

**ROCKY MOUNT TOWN COUNCIL
REGULAR MEETING MINUTES
MAY 14, 2018**

The May 14, 2018 Regular Council Meeting of the Rocky Mount Town Council (hereafter referred to as "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:

- Mayor Steven C. Angle
- Vice Mayor Gregory B. Walker
- Bobby M. Cundiff
- Robert L. Moyer
- Mark H. Newbill
- Jon W. Snead
- Billie W. Stockton

The following staff members were also present:

- Allan Arrington, Lt. of Investigations
- John Boitnott, Town Attorney
- Tim Burton, Waste Water Superintendent
- Dallas Bailey, Interim Water Plant Superintendent
- Ken Criner, Chief of Police
- Rebecca H. Dillon, Executive Administrative Assistant
- C. James Ervin, Town Manager
- Matthew Hankins, Assistant Town Manager
- Mark Lovern, Lt. of Patrol
- Jeff Rakes, Fire Chief
- Brian Schofield, Public Works Superintendent
- Linda P. Woody, Finance Director

The meeting was called to order by Mayor Steven C. Angle.

PLEDGE OF ALLEGIANCE

Mayor Angle led in saying the Pledge of Allegiance.

APPROVAL OF AGENDA

Prior to the meeting, Council had received the agenda for review and consideration of approval. Let the record show that the agenda was amended due to adding two items under Old Business to the agenda. The items added were (1) approval of the LOVEworks sign; the signs final design and the signs location; (2) to discuss the Yard Sale Ordinance. Also let the record show that the Appropriation Resolution for the Budget had an incorrect number on it regarding the Harvester Performance Center. There was a corrected copy on the diaz for each Council member to view.

Motion: To approve an amended agenda

Motion By: Council Member Snead

Second: Vice Mayor Walker

Motion Discussion: None

Ayes: Cundiff, Moyer, Newbill, Snead, Stockton, Walker

Nays: None

Action: Approved the amended agenda by a unanimous vote.

SPECIAL ITEMS

- Memorial Resolution for Herbert "Butch" Tyler Wilcox

Special recognition was given for the outstanding service that Herbert "Butch" Tyler Wilcox gave to the Town of Rocky Mount for being a long-time firefighter, business owner, volunteer, resident of Rocky Mount, mentor and friend. A resolution was signed and presented by Mayor Angle to Mrs. Mary Ann Wilcox for this special recognition.

- Resolution Honoring Glenn Lynch on his Retirement

Special recognition was given to Glenn Lynch for his accomplishments in radio and public service while with Super Country Radio B99.9. During Mr. Lynch's time with B99.9, Mr. Lynch and his colleagues were able to grow and maintain the radio station into one of the longest-reaching and most recognizable call signs in the Piedmont. A resolution was signed and presented by Mayor Angle to Mr. Lynch for this special recognition.

PUBLIC HEARING

Mr. Hankins stated that Town Council had previously approved a joint effort with Franklin County to dispose of property in the jointly-held industrial park on Weaver Street, specifically granting property to PKP Properties for development of a new collision repair center and accompanying jobs. Issues with the site arose, which precipitated a need to consider adjoining sites, including a small edge parcel of the former Cox Farm site. Using this small portion of the Cox site would not significantly change future development plans.

Staff advertised the public hearing for up to 2.5 acres to be included in the transfer. Staff asked that Council hold the public hearing, and if Council desired, authorize the transfer of the property and authorize the Town Manager or his designee to re-negotiate the performance agreement previously entered into with the County and PKP Properties.

Mayor Angle opened the floor to any citizens wishing to speak.

Let the record show that no one came forward.

Discussion: None

Motion: To approve the request of a transfer of up to 2.5 acres in the Industrial Park.

Motion By: Council Member Stockton

Second: Council Member Snead

Motion Discussion: None

Ayes: Cundiff, Moyer, Newbill, Snead, Stockton, Walker

Nays: None

Action: Approved the motion by a unanimous vote.

APPROVAL OF MINUTES

Received by Council in their packet for this scheduled meeting were draft minutes for review and consideration of approval:

- April 12, 2018 – FY2019 Proposed Budget Work Session No. 2 Meeting Minutes
- May 7, 2018 – FY2019 Proposed Budget Public Hearing Meeting Minutes

Discussion: None

Motion: To approve the draft minutes

Motion By: Council Member Newbill

Second: Vice Mayor Walker

Motion Discussion: None

Ayes: Cundiff, Moyer, Newbill, Snead, Stockton, Walker

Nays: None

Action: Approved the motion by a unanimous vote.

APPROVAL OF CONSENT AGENDA

This month's consent agenda consists of the following items:

(1) **Miscellaneous Action**

1. TRITechnologies Contract For Patterson Brothers Paving
2. HVAC at Public Works Building

Vice Mayor Walker asked how old was the unit that was to be replaced. Mr. Ervin answered the unit was 11 years old.

