

**ROCKY MOUNT TOWN COUNCIL
SPECIAL COUNCIL MEETING
FOR A
JOINT WORK SESSION BETWEEN
ROCKY MOUNT TOWN COUNCIL
AND
TOWN OF ROCKY MOUNT PLANNING COMMISSION
SEPTEMBER 24, 2009**

The Rocky Mount Town Council held a special joint meeting with the Rocky Mount Planning Commission at the Community & Hospitality Center (Depot) located at 52 Franklin Street, Rocky Mount, Virginia at 5:30 p.m., with Vice Mayor Posey W. Dillon presiding on behalf of the Rocky Mount Town Council, and Chair Janet Stockton presiding on behalf of the Rocky Mount Planning Commission.

The Rocky Mount Town Council was called to order by Vice Mayor Dillon.

Let the record show that a roll call was taken by the Town Clerk members present on behalf of the Rocky Mount Town Council:

Vice Mayor Posey W. Dillon and Council Members Jerry W. Greer, Sr., John H. Lester, Roger M. Seale, Robert W. Strickler, Gregory B. Walker, and all other staff as noted in the minutes. Let the record show that Mayor Steven C. Angle was not present. Staff as noted being present was Town Manager C. James Ervin, Assistant Town Manager Matthew C. Hankins, Town Attorney John T. Boitnott, Executive Director for Community Partnership for Revitalization Katie McElroy, and Town Clerk Patricia H. Keatts.

The Planning Commission was called to order by Chair Stockton.

Let the record show that a roll call was taken by the Deputy Clerk of members present on behalf of the Planning Commission:

Chair Janet Stockton, Vice Chair John Speidel, and Planning Commission Members Ina Clements, Bobby Cundiff, Derwin Hall, and Jerry Greer. Staff as noted being present were Assistant Town Manager Matthew C. Hankins, and Deputy Clerk Stacey B. Sink.

APPROVAL OF AGENDA

Vice Mayor Dillon stated that since the Mayor was absent, there was not a full Council present; therefore, the agenda could not be amended. Thus being said, Vice Mayor Dillon entertained a motion to consider approving the presented agenda.

- Motion was made by Council Member Strickler to approve the agenda as presented, with motion on the floor being seconded by Council Member Lester. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

CONSIDER BOARD AND COMMUNITY SUPPORT FOR ESTABLISHING AN ARTS AND CULTURAL DISTRICT

Prior to the meeting, Council and Planning Commission had received information from the Assistant Town Manager on information from the Code of Virginia pertaining to § 15.2-1129.1 *Creation of arts and cultural district*.

Two questions were posed to Council and Planning Commission regarding the proposed establishment of such district: (1) Should a district be established? and (2) If so, what incentives should staff explore for Council and Planning Commission consideration?

The discussion started with the Town Manager informing those present that the Assistant Town Manager and Executive Director of Community Partnership for Revitalization (CPR) were at the meeting to discuss this, and there has been past meetings that they had attended recently to determine how best to stimulate the economy in the area. This included working with the County on a strategy to do this. One of the strategies will be brought before Council during their regular meeting to be held in October regarding the use of "Five on Us" coupon campaign.

The Assistant Town Manager stated that the arts and cultural district matter comes before both the Council and Planning Commission as a result of information that staff put on the agenda regarding § 15.2-1129.1 of the Code of Virginia stating that any locality may, by ordinance, establish within its boundaries an arts and cultural district in the locality.

The Executive Director of CPR commented that the work session she attended regarding this matter indicated that visitors coming through a locality to visit the art or cultural events usually stay an extra day in the area spending money, and as such, would help stimulate the economy if such a district was implemented by a locality.

The following points were brought out and discussed by those present:

- Mechanically, this district may be a lot like the Enterprise Zone and can have similar tiers built-in regarding incentives.
- A lot of things the state legislature gives localities, but need to know if Council and Planning Commission want to pursue.
- This is a new tool for localities to use.
- The way the legislation is written by the state, localities can have more than one area designated for an arts and culture district.
- Would like to keep what types of events can be held open-ended at this time, such as: food services can be tied in to this as they may host arts/cultural events; book

stores as they may be selling books, etc. regarding the arts; or music stores; and places where people can actually walk into an establishment to see art/cultural work being done, such as making instruments.

