

**ROCKY MOUNT TOWN COUNCIL
REGULAR MEETING MINUTES
JULY 13, 2015**

The July 13, 2015 regular 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
- P. Ann Love
- Robert L. Moyer
- Jon W. Snead
- Billie W. Stockton

The following staff members were present:

- John T. Boitnott, Town Attorney
- Tim Burton, Waste Water Treatment Plant Superintendent
- Ken Criner, Chief of Police
- Bob Deitrich, Water Treatment Plant Superintendent
- C. James Ervin, Town Manager
- Josh Gibson, Town Planner
- Matthew C. Hankins, Assistant Town Manager
- Cecil Mason, Public Works Director
- Stacey Sink, Town Clerk
- Linda Woody, Finance Director

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

PLEDGE OF ALLEGIANCE

Mayor Angle led in the Pledge of Allegiance.

APPROVAL OF AGENDA

Additions or Corrections: None

Motion: To approve the agenda as presented

Motion By: Vice Mayor Walker

Second: Council Member Snead

Motion Discussion: None

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

Nays: None

Action: The presented agenda was approved by a unanimous vote

SPECIAL ITEMS

Special Item No. 1: Recognition of VLGMA Assistant Manager of the Year Award Winner

Comments by Town Manager Ervin: Assistant Town Manager Hankins was recognized at the June meeting of the Virginia Local Government Management Association as the recipient of the Outstanding Assistant Manager of the Year award. This was recognition for a body of work here in Rocky Mount, over nearly eight years of service, which included very personal achievements such as helping to untangle the bureaucracy preventing the rehabilitation of the McBride house, to working to come up with a “right size” dilapidated housing demolition program that was not only effective but keeping with Rocky Mount’s property rights history, to broader community impacting projects such as the Uptown Revitalization and the Harvester. VLGMA strives to promote the value of service and to helping elected officials bring about the changes they desire in their communities and Mr. Hankins exemplifies this.

Mr. Hankins thanked Council and the citizens of the Town of Rocky Mount.

Special Item No. 2: Recognition of Town of Rocky Mount Finance Department for receipt of Government Finance Officers Association (GFOA) Award

Comments by Town Manager Ervin: The Town’s Finance Department has once again received an award from the Government Finance Officers Association for Excellence in Financial Reporting, indicating that the Town continues to provide accurate and detailed financial information to the public and elected officials, through not only its Comprehensive Annual Financial Report, but also through its budget and open budgeting process. This is the ninth year in a row that the Finance Department has received this award. This means that every year there is an audit and a budget development process that meets the highest level of accounting standards and is a testament to the high level of service that the finance director and staff try to give to the Town and its citizens. This shows that they take transparency in reporting seriously. Town Manager Ervin congratulated Finance Director Woody and her staff for helping the Town to continue to meet this high standard of excellence.

Mayor Angle thanked Finance Director Woody and asked that she extend Council’s appreciation to the Finance Department.

PUBLIC HEARINGS

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

APPROVAL OF MINUTES

Prior to the meeting, Council received the following draft minutes for review and consideration of approval: **June 8, 2015 – regular meeting minutes.**

Minutes Additions or Corrections: None

Motion: To approve the draft minutes as presented

Motion By: Council Member Love

Second: Council Member Moyer

Motion Discussion: None

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

Nays: None

Action: The presented draft minutes were approved by a unanimous vote

APPROVAL OF CONSENT AGENDA

This month's consent agenda consists of the following items: **Department Monthly Reports including: Community Development Department, Finance Department, Fire Department, Police Department, Public Works Department, Waste Water Department, and Water Department.**

Discussion: None

Motion: To approve the consent agenda as presented

Motion By: Council Member Stockton

Second: Council Member Love

Motion Discussion: None

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

Nays: None

Action: The presented consent agenda were approved by a unanimous vote

HEARING OF CITIZENS

Let the record show that prior to the meeting no citizen contacted the Town asking to address Council. Mayor Angle noted that one person indicated on the *Hearing of Citizens Sign In Sheet* his desire to speak, being Derwin Hall.

