



ROCKY MOUNT TOWN COUNCIL REGULAR MEETING MINUTES

**April 11, 2022
7:00 p.m.**

The following members

of Council were present: Mayor Steven C. Angle

Vice Mayor Jon W. Snead (arrived at 7:12 pm)

Council Member A. Ralph Casey

Council Member J. Tyler Lee

Council Member Robert L. Moyer

Council Member Mark H. Newbill

Council Member Billie W. Stockton

The following staff
members were also
present:

John T. Boitnott, Town Attorney

Robert Wood, Town Manager

Rebecca H. Dillon, Town Clerk/Executive Admin. Assistant

Mark Moore, Assistant Town Manager

Kevin Adkins, Water Treatment Plant Superintendent

Tim Burton, Wastewater Treatment Plant Superintendent

Vincent Copenhaver, Finance Specialist, CPA

Amy D. Gordon, Assistant Finance Director

Jessica Heckman, Planning & Zoning Administrator

Mark Lovern, Interim Chief of Police

Daniel Pinard, Cultural Economic Development Director

Dennis (Moe) Potter, Wastewater Treatment Plant

Brian Schofield, Public Works Superintendent

The 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, with Mayor Steven C. Angle presiding.

1. Roll Call

The Town Clerk called the names of the members, and all members were present except Vice Mayor Snead who arrived a few minutes late due to another commitment.

2. Pledge of Allegiance

Mayor Angle led in saying the Pledge of Allegiance.

3. Approval of Agenda

Prior to the meeting, Council received the agenda for review and consideration of approval.

Motion: To approve the agenda as presented

Motion By: Council Member Casey

Seconded: Council Member Lee

Motion Discussion: None

**Ayes: (5): Council Member Casey, Council Member Lee, Council Member Moyer,
Council Member Newbill and Council Member Stockton**

Approved (5 to 0)

4. Special Items

4.1 Retirement Recognized – Mr. Dave Voss, Public Works Department

Although Mr. Voss was not able to be present, Mayor Angle still shared with the audience a few statements reflective of Mr. Voss's work career with the Town of Rocky Mount's Public Works Department.

5. Public Hearing

5.1 Proposed Amendment to Town Zoning Ordinance – Utility Trailers

Town Council previously approved an amendment to commercial vehicles as well as off-street parking regulations but requested the Planning Commission revisit utility trailers to consider making the ordinance less restrictive.

Meeting jointly, the Community and Economic Development Committee and the Planning Commission Ordinance Review Committee met and discussed utility trailers. The two committees then proposed an amendment to the off-street parking ordinance in regard of utility trailers.

During the April 5th Planning Commission meeting, Commission member Ina Clements made a motion to recommend to Council to table the amendment until further research could be done regarding the amendment. Commission member Bud Blanchard seconded the motion. The vote was 5-0 in favor of tabling the item.

The item was brought back to Council to hold a public hearing for public input. The application was advertised in the Franklin News-Post as required by law.

Mrs. Abbie Pinckard of 125 Riverview Street, Rocky Mount, spoke regarding the off-street parking. Mrs. Pinckard shared that of the approximately one hundred residences that were canvased, none of the residences were in favor of the proposed 20 ft long and 7 ft high open or closed trailer that was parked in a residential neighborhood, and none of the residences were in favor of commercial trucks and trailers associated with a business to be parked in a residential neighborhood either.

Motion: To send the amendment back to a joint committee meeting between the Community and Economic Development Committee and the Planning Commission Ordinance Committee

Motion By: Council Member Lee

Seconded: Council Member Casey

Motion Discussion: None

Ayes: (5): Council Member Casey, Council Member Lee, Council Member Moyer, Council Member Newbill and Council Member Stockton

Approved (5 to 0)

6. Approval of Draft Minutes

- March 14, 2022- Regular Meeting Minutes

Motion: To approve the draft minutes as presented

Motion By: Council Member Stockton

Seconded: Council Member Newbill

Motion Discussion: None

Ayes: (6): Vice Mayor Snead, Council Member Casey, Council Member Lee, Council Member Moyer, Council Member Newbill and Council Member Stockton

Approved (6 to 0)