- In order for the Town to be able to get economic development in the area, the Town has to use what tools it has because the state will not assist as much as the Town may like for them to be able to do.
- From staff stand point, will be looking at getting the arts/cultural district into the traditional core of the Town because this is where space needs to be filled.
- Wherever the district is, will need to be able to walk to businesses within that area.
- From the beginning, would not want to rule out any business from being able to participate at this point, and also want to recruit new businesses, and in the meantime, look at how this type of district can help the existing businesses, with the Town not losing the "Mom and Pop" stores already in existence.
- The Town needs to take advantage of creating this district as soon as possible.

There being no further discussion, Vice Mayor Dillon entertained a motion.

- Motion was made by Council Member Lester for the Town to proceed with work for the Town to require such a district, with motion on the floor being seconded by Planning Commission Member Clements. There being no discussion, let the record show that the motion on the floor passed unanimously.

DISCUSSION REGARDING CURRENT STRUCTURE OF RECOMMENDATION AND REFERRAL

This portion of the meeting consisted of two questions: (1) Are Council and Planning Commission satisfied with structure? and (2) Any changes need to be made?

The Town Manager confirmed that this pertained to staff.

Vice Chair of the Planning Commission John Speidel stated that he would like to see what Council has approved and what action Council has taken on matters that were referred to the Planning Commission, as was once given to them by the former Planning & Zoning Administrator in the form of a monthly report.

It was explained by the Assistant Town Manager that currently his office is running about a month behind on this report as his department still has a vacancy for the Planner position, but that his staff could have the report given to them when it is completed, with the details as to how best send the report to them in a timely manner being worked out with staff involved in getting the reports to them. One suggestion would be to have them included in the monthly Planning Commission packet that is sent out prior to their regular monthly meetings.

It was confirmed to the Planning Commission by the Assistant Town Manager that the Deputy Clerk is diligently working on getting the Zoning & Development Ordinance up-to-

date. He explained that after the Planner quit working for the Town, there were obvious sections of the Ordinance that did not match up with what it should be, and that the Deputy Clerk was double-checking every section to make sure that the final draft would be correct.

Vice Mayor Dillon stated that if there are matters of concern from the Planning Commission, those matters needed to be taken to the Town Manager right away.

UPDATE ON COMPREHENSIVE PLAN REVISIONS

The Assistant Town Manager stated that the Planning Commission had approved a schedule for reviewing and updating the Town's Comprehensive Plan, and it is his hope that this will be completed by next summer. He further stated that there are a variety of factors involved with this and asks Council's and the Planning Commission's indulgence while getting this done. He further confirmed that the Comprehensive Plan, by state law, has to be updated every five years, and if it is not done sooner than that, the process can be a long and tedious process. He also commented that it could also be revised sooner than five years. It was pointed out that the last revision the Town did was 2007.

The Town Manager stated that the revisions do not have to be a complete re-write, but simple revisions or amendments. He also pointed out that if the Town goes for the art/cultural district, this would need to be added to the Comprehensive Plan.

It was brought up by the Assistant Town Manager that one of the recent discussions on the "planners' list service" was conservation easements, and if someone wants to designate an area as such, the locality does not have the ability to limit it from being done if something is not in place in that locality to prevent it from taking place. He further stated that if Council and the Planning Commission do not object, he will be proposing restrictions where conservation easements can be planned in order to let the Town have a say on what areas can be designated for such easements.

The Town Manager stated that the rationale behind this proposal was that easements would be appropriate in a rural setting, but not in an urban setting as it could be used by those wanting to do this as a tax write-off. The Town could designate zoning that would only allow conservation easements in areas where it would best fit within the Town limits. Also, having this type of zoning would help prevent someone coming in and putting such an easement on public space, as it would protect the Town's investment in getting property ready for something else. An example was given of open space in the Industrial Park, with the Town preparing the land for future industry, and then someone trying to put a conservation easement on that land that the Town is trying to develop, and if this takes place, the Town loses all the investment that they have put towards developing the land.