Derwin Hall of 60 Steps Lane, Rocky Mount came forward thanking Council for a couple minutes to talk. He wants to talk about natural gas service and the resolution that he saw on Council's agenda. For years the Town and County has been trying to bring gas service to the area, but the closest transmission pipeline is too far away which made the interconnect too expensive. Mountain Valley Pipeline will be close to Rocky Mount and would finally make gas service possible. Roanoke Gas officials have said publicly that the Mountain Valley Pipeline will make local gas service economically attractive and they are interested in distributing that gas in Rocky Mount and elsewhere in Franklin County. Gas service could be an economic win for Rocky Mount and the surrounding area. It will make us more economically competitive and improve our ability to attract new industry and businesses. Most of our neighboring counties have natural gas service. Franklin County economic development officials have said in the past that that it has lost out on several prospective employers in recent years for this reason alone. Those are only the employers that have approached us. There have probably been employers that don't consider Franklin County or Rocky Mount because we do not have gas service. Homeowners would have the opportunity to switch over to natural gas which could lower home heating bills by competition with electricity. Roanoke, Lynchburg and Bedford have natural gas. Have we asked our neighbors that have it, are they glad they have it? If they were setting where we are and did not have it, would they rather not have it?

Mayor Angle addressed the first part of Mr. Hall's question, noting that happiness with gas service would depend on who you asked.

Town Manager Ervin addressed the second part of Mr. Hall's question, noting that to the extent that other areas have natural gas, they have it in the same capacity that the Town has requested it in the past ten years in its federal filing, listing natural gas as one of its priorities. It is still the consensus that the Town wants to obtain an interconnection with either Roanoke Gas or the gas company in Martinsville via a service line. The comingling of Mountain Valley does change the landscape. The issue with Mountain Valley is concerning whether or not adequate safeguards are in place, not that the Town is opposed to gas in and of itself.

Following Mr. Hall's comments, Mayor Angle opened the floor to comments by any other citizen who wished to speak.

Mike Carter of 210 Maple Avenue, Rocky Mount came forward, indicating that he had sent all of Council a letter and he hoped they received it. He is opposed to Mountain Valley Pipeline. He would like to have natural gas, but thinks this is not the way to get it. This will ruin the County and take peoples land. This is not the way to get it and he hopes Council will vote yes in support of this resolution.

Let the record show that no additional citizens came forward to speak.

OLD BUSINESS

Old Business Item No. 1: Review and consideration of authorizing the financing of various capital projects approved by Town Council in the Capital Improvement Plan for Fiscal Year 2016

Staff Report by Town Manager Ervin: The budget adopted for the current fiscal year included a variety of projects to be funded by debt service. Council's instrument of choice seemed to be a direct loan from a local bank at 1.9% interest. Included in the council packet is a copy of a loan commitment letter from Carter Bank and Trust for \$1,500,000 for ten years at 1.9% to finance capital projects as approved in the fiscal year 2016 Capital Improvement Plan. If accepted by Council, the first 12 months will be the drawdown period to expend the \$1,500,000 and the Town will pay semi-annual interest only for that period. Years two through ten will include semi-annual principal and interest payments. The loan may be pre-paid at any time without penalty. Carter Bank and Trust is not charging any initiation or administration fees. Staff is seeking approval from Council to authorize the town manager to sign the closing documents for the \$1,500,000 ten-year loan at 1.9%. Closing will occur before September 30, 2015. Tonight's request is to authorize the town manager to proceed with the loan agreement for the projects specifically outlined in the budget, including curb and gutter on Scuffling Hill, erosion repair and clean up at Veterans' Park, and a variety of other smaller capital projects earmarked in the budget as being funded by debt.

General Discussion:

- Mayor Angle noted that from previous discussion, there would be no loss of money in paying back a debt because of the interest earned on investments. Town Manager Ervin noted that Carter Bank negotiated further after Council's last discussion and staff believes that it is likely to be in Council's best interest to borrow at 1.9% interest and leave the investments.
- Council Member Cundiff: Does not see the benefit of borrowing when the money is already on-hand. Council Member Moyer agrees.