(2) **Miscellaneous Resolutions/Proclamations** (none at this time)

(3) **Department Monthly Reports**

- Community Development Department
- Finance Department
- Fire Department
- Police Department
- Public Works Department
- Wastewater Department
- Water Department

Discussion: None

Motion: To approve the consent agenda as presented.

Motion By: Vice Mayor Walker

Second: Council Member Snead

Motion Discussion: None

Ayes: Cundiff, Moyer, Newbill, Snead, Stockton, Walker

Nays: None

Action: Approved the consent agenda as presented by a unanimous vote.

HEARING OF CITIZENS

Mayor Angle opened the floor to any citizens wishing to speak.

Let the record show that no one came forward.

OLD BUSINESS:

1. Town of Rocky Mount Fiscal Year 2019 Approval of Budget

Mr. Ervin stated that presented to Council, was an appropriation resolution that set the Town's budget for FY2019. A draft budget was presented to Council on March 12, 2018 and reviewed during work sessions on April 10th and April 12th, 2018. After Council's input, the proposed budget was advertised for public input and a public hearing was held on May 7, 2018. The only public input received was favorable. The FY2019 budget was therefore open to discussion if needed and then adoption. Mr. Ervin stated there were no tax rate changes and the budget was balanced.

Vice Mayor Walker stated that he would like to ask how Council was going to address the Harvester Performance Center in the FY2019 budget.

Mr. Ervin stated Council would begin to have a quarterly meeting with Harvester staff and Mr. Turner at the Harvester Performance Center. Mr. Ervin stated that it was likely that a service charge would be added to the ticket prices of the Harvester for performances. As budget discussions began, much discussion ensued. Some of the points discussed where as follows.

- When would the Virginia Tech study be made available? Mr. Ervin stated that Virginia Tech was unable to come to the regular meeting in May and that the study would be made available at the work session in June.
- Council Member Moyer stated his concern for giving a 5% raise to Town employees in the FY2019 Budget. Council Member Moyer also stated that he would like to see improvements prior to giving the employees a raise.
- There was concern on borrowing \$1 million due to the Town paying more interest than the Town would be receiving.
- Council Member Newbill stated that he would like to see the Town move forward with what was proposed for the FY2019 Budget to help the Town get back to where the Town would be competitive again.

Discussion ensued

- Vice Mayor Walker asked if the \$1 million loan was going to be a 10 year, no fault loan. Ms. Woody responded that it would be.

Discussion: None

Motion: To approve the FY2019 Budget as presented.

Motion By: Council Member Snead

Second: Council Member Stockton

Motion Discussion: None

MEMBERS	ATTENDANCE	VOTE
Bobby M. Cundiff	Present	No
Robert L. Moyer	Present	No
Mark H. Newbill	Present	Yes
Jon W. Snead	Present	Yes
Billie W. Stockton	Present	Yes
Gregory B. Walker	Present	Yes

Ayes: 4

Nays: 2

Action: The motion to approve the budget for FY2019 was passed on a vote of 4 to 2. Mayor Angle voted yes to approve the budget.

2. Town of Rocky Mount Fiscal Year 2019 Approval of Tax Rates and Fees

Mr. Ervin stated that also presented to Council in Council's packet for the meeting was an

appropriation resolution that establishes the tax rates for FY2019 in support of the Town's proposed budget.

There were no proposed changes in the tax rates of 13 cents per \$100 of assessed value for real estate, 51 cents per \$100 for personal property, and 17 cents per \$100 for machinery and tools. Interest was still at 10% per annum.

For the proposed Fiscal Year 2019 budget, the General Fund was advertised at \$7,439,081, the Utility Operating Fund was advertised at \$3,038,743; the Utility Capital Fund was advertised at \$1,714,964; and the Harvester Performance Venue was advertised at \$394,982.

Mr. Ervin stated that the action would be to adopt the tax rates for Fiscal Year 2019.

Discussion: None

Motion: To approve the FY2019 Budget Tax Rates and Fees as presented.

Motion By: Council Member Snead

Second: Council Member Newbill

Motion Discussion: None

MEMBERS	ATTENDANCE	VOTE
Bobby M. Cundiff	Present	Yes
Robert L. Moyer	Present	Yes
Mark H. Newbill	Present	Yes
Jon W. Snead	Present	Yes
Billie W. Stockton	Present	Yes
Gregory B. Walker	Present	Yes

Ayes: 6

Nays: 0

Action: The motion to approve the FY2019 Budget Tax Rates and Fees was passed on a vote of 6 to 0. Mayor Angle voted yes to approve the Tax Rates and Fees.

3. Approval of LOVEworks sign

Mrs. Heckman stated that at the direction of Council, staff had met with the Streets and Sidewalks Committee to discuss public art, including the LoveWorks sign and location. The committee directed staff to move forward with the LoveWorks and concurred that the Farmers Market was the most suitable location available. Staff had obtained estimates and the total cost was estimated at \$3,600 plus the cost of the foundation. The Town has been approved for Virginia Tourism Corporation's LOVE Creation Grant of \$1500. Staff requested Town Council to approve the final design and approve the location suggested at the committee meeting which was the front lawn area of the Farmers Market.

