



TOWN COUNCIL
REGULAR MEETING
AGENDA

September 12, 2022
7:00 PM

Council Chambers, Rocky Mount Municipal Building
345 Donald Avenue, Rocky Mount, Virginia

When speaking before Town Council, please come to the podium and give your name and address for the record. Please address the Council and not the audience. If you provide Council with any documentation, please also give a copy to the town clerk prior to speaking.

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All cellular phones must be turned off during the Council Meeting.

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The Town of Rocky Mount is pleased to offer assistive listening devices for meeting attendees with special hearing needs. Please ask any staff member or the town clerk for assistance.

1. Roll Call
2. Pledge of Allegiance
3. Approval of Agenda
4. Special Items
 - 4.1. Introduction of Finance Director Vincent Copenhaver
5. Public Hearing (none at this time)
6. Approval of Draft Minutes
 - 6.1. August 8, 2022 - Regular Meeting Minutes
7. Approval of Consent Agenda
 - 7.1. Miscellaneous Action
 - 7.2. Miscellaneous Resolutions/Proclamations
 - 7.3. Departmental Monthly Reports

Community Development Department

Finance Department

Fire Department

Police Department

Public Works Department

Wastewater Department

Water Department

8. Hearing of Citizens
9. Old Business
 - 9.1. Request from Phillip Bane to Purchase Angle Street Property
10. New Business
 - 10.1. Designated Outdoor Refreshment Area (DORA) Discussion
 - 10.2. Request for 2022 Homecoming Parade
11. Committee Reports
 - 11.1. Finance & Human Services Committee Meeting August 30, 2022
 - 11.2. Community & Economic Development Committee Meeting August 30, 2022
12. Referrals to Planning (none at this time)
13. Other Matters, Concerns and Rise 'N Shine Appearances
14. Closed Meeting and Action
 - 14.1. 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.
 - 14.2. 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.
15. Adjournment

ITEM(S) TO BE CONSIDERED UNDER:
Other

FOR COUNCIL MEETING DATED:	September 12, 2022
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STAFF MAKING REQUEST:	Robert J. Wood, Town Manager
BRIEF SUMMARY OF REQUEST:	Newly appointed Finance Director Vincent Copenhaver has enjoyed a thirty-five career in local government finance. He began in the Roanoke County Finance Department as a Financial Analyst, then Chief Accountant, and finally Finance Manager. In 2000, he became the first Finance Director for Franklin County, a position he held for over 17 years. For the past several years, he has worked part-time for several organizations including the Virginia Association of Counties and Virginia Municipal League, the Town of Rocky Mount, and the Crandall & Katt Law Firm in Roanoke. He has been a Certified Public Accountant (CPA) for over thirty-three years. Vincent is a retired Field Artillery Captain – he served three years on active duty in Oklahoma and Germany in the early 1980s. A passion of his is presenting financial data to our elected officials in a manner that is clear, concise, and easily understood. He looks forward to submitting the Town's annual financial report and budget document to the awards program of the Government Finance Officers Association. Vincent is married to the former Sheila Hunt. They have one daughter that works with Sheila in the family business (J and J Fashions). They have lived in Rocky Mount/Franklin County for over 40 years and are active at Franklin Heights Church and several non-profits in the community.
ACTION NEEDED:	No action is needed at this time.

Attachment(s): None

FOLLOW-UP ACTION: (To be completed by the Town Clerk)
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**ROCKY MOUNT TOWN COUNCIL
REGULAR MEETING MINUTES**

**August 8, 2022
7:00 p.m.**

The following members
of Council were present:

Mayor Steven C. Angle
Vice Mayor Jon W. Snead
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 J. Wood, Town Manager
Rebecca H. Dillon, Town Clerk/Executive Admin. Assistant
Kevin Adkins, Water Treatment Plant Superintendent
Tim Burton, Wastewater Treatment Plant Superintendent
Vincent Copenhaver, Finance Specialist, CPA
Jason Divers, 1st Sergeant of Patrol
Amy Gordon, Assistant Finance Director
Jessica Heckman, Planning & Zoning Administrator
Mark Lovern, Captain/Interim Chief of Police
Mark Moore, Assistant Town Manager
Daniel Pinard, Cultural Economic Development Director
Dennis "Moe" Potter, Wastewater Treatment Plant
Shawn Richardson, 1st Sergeant of Investigations
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 each member of the Rocky Mount Town Council by name to account for all members present.

2. Pledge of Allegiance

Mayor Angle led in saying the pledge of allegiance after which a moment of silence was observed for Mrs. Ann Cook and Mr. Leland Mitchell. Mrs. Cook who recently passed away, had previously served as a Council Member to the Town of Rocky Mount. Mr. Mitchell who also recently passed away, was serving on the Franklin County Board of Supervisors at the time of his death.

3. Approval of Agenda

Prior to the meeting, Council received the agenda for review and consideration of approval. Mayor Angle led the Council in amending the agenda to add an item under Old Business regarding a proposed amendment to the Town's Zoning Ordinance. The agenda was also amended by adding a closed session item under Section 2.2-3711A.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.

Motion: To approve the amended agenda

Motion By: Vice Mayor Snead

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)

4. Special Items

4.1 Ms. Carrie Beck of the Crooked Road

Ms. Carrie Beck thanked Council for inviting her to the meeting and shared a few of the things that the Crooked Road was participating in. Ms. Beck shared with Council a Programming and Events Update within Council's packet.

4.2 Mr. Jeremy Holmes, Executive Director of the Roanoke Valley-Alleghany Regional Commission

Mr. Holmes shared with the Council that the Commission was created in 1969 by the General Assembly. The Commission's main charge within the Code of Virginia is to address issues of more than local significance. The Commission reviews activities that the region is facing and goes about trying to find solutions that are an efficient use of tax payer's dollars. Transportation planning, environmental work with elected officials and furthering Virginia as an outdoor destination are just a few of the items the commission has that are ongoing projects.

4.3 Introduction and Oath of Office for New Chief of Police, Mr. Phillip Young

Circuit Court Judge, the Honorable Timothy W. Allen, swore in the new Chief of Police, Mr. Phillip Young. Mr. Young comes to the Rocky Mount Police Department after many years with the Franklin County Sheriff's Department. Mr. Young is a native of Franklin County.

Judge Allen then gave the Law Enforcement Honor to all of the other remaining public servant agents in the room.

5. **Public Hearing**

(none at this time)

6. **Approval of Draft Minutes**

- July 11, 2022 – July Regular Meeting Minutes
- July 28, 2022 – Special Called Council Meeting Minutes

Motion: To approve the draft minutes as presented.

Motion By: Council Member Casey

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)

7. **Approval of Consent Agenda**

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

7.1 Miscellaneous Action

Tobacco Region Revitalization Commission Grant Agreement

7.2 Miscellaneous Resolutions/Proclamations

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 Newbill

Seconded: Council Member 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 – 0)

8. **Hearing of Citizens**

Mr. Brian Hochstein, 2403 Goldfield Court, Greensboro, NC spoke regarding the Harvester Performance Center, Midwood Entertainment, and the potential loss of revenue for the HPC.

Mr. Phillip Bane, 252 High Street, Rocky Mount, VA spoke regarding the building at 325 Franklin Street and the two alleged zoning violations.

9. **Old Business**

9.1 Proposed Amendment to the Town's Zoning Ordinance Providing for Changes to Temporary Use Regulations for Mobile Food Units.

A proposed amendment to the Town's Zoning Ordinance providing for changes to temporary use regulations such as mobile food units and itinerant vendors participating in private events without preapproval by the Town Council. The proposed amendment was reviewed and recommended by the Planning Commission at their July 5, 2022 meeting.

Mayor Angle proposed that Council send the mobile food unit item to the Community and Economic Development Committee to review and make any changes the committee may deem to make within the written ordinance.

Motion: To send the item to the Community and Economic Development Committee for further discussion.

Motion By: Council Member Newbill

Seconded: Council Member Casey

Motion Discussion: None

Ayes: (5): Vice Mayor Snead, Council Member Casey, Council Member Moyer, Council Member Newbill and Council Member Stockton

Nays: (1): Council Member Lee

Approved (5 – 1)

10. New Business

10.1 Review and Consideration of Town Meeting Dates for 2023

Each year the new calendar of Town meeting dates is published.

Motion: To approve the meeting dates calendar as submitted

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 – 0)

10.2 Community Partnership for Revitalization Street Closure for Community Christmas Tree Lighting and Come Home to a Franklin County Christmas

The events are held by request of CPR.

Motion: To approve the request as presented

Motion By: Council Member Lee

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 – 0)

10.3 Draft Procurement Policy Referral

The draft Procurement Policy was referred to the Finance & Human Services Committee to review and possibly update the policy.