7. **Approval of Consent Agenda**

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

7.1 Miscellaneous Action

7.2 Miscellaneous Resolutions/Proclamations

Local Adoption of the Western Piedmont Hazard Mitigation Plan

7.3 Departmental Monthly Reports

- Community Development Department
- Finance Department
- Fire Department
- Police Department
- Public Works Department
- Wastewater Department
- Water Department

Motion: To approve the consent agenda as presented

Motion By: Council Member Casey

Seconded: Council Member Stockton

Motion Discussion: None

Ayes: (6): Vice Mayor Snead, Council Member Casey, Council Member Lee, Council Member Moyer, Council Member Newbill and Council Member Stockton

Approved (6 to 0)

8. Hearing of Citizens

None at this time

9. Old Business

None at this time

10. New Business

10.1. Presentation of Fiscal Year 2021 Audit Report

Ms. Emily Viers shared about the FY2021 Audit beginning with page 2 through 14 of the Audit Report. Ms. Viers shared with Council that there were two types of opinions; a “clean” opinion and a “yellow book” opinion.

Other points covered by Ms. Viers were that the Town should have 2 months of reserves on hand which was recommended by the Government Financial Officers Association.

Debt balances and new issuances were included in the audit and there was a standard boiler plate letter included with the debt balances and new issuances.

The Finance Committee that Vice Mayor Snead was Chairman of, met at 6:00 p.m. just prior to the Council meeting to have the audit presented to Council prior to the audit being presented to the public.

Motion: To accept the FY2021 Audit as presented

Motion By: Vice Mayor Snead

Seconded: Council Member Casey

Motion Discussion: None

Ayes: (6): Vice Mayor Snead, Council Member Casey, Council Member Lee, Council Member Moyer, Council Member Newbill and Council Member Stockton

Approved (6 to 0)

10.2. Johnny CASA 5Miler/5K Run Walk Event December 17, 2022

The Johnny CASA 5Miler/5K Run Walk Event is scheduled for Saturday, December 17, 2022 beginning at 8:00 a.m. on Main Street at the Church Street intersection. The Rocky Mount Police Department approved the route request for the event. The event has been and continues to be organized by Mr. Johnny Nolen of 78 Cromwell Drive, Rocky Mount, VA.

Motion: To approve the event as presented

Motion By: Council Member Lee

Seconded: Council Member Moyer

Motion Discussion: None

Ayes: (6): Vice Mayor Snead, Council Member Casey, Council Member Lee, Council Member Moyer, Council Member Newbill and Council Member Stockton

Approved (6 to 0)

10.3. Ordinance to Amend Chapter 30, Article I, Section 30-5 of the Town Code--
Exemption of Taxes on Property of Certain Elderly and Handicapped Persons.

Town Manager Wood shared with Council that the purpose of this amendment to the ordinance was to make sure that every few years the language in the code is updated to cover the terminology used at the time which was not used years ago when the code was written.

Motion: To approve the amendment to the ordinance as presented

Motion By: Council Member Stockton

Seconded: Council Member Lee

Motion Discussion: None

Ayes: (6): Vice Mayor Snead, Council Member Casey, Council Member Lee, Council Member Moyer, Council Member Newbill and Council Member Stockton

Approved (6 to 0)

10.4. Ordinance to Amend Chapter 30, Article VI, Section 30-121 of the Town Code—
Transient Occupancy Tax.

Town Manager Wood shared with Council that the purpose of this amendment was to update the language used in the code to reflect names like Airbnb and other more modern names for a place to stay. The State had updated the language used in the Code of Virginia, therefore, the Town needed to update the language used in the Town Code as well.

Motion: To approve the amendment to the ordinance as presented

Motion By: Vice Mayor Snead

Seconded: Council Member Newbill

Motion Discussion: None

Ayes: (6): Vice Mayor Snead, Council Member Casey, Council Member Lee, Council Member Moyer, Council Member Newbill and Council Member Stockton

Approved (6 to 0)

10.5. Ordinance to Amend Chapter 62, Article III, Section 62-01 of the Town Code—
Parking Prohibited in Specified Places.

The ordinance was drafted to state in the code that the yellow curb would not be where parking would be allowed, and this amendment was to clarify that ordinance.

An enforcement of the 2-hour parking sign was voiced as well.

