

**ROCKY MOUNT TOWN COUNCIL  
REGULAR COUNCIL MEETING  
JANUARY 14, 2013**

The January 14, 2013 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 Gregory B. Walker and Council Members  
Bobby M. Cundiff, Jerry W. Greer, Sr., P. Ann Love, Robert L.  
Moyer, and Billie W. Stockton

The meeting was called to order by Mayor Angle.

For the record, the following were 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 David Cundiff, Finance Director Linda Woody, Town Planner Patrick Rust, Superintendent of Water Department Robert Deitrich, Superintendent of Wastewater Department Timothy Burton, Fire Chief Charles Robertson, Deputy Clerk Stacey B. Sink, and Town Clerk Patricia H. Keatts. Absent was Public Works Director Cecil R. Mason.

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.

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

### **SPECIAL ITEMS**

The Chief of Police introduced to Council two new police officers, being : Troy Lamy and Steven Burgoyne.

### **PUBLIC HEARING**

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

## **APPROVAL OF MINUTES**

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

- December 10, 2012 Regular Council Meeting

The Mayor asked if there were any changes to the draft minutes, and there being none, the Mayor entertained a motion.

- Motion was made by Council Member Stockton to approve the Council meeting minutes as presented, with motion on the floor being seconded by Council Member Moyer. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

## **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 (*none at this time*)
- Miscellaneous Action (*none at this time*)
- Departmental Monthly Report
  - Community Development
  - Finance Department
  - Fire Department
  - Police Department
  - Public Works Department
  - Waste Water Department
  - Water Department
- Bill List

There being no comments, the Mayor entertained a motion.

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

## **HEARING OF CITIZENS**

Let the record show that no one had contacted the Town Clerk to come forward to speak.

At this time, the Mayor opened the floor to anyone wishing to come forward to speak. Let the record show that no one came forward.

## **OLD BUSINESS**

### **A. Contract Award – Water Plant Water Tank Maintenance**

*(In an effort to assure the Town was getting the best possible service and price with the Town's ongoing water tank maintenance contract, a Request For Proposal (RFP) for maintenance service was issued in November of 2012. Based upon the review of bids, references and visits to active work sites, staff has chosen Southern Corrosion, Inc. as the winning bidder. Their base bid of \$209,000 for the five-year period was the least expensive of the three bids received. Southern Corrosion, Inc. is an east coast regional company based in Roanoke Rapids, North Carolina, with them having excellent references. They have been in business for 25 years. The company also will use their in-house employees for the maintenance work versus subcontractors, which will improve the quality of work the Town receives on the maintenance of the tanks. The Superintendent of the Water Plant has visited one of their job sites and was impressed with the cleanliness and organization of their work. Staff requests approval to proceed with signing the contract documents as presented before Council.)*

The Town Manager stated that the Town's current water tank maintenance contract has been held by Utility Services, Inc. since early 1980's and signed by the late Mayor Allen Woody; therefore, it was felt by staff that in order to make sure the Town was getting the best service possible, an RFP needed to be sent out.

Vice Mayor Walker questioned why the first five years of the contract were less than the following five years, with the Superintendent of the Water Plant explaining that the maintenance will be higher. The Town Manager informed Council that he, along with the Finance Director and Superintendent of the Water Plant, have looked at the contract and originally it was going to be a flat yearly fee, but in taking the tier format, the Town was able to get a better deal. The Superintendent of the Water Plant confirmed that the contract can be renegotiate after the first five years, with the Town Manager stating that the contract can be cancelled anytime after due notice is given. He also confirmed to Council Member Love that Southern Corrosion, Inc. does not contract their work out to subcontractors and will use their own employees.

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

○ Motion was made by Vice Mayor Walker to approve the contract award as presented (with staff having authorization to sign the contract documents), with motion on the floor being seconded by Council Member Moyer. Discussion ensued. The Town Manager stated that he and the Town Attorney will make a few corrections under Section 8 (pertaining to liability). There being no further discussion, let the record show that the motion on the floor passed unanimously by those present.