Motion: To approve the referral 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 – 0)

11. **Committee Reports**

11.1 Streets, Sidewalks & Streetlights Committee Meeting

The Streets, Sidewalks & Streetlights Committee met on July 25th. Representatives from VDOT were present to discuss the intersection at Floyd Avenue and Franklin Street. The committee recommended not to pursue any improvements at this time.

12. **Referrals to Planning**

None at this time

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

Mayor Angle and Town Manager Wood appeared on Rise 'N Shine today.

14. Closed Meeting and Action

Mayor Angle read aloud the section.

Enter Closed Meeting

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

Time: 7:39 p.m.

Virginia Code Section:

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. (Industrial Park)

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. (Zoning and Building Regulations)

Motion By: Council Member Moyer

Second: 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 – 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. **Adjournment**

Motion: To adjourn

Time: 8:00 p.m.

Motion By: Vice Mayor Snead

Seconded By: 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)

Action: Meeting was adjourned

Steven C. Angle, Mayor

ATTEST:

Rebecca H. Dillon, Town Clerk

Banner Permits August 2022

Permit #	Applicant Name	Wording of Banner	Banner Location	Display Dates	Date Approved
B22-001	Family Resource Center	5k run/ domestic violence event	Floyd & Franklin	9/9-10/3	8/29/2022

Sign Permits August 2022

Permit #	Applicant Name	Sign Location/TMP	Zoning	Square Footage	Wording	Date Approved
S22-012	Factory Expo Home	2040038900	M-1	64	Factory Expo	08/08/22

Zoning Compliance August 2022

Permit #	Applicant Name	Property Address/TMPN	Type of Improvement	Date Approved
ZC22-065	Baker Roofing Company	369 Franklin Street	Roofing - TPO Layover 1" ISO	8/2/2022
ZC22-066	Kyle Conoly Lee Bray	630 Bernard	Home Occupation - make sell tshirts online	8/2/2022
ZC22-067	LifeSpan Wellness Services LLC	65 East Court	office for telehealth	8/2/2022
ZC22-068	Robert & Arlene Jones	240 Lakeview Dr	enclosing existing attached carport	8/17/2022
ZC22-069	J. Chris (Christi Hodges)	354 Franklin St	open boutique clothing store	8/18/2022
ZC22-070	Mama Sarah's LLC	675 North Main St	open a restaurant, minor interior remodel	8/30/2022
ZC22-071	Amanda Biggs/Shively Electric	890 Tanyard Road	Yamazato Japanese Restaurant interior upfit	8/31/2022
ZC22-072	Mountain Grille LLC	390 South Main St	Operate food truck	8/31/2022
ZC22-073	Davenport Energy	70 East Court St	Run new gas line from propane tank to building	8/31/2022

Zoning Permits August 2022

Permit #	Applicant Name	Building Lot Address	Zoning	Date Approved	NOTES
ZP22-024	John Berger Jeans	35 First St	R1	8/5/2022	Accessory structure, Variance for size granted 08/4/22

Zoning Letters August 2022

Permit #	Applicant Name	Building Lot Address	CurrentZoning	Letter Date
ZL22-003	GRS Group	720 Orchard Avenue	R2	8/26/2022
ZL22-004	GRS Group	720 Orchard Avenue	R2	8/26/2022
ZL22-005	GRS Group	720 Orchard Avenue	GB	8/26/2022

Rocky Mount (Town Of), VA

YEAR-TO-DATE BUDGET REPORT FOR THE TWO MONTHS ENDED AUGUST 31, 2022

FOR 2023 02

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT USE/COL
10 GENERAL FUND						
11011000 GENERAL PROPERTY TAXES						
11011000 41101 REAL PROPERTY - CUR	655,043	655,043	6,671.60	4,493.74	648,371.40	1.0%
11011000 41102 REAL PROPERTY - DEL	40,000	40,000	5,528.36	4,401.78	34,471.64	13.8%
11011000 41103 PUBLIC SERVICE - CU	26,412	26,412	.00	.00	26,412.00	.0%
11011000 41105 PERSONAL PROPERTY -	310,000	310,000	3,874.70	3,557.04	306,125.30	1.2%
11011000 41106 PERSONAL PROPERTY -	26,000	26,000	3,781.25	2,709.96	22,218.75	14.5%
11011000 41107 MACHINERY & TOOLS -	163,609	163,609	.00	.00	163,609.00	.0%
11011000 41110 PENALTIES ON TAXES	9,700	9,700	1,791.82	1,486.97	7,908.18	18.5%
11011000 41111 INTEREST ON DELINQ	7,800	7,800	885.37	722.86	6,914.63	11.4%
TOTAL GENERAL PROPERTY TAXES	1,238,564	1,238,564	22,533.10	17,372.35	1,216,030.90	1.8%
11012000 OTHER LOCAL TAXES						
11012000 41201 LOCAL SALES & USE T	277,000	277,000	49,839.96	26,102.10	227,160.04	18.0%
11012000 41202 MEALS TAX	1,849,000	1,849,000	387,614.07	185,503.46	1,461,385.93	21.0%
11012000 41203 PENALTY-DEL MEALS T	0	0	81.86	81.86	-81.86	100.0%
11012000 41204 INTEREST-DEL MEALS	0	0	7.51	7.51	-7.51	100.0%
11012000 41205 TRANSIENT OCCUPANCY	152,076	152,076	45,743.92	20,019.05	106,332.08	30.1%
11012000 41208 CIGARETTE TAX	80,750	80,750	17,460.00	7,275.00	63,290.00	21.6%
11012000 41209 BANK STOCK TAX	385,400	385,400	180,724.00	.00	204,676.00	46.9%
11012000 41210 CONSUMER UTILITY TA	320,000	320,000	53,356.13	26,553.35	266,643.87	16.7%
11012000 41212 TRANSIENT OCCUP TAX	75,924	75,924	.00	.00	75,924.00	.0%
TOTAL OTHER LOCAL TAXES	3,140,150	3,140,150	734,827.45	265,542.33	2,405,322.55	23.4%
11012500 BUSINESS LICENSE TAXES						
11012500 41301 BPOL-RETAIL	357,643	357,643	2,762.27	1,864.29	354,880.73	.8%
11012500 41302 BPOL-PROFESSIONAL	178,570	178,570	10,140.17	10,140.17	168,429.83	5.7%
11012500 41303 BPOL-REPAIRS/PERS S	128,607	128,607	1,461.38	852.86	127,145.62	1.1%
11012500 41304 BPOL-CONTRACTOR	27,804	27,804	783.36	703.36	27,020.64	2.8%
11012500 41305 BPOL-UTILITY	5,841	5,841	.00	.00	5,841.00	.0%
11012500 41306 BPOL-AMUSEMENT TAX	855	855	.00	.00	855.00	.0%

Rocky Mount (Town Of), VA



YEAR-TO-DATE BUDGET REPORT FOR THE TWO MONTHS ENDED AUGUST 31, 2022

FOR 2023 02

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT USE/COL
11012500 41307 BPOL-MISCELLANEOUS	7,724	7,724	100.00	100.00	7,624.00	1.3%
11012500 41308 BPOL-ALCOHOLIC BEVE	835	835	.00	.00	835.00	.0%
11012500 41309 BPOL-PENALTIES & I	1,832	1,832	1,705.76	1,564.28	126.24	93.1%
TOTAL BUSINESS LICENSE TAXES	709,711	709,711	16,952.94	15,224.96	692,758.06	2.4%
11013000 PERMITS, PRIVELEGE FEES						
11013000 42111 PLANNING & ZONING F	10,000	10,000	1,505.00	840.00	8,495.00	15.1%
11013000 42112 FARMERS MARKET FEES	15,000	15,000	490.00	.00	14,510.00	3.3%
11013000 42114 WELCOME CENTER FEES	2,500	2,500	1,311.00	690.00	1,189.00	52.4%
11013000 42116 RETURN CHECK FEES	225	225	100.00	20.00	125.00	44.4%
11013000 42117 CREDIT CARD FEES	3,000	3,000	1,252.57	626.27	1,747.43	41.8%
TOTAL PERMITS, PRIVELEGE FEES	30,725	30,725	4,658.57	2,176.27	26,066.43	15.2%
11014000 FINES & FORFEITURES						
11014000 42211 COURT FINEES	9,000	9,000	3,346.78	1,916.44	5,653.22	37.2%
11014000 42212 PARKING FINES	200	200	40.00	40.00	160.00	20.0%
TOTAL FINES & FORFEITURES	9,200	9,200	3,386.78	1,956.44	5,813.22	36.8%
11015000 PROCEEDS FROM USE OF ASSETS						
11015000 42311 INTEREST ON MONEY/I	45,000	45,000	6,803.52	.00	38,196.48	15.1%
11015000 42312 RENTAL OF GENERAL P	450	450	.00	.00	450.00	.0%
TOTAL PROCEEDS FROM USE OF ASSETS	45,450	45,450	6,803.52	.00	38,646.48	15.0%
11016000 CHARGES FOR SERVICES						
11016000 42411 WASTE COLLECTION CH	269,000	269,000	40,617.00	20,290.00	228,383.00	15.1%
11016000 42413 TRUCK RENTAL FEES	725	725	440.34	350.34	284.66	60.7%
11016000 42415 WEED CONTROL CHARGE	520	520	.00	.00	520.00	.0%
11016000 42418 PASSPORT SERVICE FE	11,000	11,000	3,655.00	2,160.00	7,345.00	33.2%