- Mayor Angle: Leans the other way. If there is no loss of money to the Town by having to pay back interest, and if the Fed does what it says it is going to do and raises rates which will affect the Town's reserve and investments, then it would be better to have more money in reserve to collect on those investments than taking \$1.5 million away. It will take awhile to replace that.
- Council Member Snead: There are no processing fees and no early payoff fees where this could be paid off at any point. There is also a 12-month drawdown period where the Town does not have to borrow the entire \$1.5 million and can stop at any point.
- Town Manager Ervin: Carter has made a great offer with this package and is a great banking partner.
- Council Member Snead noted that this is also a fixed rate.
- Vice Mayor Walker: Felt like Cundiff and Moyer in the past, due to the fees and charges that are normally attached to loans, but in this case, there are no fees, no penalties, and the worst the Town can do at the end of the day is break even. The Town is probably going to make money if the rates go up. He does not see a problem with it.
- Council Member Stockton: Only concern was that the money had to be used for the stated projects and that has already been covered. This money must be specifically used for these projects. Council Member Love agreed.
- Town Manager Ervin noted that this process is governed by law, and this is the instrument needed to get the projects approved by Council done.

Motion: To approve the financing of the capital projects by borrowing the money at 1.9% interest for \$1.5 million.

Motion By: Vice Mayor Walker

Second: Council Member Snead

Motion Discussion: None

Ayes: Love, Snead, Stockton, Walker, Angle

Nays: Cundiff, Moyer

Action: The request was approved as presented by a vote of five in favor and two in opposition

Ben Pinkard asked to address Council from the floor with a question, asking what the Town's current surplus is. The Town Manager advised that it depends on the time of year due to the collection of taxes, but \$8.0 million is generally a safe number when comingling the general fund and the utility capital fund.

NEW BUSINESS

New Business Item No. 1: Review and consideration of designation of Windy Lane cul-de-sac as approved for the streetplay of basketball and authorization for development of conceptual plan for a permanent basketball court on Windy Lane

Staff Report by Town Manager Ervin: The Town has received complaints regarding playing basketball in the street. The number of complaints has grown and the Police Department has attempted to deal with this through coaching and engagement, versus citation and summons. This approach has not worked and there are still periodic episodes of street basketball games that impede traffic and create a nuisance to residents. Due to the ongoing complaints, the Town Police Department will begin enforcing Virginia Code § 46.2-932 that

prohibits playing on roadways. A copy of the code section is included in the Council packet. At the same time, however, it is important to recognize the fact that outdoor play and sports are fantastic alternatives to video games or other potentially less desirable activities. The same code section does allow Town Council to designate an area where such play is allowed. Staff asks Council to designate the cul-de-sac at the end of Windy Lane as approved for street play and to authorize the installation of a quality, durable basketball goal there (the owner and management firm of Green Meadow Estates endorses this concept). The Town of Rocky Mount owns the three lots at the end of the street and can install a suitable basketball goal in that location. The combination of enforcing the ban on street play where it impedes traffic and allowing street play in a safe location, along with the installation of a real basketball goal should solve the nuisance problem and give the kids a safe place to play. This issue also points to a lack of available recreation for youth that want to play basketball. Given that the Town owns property at the end of Windy Lane, a proper basketball court could be constructed. Staff asks for approval to develop a conceptual plan for the placement of a court on the Town-owned property and to report back to Council on the feasibility of the concept.

General Discussion:

- Mayor Angle: If approved, will they be able to play without citations and will it be blocked off when they play?
- Town Manager Ervin advised that they would be able to play without citation in the designated area. As far as blocking it off, would play by ear. There is not a lot of traffic that goes down and turns around. He did not see a single car down there when he was there looking around. There are a lot of resources available. He can put up signs, paint the street, could get American Electric Power to put up a light. In the grand scheme of things, would rather give them a place to play.
- Council Member Love: How quickly can a basketball goal be installed?
- Town Manager Ervin: Within two weeks.
- Council Member Cundiff: Will kids be willing to go a half mile to get there?
- Town Manager Ervin: Does not know if the Town can give them anything else, so ultimately, staff hopes that they are.
- Council Member Moyer: It was his understanding that the Town was going to start doing something on Main Street where the police is coming back and forth and can keep an eye on the situation. He can not see this being monitored at the end of Windy Lane. He is concerned about the area.
- Town Manager Ervin: Noted that the Town has had a lot of success in the area with drug dog usage. He has consulted with the Police Department, which feels that it will be in a high visibility area, it is easy to get to and is adjacent to publicly owned land. Staff did look at other properties on North Main, like Goodwill and the auto parts store, but those are privately owned lots. This seems like a better fit since the Town is the landowner and there is already a high degree of enforcement.
- Council Member Snead: Does the Town have any land on North Main?
- Town Manager Ervin: No. Staff has looked at the corridor. Something more visible and more permanent may require the Town to acquire land. The Town owns the three lots at the back of Windy Lane, as it was taken in when the developer could not finish the development.