**B. Contract Award – Water Plant Electrical System Upgrade**

*(Based on a review of bids by the Town's consulting engineer Hurt and Proffitt, staff has chosen to award the Water Plant electrical system upgrade project to Varney, Inc. of Roanoke, Virginia. The bid price for the total project, including complement replacement of the main electrical service connection and control panels (raw and finished), is \$290,300. Varney, Inc. has provided a signed copy of the contract documents and scheduled a pre-construction meeting for January 14, 2013 at the Water Treatment Plant. Staff requests approval to proceed with signing the contract documents and the Notice to Proceed for the Water Treatment Plant electrical system upgrade as presented before Council.)*

The Town Manager stated that Council had authorized the Water Plant to proceed with the largest portion of the work as previously discussed during recent Council meetings, resulting in the need for the electrical upgrade. The Superintendent of the Water Plant stated that the pre-construction meeting was held today and that work should begin end of February and be concluded mid-May, pending Council approval.

Council Member Cundiff stated that he has discussed today with the Superintendent of the Water Plant regarding if local people had a choice to bid on this process, further stating that he is concerned that the Town needs, when it can, to use local contractors, with them being able to have the opportunity given to respond to a bid.

The Superintendent of the Water Plant explained that ten companies showed up for the pre-bid meeting, but only three were interested in turning bids in to the Town. He further explained that local people were sent the Request for Proposal (RFP).

The Town Manager confirmed to Council Member Moyer that local people did receive the RFP, but that the Town could not entice them to bid; and he further stated that he agrees with Council that local contractors should be invited, which they had been.

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

○ Motion was made by Council Member Cundiff to award the contract as recommended by staff, with motion on the floor being seconded by Vice Mayor Walker. There being no discussion, let the record show that the motion on the floor was carried unanimously by those present.

**C. Review and Consideration of United States Department of Agriculture (USDA) Grant to Purchase Two Rocky Mount Police Department Vehicles**

*(Staff and departmental recommendation for purchase of two Ford Interceptor Utility police vehicles in support of the K-9 program, using funds supplied by USDA and to appropriate funds from Fund balance to provide the Town share.)*

The Assistant Town Manager stated that Council had accepted the award of \$25,000 in USDA Rural Development funds for the purchase of two police vehicles, with staff reviewing the Town Police Department needs to determine a recommendation for the vehicle purchase. He further stated the following:

- One of the department's most successful efforts over the past two years has been the implementation of the K-9 officer program. Their efforts in drug detection have yielded tangible results in decreasing the amount of drug activity in the Town and increasing arrests made for drug activity.
- Vehicles currently used for K-9 officers are patrol cruisers, which are not ideally suited to safely transport and deploy K-9s. If this successful effort is to continue, the department needs vehicles to safely carry the animals and their handlers.
- Secondly, the department has a greater need for vehicles that can safely carry officers responding to emergencies during dangerous road conditions. Typically, under snow and ice conditions, the department either has to put chains on the Crown Victorias; use one of two available department four-wheel-drive vehicles; or borrow unmarked, non-police four-wheel-drives from other departments.
- The appropriate response to both meet these needs and use the unexpected, unbudgeted USDA funds would be to purchase new 2013 Ford Interceptor Utility vehicles (the police department equivalent of the Ford Explorer), using the state contract.
- The base contract price for these vehicles is \$25,513 per vehicle before options. Staff recommends adding light, officer safety and secure operations dealer options at a cost of \$4,811 per vehicle, bringing the vehicle price per vehicle to \$30,324.50.
- The total delivery cost is \$60,649. The department will need an additional \$6,500 to install arrest cages, radios and miscellaneous racks and equipment in vehicles, bringing the total to \$67,149. Credit that total with \$25,000 from USDA, and the total Town share needed from Fund balance is \$42,149. This amount would normally have been requested in Fiscal Year 2014 budget requests, but the USDA grant must be spent by end of March 2013.
- Staff recommends approval of request as presented.

Prior to the meeting, Council had received a draft "Town of Rocky Mount Supplemental Appropriation Resolution for the Fiscal Year Ending June 30, 2013" for the Town to use \$25,000 USDA grant funds, with an additional \$42,149 in Town funds, to total \$67,149 for the purchase of two each 2013 Ford Interceptor Utility vehicles to safely transport the Town's K-9 units.

There was brief discussion regarding the differences between a two-wheel-drive versus a four-wheel-drive. It was also confirmed by staff that you cannot spec out a two-wheel-drive for a K-9 unit the same as you could a four-wheel-drive.

The Chief of Police confirmed to Council that the \$67,000 should take care of everything that would be needed for the vehicles, including the cages and lights. He also confirmed that his department does get calls outside the Town limits for the use of the K-9 units, citing ones for drug enforcement, and recently during the event that happened at Ferrum College. He further confirmed that he was okay with these funds

coming out of his next year's budget.

