

**ROCKY MOUNT TOWN COUNCIL
REGULAR COUNCIL MEETING
MAY 12, 2014**

The May 12, 2014 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, Public Works Director Cecil R. Mason, Town Planner Patrick Rust, Superintendent of Water Department Robert Deitrich, Superintendent of Wastewater Department Timothy Burton, Fire Chief Charles Robertson, and Town Clerk Patricia H. Keatts.

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 Action Taken:

Motion was made by Vice Mayor Walker to approve the agenda as presented, 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.

SPECIAL ITEMS

A. Review and consideration of adoption of proposed Fiscal Year 2015 Budget and Capital Improvement Plan; and (2) draft "Town of Rocky Mount Fiscal Year 2015 Tax Rates and Fees Resolution".

1. Prior to the meeting, Council had received the draft "Town of Rocky Mount Fiscal Year 2015 Appropriation Resolution" for review and consideration of approval.

The Town Manager gave a quick synopsis of the annual budget process starting in the spring, with Council holding two budget work sessions and a public hearing, and before Council at this time was the draft "Town of Rocky Mount Fiscal Year 2015 Appropriation Resolution" for consideration of approval.

There was much discussion between the Town Manager, Finance Director and Town Council regarding the proposed budget:

- Council Member Cundiff stated that he is concerned about the way the Public Utility Fund is being used and that he is not personally happy about it; feels like it is being drained; and when first spoken about this and when the budget was presented, he did not see the need to float a bond when the Town has the money in the bank, and since then, everything that was in the fund will be drained, with the same thing happening next year, leaving a zero balance.
- Council Member Moyer stated there are a few things in the budget that still need to be tweaked and he thinks there is a need for another budget work session.
- Mayor Angle stated that he does not think the Town needs to advertise for another budget hearing.
- The Town Manager informed Council that another public hearing is not needed if the budget does not change by 1% (per the State Code); further pointed out that what Council Member Cundiff's concerns are can be worked out and Council can keep the funds where Council wants them to be, with the funds being replenished by Council at any time.
- Council Member Cundiff explained that he felt rushed in that the way the Finance Director started explaining the budget, he had not heard about it until then.
- The Town Manager explained that the funds can be moved as Council sees fit and that the projects Council wants to see be done can either be paid by all the taxpayers or the utility users, but staff would have to bring Council the proper paperwork for that action, with staff asking Council to give them enough time to prepare such paperwork; and if Council Member Cundiff does not want some of these capital items not paid by the Utility Fund, Council can do so.
- Council Member Love questioned several times if the proposed budget before Council at this time included only the 2.5% step increase and the .5% cost of living increase (COLA) (a total of 3%), and also the things they had talked about the other day will happen, with the Town Manager assuring her that this was correct.
- Town Manager informed Council Member Love that the dump truck for the Public Works Department will be put in the Fiscal Year 2015 budget, versus doing the sidewalks in the area of the Harvester Performance Center at this time.
- The Town Manager stated that staff would be happy to sit down with Council Member Cundiff and bring a decision-making document to Council at a certain time for Council approval, as he wants to make sure Council is satisfied.
- The Town Manager stated that he will bring to Council a January forecast showing where Council may be able to do some of these other essential projects, or put more money in the General and Utility Funds.

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

Motion Action Taken:

Motion was made by Council Member Greer to approve the draft "Town of Rocky Mount Fiscal Year 2015 Appropriation Resolution" as presented, with motion on the floor being seconded by Vice Mayor Walker. There was no discussion. Let the record show a roll call vote was taken: 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 the motion on the floor passed four to two.

2. Prior to the meeting, Council had received the draft "Town of Rocky Mount Fiscal Year 2015 Tax Rates and Fees Resolution" for review and consideration of approval.

The Town Manager gave a quick synopsis of the draft "Town of Rocky Mount Fiscal Year 2015 Tax Rates and Fees Resolution", which consists of the following:

- Real estate at 13 cents per \$100 of assessed value.
- Personal property at 51 cents per \$100 of assessed value.
- Machinery and tools at 17 cents per \$100 of assessed value.
- Interest rate of 10% per annum.
- And other taxes and fees as listed (no changes from last year's fees or rates).

The Town Manager explained why Town Council has to approve the proposed fees as advertised and that they are identical to last fiscal year.

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

Motion Action Taken:

Motion was made by Council Member Greer to approve the draft "Town of Rocky Mount Fiscal Year 2015 Tax Rates and Fees Resolution" as presented, with motion on the floor being seconded by Vice Mayor Walker. There being no discussion, let the record show the motion on the floor passed unanimously by those present.

- B. Staff introduction of Sheila Silverstein, Assistant General Manager of the Harvester Performance Center.