Rocky Mount (Town Of), VA

YEAR-TO-DATE BUDGET REPORT FOR THE TWO MONTHS ENDED AUGUST 31, 2022

FOR 2023 02

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT USE/COL
11016000 42419 SECURITY SERVICES	12,000	12,000	105.00	105.00	11,895.00	.9%
11016000 42420 POLICE REPORTS	1,200	1,200	276.00	276.00	924.00	23.0%
11016000 42421 FINGERPRINT SERVICE	100	100	35.00	35.00	65.00	35.0%
11016000 42422 CIT/PAC ROOM STAFFI	25,000	25,000	3,500.00	.00	21,500.00	14.0%
11016000 42425 ADMIN CHARGES - SER	300	300	.00	.00	300.00	.0%
11016000 42426 MISCELLANEOUS SERVI	0	0	100.00	50.00	-100.00	100.0%
TOTAL CHARGES FOR SERVICES	319,845	319,845	48,728.34	23,266.34	271,116.66	15.2%
11018000 MISCELLANEOUS GENERAL						
11018000 42511 RECOVERIES	0	0	20,809.64	20,227.49	-20,809.64	100.0%
TOTAL MISCELLANEOUS GENERAL	0	0	20,809.64	20,227.49	-20,809.64	100.0%
18522000 COMMONWEALTH-NONCATEGORICAL						
18522000 43211 PPTRA FROM STATE	53,861	53,861	.00	.00	53,861.00	.0%
18522000 43212 COMMUNICATIONS TAX	140,000	140,000	11,415.10	.00	128,584.90	8.2%
18522000 43213 LITTER TAX	3,500	3,500	.00	.00	3,500.00	.0%
18522000 43214 ROLLING STOCK TAX	3,164	3,164	.00	.00	3,164.00	.0%
18522000 43215 RENTAL TAX	9,000	9,000	2,129.84	.00	6,870.16	23.7%
TOTAL COMMONWEALTH-NONCATEGORICAL	209,525	209,525	13,544.94	.00	195,980.06	6.5%
18524000 COMMONWEALTH-CATEGORICAL						
18524000 43112 OTHER AID-SCHOOL RE	29,632	29,632	.00	.00	29,632.00	.0%
18524000 43311 FIRE PROGRAMS-STATE	18,471	18,471	.00	.00	18,471.00	.0%
18524000 43312 STREET MAINTENANCE-	1,508,140	1,508,140	.00	.00	1,508,140.00	.0%
18524000 43313 LAW ENFORCEMENT AID	120,632	120,632	.00	.00	120,632.00	.0%
TOTAL COMMONWEALTH-CATEGORICAL	1,676,875	1,676,875	.00	.00	1,676,875.00	.0%
18535000 LOCAL GOVERNMENT AID						
18535000 43111 VOLUNTEER FIRE DEPT	30,000	30,000	7,500.00	7,500.00	22,500.00	25.0%

Rocky Mount (Town Of), VA



YEAR-TO-DATE BUDGET REPORT FOR THE TWO MONTHS ENDED AUGUST 31, 2022

FOR 2023 02

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT USE/COL
18535000 43112 OTH AID-SCHOOL RESO	42,329	42,329	.00	.00	42,329.00	.0%
18535000 43114 COUNTY EXP REIMB FO	50,000	50,000	.00	.00	50,000.00	.0%
TOTAL LOCAL GOVERNMENT AID	122,329	122,329	7,500.00	7,500.00	114,829.00	6.1%
TOTAL GENERAL FUND	7,502,374	7,502,374	879,745.28	353,266.18	6,622,628.72	11.7%
TOTAL REVENUES	7,502,374	7,502,374	879,745.28	353,266.18	6,622,628.72	
20 WATER & SEWER FUND						
25020000 WATER CHARGES						
25020000 42313 PROPERTY RENT (CELL	120,000	120,000	25,492.11	13,174.62	94,507.89	21.2%
25020000 45101 WATER SALES	1,409,680	1,409,680	276,892.02	133,234.76	1,132,787.98	19.6%
25020000 45102 WATER CONNECTIONS	20,000	20,000	3,275.00	3,275.00	16,725.00	16.4%
25020000 45103 RECONNECT FEES	7,000	7,000	3,520.75	1,720.75	3,479.25	50.3%
25020000 45104 PENALTIES	15,000	15,000	6,613.84	3,347.88	8,386.16	44.1%
25020000 45106 BULK WATER PURCHASE	5,000	5,000	474.46	45.86	4,525.54	9.5%
TOTAL WATER CHARGES	1,576,680	1,576,680	316,268.18	154,798.87	1,260,411.82	20.1%
25530000 SEWER CHARGES						
25530000 45201 SEWER COLLECTION CH	863,867	863,867	162,571.32	78,395.50	701,295.68	18.8%
25530000 45202 SEWER CONNECTIONS	12,000	12,000	-74.29	-74.29	12,074.29	-.6%
TOTAL SEWER CHARGES	875,867	875,867	162,497.03	78,321.21	713,369.97	18.6%
TOTAL WATER & SEWER FUND	2,452,547	2,452,547	478,765.21	233,120.08	1,973,781.79	19.5%
TOTAL REVENUES	2,452,547	2,452,547	478,765.21	233,120.08	1,973,781.79	
GRAND TOTAL	9,954,921	9,954,921	1,358,510.49	586,386.26	8,596,410.51	13.6%
** END OF REPORT - Generated by VINCENT COPENHAVER **						

YEAR-TO-DATE BUDGET REPORT
 FOR THE TWO MONTHS ENDED AUGUST 31, 2022

FOR 2023 02

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
10 GENERAL FUND							
10091020 NON-DEPARTL GENERAL FUND	513,734	513,734	299,582.57	33,489.44	.00	214,151.43	58.3%
11011010 MAYOR & TOWN COUNCIL	92,896	92,896	18,157.83	5,126.34	.00	74,738.17	19.5%
11012020 TOWN MANAGER	416,027	416,027	80,465.25	31,073.89	.00	335,561.75	19.3%
11012040 TOWN ATTORNEY	74,370	74,370	7,552.55	.00	.00	66,817.45	10.2%
11012130 FINANCE DEPARTMENT	664,091	664,091	84,561.89	44,658.90	.00	579,529.11	12.7%
11013010 BOARD OF ELECTIONS	5,000	5,000	.00	.00	.00	5,000.00	.0%
11081060 PASSPORT PROGRAM	2,375	2,375	232.83	26.98	.00	2,142.17	9.8%
12031010 POLICE DEPARTMENT	2,231,624	2,231,624	446,733.57	175,704.07	.00	1,784,890.43	20.0%
12032020 VOLUNTEER FIRE DEPT	178,910	178,910	26,961.98	12,339.51	.00	151,948.02	15.1%
12043130 IMPOUND LOT	0	0	97.00	.00	.00	-97.00	100.0%
13041000 PUBLIC WORKS ADMINISTRATION	1,285,759	1,285,759	14,742.79	7,009.30	.00	1,271,016.21	1.1%
13041020 PUB WORKS NON-VDOT ELIGIBLE	3,100	3,100	.00	.00	.00	3,100.00	.0%
13041040 STREET LIGHTS	107,850	107,850	1,046.60	1,019.43	.00	106,803.40	1.0%
13041070 TRAFFIC CONTROL & PARKING	68,540	68,540	7,697.98	2,091.03	.00	60,842.02	11.2%
13041080 STREETS	385,300	385,300	158,064.53	68,037.80	.00	227,235.47	41.0%
13041090 SIDEWALKS, CURB, GUTTERING	1,500	1,500	17,582.72	7,535.31	.00	-16,082.72	1172.2%
13042020 STREET CLEANING	3,045	3,045	1,397.47	1,220.26	.00	1,647.53	45.9%
13042030 REFUSE COLLECTION	22,790	22,790	20,056.41	7,806.66	.00	2,733.59	88.0%
13042040 SNOW REMOVAL	17,750	17,750	421.95	421.95	.00	17,328.05	2.4%
14043041 PARKS-MARY ELIZABETH	2,400	2,400	3,116.78	311.11	.00	-716.78	129.9%
14043042 PARKS-MARY BETHUNE	2,200	2,200	1,595.34	385.26	.00	604.66	72.5%
14043043 PARKS-GILLEYS	7,170	7,170	758.95	215.87	.00	6,411.05	10.6%
14043044 PARKS-CELESTE	2,200	2,200	3,745.10	247.11	.00	-1,545.10	170.2%
14043045 PARKS-VETERANS MEMORIAL	5,470	5,470	4,728.96	4,478.02	.00	741.04	86.5%
14043046 PARKS-FIRST RESPONDERS MEM	5,320	5,320	4,090.83	3,264.05	.00	1,229.17	76.9%
14043080 PARKS & REC - PLAYGROUNDS	0	0	3,462.65	844.75	.00	-3,462.65	100.0%
14543040 MUNICIPAL BUILDING	56,922	56,922	7,583.10	6,346.69	.00	49,338.90	13.3%
14543050 EMERGENCY SERVICES BLDG	59,800	59,800	12,009.60	17,519.72	.00	47,790.40	20.1%
14543060 PUBLIC WORKS BUILDING	36,640	36,640	9,888.41	9,146.10	.00	26,751.59	27.0%
14543070 PARKS & REC - CEMETERY	900	900	4,186.67	2,431.45	.00	-3,286.67	465.2%
16081010 PLANNING & ZONING	226,694	226,694	40,907.87	17,772.36	.00	185,786.13	18.0%
16081020 COMMUNITY & ECONOMIC DEV	421,343	421,343	95,312.79	37,098.94	.00	326,030.21	22.6%
16081030 CITIZENS SQUARE	26,874	26,874	1,421.87	1,044.17	.00	25,452.13	5.3%
16081040 DEPOT WELCOME CENTER	41,567	41,567	4,742.98	3,164.30	.00	36,824.02	11.4%
16081050 HARVESTER PERFORMANCE CENTER	483,300	483,300	6,203.89	6,203.89	.00	477,096.11	1.3%
16081300 ECONOMIC DEVELOPMENT AUTHORIT	3,913	3,913	513.47	513.47	.00	3,399.53	13.1%
16085000 REMED BLIGHTED STRUCTURES	45,000	45,000	.00	.00	.00	45,000.00	.0%
TOTAL GENERAL FUND	7,502,374	7,502,374	1,389,625.18	508,548.13	.00	6,112,748.82	18.5%

