

**ROCKY MOUNT TOWN COUNCIL
DECEMBER 8, 2014**

The December 8, 2014 regular meeting of the Rocky Mount Town Council (hereafter referred to as "Council") was held at 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, P. Ann Love, Robert L. Moyer, Jon W. Snead, and Billie W. Stockton.

The meeting was called to order by Mayor Angle.

For the record, the following were present: All members of 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, Acting Chief of Police Kenneth Criner, Finance Director Linda Woody, Public Works Director Cecil M. Mason, Superintendent of Water Department Robert Deitrich, Superintendent of Wastewater Department Timothy Burton, Fire Chief Charles Robertson, and Town Clerk Patricia H. Keatts.

PLEDGE OF ALLEGIANCE

The Mayor led in the Pledge of Allegiance.

On behalf of the Rocky Mount Town Council and Town employees, the Mayor extended to Vice Mayor Gregory Walker condolences and sympathy for the passing away of his father, Dennis Walker.

APPROVAL OF AGENDA

The Town Manager requested to amend the agenda to include under *Special Items* the introduction of the newly hired police officer for the Rocky Mount Police Department.

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

Motion Action Taken:

Motion was made by Council Member Stockton to approve the amended 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.

SPECIAL ITEMS

A. Introduction of newly hired Rocky Mount Police Department Police Officer

The Acting Chief of Police introduced to Council the Police Department's newly hired police officer, Boreika Burwell.

The Mayor and Council congratulated and welcomed her to the Town.

B. Rocky Mount Town Council consideration of appointment of Town Clerk to fill unexpired term of current Town Clerk Patricia H. Keatts upon Mrs. Keatts' retirement.

The Town Manager informed Council that Patricia H. Keatts (current Town Clerk) will be retiring effective January 31, 2015. Due to this, appointment of a Town Clerk to replace Mrs. Keatts' remaining term will need to be considered at this time, with the appointment being for the remaining term of Mrs. Keatts' appointed term, with the new appointment being effective January 12, 2015 through June 30, 2016. He further stated that during the January 12, 2015 Council meeting under "Special Items", Mrs. Keatts' replacement will be sworn-in by the Franklin County Clerk of the Circuit Court and immediately thereafter, will preside as Council's Town Clerk during that meeting. Once the new Town Clerk has been sworn-in, Mrs. Keatts will remain as Executive Assistant to the Town Manager's Office until January 31, 2015.

The Mayor and Council congratulated Mrs. Keatts upon her soon-to-be retirement and expressed their deep appreciation for her service to Council and to the Town.

Mrs. Keatts thanked Council for allowing her to be their Town Clerk, further expressing her appreciation for working with the Town employees and serving the Town citizens these past 25 years.

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

Motion Action Taken:

Motion was made by Council Member Moyer to approve the appointment of Stacey B. Sink as Town Clerk for the Rocky Mount Town Council for the specified term as stated, 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.

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:

- November 10, 2014 regular Rocky Mount Town Council meeting minutes.

There being no discussion, the Mayor entertained a motion.

Motion Action Taken:

Motion was made by Vice Mayor Walker to approve the draft minutes as presented, with motion on the floor being seconded by Council Member Snead. 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
- Miscellaneous Action
 - Review and consideration of proposed technical change in development of fee structure of zoning permit for accessory buildings.
 - Review and consideration of proposed letter of support to FEMA regarding applying for an Assistance to Firefighters Grant.
- Departmental Monthly Report
- Bill List

Let the record show that the Assistant Town Manager explained the FEMA grant in further detail and the possible costs to the Town that may have to be paid out.

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

Motion Action Taken:

Motion was made by Council Member Stockton to approve the "Consent Agenda" as presented, 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.

HEARING OF CITIZENS

Let the record show that no one had contacted the Town Clerk's Office wishing to come before Council to speak.

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

OLD BUSINESS

A. Update from Town Manager regarding the naming of the bridge over Pigg River.

The Town Manager reported that the Virginia Department of Transportation (VDOT) reports that it is their official decision the bridge over Pigg River will inherit the name of the prior bridge "Peter Saunders Memorial Bridge" as it is a replacement and not a new bridge, with this being established by the Virginia General Assembly in 1940. The bridge is located on South Main Street near Franklin County Veterans' Memorial.

The Assistant Town Manager informed Council that if they wanted to pursue renaming the bridge, there is legislative approval opportunity that allows them to do this by asking Senator William Stanley or Delegate Charles Poindexter to do so on behalf of the Town.

Council Member Moyer stated that the Veterans' Memorial group would like to have the name changed to "Veterans' Memorial Bridge" since it is located so close to the Veterans' Memorial.

Council Member Snead indicated that the Franklin County Historical Society would like to see the name remain as "Peters Saunders Memorial Bridge", and it was his understanding that Colonel Saunders was a World War I veteran.

