

**ROCKY MOUNT TOWN COUNCIL
REGULAR COUNCIL MEETING
JULY 13, 2009**

The July 13, 2009 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 Posey W. Dillon and Council Members Jerry W. Greer, Sr., Roger M. Seale, Robert W. Strickler, and Gregory B. Walker

Let the record show that Council Member John H. Lester was absent.

The meeting was called to order by Mayor Angle.

The Town Clerk read for the record the following being 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 Erik Mollin, Finance Director Linda Woody, Fire Chief Posey W. Dillon, Public Works Director Cecil R. Mason, 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 was made by Council Member Strickler to approve the agenda as presented, seconded by Council Member Greer and carried unanimously.

SPECIAL ITEMS

A) Presentation by Explorer Post 330

The Chief of Police, along with Corporal T. J. Robertson of the Rocky Mount Police Department, were presented a charter for the Explorer Post 330 by Mr. Eric Ritzen, V-DA-Li District Chairman, Blue Ridge Mountains Council, Boy Scouts of America.

Mr. Ritzen complimented the Chief of Police, along with the Rocky Mount Police Department, on their endeavors to successfully start an Explorer program with the Rocky Mount Police Department. The Chief informed Council that the program was chartered in June 2009 at the request of Boy Scouts of America. Currently, there are six members in the program, with an upcoming meeting hopefully bringing more young people aboard.

The Mayor congratulated the Chief of Police for their endeavors with this program.

PUBLIC HEARING

Let the record show there were no public hearings.

APPROVAL OF MINUTES

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

- June 8, 2009 Regular Council Meeting Minutes
 - June 30, 2009 Special Council Meeting Minutes
- Motion was made by Council Member Seale to approve the draft Council meeting 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
 - Miscellaneous Action
 - Departmental Monthly Report
 - Bill List
- Motion was made by Council Member Strickler to approve the draft *Consent Agenda*, with motion on the floor being seconded by Council Member Seale. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

HEARING OF CITIZENS

A) Presentation by Jon Morris, Executive Director, STEP, Inc.

Mr. Jon Morris, Executive Director of STEP, Inc., came before Council on behalf of STEP, Inc., giving an update on STEP's accomplishments over the past year and their goals for the upcoming year. He presented the following:

- Project clients they will be assisting in Fiscal Year 2009, along with agency growth and total funding.
- Highlights over the past year, which included breaking ground on their new building in Patrick County; constructing home in Rocky Mount with the assistance of Franklin County and Town of Rocky Mount; provided free tax preparation services to residents; Homeless Intervention Program; and being a certified HUD Housing Counseling Agency.
- Went over economic impact on the community.
- Community Needs Assessment shows that financial education, housing, transportation, and child care are tremendous needs in the community; programs for youth and families are needed; and also the need for more emergency funds and support.
- STEP's response for the future will be doubling their weatherization program; applying for an Early Head Start grant; looking to develop a parenting program and more youth programs; started a Financial Literacy Program; continue to attempt to provide homeless housing and affordable housing options; and may look at providing financial assistance to local organizations affected by increased traffic.
- Challenges will be that the state has cut \$50,000 in funding; creating meaningful partnerships; ensure ARRA (stimulus) funding is properly spent; finding appropriate space for LIFES Academy; ensuring the agency is responding appropriately to the need of the community; to not take shortcuts in providing quality services; and sorting through the stimulus.
- Some of the stimulus funding they received was given to other non-profit organizations in the County as small grants.

Mr. Morris summed up by complimenting the Town Manager and Assistant Town Manager for being proactive and assisting STEP, Inc. whenever possible. He further stated that he looks forward to the Council's continuing support, and welcomed their prayers.

B) Other Citizens

Let the record show that the Mayor opened the floor to anyone else wishing to come before Council. Let the record show that no one came forward to speak.

