

**ROCKY MOUNT TOWN COUNCIL
REGULAR COUNCIL MEETING
JUNE 10, 2013**

The June 10, 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, Captain Kenneth Criner (in lieu of Chief of Police), Finance Director Linda Woody, Public Works Director Cecil R. Mason, Town Planner Patrick Rust, Superintendent of Water Department Robert Deitrich, Fire Chief Charles Robertson, and Town Clerk Patricia H. Keatts.

Absent were Chief of Police David Cundiff and the Superintendent of Wastewater Department Timothy Burton.

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.

The Mayor stated that the Assistant Town Manager has requested that the agenda be amended to include under "New Business" an item pertaining to an appointment to the Town of Rocky Mount's Economic Development Authority Board.

Motion action taken:

Motion was made by Council Member Moyer to approve the agenda as amended, seconded by Council Member Stockton and carried unanimously by those present,.

SPECIAL ITEMS

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

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:

- May 13, 2013 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 action taken:

Motion was made by Council Member Greer to approve the Council meeting minutes as presented 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.

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 17-23, 2013 as Amateur Radio Week".
- Miscellaneous Action
 - Review and consideration of approval of request of Franklin County that the Town of Rocky Mount participate in a joint donation to the Friends of the Rivers to support their purchase of the old Rocky Mount Power Dam on the Pigg River.

Dialogue: Discussion ensued regarding the request of a donation of \$2,000 from the Town of Rocky Mount and \$6,000 from Franklin County. The Assistant Town Manager explained to Council the details of the requests and how it all tied in with the Friends of the Rivers. The Town Manager informed Council that the Superintendent of the Wastewater Plant felt that this would be advantageous to the Town if you take into consideration that if the dam is removed, a potential hazard is diverted if the debris from the dam breaks loose on its own and floods the Wastewater Treatment Plant area.

- Departmental Monthly Report
 - Community Development
 - Finance Department
 - Fire Department
 - Police Department
 - Public Works Department
 - Waste Water Department
 - Water Department
- Bill List

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

Motion action taken:

Motion was made by Council Member Greer to approve the draft *Consent Agenda*, with motion on the floor being seconded by Council Member Love. 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's Office wishing to speak before Council at this time.

At this time, the Mayor opened the floor to anyone wishing to come before Council.

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

OLD BUSINESS

A. Update on VML/VACo Finance regarding converting two Town of Rocky Mount's outstanding bonds to long-term loans to obtain savings for the Town of Rocky Mount.

Dialogue: The Town Manager explained to Council that during their May meeting, they had passed a resolution seeking input from VML/VACo Finance regarding converting two of the Town's outstanding bonds to long-term loans to obtain savings for the Town. He further explained that VML/VACo Finance has bid out the conversion of the bonds to loans and is in negotiations with Rocky Mount's Carter Bank & Trust to finalize a decision making package to present to Council; therefore, since it was not ready for the Council June meeting, it will be presented as an agenda item during their regular July meeting.

No action taken.

NEW BUSINESS

- A. Review and consideration of scheduling a special Rocky Mount Town Council meeting for a guided tour of the new equipment installation at the Town of Rocky Mount's Water Plant.

Dialogue: The Town Manager explained that with the installation of the new equipment at the Town of Rocky Mount's Water Plant, a tour for all Council members would need to be considered, with this being a special Council meeting. Discussion ensued on the best date and time to meet.

Consensus action:

Consensus of Council that a special Council meeting be set up on August 8, 2013 at 4:00 p.m. Town Clerk will set up the meeting.

- B. Review and consideration of request of Office of Economic Development of Franklin County to allow them to use the Town-owned Claiborne Avenue parking lot for their annual Mountain Spirits Festival.

Dialogue: The Assistant Town Manager informed Council that a request was received from Michael Burnette, Director of Office of Economic Development for Franklin County, for Council's approval for them to use the Town-owned Claiborne Avenue parking lot for their annual Mountain Spirits Festival that is scheduled for October 5th, with their request including that they be allowed to set up and prepare for the festival on (Friday) October 4th, with the actual event taking place on (Saturday) October 5th, with event ending around 3:00 p.m. He further informed Council that Town staff did not object to their request, but that Council consider adding the following stipulations if approved:

1. There will be no festival parking in the reserved parking area that is designated for J&J Fashions.
2. There will be no damage to the Town's parking lot (i.e., using spikes to put the tents in place). He stated that last year the parking lot was damaged due to spikes being used and he wanted to make sure that this year they understood that the parking lot could not be damaged if they use it.

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

Motion action taken:

Motion was made by Council Member Greer to grant the request along with the stipulations as outlined by the Assistant Town Manager, with motion on the floor being seconded by Council Member Love. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

C. Update of Franklin County's Enterprise Zone application.

Dialogue: The Assistant Town Manager reminded Council that the Town of Rocky Mount's Enterprise Zone (EZ) would expire by the end of this year. He relayed to them that Franklin County will be considering submitting to the State an Enterprise Zone application, which would include most of the parcels that the Town already has listed in the Town's EZ.