20 WATER & SEWER FUND

YEAR-TO-DATE BUDGET REPORT FOR THE TWO MONTHS ENDED AUGUST 31, 2022

FOR 2023 02

20	WATER & SEWER FUND	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
20069000	NON-DEPARTL UTILITY OPERATING	447,712	447,712	43,571.75	.00	.00	404,140.25	9.7%
25050000	WATER SYSTEM OPERATIONS	162,078	162,078	52,601.67	34,685.43	.00	109,476.33	32.5%
25050100	METER READING	24,570	24,570	960.46	656.77	.00	23,609.54	3.9%
25050500	WATER TREATMENT PLANT	796,843	796,843	145,557.97	62,541.56	48,400.00	602,885.03	24.3%
25062000	UTILITY BILLING & ADMIN	286,732	286,732	39,459.81	19,110.39	.00	247,272.19	13.8%
25560000	WASTEWATER SYSTEM OPERATIONS	128,578	128,578	22,534.29	12,974.38	.00	106,043.71	17.5%
25560500	WASTEWATER TREATMENT PLANT	606,034	606,034	89,570.50	41,717.12	.00	516,463.50	14.8%
	TOTAL WATER & SEWER FUND	2,452,547	2,452,547	394,256.45	171,685.65	48,400.00	2,009,890.55	18.0%
	GRAND TOTAL	9,954,921	9,954,921	1,783,881.63	680,233.78	48,400.00	8,122,639.37	18.4%

** END OF REPORT - Generated by VINCENT COPENHAVER **

Town of Rocky Mount
Cash Balances and Investment Portfolio
At August 31, 2022

Total Cash Held by the Town:

Duncan Williams	\$ 2,626,099
Local Government Investment Pool (LGIP)	\$ 6,407,661
Truist: Payroll and Flexible Benefits Checking Accounts	\$ 79,237
Carter Bank and Trust: Old Checking Account, Designated Checking Accounts for Police, Farmer's Market and Depot	\$ 381,829
American National Bank: Town Checking Account	\$ 1,694,365
Virginia Investment Pool Accounts for Angle Bridge and American Rescue Plan Act Funds (First Distribution)	<u>\$ 787,285</u>
 Total Cash Balance at August 31, 2022	 <u><u>\$ 11,976,476</u></u>

Investment Detail:

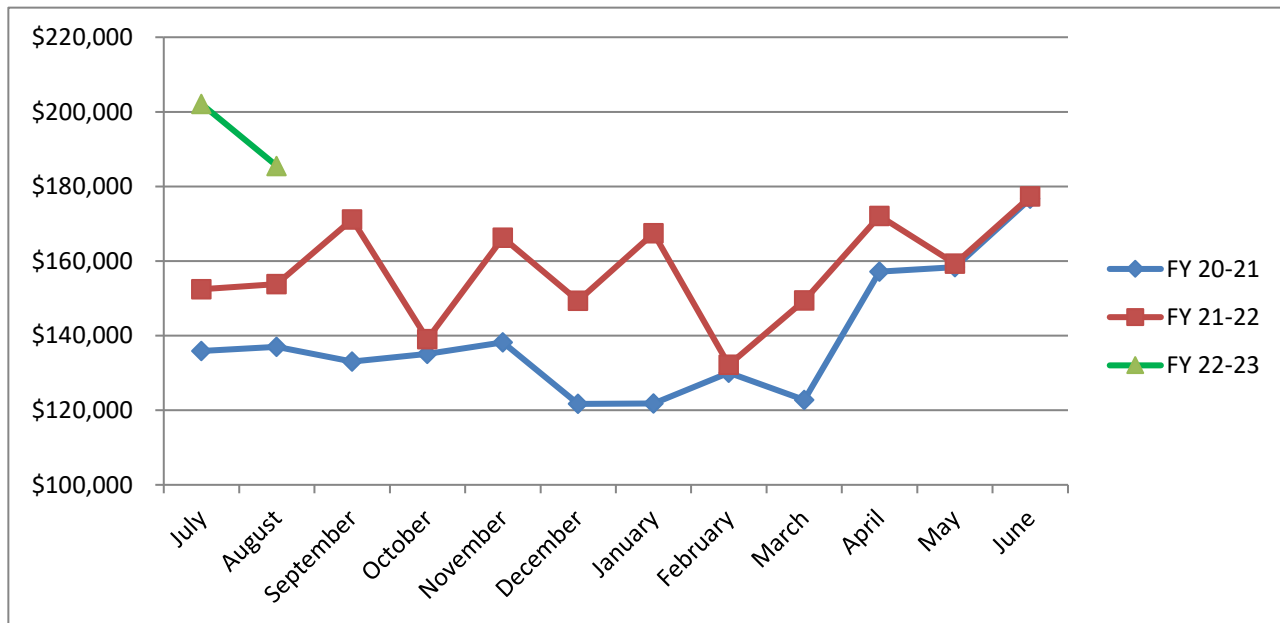
Duncan-Williams, Inc. Account Statement Dated August 31, 2022					
Cash, Money Funds and Bank Deposits - 19% of Portfolio			<u>Closing Balance</u>	<u>Income This Year</u>	<u>30-Day Yield</u>
Federated Hermes Govt Reserves Money Market			\$497,395.94	\$2,873.12	1.10%
 Fixed Income - 81% of Portfolio					
Certificates of Deposit:	<u>Quantity</u>	<u>Market Price</u>	<u>Market Value</u>	<u>Estimated Annual Income</u>	<u>Estimated Yield</u>
Capital One Natl Assn	245,000.00	99.691	\$244,242.95	\$8,207.50	3.36%
Capital One Bank Natl Assn	245,000.00	99.475	\$243,713.75	\$8,330.00	3.41%
Sallie Mae Bank	225,000.00	100.251	\$224,898.75	\$5,962.50	2.65%
 U.S. Government Bonds:					
Federal Home Loan Banks Cons Bd	500,000.00	91.179	\$444,497.63	\$7,490.00	3.37%
Federal Home Loan Banks Cons Bd	700,000.00	94.736	\$663,152.00	\$7,700.00	3.40%
Federal Home Loan Mtg Corp Medium	320,000.00	96.312	\$308,198.40	\$7,200.00	3.40%
 Total Fixed Income	<u>2,235,000.00</u>		<u>\$2,128,703.48</u>	<u>\$44,890.00</u>	
 Total Portfolio Holdings			<u><u>\$2,626,099.42</u></u>	<u><u>\$47,763.12</u></u>	