The Assistant Town Manager presented to Council Ms. Sheila Silverstein, the Assistant General Manager of the Harvester Performance Center, stating that she handles the front office, promotion and advertising; she is a real pro; she is from Baltimore, Maryland where she handled promotions for four major radio stations at one time; and she has done an excellent job for the Town so far.

Ms. Silverstein came before Council stating it was a pleasure and honor to be part of Rocky Mount; mentioned spending time with Council Member Cundiff's sister, Jewell Hunt, at J&J Fashions; meeting Council Member Moyer's son, Carl Moyer (owner/operator of Virginia Office Furniture; meeting Council Member Stockton at the Carilion Franklin Memorial Hospital where he works as security and how much he helped her when she had to visit the emergency room and was very kind to her; mentioned she lives in-town and is thrilled to be part of the Town. She pointed out to

Council that Ippy's Restaurant had relayed to her that this weekend was record-breaking in customers for them due to the inflow of people coming to see performances at the Harvester. She stated it is a privilege to go out and meet people and get sponsorships, and the guests coming in-town are getting an experience that will change them with the Town giving them a venue to come to. She highly praised the Rocky Mount Police Department for doing an outstanding job with parking and helping people coming from out-of-town. Stated that her goal is to make the Harvester Performance Center the best music venue anywhere in the world. She finished by stating that she appreciates Council's time and letting her being there.

The Mayor thanked Ms. Silverstein for what she has done. The Town Manager also thanked Ms. Silverstein.

PUBLIC HEARING(S)

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:

- April 14, 2014 regular Council meeting
- April 23, 2014 Fiscal Year 2015 Budget work session No. 1
- April 28, 2014 Fiscal Year 2015 Budget work session No. 2
- May 1, 2014 Fiscal Year 2015 Budget and Capital Improvement Plan public hearing

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 Stockton to approve the draft minutes as presented, 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.

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 presented*)
- Miscellaneous Action (*none presented*)
- 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 Action Taken:

Motion was made by Council Member Greer to approve the "Consent Agenda" 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.

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 forward to speak. Let the record show that no one came forward.

OLD BUSINESS

Let the record show there were no items under "Old Business" to discuss at this time.

NEW BUSINESS

- A. Review and consideration of request of Southwest Virginia Antique Farms Days to hold annual kick-off parade.

Mr. Ray Agee came before Council requesting on behalf of Southwest Virginia Antique Farm Days to hold their annual kickoff parade around Town on Sunday, June 8, 2014. The Chief of Police has approved their proposed route, which was outlined to Council by Mr. Agee and also in a letter that was submitted to Council prior to the meeting.

The Mayor commented that he thought the kick-off parade last year went well.

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

Motion Action Taken:

Motion was made by Council Member Cundiff to approve the request, 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.

B. Review and consideration of approving one-year extension of Town of Rocky Mount's current audit contract with Robinson, Farmer, Cox Associates.

The Town Manager stated that before the meeting, Council had received a proposal for a one-year extension on the Town of Rocky Mount's audit contract with Robinson, Farmer, Cox Associates that will cover the Fiscal Year 2014 (current year) audit. He further stated that the Finance Department staff and management team are satisfied with the current contract allowing the Town to extend for one-year without having to go out to market.

The Finance Director confirmed that the current auditors are good to work with; also confirmed that this proposal shows a 3% rate increase, but to keep in mind that their fee has been flat for the past two years.

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

Motion Action Taken:

Motion was made by Council Member Greer approving the one-year extension of the contract with the Town of Rocky Mount's auditors, Robinson, Farmer, Cox Associates, 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.

C. Review and consideration of granting request of BLHRM, LLC (Bootlegger's Café) to allow an easement from the Town of Rocky Mount's property located at 25 Floyd Avenue for propane tanks to be located behind Rocky Mount Volunteer Fire Department station on Floyd Avenue and behind Bootlegger's Café.

The Town Manager informed Council:

- That Mr. Bryan Hochstein, on behalf of BLHRM, LLC (Bootlegger's Café), is requesting an easement from the Town of Rocky Mount's property located at 25 Floyd Avenue.
- This easement request is for propane tanks to be located behind the Rocky Mount Volunteer Fire Department station located on Floyd Avenue and behind Bootlegger's Café.
- Prior to the meeting, Council had received a plat that shows the proposed 400 square foot easement.
- The propane tanks will be necessary for Mr. Hochstein's business, and the location where the easement is proposed is unusable by the Town.
- Fire Chief Charlie Robertson has approved the location, based on the tanks to be located at least ten feet away from every building. He has also requested that the easement be only valid for the owner of BLHRM, LLC, and will not transfer upon a change in ownership.
- The Town land surveying partners have drawn out a plat showing this, and if Council agrees to approve, the Town Attorney will use that easement to draw up the necessary documents.