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

○ Motion was made by Council Member Greer to approve the request to authorize the purchase of the two police vehicles as requested, with motion on the floor being seconded by Council Member Cundiff. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

## **NEW BUSINESS**

### **A. Review and Consideration of Performance Center Design as Submitted by Hill Studio (Architect) in Order to Proceed with Putting the Project Out to Bid**

*(The Performance Center Committee met on January 8, 2013 to review the architect's design to redevelop the former Lynch Hardware Building. The architect noted minor changes from the previous design and indicated that the project can be ready to bid January 27, 2013, pending Council approval. The interior designer for Hill Studio presented two color schemes and finish material options, but those finish materials will be selected by Council after the bids are received. By a 3-0 vote, the Performance Center Committee recommended that Council approve the design and authorize the architect and staff to proceed with putting the project out to bid. Staff requests Council approval of the design and authorization for staff and the architect to put the project out to bid.)*

The Assistant Town Manager basically went over what the Performance Center Committee had discussed during their meeting of January 8, 2013 (as stated above).

Mr. Hunter Greene, Architect with Hill Studio, came before Council, presenting a PowerPoint presentation regarding the design as presented to the Performance Center Committee on January 8, 2013:

- Went over the initiatives to this point.
- Went over the vicinity plan, pointing out where the existing building is located and where the entrance will be.
- Went over the site plan (entrance, drop-off area, parking, along with ADA parking in the back, loading, Greene space, and the AHU (air/heating/unit). Noted that one thing that has changed since the last presentation before Council was the placement of the heating and cooling system, which would be moved to the ground (basement) level at the back of the building so they would not be making as much noise, decreasing the sound level inside of the building. Confirmed that the duct work would be wrapped and weather proofed along the wall, then coming into the building at the ground level. One will stay upstairs and the other downstairs.
- Went over the plans for the first floor. Nothing has changed from the previous design. Did make notation of the reflecting ceiling plan, which would be very open and spacious in the lobby area.

- Went over the plan for the basement area, which is pretty much the same, with the Greene rooms still being located in the basement area for the performers. The only thing that changed was the duct work for the AHU from where it comes inside. Also pointed out the reflective ceiling as there has been a slight change in the height.
- Went over audio visual system.
- Highlighted where the large windows would be and how the stage would be set up in order to not interfere or block them (guidelines prohibit having the stage higher than what is being proposed). Performers can put risers on the stage because they would be temporary. There is a series of video screens, crossovers behind the stage, and ability to put in lighting for dance performances, with a curtain also located behind the stage.
- Went over the interior work, highlighting the two color schemes, one being “warm” palette and the other “cool” palette, mentioning that the Committee favored the “cool” palette.
- Went over the exterior work, highlighting what has changed, with there being only two openings to the inside of the building in order to keep the acoustics better inside.
- Highlighted again that the duct work would be coming in at ground level where the garage area is currently located.
- The sketches of the building have not changed. Went over the view from the Farmers’ Market; where the main entrance is located and where people will be dropped off at; along with where the canopy will be located at. Confirmed to Council Member Greer where the unloading of the performers would be, which is the upper back side level of the building; also, pointed out where the performers’ dressing rooms and bathrooms would be located.
- Working hard on the contract documents. About 90% complete and now; on the verge of putting them out for bid with Council approval; and looking at four weeks to bid out.
- Went over what the deductive alternative bid is and how that would work; and even with the deductive alternative, the performance hall will still be a fully functional.
- Hill Studio is contracted to handle the bidding process and explained how this would work.

The Mayor confirmed to Council Member Greer that once the documents are bid out, Council then would know the range of how much it would cost to have the former Lynch Hardware Building renovated to be a performance center; and that Council also could do nothing at all and not build it after receiving the bids, but questioned why Council would not want to have it built as it would bring economic growth to the Town and revenue for businesses that would be impacted by it being built; plus, if the building is renovated, the Town would have the opportunity to use historic tax credits and other revenue that may be available to help offset the costs involved.

The Assistant Town Manager confirmed to Council that he has received interests from local contractors wanting to bid on the project. Mr. Greene also confirmed this.

Council Member Moyer stated that he has not been against a music venue and thinks the architect has done a good job with his presentation, but he does not think the economy will support such a project; thus, he cannot support it.

The Mayor disagreed and stated things will not be getting any cheaper, reiterating what he had said earlier about the project possibly helping to spur an economic boost for the Town.