Local Government Investment Pool (LGIP) Effective Yield 2.39%

**Town of Rocky Mount
Meals Tax Collections by Month**

<u>Month</u>	<u>FY 20-21</u>	<u>FY 21-22</u>	<u>FY 22-23</u>	<u>Change</u>	<u>% Change</u>
July	\$ 135,840	\$ 152,437	\$ 202,111	\$ 49,674	32.6%
August	\$ 136,975	\$ 153,837	\$ 185,503	\$ 31,666	20.6%
September	\$ 133,052	\$ 171,121			
October	\$ 135,097	\$ 139,085			
November	\$ 138,177	\$ 166,261			
December	\$ 121,697	\$ 149,361			
January	\$ 121,833	\$ 167,488			
February	\$ 130,016	\$ 132,152			
March	\$ 122,758	\$ 149,407			
April	\$ 157,165	\$ 172,047			
May	\$ 158,320	\$ 159,286			
June	\$ 176,690	\$ 177,283			
Year Totals	<u>\$ 1,667,620</u>	<u>\$ 1,889,765</u>	<u>\$ 387,614</u>	<u>\$ 81,340</u>	

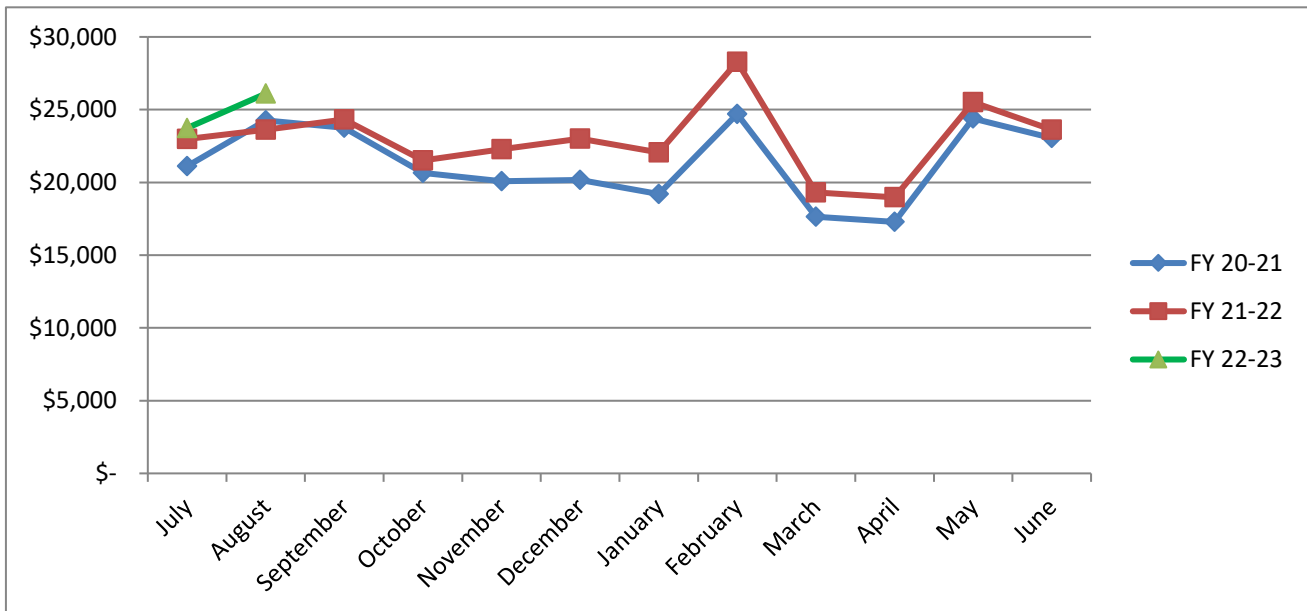
Year to Date through August	\$ 272,815	\$ 306,274	\$ 387,614
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**Town of Rocky Mount
Local Sales Tax Collections by Month**

<u>Month</u>	<u>FY 20-21</u>	<u>FY 21-22</u>	<u>FY 22-23</u>	<u>Change</u>	<u>% Change</u>
July	\$ 21,106	\$ 22,978	\$ 23,738	\$ 760	3.2%
August	\$ 24,250	\$ 23,622	\$ 26,102	\$ 2,480	9.5%
September	\$ 23,756	\$ 24,336			
October	\$ 20,642	\$ 21,514			
November	\$ 20,088	\$ 22,281			
December	\$ 20,173	\$ 23,016			
January	\$ 19,191	\$ 22,061			
February	\$ 24,702	\$ 28,289			
March	\$ 17,630	\$ 19,310			
April	\$ 17,285	\$ 18,974			
May	\$ 24,392	\$ 25,516			
June	\$ 23,044	\$ 23,632			
Year Totals	\$ 256,259	\$ 275,529	\$ 49,840	\$ 3,240	

Year to Date through August	\$ 45,356	\$ 46,600	\$ 49,840
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MONTHLY STAFF REPORT

DATE:	September 12, 2022
TO:	Rocky Mount Town Council
FROM:	Justin Woodrow
DEPARTMENT:	Fire Department
MONTH:	July 2022

For the period of July 2022, the Rocky Mount Fire Department responded to a total of 50 calls of which 21 were inside the town limits and 29 were within Franklin County.

RMFD apparatus traveled a total of 772 miles carrying out duties pertaining to answering calls and support efforts of the department.

RMFD members logged 24 members performing training for a total of 144 hours of training.

Summary of Calls:

Number of Calls	Type of Call	Notes or Special Circumstances
6	Structure Fires	
1	Vehicle Fires	
3	Utility Fires	
2	Brush Fires	
17	Motor Vehicle Accidents	
7	Fire Alarms (More Alerts, but disregarded before responding)	
5	Smoke Reports	
4	Hazardous Road Conditions/Hazmat	
3	Assist EMS	
2	Gas/Odor Investigation	

Respectfully Submitted By,
Chief Justin Woodrow

MONTHLY STAFF REPORT

DATE:	September 12, 2022
TO:	Rocky Mount Town Council
FROM:	Chief Phillip S. Young
DEPARTMENT:	Police Department
MONTH:	August

Chief Phillip S. Young started his position as Chief of Police on August 15, 2022. Chief Young looks forward to serving the Town Citizens of Rocky Mount and working with the Rocky Mount Police Department and Town Council.

PLEASE SEE ATTACHED REPORT FOR MORE DETAILED INFORMATION ON MONTHLY CHARGES AND STATS.....

PSY/rfs

ROCKY MOUNT POLICE DEPARTMENT
MONTHLY REPORT TO COUNCIL

ADM #1

DATE: AUGUST 2022

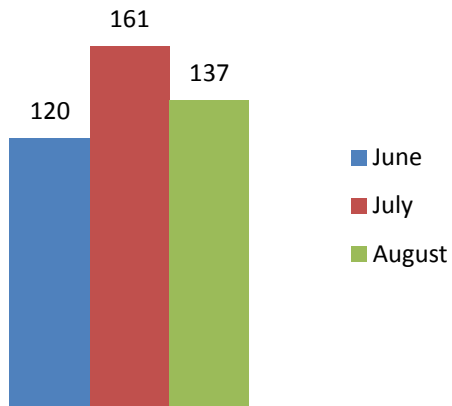
JUNE

JULY

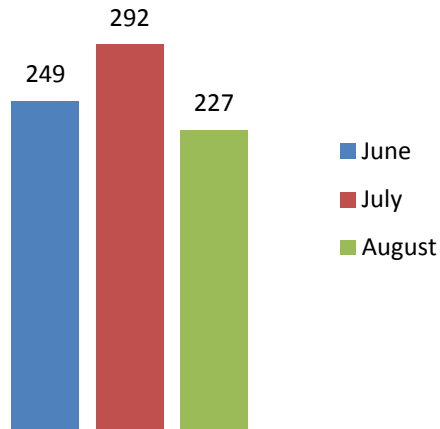
AUGUST

UNIFORM TRAFFIC SUMMONS ISSUED	120	161	137
TRAFFIC STOPS	249	292	227
SPEEDING TICKETS ISSUED	46	50	42
DUI	4	10	6
COLLISIONS INVESTIGATED (TREDS)	16	12	14
MOTORIST AIDES	48	30	41
CRIMINAL ARRESTS "MISDEMEANOR"	17	48	50
CRIMINAL ARRESTS "FELONY"	15	14	30
INCIDENTS ADDRESSED	4179	3872	3522
INCIDENTS, OFFENSES REPORTABLE IN "RMS"	81	89	106
GRAND LARCENY WARRANTS	0	1	0
BREAKING & ENTERING REPORTS	1	0	2
BREAKING & ENTERING WARRANTS	0	0	1
BOLO'S (Be On Look Out)	29	25	16
FOLLOW-UP'S	32	44	48
BUSINESSES, RESIDENCES CHECKED "FOOT PATROLS"	3207	2766	2512
SCHOOL CHECKS	33	38	47
ALARM RESPONSES	24	24	30
OPEN DOORS, WINDOWS, ETC. UNSECURED	3	3	8
COURT HOURS:	27.75	35.5	19
TRAINING HOURS:	246	190.5	42
SPECIAL ASSIGNMENT HOURS:	87	28	112
HARVESTER HOURS WORKED:	7.5	4	13
ECO/TDO	14	23	4
ECO/TDO HOURS:	32.25	100.5	44
CIT - PAC HOURS:	100	110	150

