

**ROCKY MOUNT TOWN COUNCIL
REGULAR MEETING MINUTES
SEPTEMBER 11, 2017**

The September 11, 2017 Regular Council 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
- Robert L. Moyer
- Jon W. Snead
- Billie W. Stockton
- Mark H. Newbill

The following staff members were also present:

- John Boitnott, Town Attorney
- Tim Burton, Waste Water Superintendent
- Ken Criner, Chief of Police
- Robert Deitrich, Water Plant Superintendent
- Rebecca H. Dillon, Executive Administrative Assistant
- C. James Ervin, Town Manager
- Matthew Hankins, Assistant Town Manager
- Jessica Heckman, Town Planner
- Mark Lovern, Lieutenant of Patrol
- Linda P. Woody, Finance Director

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

PLEDGE OF ALLEGIANCE

Mayor Angle led in saying the Pledge of Allegiance.

Mayor Angle asked everyone to remain standing to observe a Moment of Silence in remembrance of the anniversary of September 11, 2001.

APPROVAL OF AGENDA

Prior to the meeting, Council had received the agenda for review and consideration of approval. Let the record show that the agenda was amended in New Business to include an update regarding the Harvester Performance Center by Mr. Andy Turner.

Motion: To approve the amended agenda

Motion By: Council Member Newbill

Second: Council Member Moyer

Motion Discussion: None

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

Nays: None

Action: Approved the amended agenda by a unanimous vote.

SPECIAL ITEMS

None at this time

PUBLIC HEARING

None at this time

APPROVAL OF MINUTES

Received by Council in their packet for this scheduled meeting were draft minutes for review and consideration of approval:

- August 14, 2017 – Regular Council Meeting

Discussion: None

Motion: To approve the draft minutes

Motion By: Council Member Snead

Second: Council Member Stockton

Motion Discussion: None

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

Nays: None

Action: Approved the motion by a unanimous vote.

APPROVAL OF CONSENT AGENDA

This month's consent agenda consists of the following items:

- (1) **Miscellaneous Action:** (none at this time)
 (2) **Miscellaneous Resolutions/Proclamations** (none at this time)
 (3) **Department Monthly Reports**
- Community Development Department
 - Finance Department
 - Fire Department
 - Police Department
 - Public Works Department
 - Wastewater Department
 - Water Department

Discussion: None

Motion: To approve the consent agenda as presented.

Motion By: Council Member Stockton

Second: Council Member Snead

Motion Discussion: None

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

Nays: None

Action: Approved the consent agenda as presented by a unanimous vote.

HEARING OF CITIZENS

Mayor Angle opened the floor to any citizens wishing to speak.

For the record, no one came forward.

OLD BUSINESS:

None at this time

NEW BUSINESS

1. Supplemental Appropriation for VML Safety Grant

The Virginia Municipal League (VML) awarded the Town a \$4,000 safety grant towards the purchase (\$8,635) of a video surveillance system at the Emergency Services Building. A supplemental appropriation was presented to recognize the award. The balance would be coming from the Emergency Services Building account.

Discussion: None

Motion: To approve the request

Motion By: Council Member Newbill

Second: Vice Mayor Walker

Motion Discussion: None

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

Nays: None

Action: Motion approved by a unanimous vote

2. Repeal of Town Code § 58-5.1

Mr. Ervin stated that Rocky Mount Town Council approved water and sewer rates annually as part of the budget and may from time to time set rates in between budgets as needed for the overall fiscal health of the utility operations. The language in Chapter 58 of Town Code had been modified to state that rates are set administratively (with Council approval). The language that establishes this practice is set in § 58-6. § 58-5.1 is an artifact left from when rates were set in Town Code and sets out the rate for Elderly and Disabled customers. Council has modified the Elderly and Disabled rate tier and has expanded its application to non-profits in recent years in ways that conflict with the out of date code section.

The Town Attorney spoke stating that Mr. Burton had started the repeal process approximately one year ago. The Elderly and Disabled rates were completed in 2005. The charges were established by the ordinance. In 2012, Chapter 58 was amended to take the Elderly and Disabled rates out of the ordinance so Council would not have to change Chapter 58 each time the ordinance was published by Council. The Town Attorney explained that the rates are now set by a schedule, published by Council and does not intertwine with Chapter 58.

The Town Attorney added that Chapter 58-5.1 had to be repealed as part of the process before Chapter 58 could be amended in its entirety, at which time it would be brought to Committee, and then to Council for review.