OLD BUSINESSA) Review and Consideration of Purchase of Additional Recycling Container for Plastics

It was brought to Council's attention by the Town Manager that they had previously authorized him to purchase a recycling container for plastics to be placed at the Wal-Mart recycling site managed by Franklin County, which is to augment the existing recycling containers there already in place by the County. He pointed out that the County's Solid Waste Manager had suggested that two containers be placed at the site due to the limited compaction nature of plastic collection, and based on his experience, plastics fill up containers quickly. The Town Manager informed Council that the two containers would be \$1,800 (plus shipping), and that this amount is still within the Town's yearly litter prevention grant amount and can be accommodated within the Town's current budget. Based on this, the Town Manager requested Council's permission to purchase two containers instead of one.

- Motion was made by Council Member Greer to authorize the Town Manager to order the two containers as presented, with motion on the floor being seconded by Council Member Seale. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

NEW BUSINESSA) Review and Consideration of Removal of Dam Near Veterans' Park

Mr. Scott Martin, Director of Franklin County Commerce & Leisure Services, presented to Council a PowerPoint presentation entitled "Pigg River Low Head Dam Passage Pilot Project". The following was presented:

- Action timeline:
 - The Franklin County Board of Supervisors had directed their staff to complete a rough design and vet it with the agencies and partners in the summer of 2008.
 - Pre-permitting meetings completed from October 2008 – February 2009.
 - Redesign of initial project completed in March to assuage regulatory agency concerns.
 - Final design received by staff on May 29.
 - Opportunity to discuss other site options aside from river park design should an alternative approach be the Board of Supervisor's director.
- Went over Franklin County Blueways, showing pictures of the dam.
- Went over the "Four Site Options Big Differences", with an option to do either:
 - Complete dam removal

- Significantly lower cost of \$100 - \$125,000.
- Permitting is much smoother and quicker.
- Complete removal of hazard.
- Would result in total removal of water holding capacity in the area.
- Permits full passage for fish and boats.
- Possibility of significant federal/state grants to support.
- Dam facing/Retrofitting
 - Significantly lower cost of \$20,000.
 - Permitting is much smoother and quicker.
 - Preserves water holding capacity behind dam.
 - Does not permit passage of boats and fish.
 - Removes hazard of entrapment and hydraulic.
 - Can be removed if/when dam is removed at some later time with not a significant cost increase.
- Went over the in-stream park, showing two different options, specifically highlighting the Veterans' Park low head dam, giving several examples of those already in existence in other areas.
- Went over in-stream park summary:
 - Most capital and permitting intensive of the proposals (estimate cost of \$316,000).
 - Regulatory and permitting is challenging. Will require first of its kind studies and practices.
 - Produces a safe and unique community asset that will define passive recreation in this are of the County.
 - Allows for fish and boat passage.
 - Increase recreational use of the river corridor in association with the Town's trail component.
 - Can be phased.
 - Allows for future water withdrawal at the site by the Town.
- Board of Supervisors' action requested for their staff:
 - No action. If no action, when/if do you want it revisited.
 - Seek design/funding/permitting for dam removal with the Town. No County cost share at this time, aside from staff time.
 - See design/funding/permitting for dam facing with Town. Minimal County cost for retrofit, with contribution of County staff time.
 - Complete final design and submit permits with in-stream park. \$40K of design and permitting work. Aim for permits in late Fall 2009.

Question arose from Council Member Seale regarding if the Veterans' Memorial Park committee was aware of the type of recreational facility that would be going in at what seems now to be a peaceful area for a Veterans' Memorial park, as he personally would not want to see anything take that away.

Mr. Martin confirmed to Council Member Strickler that if the dam is taken out, this area could not be a recreational area because to do that, most of the dam needs to stay intact.

The Mayor asked Council if it was their consensus to direct Mr. Martin and his staff to come back before Council with something more specific.

Mr. Martin questioned the safety of the hydraulics of the dam at this point, with the Mayor stating that he doesn't think anything is off of the table right now. Council Member Walker stated they needed to be checked for safety reasons in that something needs to be done about the hydraulics regarding retrofitting, with Mr. Martin agreeing.

The Mayor advised Mr. Martin to go forward with the consensus of Council and to get back with the Town with his findings, with Mr. Martin confirming that he will direct his findings to the Town Manager.