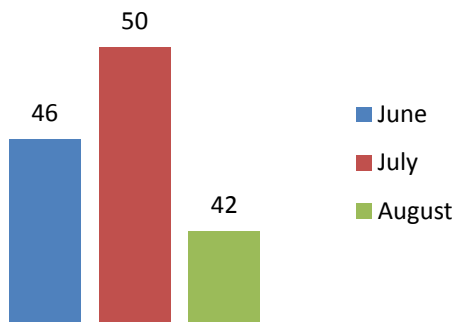
Uniform Traffic Summons Issued



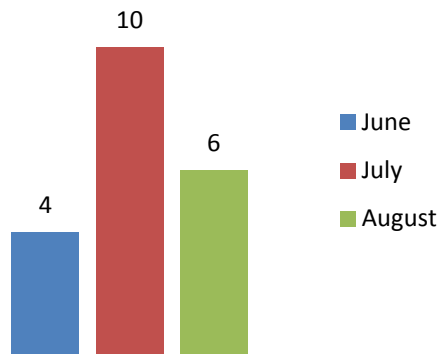
Traffic Stops



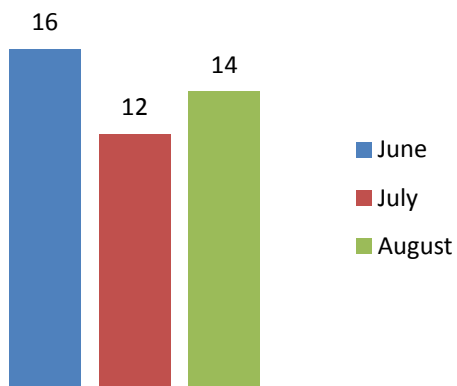
Speeding Tickets Issued



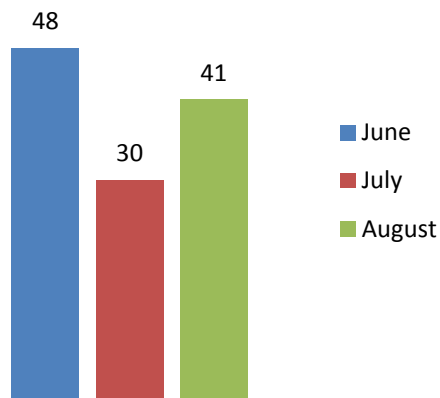
DUI



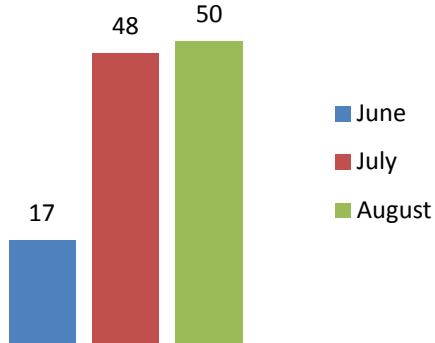
Collisions Investigated (TREDs)



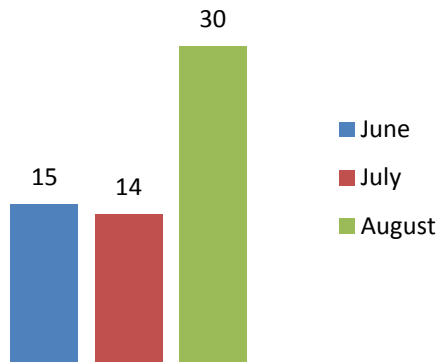
Motorist Aides



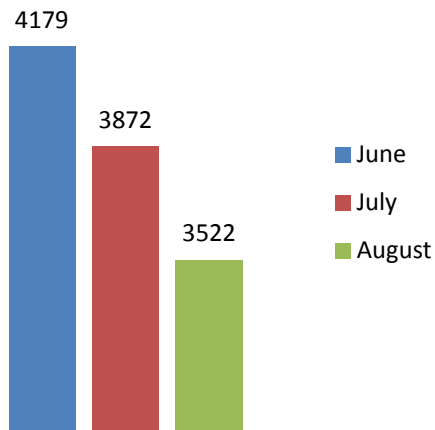
Criminal Arrests "Misdemeanor"



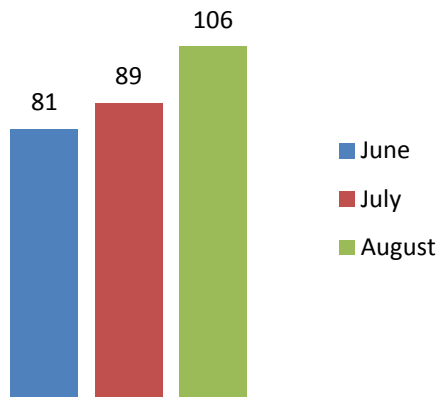
Criminal Arrests "Felony"



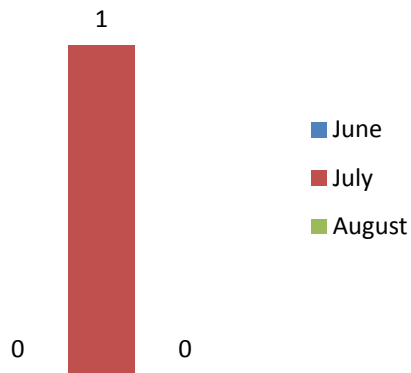
Incidents Addressed



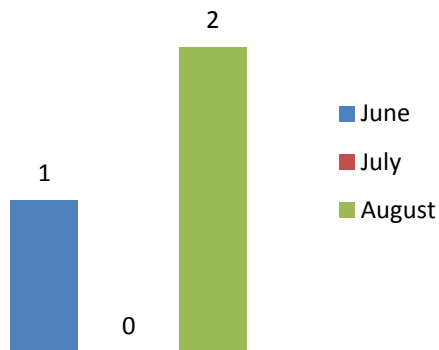
Incidents/Offenses Reportable "RMS"



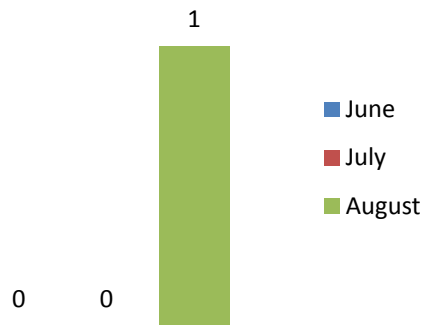
Grand Larceny Warrants



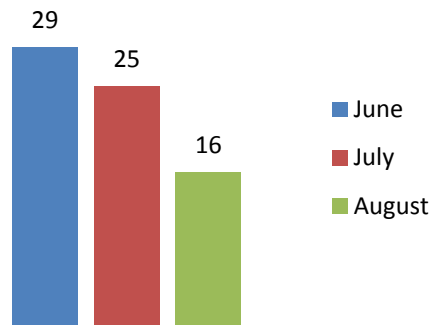
Breaking & Entering Reports



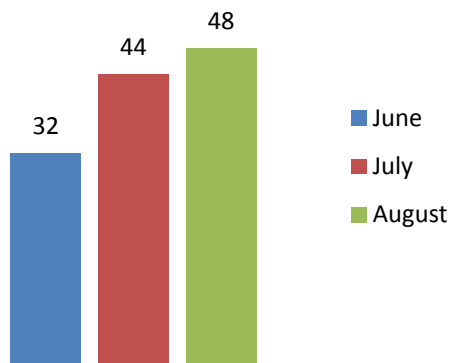
Breaking & Entering Warrants



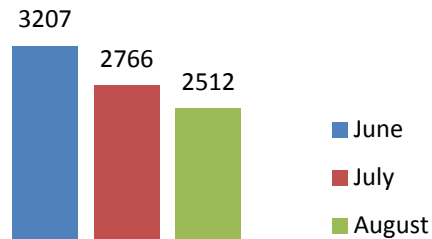
BOLO's (Be On Look Out)