Motion: To approve the request as presented including the designation of the cul-de-sac as approved for streetplay for basketball and the conceptual plan work

Motion By: Council Member Love

Second: Council Member Stockton

Motion Discussion: Vice Mayor Walker noted that he thinks the Town should hold off on the engineering for a little while. Town Manager Ervin agreed, noting that he plans to put a goal up and see if the kids gravitate towards it before any funds are seriously committed to the engineering. He does plan to walk around the area with Public Works Director Mason. Mayor Angle clarified that the motion, as it stands, will allow the town manager to proceed in the future without coming back to Council. Council Member Love agreed that her motion stands.

Ayes: Cundiff, Love, Snead, Stockton, Walker

Nays: Moyer

Action: The request was approved as presented by vote of five in favor and one in opposition.

New Business Item No. 2: Review and discussion regarding Town's blight removal program

Staff Report by Assistant Town Manager Hankins: The Town sets aside \$20,000 in its annual budget to eliminate blight through the demolition of nuisance properties. To date, properties on Trail Drive and Old Franklin Turnpike have been burned, and properties on Byrd Lane (2), Buckner Street and Spring Street have been demolished. The Community Development staff keeps a list of nuisance properties, and is currently preparing to send a list of such properties to the building inspector for a nuisance determination. If Council wishes to add properties to that list, it must be done by the end of July so that staff can inspect and make determinations based on code. Current properties being reviewed include lots on Dent (2), Wilson (1), Anderson (1), Goodview (1), Woodlawn (1), Patterson (2) and West College (1). Demolition costs to date have ranged from \$4,000 on the low end, to nearly \$19,000 for 20 Spring Street. For properties demolished by force account, the average demolition price is approximately \$4,700, including disposal fees.

General Discussion: None

Let the record show this item was for informational purposes only. No action was taken by Council.

New Business Item No. 3: Review and consideration of approval of appointment of new fire chief

Staff Report by Assistant Town Manager Hankins: After five years as the chief of the Rocky Mount Volunteer Fire Department, Charlie Robertson has declined to seek reappointment to the position, choosing instead to remain as the Town's fire marshal. Members of the department nominated a slate of officers at its May meeting and held its election in June the night after Council's regular business meeting. Council's approval of the fire chief is not required by Code or Charter. However, in previous instances of changes in the chief's position, the Department has believed the matter to be worthy of Council's consideration. It continues to do so, and asks that Council confirm the appointment of Jeff Rakes as the new fire chief. Jeff is a small business owner and has served as assistant chief under Charlie Robertson. The assistant town manager accompanied Jeff, Charlie and David Young on the department's most recent inspection trip, and was impressed by Jeff's mechanical and fire knowledge. The leadership he has demonstrated in the times when he has had to fill in for Charlie has earned him the respect of the members he is now elected to lead. Staff recommends that Council confirms the

appointment of Jeff Rakes as chief of the Rocky Mount Volunteer Fire Department. Also, to assist in leadership, the department has elected Justin Woodrow as assistant chief, Theodore Hodges as captain, Jody Whitt as first lieutenant and Matthew Overfelt as second lieutenant.

Let the record show that Jeff Rakes was present for the meeting and thanked Council for the opportunity to serve the community as Fire Chief.