Council Member Greer commented that he is of the opinion to first get the contract bid out and then have this type of discussion after receiving the bids. The Mayor also agreed, stating that until Council knows what type of grants, tax credits, and funding is available, Council cannot decide whether or not to proceed with the project.

Council Member Cundiff stated that he is not against a music venue either, but he was going to be consistent with his stand from the beginning in that he cannot spend any money on this project and he cannot support it himself; further stating that he is against the principal regarding the way it has been handled from the start and he is not going to change his mind in the middle of the stream.

The Assistant Town Manager confirmed to Council that he didn't have anything particular to add to Mr. Greene's presentation other than if Council approves to move forward with authorizing the staff to put the project out to bid, the bids should be back by the end of February and they should be before Council during their regular meeting in March; and now since the design is complete, staff will be more aggressive with looking into the tax credits and looking for tobacco funds for the project. Thus being said, the Assistant Town Manager explained to Council Member Greer how the tax credits would work for the project.

The Mayor indicated that the Performance Center Committee had voted 3-0 in favor of approving the design and authorizing the architect to put the project out to bid, with the Assistant Town Manager so confirming.

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

○ Motion was made by Vice Mayor Walker to approve the design and authorize staff to proceed with putting the project out to bid, with motion on the floor being seconded by Council Member Love. Let the record show there was no discussion. Voting in favor of the motion on the floor were Vice Mayor Walker and Council Members Greer, Love and Stockton. Voting in opposition to the motion on the floor were Council Members Cundiff and Moyer. Let the record show that the motion on the floor passed four to two.

**B. Review and Consideration of Request of Wastewater Treatment Plant to Allow the Hire of an Intern**

*(The Rocky Mount Waste Water Treatment Plant requested an approval to make available a 2013 intern position for a person that is participating in the waste water*

*training program at Virginia Western Community College. Council authorized such an intern in 2012 and stated that any future extension of the intern program would need to be considered by Council. The funds for this position have already been placed in the current budget, not to exceed \$10,000. Last year's intern worked a total of 994.5 hours for the Town at a total cost of \$8,565. This experience reaped many benefits from participating in the program. A major benefit of having an intern is providing coverage during vacations, sick leave and during periods of heavy workloads. While an intern receives valuable training, it also helped the Waste Water Treatment Plant full-time staff stay up-to-date and sharp on their skills. Staff requests approval to allow the Waste Water Treatment Plant to hire an intern in 2013 that is participating with Virginia Western Community College waste water training program, and under the same conditions of employment for the Town as in 2012.)*

The Superintendent of the Waste Water Treatment Plant came before Council explaining his reasons for wanting to hire another intern that is enrolled in the waste water training program at Virginia Western Community College (VWCC), with it basically being done the same way as it was approved by Council in 2012. He further stated that when it was approved by Council in 2012, it helped a person get a job in that field of work. He also stated the following: he has nothing negative to say about the program; the funding for the program is in next year's budget; by hiring an intern, it helps keep his staff sharp, plus, they are helping someone also; and it helps with staffing during vacation time and when someone is needed when they become short-handed for one reason or another. He confirmed to Council that there would be no benefits package for the intern position.

The Town Manager informed Council that they were very specific on staff getting Council approval before continuing the intern program; therefore, the Superintendent of the Waste Water Treatment Plant wanted to bring it back before Council for their approval to continue the program for 2013.

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

○ Motion was made by Council Member Love for Council to allow the Superintendent of the Waste Water Treatment Plant to hire a person for the intern position if he so chooses, and for it not to exceed \$10,000 with no benefits, with motion on the floor being seconded by Council Member Cundiff. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

## **COMMITTEE REPORTS**

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

**OTHER MATTERS, CONCERNS AND RISE 'N SHINE APPEARANCES**

A. Referrals to Planning Commission from Town Council

Let the record show there were no referrals at this time.

B. Rise 'N Shine Appearances

Let the record show that the Town Manager appeared on the *Rise 'N Shine* show this morning.

**COUNCIL CONCERNS**

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

**CLOSED MEETING**

Let the record show there were no *Closed Meeting* items at this time.

**ADJOURNMENT**

At 8:07 p.m., motion was made by Council Member Moyer to adjourn, seconded by Council Member Stockton and carried unanimously by those present.

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Steven C. Angle, Mayor

ATTEST:

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Patricia H. Keatts/Town Clerk

/phk