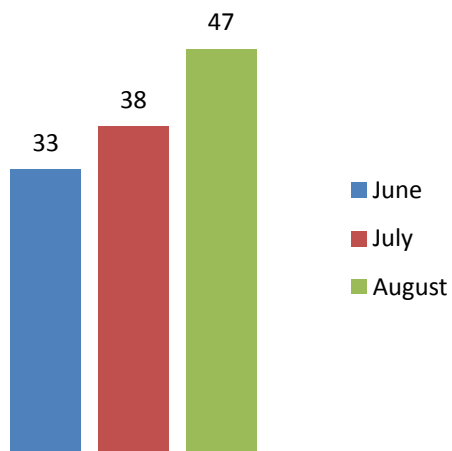
Follow-Ups



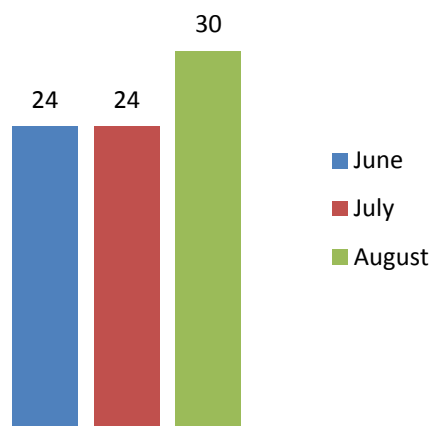
Businesses/Residences Checked "Foot Patrols"



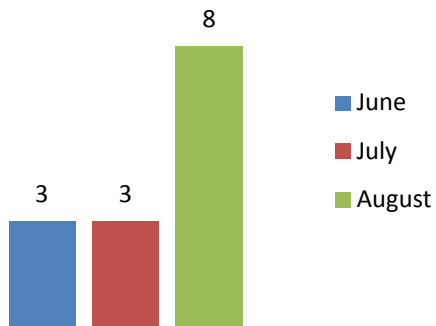
School Checks



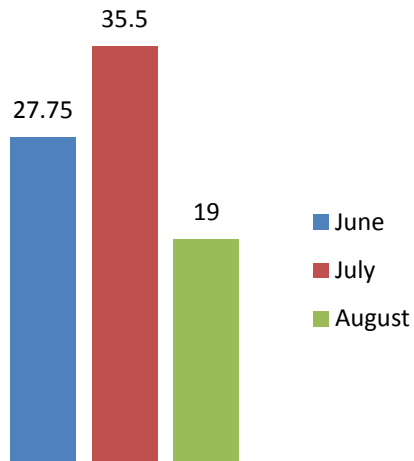
Alarm Responses



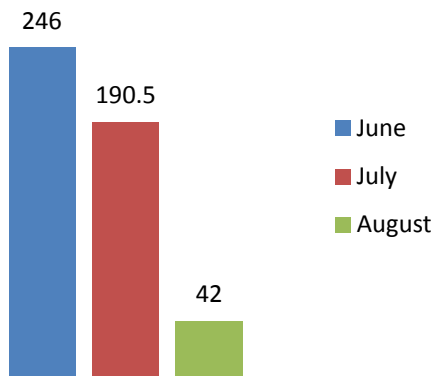
Open Doors, Windows, Etc. Unsecured



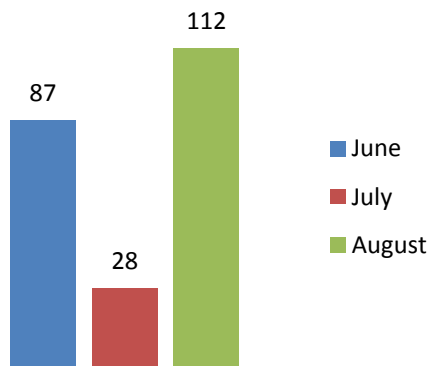
Court Hours



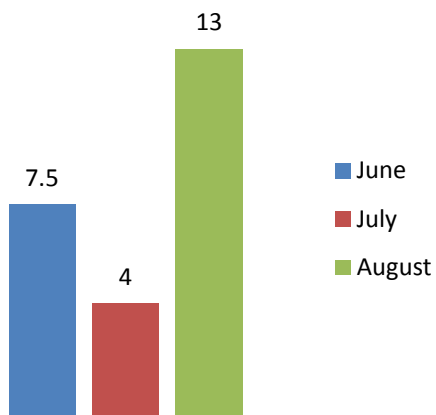
Training Hours



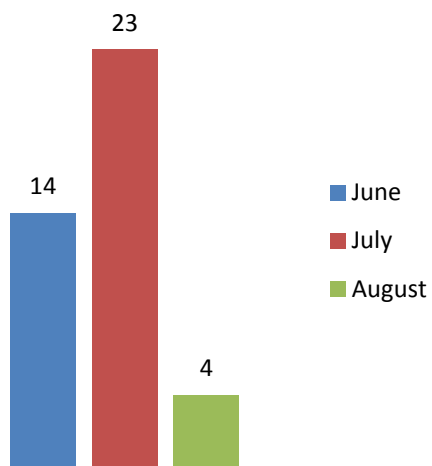
Special Assignment Hours



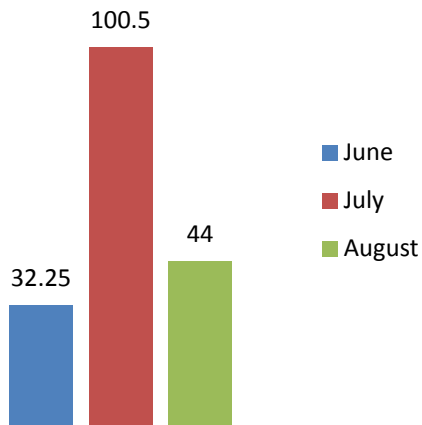
Harvester Hours Worked



ECO/TDO



ECO/TDO Hours



TRAFFIC ENFORCEMENT:

- ◇ Moving and stationary radar was conducted throughout the Town of Rocky Mount for the month of July
- ◇ Reported streetlights out to Town Manager's office
- ◇ There were 14 reportable accidents with 11 of the accidents on our public streets

INVESTIGATIONS:

Follow Up Investigations: Follow up conducted on multiple cases

Search Warrants: Multiple

- ❖ Evidence/Property room management
- ❖ Court liaison duties conducted
- ❖ Assist patrol with heavy call volume and traffic enforcement
- ❖ Taser maintenance and training performed
- ❖ Assist with review of Department policy and procedures manual for accreditation
- ❖ Court discovery and camera downloads for the Department
- ❖ Transported evidence to the State Lab
- ❖ Assisted patrol with surveillance
- ❖ Maintenance of SRO Grant
- ❖ Maintenance of CESF Grant
- ❖ Fire inspections and Fire Marshal duties conducted
- ❖ Follow-ups on multiple Internet Crimes Against Children cases
- ❖ Meeting with Law Enforcement and Social Services attended
- ❖ National Night Out event planned and conducted.
- ❖ Pre-Employment testing and interviews conducted.
- ❖ PowerDMS (Accreditation Training) attended
- ❖ United Way "Fill the Bus" attended and staffed
- ❖ Active cases include: larceny, rape, identity theft, property damage, narcotics and child abuse

**COMMUNITY RESOURCE OFFICER:
MEETINGS/EVENTS (SLOAN)**

- ❖ Worked on Department policy and procedure manual for accreditation

**RESOURCE OFFICER REFERRAL'S
(Sanders/Lovelace):**

- ❖ Intimidation Report (Crisis Assessment Meeting 08/26/22) (Lovelace)
- ❖ No incidents to report for FCHS (Sanders)

SPEEDING TICKETS ISSUED

Tanyard Road (x 15)

North Main Street (x 8)

Booker T. Washington Highway (x 7)

Old Franklin Turnpike (x 6)

Virgil H. Goode Highway (x 3)

South Main Street (x 2)

State Street

CRIMINAL ARRESTS & LOCATIONS:

Possession of Meth

North Main Street (x 2)

Possession of Meth

Windsor Drive

Possession of Meth

Old Franklin Turnpike

Possession of Drug Paraphernalia

South Main Street

Driving Under the Influence

Tanyard Road (x 2)

Driving Under the Influence	North Main Street
Driving Under the Influence	Anderson Street
Driving Under the Influence	Cornell Road
Driving Under the Influence	Old Franklin Turnpike
Drunk In Public	North Main Street (x 3)
Breaking & Entering	Circle Drive
Possession of a Firearm by a Convicted Felon	North Main Street
Carry a Concealed Weapon	Cornell Road
Carry a Concealed Weapon	North Main Street
Assault on a Police Officer	Virgil H. Goode Highway
Domestic Assault	Tanyard Road
Child Endangerment	North Main Street (x 2)
Check Fraud	Powder Creek Lane
Shoplifting	Old Franklin Turnpike (x 19)
Trespassing	Old Franklin Turnpike (x 6)
Indecent Exposure	Old Franklin Turnpike
Felony Eluding Police	Cornell Road
Destruction of Property	Circle Drive
Obstruction of Justice	North Main Street
Obstruction of Justice	Virgil H. Goode Highway
Possession of Vaping Device Underage	Tanyard Road (x 2)
Driving Suspended	Cornell Road
Possess a Fictitious License	Cornell Road
Warrant Service (Capias)	Circle Drive (x9)
Warrant Service (Capias)	North Main Street (x 3)
Warrant Service (Capias)	Windsor Drive (x 2)
Warrant Service (Capias)	Powder Creek Lane