B) Review and Consideration of Approval of Proposal for Network Services

It was reported to Council by the Town Manager that due to the reductions in the Town's Fiscal Year 2010 budget, he rebid the contract for the Town's computer and IT support services:

- Of the three firms that submitted proposals, the most suitable to the Town's needs was submitted by Safer Network Solutions, which is in the process of locating in Town on Claiborne Avenue.
- The proposal submitted allows the Town to use Safer Network Solutions for support at a rate of \$75.00 an hour, with an estimated monthly use of eight hours of support. This results in a monthly cost of \$600, but unused hours can be carried forward.
- This is approximately a \$400 per month savings from our current IT support contract and will eliminate the need for travel time for a technician.

The Town Manager confirmed the following to Council:

- The firm is local and there will be no travel costs.
- The firm should be more time responsive since it is local.
- Quality should not be sacrificed by the firm, and if this does happen, the Town will pull out of the contract.
- The AS400 computer in the Finance Department is under a different firm's contract and the Finance Director is satisfied with the service she receives from them.

The Town Manager requested Council's authorization to execute the contract with Safer Solutions Network.

- Motion was made by Vice Mayor Dillon to approve the proposed contract and

allow the Town Manager to enter into an agreement with them, 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.

C) Review of Surplus Items Sold To-date on eBay

On behalf of the GIS Technician/Code Inspector, the Assistant Town Manager presented a list of surplus items that the Town has sold to-date on eBay, stating the following:

- Items were sold at a price that would not have been received if sold at a local auction.
- Paid very little fees to transact these sales.
- Have one surplus equipment left to sell for the Fire Department.
- Looking at other items to generate sales for the Town to put on eBay.

D) Review and Consideration of Request of Rocky Mount Beautification and Urban Design (BUD) Committee

On behalf of Lorinda Lionberger, Chair of the Rocky Mount Beautification and Urban Design (BUD) Committee, the Assistant Town Manager informed Council that three of the original Commission appointees term expired June 30, 2009, being Janie Hopkins, Lorinda Lionberger, and Dixie Shearer, and during the BUD's June meeting, the Commission approved the following recommendations to Council: Lorinda Lionberger and Dixie Shearer to be reappointed as voting members of the BUD Commission, and that Russ Johnson be appointed as a voting member, with all three consenting to serve if appointed. He further confirmed to Council that Council had allowed the Commission to allow the addition of members, with the Town staff advertising as such, with two names being received as candidates, being: Arnold B. Dillon, Jr., and Baranda Wilcox.

It was confirmed to Council by the Assistant Town Manager that the two names being received as a result of the advertising the Town had done were not given to the Commission as of this date. He also confirmed that the Commission had added non-voting members in the past.

- Motion was made by Council Member Seale to appoint the three names as requested by the BUD Commission, with motion on the floor being seconded by Council Member Greer. Discussion ensued. The Assistant Town Manager confirmed to Vice Mayor Dillon that Mr. Johnson was attending the BUD Commission meetings as a non-voting member. There being no further discussion, let the record show that the motion on the floor passed unanimously by those present.

It was further confirmed to Council by the Assistant Town Manager that the advertisement placed by the Town was for voting members, and that the advertisement was only done once. Also confirmed to the Town Manager that the BUD Commission has not seen any information regarding Mr. Dillon or Ms. Wilcox wanting to serve. He further confirmed to Council Member Greer that he believes the terms for the appointees would be for four years.

Council Member Greer suggested that before Council takes action on the two new applicants, that the Assistant Town Manger talk to Mrs. Lionberger first to see if the Commission would be pleased with the names being submitted to serve. The Assistant Town Manager so noted.

E) Review and Consideration of Approval of Commonwealth of Virginia, Department of Criminal Justice Services, School Resource Incentive Grants Fund for Franklin County High School and Franklin County Middle School

Presented to Council for their review and consideration by the Town Manager were two draft resolutions regarding the following grants:

1. "Town of Rocky Mount Supplemental Appropriation Resolution for the Fiscal Year Ending June 30, 2010" (School Resource Incentive Grant for Franklin County Middle School).
2. "Town of Rocky Mount Supplemental Appropriation Resolution for the Fiscal Year Ending June 30, 2010" (School Resource Incentive Grant for Franklin County High School).

The Town Manager confirmed to the Mayor that there is local costs to a certain extent for the match on these grant, but there is no in-kind match that can be made from the Town for these grants.

