.
- The County of Franklin has agreed to make an emergency route at the end of

- Leonor Street for emergency vehicles to use only until a permanent route is determined. The policing of this emergency route would be up to the landowner as it would be on private land. It was suggested at the meeting that a barrier could be put up that only the emergency vehicles would have an access key to.
- No mention was made of making improvements to Sycamore Street by the County of Franklin or VDOT, and none were discussed as the improvements would be at the portion of Sycamore Street that is outside the Town limits, with it depending on where the improvements would be coming in at.

Vice Mayor Dillon informed staff that he would like to know how long and frequent the trains have blocked the Diamond Avenue Extension road. Council Member Lester reminded everyone that this is an isolated part of the County and Town, and that any stoppage of trains could complicate the residents living in that section of the County, as it is important that they have a way out. Council Member Lester requested that the Town formally work with the County of Franklin to get the road put in, and to let the VDOT be the one that decides where the road will need to be located.

The Chief of Police did state that more work has progressed on this matter within the last two weeks that far outweighs what has been done in the past 15 years, and it now looks like things are moving along to get a road put in. He further stated that he will be happy to pass on to VDOT that the Town is willing to help move this on quickly.

D) Review and Consideration of Approval of Request of Chief of Police for Endorsement of the Family Violence Review Team

The Chief of Police stated per Code of Virginia, as amended, §32.1-283.3(C), Franklin County has begun the process of forming a family violence review team. He pointed out the following:

- The team would review and revise procedures of services provided to families in or at risk to domestic violence in an effort to provide maximum safety to community families in need of assistance to become a healthy family and/or individual.
- Identified partners include the Rocky Mount Police Department, Franklin County Sheriff's Office, Commonwealth Attorneys Office, Ferrum College Police Department, Juvenile Court Services Unit, Juvenile & Delinquent Relations Court Judge, Probation and Parole, Carilion Franklin Memorial Hospital, Family Resource Center, Domestic Violence Advocacy Center, Department of Social Services, Court Appointed Special Advocacy (CASA), and Piedmont Community Services. The team is being led by Cynthia Treadway, Executive Director of the Franklin County Family Resource Center.

Council Member Lester asked the Chief of Police to have Ms. Treadway contact Ann Minnix, who is with the Family Preservation Services, to see if they would like to be added to the partnership. The Chief of Police so noted.

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

- Motion was made by Council Member Lester to approve the endorsement of the Family Violence Review Team by adopting the “Resolution by the Rocky Mount Town Council for Endorsement of Family Violence Review Team”, 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.

E) Review and Consideration of Approval to Appoint a Voting Delegate to Attend the Virginia Municipal League Annual Conference Business Session

As explained by the Assistant Town Manager, each year the Virginia Municipal League (VML) holds their business session during their annual conference, with the conference taking place this year October 18th through 20th at the Hotel Roanoke. Per the Assistant Town Manager, the Town Manager is requesting that Council consider appointing a voting delegate to represent the Town during VML’s annual business session, with that delegate needing to attend the business session scheduled for October 20th from 3:10 p.m. to 4:30 p.m.

The Mayor opened the floor to any Council member wishing to serve in this capacity. Council Member Strickler stated he would be willing to serve.

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

- Motion was made by Vice Mayor Dillon to appoint Council Member Strickler to serve as the voting member for the VML annual conference business session, with motion on the floor being seconded by Council Member Lester. Let the record show that the motion on the floor passed unanimously.

Discussion ensued whether or not an alternate voting member needed to be selected, with Council Member Lester stating he would be willing to serve in that capacity.

There being no further comments, the Mayor entertained a motion regarding an alternate voting member being appointed.

- Motion was made by Council Member Seale to appoint Council Member Lester to serve as the alternate voting member for the VML annual conference business session, with motion on the floor being seconded by Vice Mayor Dillon. There being no discussion, let the record show that the motion on the floor passed unanimously.

F) Review and Consideration of Approval of Request of Franklin County Historical Society “Ghosts & More” Event Bus Sponsorship

On behalf of a request received from Linda Stanley, Special Projects Coordinator for

the Franklin County Historical Society, the Assistant Town Manager relayed to Council that Ms. Stanley was requesting review and consideration of approval two items, being:

1. Requesting bus sponsorship in the amount of \$300 for their annual "Ghost & More" event scheduled for October 17th and 24th.
2. Requesting use of Municipal Building and parking lot as the "Ghost & More" tour headquarters, starting late Friday, October 16th, all day on Saturday, October 17th, and cleanup on Sunday, October 18th; and the same schedule for the following week, late on Friday, October 23rd, all day on October 24th, with cleanup on Sunday, October 25th.

The Assistant Town Manager confirmed to Council that this is the same thing Council approves each year, with the funding this year coming out of the Town's current fiscal year's budget.

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

- Motion was made by Council Member Lester to approve both requests of Franklin County Historical Society, 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.