Motion: To approve the amendment to the ordinance as presented

Motion By: Council Member Moyer

Seconded: Council Member Lee

Motion Discussion: None

Ayes: (6): Vice Mayor Snead, Council Member Casey, Council Member Lee, Council Member Moyer, Council Member Newbill and Council Member Stockton

Approved (6 to 0)

10.6. Presentation of Town of Rocky Mount Fiscal Year 2023 Proposed Budget

Town Manager Wood began his presentation by sharing with Council that the reports for the budget looked different for FY2023 as the Town utilized the Munis software that in the past was typically used internally.

Revenues: Town Manager Wood shared with Council a couple of things that the Town should make a priority as the Town goes through the budget process. Retaining workers already on staff as well as fulfilling as many capital items being requested as possible for departments who are in need. In the year 2021, the ARPA funding of 2.45 million that the Town received was helpful. The Town should receive the same for the coming year.

Town Manager Wood shared that sales tax, meals tax, and transient occupancy tax all together make up about one half of the General Fund revenue. The projected revenues for the year 2022 are 7.75 million. The projected revenues for the year 2023 are 7.92 million.

Expenditures: Town Manager Wood went over page 3 in the FY2023 Proposed Budget Book as well as other pages up to page 9 to help illustrate where the money would be spent. The Harvester Performance Center funding was moved to Community Development so the figures in the Community Development department would look a little different from previous years.

A few other things that Town Manager Wood shared with Council:

- The municipal cost index which estimates the rate of inflation for purchases by American municipalities.
- The proposed water rate increase of 8%, computes out to an 11.99% increase on the utility bill for water.
- The capital and utility fund are at 1.4 million.
- The projected expenditures for the year 2023 would be 7.92 million.

11. Committee Reports

None at this time

12. Referrals to Planning

12.1. Short Term Rental Ordinance Consideration

By advisement of the Virginia Municipal League, the Planning Commission should meet to develop and purpose Short Term Rental Ordinance definitions and regulations that will be helpful in regulating future short-term rentals in the town.

Motion: To approve the referral to the Planning Commission to develop and purpose Short Term Rental Ordinance definitions and regulations

Motion By: Council Member Moyer

Seconded: Vice Mayor Snead

Motion Discussion: None

Ayes: (6): Vice Mayor Snead, Council Member Casey, Council Member Lee, Council Member Moyer, Council Member Newbill and Council Member Stockton

Approved (6 to 0)

13. Other Matters, Concerns and Rise 'N Shine Appearances

Economic Development Director, Daniel Pinard was on Rise 'N Shine today.

Council Member Lee inquired about picnic tables for the Farmers Market. Council Member Lee was told the tables would be in place on Friday.

14. Closed Meeting and Action

Mayor Angle read aloud sections.

Enter Closed Meeting

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

Time: 7:40 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 and Planning Commission)

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; Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. (Zoning & Building Regulations)

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.

Motion By: Council Member Lee

Second: Council Member Stockton

Motion Discussion: None

Ayes: (6): Vice Mayor Snead, Council Member Casey, Council Member Lee, Council Member Moyer, Council Member Newbill and Council Member Stockton

Approved (6 to 0)

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, February 14, 2022, 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

15. POST CLOSED SESSION ACTION

Motion: To appoint Mr. William Ball to the vacancy left by Mr. Jerry W. Greer on the Planning Commission with the term expiring 06/30/2025.
To appoint Mr. Will Waller to the vacancy left by Mr. Derwin Hall on the Planning Commission with the term expiring 06/30/2023.

Motion By: Council Member Newbill

Seconded: Council Member Stockton

Motion Discussion: None

Ayes: (6): Vice Mayor Snead, Council Member Casey, Council Member Lee, Council Member Moyer, Council Member Newbill and Council Member Stockton

Approved (6 to 0) Motion approved by a vote of 6-0 in favor of accepting the new members to the Planning Commission.

16. Adjournment

Motion: To adjourn

Time: 8:50 p.m.

Motion By: Vice Mayor Snead

Seconded By: Council Member Lee

Motion Discussion: None

Ayes: (6): Vice Mayor Snead, Council Member Casey, Council Member Lee, Council Member Moyer, Council Member Newbill and Council Member Stockton

Approved (6 to 0)

Action: Meeting was adjourned

Steven C. Angle, Mayor

ATTEST:

Rebecca H. Dillon, Town Clerk