General Discussion: None

Motion: To approve the Rocky Mount Fire Department's election of Jeff Rakes as Fire Chief

Motion By: Council Member Cundiff

Second: Council Member Snead

Motion Discussion: None

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

Nays: None

Action: Motion to approve Jeff Rakes as the new Fire Chief was approved by a unanimous vote

New Business Item No. 4: Review and consideration of approval of "Resolution Regarding the Proposed Mountain Valley Pipeline"

Staff Report by Town Manager Ervin: The Town has had a great deal of input from citizens regarding the proposed Mountain Valley Pipeline. The concerns raised focus on the preservation of the area's natural environment and the potential risks to the area's water shed and drinking water supply for the Town. The attached draft resolution, requested by a Member of Council, outlines these concerns and expresses the Town's objection to the pipeline pending a determination that the pipeline is not a threat to the health, safety and welfare of the Town. The draft attempts to embrace the fact that the Town seeks natural gas for its industry and residents, but desires that this resource be made available in a safe and non-economically destructive way, and that the Town has, thus far, not been given clear assurances that risks to the Town have been addressed.

Town Manager Ervin read aloud the *Resolution Regarding the Proposed Mountain Valley Pipeline*.

General Discussion: None

Motion: To approve the proposed resolution as presented

Motion By: Council Member Snead

Second: Council Member Love

Motion Discussion: None

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

Nays: None

Action: The proposed resolution was approved by a unanimous vote.

New Business Item No. 5: Review and discussion regarding Water Treatment Plant Disinfection Byproducts (DBPs) issues

Staff Report by Town Manager Ervin: Included in the packet is a detailed report on disinfection byproducts (DBP) in drinking water, where they come from, why they matter, and what the Water Department is doing to manage them in the Town's water supply. Recent changes to the regulations have brought DBPs to the forefront of the Water Department's efforts to make the best drinking water possible. Due to the regulatory changes in allowable DBPs, the Town is in danger of falling out of compliance with Virginia's drinking water standards. The Town's biggest source of DBPs is the slow turnover in the water stored in its one million gallon tank on 220 South, and staff recommends addressing the accumulation of DBPs at that point. The Town's current efforts to address this involve manually flushing large amounts of water. After considerable investigation, water plant staff recommends that the 220 South water tank be fitted with a water mixing and aeration system. It is estimated that this mixing and aeration system will cost approximately \$135,000. This is a significant expense that was not included in the capital improvement plan because functional solutions were still being investigated at the time the budget was being developed. Staff requests that the Public Utilities Committee be asked to meet and consider the DBP issue in detail and recommend to Council a solution to keep the Town's DBP numbers within the limits set by the State.

Water Plant Superintendent Deitrich noted that the government has moved the target regarding DBPs and this is what is causing the problem.

General Discussion:

Vice Mayor Walker: questioned how full the tank usually is, with Superintendent Deitrich confirming that it is usually filled to the top as it represents 45% of the Town's bulk storage.

It was the consensus of Council that the issue would be referred to the Public Utilities Committee for review, as requested.

New Business Item No. 6: Review and consideration of request for funding and authorization to begin a shop local campaign

Staff Report by Town Manager Ervin: At the start of the recession the Town initiated a shop in Rocky Mount campaign. This was the "5 on us" campaign and it was very successful. The Town leveraged approximately \$35,000 to stimulate local shopping. Though the Town and the nation has come a long way economically since then, the concept of encouraging shoppers to stay local during the holiday season still offers a great return on any investment the Town cares to make. Town Manager Ervin proposes the initiation of another shop local event this year and that the Town leverages the Harvester Performance Center as well. The proposed plan is to have the Town underwrite and advertise a significant show with a recognized artist, but that the tickets to this event are only available at local retailers. The Town's merchants and retailers would have the option of giving out tickets for a certain volume of sales or through drawings or other giveaway mechanisms that they felt drew customers to their retail location. With enough advance notice and planning, it could be a strong regional draw to shoppers for local businesses. To underwrite and market the campaign would cost an estimated \$10,000. If Council supports the idea, the funds would be used from contingency. This would cover branding of the campaign, advertising the opportunity to see a great show only if you shopped in Rocky Mount and funding the underwriting of the artist hired.