After further discussion, it was decided to consider renaming the bridge to "Peter Saunders Veterans' Memorial Bridge.

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

Motion Action Taken:

Motion was made by Council Member Moyer for the Town to petition the state legislatures to incorporate the renaming of bridge over Pigg River to be "Peter Saunders Veterans' Memorial Bridge", with motion on the floor being seconded by Council Member Snead. 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 draft "Town of Rocky Mount Supplemental Appropriation Resolution for the Fiscal Year Ending June 30, 2015" regarding Virginia Department of Motor Vehicles awarding the Town of Rocky Mount Police Department a highway safety grant.

The Town Manager informed Council that the Virginia Department of Motor Vehicles has awarded the Rocky Mount Police Department a Highway Safety Grant for \$13,121 with a local in-kind match of \$6,561 (which will come out of the existing payroll) for a total award of \$19,682 to be used for selective enforcement in highway safety. He further stated that a draft supplemental appropriation resolution is needed, which is before Council at this time for consideration of approval. He further confirmed to

Council that the funds will be used for the Police Department's overtime, police supplies, and fuel.

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

Motion Action Taken:

Motion was made by Vice Mayor Walker to approve the draft resolution as present, 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.

B. Review and consideration of Fiscal Year 2015 Comprehensive Economic Development Strategy (CEDS) list.

The Town Manager informed Council that the Economic Development Administration requires that each locality maintain a list of economic development strategies so that these strategies can be considered when applying for federal funds. Prior to the meeting, Council had received the recommended submission from the Town of Rocky Mount. The Town Manager pointed out the changes from last year:

- Removing the extension of water and sewer as this will be accomplished with the partnership with the regional authority.
- Increasing the calculated funding of the North Main project to \$1.5 million.
- Increasing the North Main Park project estimated cost to \$500,000.
- Rewording the Economic Restructuring item to note that the music venue has been constructed and the Town is moving on to marketing and other tasks.

The Town Manager pointed out that this was mainly a wish list, but this is something the Town has to do in order to receive any federal funding.

As a member of the West Piedmont Planning District Commission, Vice Mayor Walker stated that there was nothing to add to the proposed list. He also confirmed what the Town Manager had indicated regarding that the Town has to submit the list to the Economic Development Administration.

Council Member Moyer stated that he has concerns regarding the proposed North Main Street project for the proposed parks, indicating that the parks are good to have, but the North Main Street area is known for its drug activity in that area, with him further stating that this is why he would object to the North Main Street project.

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

Motion Action Taken:

Motion was made by Vice Mayor Walker to approve the proposed Fiscal-Year 2015 Comprehensive Economic Development Strategy (CEDS) list as presented, with motion on the floor being seconded by Council Member Love. Discussion ensued. The Mayor stated the he also has served on the West Piedmont Planning District Commission in the past and that there is no guarantee that the Town will receive any funding, but if the Town does not develop projects to put forth for the funding, the Town will not be eligible

at all to receive any funding. The Town Manager explained that the Town has to go on the record for the funding need. Vice Mayor Walker stated that he remembers past Council Member Lester stating the very same thing, even though some of the projects never get funding. There was discussion regarding that the next time the Town files the CEDS list, it would be nice to add a couple of other projects. There being no further discussion, let the record show that the motion on the floor passed unanimously by those present.

C. Review and consideration of Town of Rocky Mount holiday schedule.

Council was informed by the Town Manager of the following:

- Christmas falls on a Thursday this year and the Town offices will be closed on Wednesday and Thursday (24th and 25th).
- The State of Virginia is granting the 26th (Friday) as a holiday and many surrounding localities are following suit.
- New Years' Day is also on a Thursday and the State of Virginia is closing the following Friday (January 2nd).

The Town Manager asked Council if they wished to close the offices on Friday, December 26th and also on Friday, January 2nd, granting both these Fridays as additional holidays for the Town of Rocky Mount employees. He informed Council that the Public Works Director needs to know in order to schedule the trash pickup.

The following was discussed:

- Franklin County and other surrounding localities normally follow the State's lead on time off for the holidays.
- Franklin County gives one-half day for Christmas Eve, but the Town cannot follow this as it is in the Town Personnel Policy handbook that Christmas Eve and Christmas Day are given as approved holiday time off.
- Council Member Moyer voiced concern that if offices are closed, Town citizens will not be able to conduct Town business, with the Mayor disagreeing.

The Town Manager confirmed to Council:

- Since he has been Town Manager, these dates with Fridays being right after a holiday such as this has only happened twice in the past eight years.
- During those times, Council has granted the extra Fridays off, and also only granted one off.
- For the "public safety" department employees that have to work on the extra holiday off, the time would go into a bank for them as the public safety departments for the Town does not close on holidays.