PROTECTING REDEVELOPMENT AREAS

The Assistant Town Manager informed the Planning Commission that he had sought

Council regarding a referral to them for their consideration regarding future placement of utility lines in areas redeveloped through grants or other areas of concern, with Council giving him the okay at their last regular Council meeting to approach the Planning Commission about. He pointed out that one of the consultants for the uptown revitalization project had stated that in other areas that they have worked in, once that area was redeveloped, someone could not come in and put in overhead lines, with this protecting the locality.

Vice Mayor Dillon stated that this was a good point because if the Town is expending tax dollars to redevelop an area, having this in place would not allow someone to do come in and do whatever they wanted, allowing the Town to place control over what can be done once an area has been redeveloped.

The Town Manager stated that the Town staff will come up with some ordinances to address this, bringing some of the Town's utility companies on board to look at what is being proposed. He further confirmed that staff would make sure that the conduit being put in will address future growth in the uptown revitalization project area.

The Town Manager and Assistant Town Manager both confirmed that staff will research this matter further and come up with proposed ordinances to the affect of what was discussed.

FUTURE JOINT MEETINGS

How many times during the year to hold a joint meeting between Council and the Planning Commission was discussed. It was the general consensus of those present that the joint meeting needed to take place semi-annually, with the next meeting taking place in March 2010.

It was discussed that if it seemed necessary to hold additional joint meetings, such meetings could be called.

COMMISSION CONCERNS

Chair Stockton brought up an issue dealing with the traffic lights in the 40 East corridor, with the Town Manager confirming that the Town is now in the process of releasing funds to have them worked on. He further confirmed that the traffic light at the post office will also be worked on, taking priority over the work to be done on the 40 East corridor traffic lights.

Planning Commission Member Clements questioned what the Town could do to stop people in shopping centers' parking areas from driving their vehicles in a manner of disregard to other vehicles' safety, such as cutting their vehicles in front of other vehicles. The Town Manager stated that policing those areas are outside of the Town's scope of enforcing private property rules, but he could talk to the property owners about her concern.

COUNCIL CONCERNS

Let the record show there were no Council concerns at this time.

STAFF CONCERNS

It was brought before Council and the Planning Commission by the Assistant Town Manager that he would like their input regarding the house located at 20 Donald Avenue that had caught on fire and burned a couple of months ago. He asked that if the house was demolished and someone would buy the lot, could they build a house back since the lot is so small. He further stated that if they could, he would be inclined to see something built the same size and style of the original house that was previously there, keeping in-line with the type of houses on the neighborhood.

There was discussion regarding if the Town Code had changed addressing the matter of a house being built back if demolished on a lot that was too small, with the Assistant Town Manager stating he believes this was discussed, but never passed by Council. There was also a general consensus of those present that if a house was to be built back, it would need to be built back on the same footprint of the previous home, and be in-line with the surrounding neighborhood.

The Town Manager and Assistant Town Manager confirmed to Council that staff will research to see what the Town Code says about rebuilding a home back on a small lot, and to make sure that the Town Code had not changed as previously thought.

ADJOURNMENT

At the direction of Vice Mayor Dillon for the meeting to adjourn due to no further business needing to be discussed, Chair Stockton requested a motion to adjourn from the Planning Commission.

At 6:59 p.m., motion was made by Planning Commission Member Clements to adjourn, seconded by Planning Commission Member Tiggle and carried unanimously.

Janet Stockton, Chair

ATTEST:

Stacey B. Sink, Deputy Clerk

Vice Mayor Dillon entertained a motion on behalf of Town Council to adjourn.

At 6:59 p.m., motion was made by Council Member Seale to adjourn, seconded by Council Member Strickler and carried unanimously by those present.

Posey W. Dillon, Vice Mayor

ATTEST:

Patricia H. Keatts/Town Clerk

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