The Town Attorney stated:

- Certainly no problem making it personal to the property opposed as making it a benefit; therefore, can make it a personal easement to the owner.
- Council needs to consider adding an ingress/egress to the property for the purpose of distribution and maintenance. He will get with the Fire Chief to make sure how this will all work, which will be included in the easement document.

The Fire Chief stated:

- The request for the easement is no problem as long as it is not transferrable.
- The propane tanks will sit between the upper and end buildings and the Fire Department station property, and the ingress/egress would make it no problem to get in and out for maintenance.

Question rose from Council Member Moyer on how granting the request from the Town would open the Town up for people wanting an easement to do something on Town property. The Town Attorney relayed that he is aware of another business where the owner is requesting an access easement, but this request came to his office well in advance to Mr. Hochstein's request. He further stated that at some point and time, he will bring this other matter before Council.

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

Motion Action Taken:

Motion was made by Council Member Love to grant the easement request as discussed, 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. Finance & Human Services Committee

Prior to the Rocky Mount Town Council meeting taking place at 7:00 p.m., the Finance & Human Services Committee met at 6:00 p.m. to review certain items in the proposed Fiscal Year 2015 Budget; specifically, reclassification of Town of Rocky Mount employees.

The Town Manager stated that during the Committee meeting, it was clarified that there are funds in the budget if Council wishes to make adjustments to the pay plan, and that Council will look at this again in a June work session.

OTHER MATTERS, CONCERNS AND RISE 'N SHINE APPEARANCES

A. Referrals to Planning Commission from Town Council

The Assistant Town Manager confirmed to Council that there were no referrals at this time.

B. Rise 'N Shine Appearances

The Town Manager confirmed to Council that he appeared on the *Rise 'N Shine* show this morning, and that the Town is doing more things to attract praise.

C. Update on the Harvester Performance Center

At the request of the Mayor, the Assistant Town Manager gave Council an update on the Harvester Performance Center:

- So far, about 3,000 to 3,100 people have come through the Town to see about nine performances, with strong attendance on some of them
- Looks like Town is going to meet target of 24,500 people through there in a year
- Have ABC license now, with Friday being the first day serving;
- So far, tremendous amount of compliments; businesses are happy regarding their increased business; specifically mentioning Hema's, Ippy's, the Hub, and J&J Fashions.
- About 90% of those attending performances are from out-of-town.
- Also mentioned that Town is moving in the right direction.
- Will be giving Tobacco Commission notification of grand opening as they will need to be a part of the ribbon cutting and dedication, and that is why staff had to schedule dedication from April to May. Looking at the grand opening, plaque dedication and ribbon cutting on May 29th.
- Plan to have a special event for hospitality folks in the region (hotels, restaurants and other entertainment venues) so they can come in and see the Harvester.
- People buying tickets are on-line (most done on the web portal) is about 90% and this is new money from people coming from out-of-town who are traveling to the Town that otherwise would not be here.
- Tracking zip codes from people making their purchases so the Town can have a stronger idea where people are from so the Town can do more advertising in those areas.
- So far bringing people from nine states, and tomorrow night a family is coming from Wyoming, and another couple coming to see the Maverick show in August from the United Kingdom.

Confirmed to Vice Mayor Walker that staff is working on getting literature at the Harvester as soon as work is finished and wrapped up at the Harvester. The literature will not only advocate stops along the Crooked Road, but also let people know what the Town has to offer to those visiting the Town.

Confirmed to Council that grand opening on May 29th will be at 5:00 p.m. or 5:30 p.m. and will have invitations being sent out sometime next week regarding that and will the Town Clerk advance notice so she can send out electronically to Council.

COUNCIL CONCERNS

- A. Council Member Moyer questioned when staff was in getting installed in the Council Chambers the sign that states "In God We Trust". The Town Manager informed Council that the sign has been ordered, and hopefully, will be put in place soon.
- B. Council Member Cundiff stated that in conversation with the Water Treatment Plant Superintendent, it was discussed that the Town's water accountability is 63.78%. He further stated that he believes there are leaks due to pipes freezing during the winter, and instead of putting the water leak study off for another year, believes that it may need to be done now. The Town Manager stated that as the drier season comes, Town staff may be able to find the leaks, but one major one may have been found after the blowout at Pebbles, and if not, will have to do the study. The Mayor requested that the study be put on schedule and if the Town finds the leaks first, won't have to use them. The Town Manager stated he would get in contact with them.

CLOSED MEETING

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

ADJOURNMENT

At 7:49 p.m., motion was made by Council Member Greer to adjourn, seconded by Vice Mayor Walker and carried unanimously by those present.

Steven C. Angle, Mayor

ATTEST:

Patricia H. Keatts/Town Clerk

/phk

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