G) Review and Consideration of Approval of Work on the Franklin Street and Claiborne Avenue Intersection

The Chief of Police informed Council that due to citizens and Council members voicing concerns about the traffic light at the intersection of Franklin Street and Claiborne Avenue, it has been reviewed for efficiency, with him pointing out the following:

- Currently, this intersection is combined with the intersection of Franklin Street and West College Street, utilizing one controller for bother intersections, creating the noticeable delays in traffic movement at Claiborne Avenue.
- There are at times delays of up to 25 seconds at this intersection that result in all three directions having a red light while the intersection around the corner at West College Street cycles.
- This has been discussed with Richardson-Wayland Electrical to find a resolution to fix these delays.
- Under the Town's current maintenance contract with Richardson-Wayland Electrical, the cost to split these intersections and resolve the problems is estimated at \$32,750. This is a budgetary quote only, as actual price will be time and materials as set forth under the Town's current contract.

The Chief of Police stated that staff is requesting Council's consideration of approval

for the work to be performed at the Franklin Street and Claiborne Avenue intersection at the costs set forth in the Town's current maintenance agreement.

The Finance Director confirmed to Council that the funds for this project can come out of the funds from the State for maintenance (road funds).

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

the ○ Motion was made by Vice Mayor Dillon to approve the request, with motion on floor being seconded by Council Member Lester. There being no discussion, let the record show that the motion on the floor passed unanimously.

H) Review and Consideration of Approval of Adoption of Traffic Grant

The Chief of Police and Finance Director presented to Council for their review and consideration of approval a draft "Town of Rocky Mount Supplemental Appropriation Resolution for the Fiscal Year Ending June 30, 2009", which is the same grant the Town gets every year, with this upcoming reward in the amount of \$28,218. \$23,515 of that amount is from the Virginia Department of Motor Vehicles (DMV), with the difference being the matching grant from the Town. This grant would be from the DMV Safety Grant.

The Chief of Police confirmed to Council Member Strickler that this is the same as the 402 funding. He further confirmed to Council that some of these monies will be used for equipment and vests, with part of the grant requiring the police department working with the County and State to do road checks.

The Chief of Police requested Council to consider accepting the Division of Motor Vehicles Highway Safety Grant.

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

Chief ○ Motion was made by Council Member Strickler to approve the request of the of Police to accept the grant, 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.

I) Review and Consideration of Approval of Request of Franklin County Rescue Squad, Inc.

The Assistant Town Manager informed Council that he had received a request from Franklin County Rescue Squad, Inc. (FCRS) for the Town to give them permission to construct an additional building on the property that they are located on for the use of the squad.

Todd Norman, Treasurer of FCRS, presented before Council their request:

- Building is needed to house a new crash truck that they are currently working with the County to purchase.
- The building will also be large enough for storage for additional squad gear and equipment, and still have enough room to store their antique ambulance.
- The building will be located near the slope of the land that separates FCRS land from adjacent properties.
- The proposed size of the building will be 24' x 48' and will have a roll-up door that exits onto Bank Street.

There was discussion regarding how many paved parking spaces the building would be taking up. Council Member Seale stated that as far as he understood it, the Town was to create more parking spaces along Bank Street for the uptown revitalization project, and for the owners of the N. Morris Building; further stating that any loss of parking spaces would need to be addressed.

The Mayor recommended that a Public Facilities & Special Events Committee be convened as soon as possible to look into the request of FCRS, inviting Mr. Norman to the meeting, then bring back to Council their recommendation. The Assistant Town Manager so noted.

COMMITTEE REPORTS

Let the record show there were no committee reports.

OTHER MATTERS, CONCERNS AND RISE 'N SHINE APPEARANCES

A) Referrals to Planning Commission from Town Council

Let the record show there were no referrals to the Planning Commission from Council.

B) Rise 'N Shine Appearances

The Mayor mentioned that the Assistant Town Manager appeared on Rise 'N Shine this morning. The Assistant Town Manager stated he would be appearing in October also, and any Council member wishing to go with him, to please let him know.

COUNCIL CONCERNS

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

MISCELLANEOUS

- The Assistant Town Manager reminded Council of the joint meeting with the Planning Commission on September 24, starting at 6:00 p.m.
- The Assistant Town Manager stated that the Footlights of the Blue Ridge event held this past Friday at Mary Elizabeth Park had about 200 plus in attendance and it turned out to be a good event.
- The Chief of Police confirmed to Council Member Seale that the traffic light at the post office is something that the Town is working on already as it is part of maintenance on the traffic lights, and that the new linking that will be done for the Franklin Street and Claiborne Avenue intersection should help with the problems that are occurring at the traffic light at the post office.
- The Mayor recognized students from Mr. Seleby's government class at Franklin County High School.
- Vice Mayor Dillon thanked staff for putting in their monthly Council packet information from the Virginia Municipal League on the proposed State funding shortages as outlined by Governor Kaine.

CLOSED MEETING

Let the record show there were none.

ADJOURNMENT

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

Steven C. Angle, Mayor

ATTEST:

Patricia H. Keatts/Town Clerk

/phk

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