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

Motion Action Taken:

Motion was made by Council Member Stockton to give the Town employees the Friday, December 26th, as an extra holiday off, and not give them Friday, January 2nd, 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.

D. Review and consideration of waiving of rental fees for Town of Rocky Mount facilities for the year 2015.

Council was informed by the Town Manager of the following:

- Council Member Bobby Cundiff had proposed, with staff supporting, that for the calendar year 2015 that no fees for the use of any Town owned facility be waived; thereby, establishing a standards based and uniform approach to the use of public property.
- Additionally, setting such a policy for the year will eliminate any requests that are given to the Town Council seeking a waiver of such fees, which is typically six to eight agenda items per year.
- This exempts the historical events the Town partners with, such as strawberry festival and the Warren Street festival, which assists the Town economically.

Council Member Cundiff stated that he knows historically that those organizations that come before Town asking for waiver of fees know what the Town's set rental fees are before coming before Council, and to be fair to all citizens in the Town, the Town Public Works crews still incurs costs in having to cleanup at the Farmers' Market, etc. Also mentioned that the fees as discussed for the Warren Street and Strawberry festivals be exempt.

There being no further comments, the Mayor asked Council Member Cundiff if he would put those comments into a form of a motion, with Council Member Cundiff agreeing to do so.

Motion Action Taken:

Motion was made by Council Member Cundiff for Council not to consider waiving of rental fees for the Town facilities for the year 2015 except for the two historical festivals previously mentioned, with motion on the floor being seconded by Council Member Stockton. 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 & COMMENTS

A. Referrals to Planning Commission from Town Council.

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

The Assistant Town Manager did inform Council that the Planning Commission had met to discuss the keeping of chickens within the Town corporate limits, and at this time, have no recommendation to Council. He further stated that if Council has no objection, Town staff will continue to enforce the ordinance as is. Let the record show there was

no objection voiced by Council.

B. *Rise 'N Shine* Appearances

Let the record show that the Assistant Town Manager appeared on the *Rise 'N Shine* show with host Richard Shoemaker.

COUNCIL CONCERNS

A. Council Member Moyer

Council Member Moyer stated that a few months ago, Council had voted to install "In God We Trust" sign in the Council Chambers, but never asked for God's guidance at a Council meeting, and at this time, he believes it would be wise to ask for God's guidance prior to Council meetings starting.

The Town Attorney, at this time, was attempting to interject to inform Council that this could not be considered at this time due to it not being an item to be considered under "Council Concerns".

The Mayor allowed Council Member Moyer to finish his comments.

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

Motion Action Taken:

Motion was made by Council Member Moyer for Council to start their meetings in January asking for God's guidance and ask for Council members wishing to open in prayer to be able to do so.

Let the record show there was no second to this motion.

The Town Attorney stated that he understands Council Member Moyer's request but that it could be a legislative concern; therefore, he needs time to look into this matter and this should not come under "Council Concerns".

The Mayor suggested delaying any Council action at this time in order to give the Town Attorney plenty of time to research Council Moyer's request.

Council Member Moyer requested that this matter be placed on the regular February Council meeting agenda as he will be out during the first part of the month in January due to an upcoming surgery.

Let the record show that due to a lack of a second, the motion died on the floor.

Consensus Action Taken:

It was the consensus of Council to delay any action until the February regular Council meeting, giving the Town Attorney enough time to research Council Member Moyer's

request.

CLOSED MEETING

At 7:37 p.m., motion was made by Council Member Snead to go into *Closed Meeting*, and seconded by Vice Mayor Walker 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 [(1) review and consideration of appointment to STEP, Inc. Board; and (2) matter pertaining to Town Manager's Office].
- 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 use of Town of Rocky Mount facilities].

At 8:30 p.m., motion was made by Council Member Love 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 Snead 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 Stockton certifying that nothing was discussed in Closed Meeting other than what was stated. Motion was seconded by Council Member Moyer. The Mayor swore to adopt the motion on the floor by Council Member Stockton that

this was all that was discussed as defined in Section 2.2-3412 Code of Virginia. Voting yes were Vice Mayor Gregory B. Walker and Council Members, Bobby M. Cundiff, P. Ann Love, Robert L. Moyer, Jon W. Snead, and Billie W. Stockton

The Mayor reported the following action taking place.

Motion Action Taken:

Motion was made by Council Member Stockton to grant all Town employees a \$250.00 Christmas bonus, 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.

ADJOURNMENT

At 8:33 p.m., motion was made by Council Member Love to adjourn, seconded by Council Member Cundiff and carried unanimously.

Steven C. Angle, Mayor

ATTEST:

Patricia H. Keatts/Town Clerk

/phk