General Discussion:

- Mayor Angle: Thinks this is a good idea. The “5 on Us” campaign was very successful and was more money than what this project is asking for. This will go a long way to keep people shopping in Rocky Mount.
- Assistant Manager Hankins: Did a precursor with the Mountains of Music festival. He picked five businesses, gave each two tickets and asked them to give the tickets to the next person in their store that spent \$100 or more. He is pleased to report that at least eight of the tickets were used. The businesses were pleased with the gift and he thinks they would be receptive to this sort of thing and it does get it in mind, particularly if done in November, to shop local.
- Council Member Cundiff: Will this be carried out by staff of the Harvester or will someone else be handling it?
- Assistant Manager Hankins noted that it will be Harvester staff as well as Community Development staff. Town Manager Ervin noted that it will also require Finance staff.
- Council Member Moyer: Can this be tabled to the next Council meeting?
- Town Manager Ervin: Yes, this can be tabled for a month. However, that would probably be the end for staff to be able to effectively plan such an event. The Town has all the players, all the tools, and all the talent. An event like this will need to be kicked off no later than August.
- Mayor Angle: suggested that the Public Facilities & Special Events Committee look at the request and report back to Council at the next meeting.

Let the record show that no action was taken at this time.

New Business Item No. 7: Review of pro forma budget for Harvester operations

Staff Report by Assistant Town Manager Hankins: As Council is aware, the accounting and reporting processes changed for the Harvester Performance Center on July 1. The Town is underwriting the building costs (maintenance, personnel, communications, custodial, utilities and other building-related costs) with a budget of \$289,310, much of that recouped through increased meals, lodging and sales tax revenues resulting from Harvester-driven activity. Staff expects the operational side of the equation (show expenses and revenues, less personnel and building costs) to carry its own weight in the coming year. Staff is using the pro forma budget included in the Council packet to guide spending for the next 12 months as Harvester Performance Center LLC enters tax year 2016. This budget is provided for Council’s information. The staff will adjust the budget as necessary to take into account market conditions, budget, major donations and sponsorships, and overall business performance. Council will continue to receive periodic updates from the Harvester’s independent accountant regarding overall performance.

General Discussion:

- Mayor Angle: Clarified that the breakdown given in the pro forma budget is not set in stone.
- Assistant Manager Hankins: Agreed, advising that some of the numbers are based on projections.

Let the record show this item was for informational purposes only and no action was taken.

COMMITTEE REPORTS

Committee Report No. 1: Public Safety Committee Report for June 18, 2015

Report by Town Manager Ervin: The Public Safety Committee met on June 18, 2015 to receive an update from the Police Chief Criner on law enforcement issues throughout the community. Specifically, the frequency of complaints regarding the playing of basketball in the street was discussed. This item has already been covered under new business.

General Discussion: None

Committee Report No. 2: Streets, Sidewalks and Streetlights Committee Report for June 29, 2015

Report by Assistant Town Manager Hankins: The Streets and Sidewalks Committee met with staff on June 29, 2015 and discussed the following:

- The street paving list submitted by the public works director was approved to proceed to bid, with an expectation that work will be completed in the fall. The committee had no additions, and the major work to be completed in this round of paving is South Main Street from the recently completed bridge work to the Floyd intersection. The committee made no additions to the list, but the Town has approximately \$400,000 in unexpended VDOT maintenance funds to spend on paving, signal coordination, sidewalk replacement or other projects. Staff will work to come up with projects for consideration.
- The Wayfinding Signage Project bids came in higher than expected. Staff will reduce the scope of the project and rebid the work using force account for installation. Staff expects to report back to Council in September with alternatives. Committee members agreed that the project should be done as a single package rather than over time.

General Discussion: None

OTHER MATTERS & CONCERNS

Referrals from other Town of Rocky Mount Boards, Authorities & Commissions:

1. Study to recommend areas for Urban Development Area authorizations for transportation funding:

Comments from Town Planner Gibson: Noted that basically the need for Urban Development Areas (UDAs) is another layer of House Bill 2 (HB2) that helps facilitate and make funding more efficient for VDOT and for citizens of the Commonwealth. (HB2 is the radical revamping of how the 6-year plan is formulated which will require the Town to resubmit all of its projects.) Staff believes that layering as much as possible onto the project categories is the best way to get a project funded. The Town is located in a *corridor of statewide significance* already, so there are a lot of projects that can be proposed in that category. But, the General Assembly enacted UDAs as a second category which seems to fit in some areas of the Town already, such as the Central Business District, so staff feels that UDAs are worth taking a look at.