The Mayor entertained a motion.

- Motion was made by Council Member Strickler to approve the two grants, 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 was passed unanimously by those present.

COMMITTEE REPORTS

The Assistant Town Manager/Community Development Director presented to Council the following committee reports:

A) Streets, Sidewalks & Sanitation Committee

It was reported by the Town Manager that the Streets, Sidewalks & Sanitation Committee met on July 7, 2009 to review the following:

1. The pedestrian crosswalk sign was discussed, as well as the business owners, citizens and drivers reactions to it. It was the consensus of the Committee that the sign helped to calm traffic and encourage an awareness of pedestrians in the corridor. It was the recommendation of the Committee to expand the pedestrian crosswalk signage program to include the crosswalk at the YMCA/Middle School, the crosswalk at the hospital, and the crosswalk adjacent to the Wray's building (between Trendz Hair Salon and J&J Fashions). Other sites had been discussed, but the Committee felt that the three additional signs as recommended would be a good next step in the process, with the Committee agreeing to review the signs again in a year.

The Mayor entertained a motion.

- Motion was made by Vice Mayor Dillon to approve the installation of the additional crosswalk signs in the other areas as requested, with motion on the floor being seconded by Council Member Walker. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.
2. The Chief of Police had presented to the Committee an overview of the list of traffic signal maintenance issues he has been dealing with, as well as an overview of the recent improvements. It was the consensus of the Committee that these light issues were a priority, especially easing the congestion on Franklin Turnpike, but that no action be taken by Council at this time.

OTHER MATTERS & COMMENTS

A) Referrals to Planning Commission from Town Council

The Assistant Town Manager stated that the two following items needed to be given to the Planning Commission for its consideration at their August meeting:

1. Consider the elimination of the area requirement for Central Business District parcels as contained in the Planning Zoning Ordinance Section 26-5.
 - Approximately half of all 228 parcels in the Central Business District (CBD) lack the current requirement of 10,000 square feet. Nearly all non-residential commercial properties in the zoning lack the required square footage. In sampling zoning ordinances of similar and nearby localities, only one (Roanoke) regulates the area required for Central Business Districts. Those areas tend to have buildings built within the footprint of the property with off-site or on-street parking. This referral originates from a property owner who

owns multiple buildings on single site and would like to subdivide the property to facilitate a sale. However, the Town staff believes that regardless of the origination, the elimination or reduction of the area required in CBD is good public policy for sustainable development.

The Mayor entertained a motion.

- Motion was made by Council Member Seale to refer to the Planning Commission during their August meeting the request as presented and to bring it back before Council during the regularly scheduled Council September meeting, with motion on the floor being seconded by Council Member Strickler. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.
- 2. Consider setting a date in September for a joint meeting of the Planning Commission and Town Council.
 - The Planning Commission has requested to hold another joint meeting with Council, and asks that the meeting be held in September. The Mayor so noted.

B) Rise 'N Shine Appearances

It was confirmed that the Assistant Town Manager would be appearing on the August Rise 'N Shine show. Council Member Greer commented that it had been some time since he has been on the show, and would try to make the one in August.

COUNCIL CONCERNS

Let the record show there were none.

CLOSED MEETING

At 8:00 p.m., motion was made by Vice Mayor Dillon to go into *Closed Meeting*, and seconded by Council Member Seale and carried unanimously by those present 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 Manager's Office).

At 8:12 p.m., motion was made by Council Member Strickler 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 Seale 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 Vice Mayor Dillon 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 consider 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 Vice Mayor Dillon that this was all that was discussed as defined in Section 2.2-3412 Code of Virginia. Voting yes were Vice Mayor Posey W. Dillon and Council Members Jerry W. Greer, Sr., Roger M. Seale, Robert W. Strickler, and Gregory B. Walker.

The Mayor reported that no action was taken.

ADJOURNMENT

At 8:15 p.m., motion was made by Council Member Seale to adjourn, seconded by Council Member Walker and carried unanimously by those present.

Steven C. Angle, Mayor

ATTEST:

Patricia H. Keatts/Town Clerk

/phk

(this page left blank intentionally)