Discussion: None

Motion: To repeal Chapter 58-5.1

Motion By: Council Member Snead

Second: Council Member Cundiff

Motion Discussion: None

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

Nays: None

Action: Motion approved by a unanimous vote to repeal Chapter 58-5.1

3. Harvester Performance Center Financial Update

Mr. Andy Turner presented a mid-year financial report of the Harvester Performance Center.

Received in ticket sales and concessions for half way through 2017 was \$871,501.07

Performance Expenditures neted for 2017 \$785,232.23
Beginning profit from the shows are \$ 86,268.84
Operational Expenditures \$134,137.34
Loss for mid-year of \$47,868.50.
Cash on hand as of June 30, 2017 was \$120,473.15

Also listed on the handout were expenses that were underwritten by the Town.

Council Member Moyer asked Mr. Turner if the profit that was shared with Council from the Harvester, included the amounts for salaries. Mr. Turner replied, that was not entailed on the sheet.

Mr. Hankins stated that the way the Harvester is funded, the building, operations and personnel expences, are funded from the increase that comes in through meals tax. The operations stand on their own.

The Mayor asked what the status was of the study that Virginia Tech was performing on the Town and the local economy. Mr. Hankins responded by saying that Virginia Tech was working on the study currently. Virginia Tech has engaged surveys with every ticket buyer who has been to a Harvester show since June of 2017. Virginia Tech has performed surveys at the Harvester as well. Also, everyone who purchased a Harvester ticket from September 2016 through the current September (2017), will receive an email with a survey to respond to. Mr. Hankins stated that Virginia Tech hoped to deliver the final product of those surveys to the Town in December.

COMMITTEE REPORTS

1. The Streets, Sidewalks & Streetlights Committee met on August 29, 2017 to continue the discussion with Mr. Pinkard regarding the maintenance of his property abutting South Main Street and Riverview.

Mr. Ervin stated that Mr. Pinckard met with the Streets, Sidewalks & Streetlights Committee on August 29, 2017. It was the consensus of the committee to agree to continue the Town's twice a year maintenance of the steep slopes on Mr. Pinckard's property on South Main Street. In addition to the twice a year maintenance (once in the Spring and once in the Fall), there would also be an optional third mowing if needed. The Committee asked the Town Attorney to develop a document allowing the Town to access Mr. Pinckard's property and the other residents who have asked for more frequent bank/slope mowing as well.

Council Member Snead asked the Town Attorney to draft a paper of preapproval for mowing Mr. Pinckard's property and for the other property owners as well. The Town Attorney stated that such a paper would likely detail permissible entry. The Town Attorney further stated that he would work with Mr. Ervin, Mr. Pinckard, and the other property owner to draft an agreement that would receive their preapproval and then present the document to Council.

For the record, no action was required at this time.

2. Public Facilities & Special Events Committee Meeting was held on September 7, 2017 but met too close to the packets release to be covered in the packet.

Mr. Hankins stated that he would write up a summary of that committee meeting and present it to Council at the next regular meeting in October.

REFERRALS TO PLANNING

None at this time

OTHER MATTERS AND CONCERNS

Mr. Ervin was on Rise n' Shine.

CLOSED MEETING AND ACTION

Enter Closed Meeting

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

Time: 7:20 p.m.

Virginia Code Section:

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. Economic Development Authority

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. Board of Zoning Appeals

Motion By: Council Member Stockton

Second: Council Member Snead

Motion Discussion: None

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

Nays: None

Action: To go into a closed meeting

Certificate of Closed Meeting Discussion:

Council certified unanimously that nothing was discussed in the closed meeting other than what was stated in the motion to enter the closed meeting. No action was taken during the closed meeting.

Whereas, the Rocky Mount Town Council has convened a closed meeting on Monday, March 14, 2016 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

Motion: To include the Town Attorney on the Town's Insurance plan.

Motion By: Council Member Snead

Second: Vice Mayor Walker

Motion Discussion: None

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

Nays: None

Action: Motion approved by a unanimous vote.

ADJOURNMENT

Motion: To adjourn meeting

Time: 7:40 p.m.

Motion By: Council Member Newbill

Second: Council Member Snead

Motion Discussion: None

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

Nays: None

Action: Adjourned by a unanimous vote

Steven C. Angle, Mayor

ATTEST:

Rebecca H. Dillon, Town Clerk