General Discussion: Council voiced no objections to this request

2. Study language to regulate yard/garage sales:

Comments from Assistant Manager Hankins: He has been under the impression for a while that there is language in the Town Code which allows staff to regulate yard and garage sales, but he has not been able to find any such code. Staff is asking that this be referred to Planning Commission for discussion, as staff gets a fair number of complaints about ongoing yard sales or the frequency of yard sales and the associated traffic.

General Discussion: Council voiced no objections to this request

Rise and Shine Franklin County Appearances:

Town Manager Ervin appeared on *Rise and Shine Franklin County* with Host Dick Shoemaker this morning.

Council Concerns:

Angle: None.

Cundiff: Congratulated Water Plant Superintendent Deitrich for the accountability of the water, and Waste Water Plant Superintendent Burton for running a tight ship, and Public Works Director Mason for all the help that he has given.

Love: Had a citizen visit about trash collection. Concerned for Town to consider removing \$4 fee and allowing them to take off their own trash. They said it had been done previously and they would like to have that option now. Mayor Angle recalled that the town did do that once, then it happened where Town employees were picking up trash for people that were not paying fees. This is when the decision was made to just include it for everybody. It is a small amount now, and already being subsidized, and if cut back, then would be subsidized more. Town Manager Ervin noted that localities across Virginia fund refuse collection in a lot of ways. The way the Town does it right now is called a *universal charge*, which is lowest charge. Some use a bag tag, some do it a la carte, which means that people can reject the service and this usually results in higher prices. Right now, the Town operates with about a \$200,000 per year subsidy for picking up trash. If the Town were to let people reject, 10% might flee and prices would need to be adjusted accordingly. Ultimately, what the Town has now is the lowest price model. It is an availability fee, not a collection fee. Even the homeowner who wants to opt out, once a year, probably needs storm clean up. Staff can give Council some options as far as an opt out option. Council Member Love noted that she will have the citizen call the office. Town Manager Ervin noted that another argument for universal charge, is that staff wants the trash to be picked up, not piled up on the carport until it is hauled to the dump.

Moyer: Questioned where staff is with the 'no parking' signs at the Farmers' Market? Six months ago signs were approved to go there. Three months ago he asked why it had not been done on the Cox's side. As of today, they are still not there. Town Manager Ervin noted that he has ordered appropriate signs, and asked to meet with Public Works Director to go out and look at putting up additional signs. He thought the first signs solved the problem, but will put up more signs if not.

Snead: None.

Stockton: None.

Walker: None.

CLOSED MEETING & ACTION

Entering Closed Meeting:

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

Time: 8:03 p.m.

Virginia Code Sections:

1. 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 (Downtown)
2. Section 2.2-3711 (A).5 - Discussion concerning a prospective business or industry, or the expansion of an existing business or industry where no previous announcement has been made of the business's or industry's interest in locating or expanding its facilities in the community (manufacturing)
3. 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 (SCC filing by Roanoke Gas)

Motion By: Council Member Moyer

Second: Council Member Stockton

Motion Discussion: None

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

Nays: None

Action: Meeting convened into a closed session by a unanimous vote

Exiting Closed Meeting:

Motion: To reconvene back into regular session

Time: 8:52 p.m.

Motion By: Council Member Love

Second: Council Member Snead

Motion Discussion: None

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

Nays: None

Action: The meeting was reconvened into regular session by a unanimous vote

Declaration of Closed Meeting Discussion:

Motion: To certify that nothing was discussed in the closed meeting other than what was stated in the motion to enter the closed meeting

Motion By: Council Member Stockton

Second: Council Member Moyer

Motion Discussion: None

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

Nays: None

Action: The Mayor swore to adopt the motion on the floor by Council Member Stockton and reported that no action was taken during the closed meeting.

Certificate of Closed Meeting:

Whereas, the Rocky Mount Town Council has convened a closed meeting on Wednesday, February 18, 2015 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

There being no further business to discuss, Mayor Angle entertained a motion to adjourn:

Motion to Adjourn By: Vice Mayor Walker
Second: Council Member Love
Motion Discussion: None
Ayes: Cundiff, Love, Moyer, Snead, Stockton, Walker
Nays: None
Action: The meeting adjourned by a unanimous vote
Time of Adjournment: 8:57 p.m.

Steven C. Angle, Mayor

ATTEST:

Stacey B. Sink, Town Clerk

SBS/