Discussion ensued on how many parcels were included in the Town's current EZ, with the Town Planner indicating that to the best of his knowledge, he calculates that before there were about 700 acres, but with the Town being included in the proposed Franklin County's EZ application, there would be 900 acres for the Town, with the biggest increase being in the North Main and Grassy Hill areas.

It was pointed out by the Assistant Town Manager that if the Franklin County Board of Supervisors approve the submittal of the application, there would be a waiting period to hear from the State on whether or not they approve it, and it is hard to tell what they will do because the Town and Franklin County areas do not have on them the fiscal strain like other localities. He further pointed out that if the application is approved, the Town may want to address Town separate incentives.

No action needed.

D. Review and consideration of appointment of Doug Williams to serve on the Town of Rocky Mount's Economic Development Authority Board.

Dialogue: The Assistant Town Manager informed Council that Doug Williams (owner of Budget Blinds) has agreed to fill the vacant position left by Cliff Hapgood on the Town of Rocky Mount's Economic Development Authority Board.

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

Motion action taken:

Motion was made by Council Member Love to appoint Doug Williams to the Economic Development Authority Board, 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 by those present.

COMMITTEE REPORTS

A. Performance Center Committee

Dialogue: The Assistant Town Manager informed Council that the Committee had met this afternoon and a couple of other times over the last month to review proposed logos for the Harvester Performance Center, but as of this date, a decision had not been made on a final design to submit to Council.

An update was given by the Assistant Town Manager on the construction and the hiring of a General Manager, with him introducing Mr. Gary Jackson. Mr. Jackson informed Council that he was very humble to accept the General Manager position and believes that the music venue will be good for Rocky Mount, and the Town should see thousands of people coming to town to not only attend the events being held there, but also to dine and to stay in hotels.

No action needed.

OTHER MATTERS, CONCERNS AND RISE 'N SHINE APPEARANCES

- A. Referrals to the Planning Commission from Rocky Mount Town Council: let the record show there were none.
- B. *Rise 'N Shine* Appearances: The Mayor and the Assistant Town Manager appeared on the show this morning.

COUNCIL CONCERNS

A. Council Member Moyer:

- 1. Several items needed to be taken care of at the Farmers' Market, being: (a) some type of drink machine that sells bottled water needed to be installed at the Market; (b) a downspout crushed on the back side of the Market; and (c) one of the pulleys on a curtain needs to be repaired.

Consensus action:

Consensus of Council that: (a) the Town Manager contact vendors about installing a drink machine that sells bottled water at the Farmers' Market; (b & c) Public Works Director will look into fixing the maintenance issues.

- 2. Received complaints from people trying to pull out onto North Main Street from Church Street having their visibility limited to on-coming traffic that is blocked by the trees.

Consensus action:

Consensus of Council: the Public Works Director will check with the church to see if they can do something about the trees since they are located on their property

3. Water problem from creek located on Herbert Street: Has received complaint from property owner that the water is coming out of the creek banks onto their property and they are concerned about it getting into their structures, and that there is a tree in the creek causing the overflow. Council Member Moyer stated he believes the Town could go in there and remove the tree since it is one of the problems causing the water to backup. Discussion ensued on the best way to handle this problem since the Town does not own the property and the people bought the land and built close to the creek. The Town Manager pointed out that since this is a live stream, the Town cannot go in the creek to remove it with a backhoe without obtaining all the necessary permits from the State. There was discussion regarding the water running into one of the Town's pipes that has built-up sediment in it that could be one of the problems hindering the flow of the water. The Public Works Director stated that the Town could look at the pipe to see if a problem existed there, with this being the only thing the Town could do, but the Town could not go into the creek to remove the tree.

Consensus action:

Consensus of Council to have the Public Works Director look at the piping in question to see if it needed to be cleaned out.

- B. Council Member Greer stated that the trees near the railroad underpass coming from Franklin Heights going towards Sheetz on School Board Road was making it difficult to read any signage.

Consensus Action:

Consensus of Council to have the Public Works Director look into this matter to see what can be done to make the signs more visible

CLOSED MEETING

At 7:50 p.m., motion was made by Council Member Love to go into *Closed Meeting*, and seconded by Council Member Greer and carried unanimously to discuss the following:

- Section 2.2-3711(A).1 – Discussion, consideration or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body (Town

Clerk evaluation).

At 8:00 p.m., motion was made by Council Member Stockton 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 Moyer and carried unanimously by those present.

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 Love 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 considered in the meeting by the public body was discussed. Motion was seconded by Council Member Greer. The Mayor swore to adopt the motion on the floor by Council Member Love that this was all that was discussed as defined in Section 2.2-3712 Code of Virginia. Voting yes were 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 Mayor reported that no action was taken.

Reconvened Meeting

At 8:01 p.m., the Rocky Mount Town Council reconvened back into regular session to continue their introduction of the new General Manager (Gary Jackson) of the Harvester Performance Center.

ADJOURNMENT

At 8:30 p.m., motion was made by Council Member Moyer to adjourn, seconded by Council Member Greer and carried unanimously by those present.

Steven C. Angle, Mayor

ATTEST:

Patricia H. Keatts/Town Clerk

/phk

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