Discussion: None

Motion: Motion to approve the LOVEworks sign.

Motion By: Vice Mayor Walker

Second: Council Member Stockton

Motion Discussion: None

Ayes: Cundiff, Moyer, Newbill, Snead, Stockton, Walker

Nays: None

Action: Approved the motion by a unanimous vote

4. Revisit Yard Sale Ordinance

Mr. Ervin stated that Council had recently passed a yard sale ordinance and now would like to revisit it. Council Member Cundiff and Council Member Snead both agreed that a mistake was made within the decision making process. Mayor Angle and Council Member Newbill agreed the item needed to go back to committee to be discussed and report back at the June Council meeting.

NEW BUSINESS

1. New Employment Numbers

Mr. Hankins spoke sharing some recent unemployment numbers for Franklin County. Mr. Hankins stated that based on the most recent job data from the VEC, Franklin County had 906 total people unemployed and 568 advertised available job openings. Mr. Hankins stated that many of the available jobs were in Rocky Mount which was considered the retail and industrial center of Franklin County.

No action was required at this time.

2. Drug Manufacturing Blight

Mr. Ervin stated that historically the Town of Rocky Mount had limited encounters with the manufacture of methamphetamines and the environmental impact that it created.

Mr. Ervin stated that the Town had recently had an incident that staff was still working with that raised questions of the Town's ability to condemn and remedy contaminated structures where methamphetamines had been made. Mr. Ervin stated that the one instance was likely to be helped by the County Building Inspector but that there were still other localities that had specifically adopted code that required the cleanup of contamination from the manufacture of all drugs prior to habitation.

Mr. Ervin further stated that before the Town might draft such code, Mr. Ervin would like to ensure a proper fit with the Town. Mr. Ervin sought input from Council on the need for such legislation.

Mayor Angle stated that Staff could begin the process by setting up a Public Safety Committee meeting with the Police Department to discuss possible solutions to the problem.

3. Town of Rocky Mount Water Treatment Plant 2017 Gold Award

Mr. Ervin stated that for the fourth year in a row the Rocky Mount Water Treatment Plant was awarded a Gold Water Treatment Plant Performance Award for Excellence in Clarification, Filtration and Backwash from the Virginia Department of Health, Office of Drinking Water. The award was given to municipal drinking water facilities that met special criteria as part of the VDH Optimization Program.

Mr. Ervin stated that since 2010, the Town had received a mix of bronze and silver awards and the Town Staff had worked diligently to improve the Town's consistency and quality. The Town's efforts combined with a number of strategic capital improvements over the last 6 years, allowed the Town to receive a gold award for four years. Mr. Ervin stated that the goal now would be to continue the high level of performance.

No action was required at this time.

COMMITTEE REPORTS

None at this time

REFERRALS TO PLANNING

None at this time

OTHER MATTERS AND CONCERNS

Mr. Ervin was on Rise and Shine today.

Mayor Angle congratulated Council Member Snead, Council Member Cundiff and Council Member Moyer on a job well done for winning re-election.

Council Member Moyer thanked Staff for the fruit basket that he received while he was sick recently.

Council Member Moyer asked about the First Responders Memorial and when it would be completed. Mr. Hankins stated that the memorial would hopefully be completed in June.

Vice Mayor Walker congratulated Council Member Snead, Council Member Moyer and Council Member Cundiff on winning re-election. Vice Mayor Walker also congratulated Mayor Angle on his re-election in the Mayor's race.

Council Member Snead stated that he had eaten lunch at the Soup Kitchen recently and spoke of what a nice facility the soup kitchen was.

Mayor Angle stated what a nice looking rock wall the rock wall on North Main Street had turned out to be.

CLOSED MEETING AND ACTION

Enter Closed Meeting

Motion: To go into closed session under the Virginia Code Section cited below

Time: 8:07 p.m.

Virginia Code Section:

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.

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. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

Motion By: Council Member Newbill

Second: Council Member Snead

Motion Discussion: None

Ayes: Cundiff, Moyer, Newbill, Snead, Stockton, Walker

Nays: None

Action: To go into a closed meeting

Certificate of Closed Meeting Discussion:

Council certified unanimously that nothing was discussed in the closed meeting other than what was stated in the motion to enter the closed meeting. No action was taken during the closed meeting.

Whereas, the Rocky Mount Town Council has convened a closed meeting on Monday, March 14, 2016 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 (1950), as amended, 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

ADJOURNMENT

Motion: To adjourn meeting

Time: 8:40 p.m.

Motion By: Council Member Snead

Second: Vice Mayor Walker

Motion Discussion: None

Ayes: Cundiff, Moyer, Newbill, Snead, Stockton, Walker

Nays: None

Action: Adjourned by a unanimous vote

Steven C. Angle, Mayor

ATTEST:

Rebecca H. Dillon, Town Clerk