Warrant Service (Capias)	East Court Street
Warrant Service (Felony)	East Court Street
Warrant Service (PB-15)	Circle Drive (x 2)
Warrant Service (Misdemeanor)	East Court Street (x 2)
Warrant Service (Misdemeanor)	Trail Drive
Warrant Service (Misdemeanor)	Bland Street
Emergency Custody Order	Floyd Avenue (x 2)

MONTHLY STAFF REPORT

DATE:	September 12, 2022
TO:	Rocky Mount Town Council
FROM:	Brian Schofield, Public Works Superintendent
DEPARTMENT:	Public Works Department
MONTH:	August 2022

1. Read meters (1 day)
2. Meter repairs: replaced touch pads, trimmed bushes, gasket leaks, and cleanouts
3. Meter cutoffs:40
4. Clean-up 5 days
5. Cut trees along roads, sidewalks, and parks
6. Repaired, replaced, or unplugged Five sewer Mains or laterals
7. Repaired and/or replaced traffic and street signs throughout town.
8. Continue to work on storm drains throughout town
9. Ongoing exchanging or new additional carts for citizens
10. Working on new section of sidewalk from Celeste Park to Dent St
11. Mowing Streets.
12. Weeding and trimming Flower gardens throughout town.
13. Started doing repairs on Pell Ave for repaving starting on Sept. 11th

MONTHLY STAFF REPORT

MEETING DATE:	September 12, 2022
TO:	Rocky Mount Town Council
FROM:	Dennis Potter
DEPARTMENT:	Wastewater Treatment Plant
REPORT MONTH:	August, 2022

Average Daily Flow	0.677 MGD
Minimum TSS Reduction	98.6 %
Minimum BOD Reduction	99.0 %
Leachate (F.C. Landfill)	182,707 gallons
VPDES Violations	None
Sludge (Land filled @ F.C.)	58.3 Tons
Rain Total 4.1 inches	Snow Total 0 inches

The Wastewater Plant had 0 after hours alarms during the month of August.

The staff worked on regular maintenance at the plant and the pump stations.

AMR worked on SCADA and PLC upgrade. Some minor programming to do and a few bugs to fix, and the project will be complete.

The staff replaced solenoid on RAS pump #1.

The staff replaced oil level monitor on clarifier #2.

Respectfully Submitted,

Dennis Potter

MONTHLY STAFF REPORT

DATE:	9/12/2022
TO:	Rocky Mount Town Council
FROM:	Michael K. Adkins – Water Superintendent
DEPARTMENT:	Water Department
MONTH:	August 2022

Operation and Production Summary:

The actual water production time (water filtering) for the entire month averaged 10.8 hours a day, which yielded approximately 947,363 gallons per day. Rainfall for this month was 11.2 inches, as measured at the water treatment plant. Therefore, the Blackwater River flow continues to be adequate for regular operation.

Total Raw Water Pumped:	27.72 million gallons
Total Drinking Water Produced:	29.37 million gallons
Average Daily Production:	947,363 gallons per day
Ave Percent of Production Capacity:	47.37%
Flushing of Hydrants/Tanks/FD Use:	892,868 + 45,000 F.D. gals = 937,868 gals
Plant Process Water:	922,000 gallons (finished water used by the plant)
Bulk Water Sold @ W.T.P.:	7,400 gallons
Bulk Water used at PW Shop	6,004 gallons
Tank Cleanout/Drainage	0.0 gallons
WVWA Water	0.0 million gallons

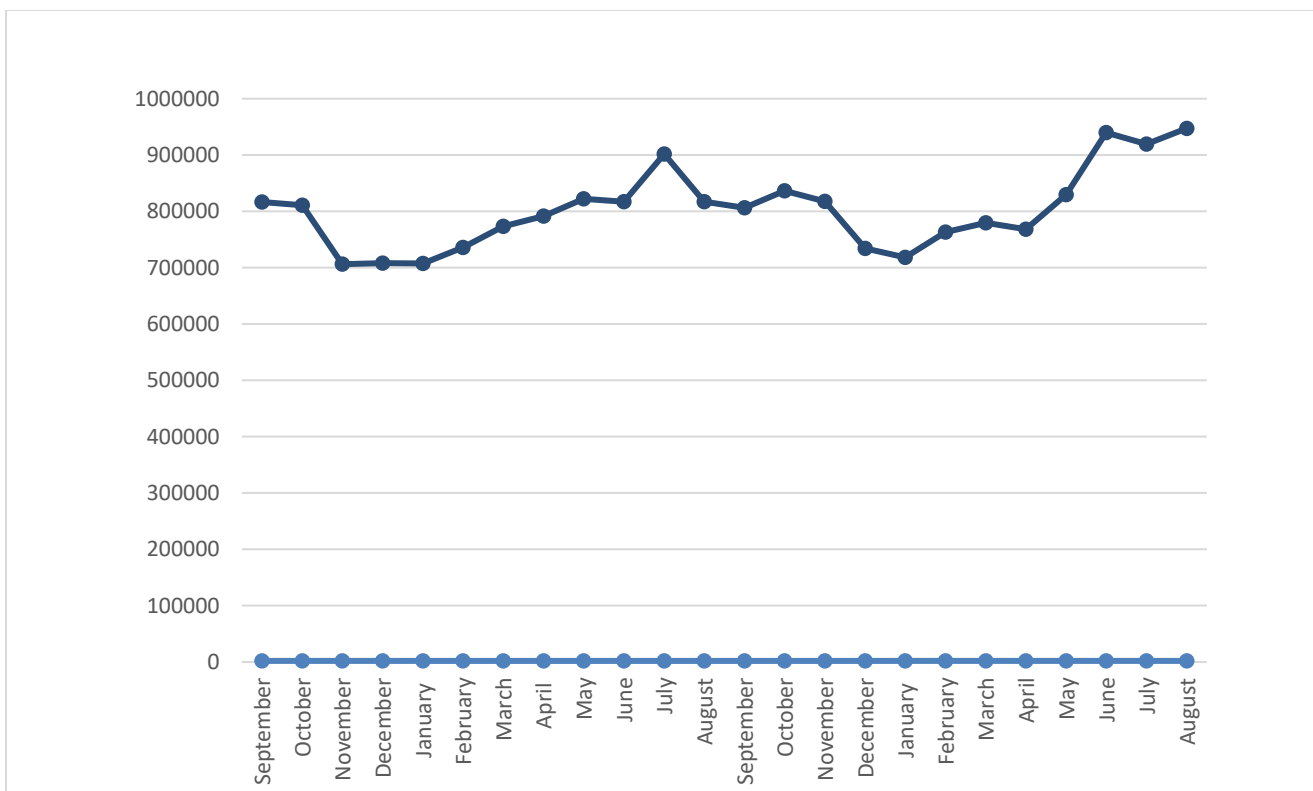
Testing:

- Our monthly (7 total) routine bacteriological samples were free of bacteria. Therefore, the Town continues to comply with all drinking water standards by E.P.A. requirements.
- We restarted the Auto-flushing program on April 09, 2022. This process reduces TTHM and HAA5's and provides higher quality water to lines with low usage and no circulation.

Activities / Maintenance / Improvements

- The staff continued with our weekly checks of the chemical feeders, pump stations, equipment at tank sites, and monthly checklists around the plant, the river, and the dam. In addition, we continue to perform routine maintenance and groundskeeping.
- The interconnect with WVWA supplied 0.0 million gallons of water, which averages 0 gallons a day. Due to low chlorine residual from WVWA, connection has been cut off until problem can be corrected
- The contractor installed breaker box and transformer to power flocculators. Hopefully, contractor will finish installation in September.
- Staff pumped out and cleaned chemical tank.
- Staff collected Bacti sample from Scuffling Hill tank after tank maintenance was completed. Bacti's were good and tank was placed back into service.
- One Staff member completed Water Operator Short School through Virginia Tech. One staff member completed 40 hour Backflow Training. One Staff member completed correspondence management course through California State University-Sacramento.
- I attended Leadership Symposium offered by VRWA.
- Staff rebuilt Pressure Reducing Valve at upper Grassy Hill pump station

Water Plant Production in Gallons Per Day (Sept 2020 to August 2022)



ITEM(S) TO BE CONSIDERED UNDER:
Old Business

FOR COUNCIL MEETING DATED:	September 12, 2022
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STAFF MAKING REQUEST:	Robert J. Wood, Town Manager
BRIEF SUMMARY OF REQUEST:	Mr. Bane has requested that the Town sell him the the portion of Angle Street behind his property at 325 Franklin Street. Please see the attached email message for his request. Other relevant documents have also been attached for your reference.
ACTION NEEDED:	Staff recommend that the matter be referred to the Community and Economic Development Committee for further discussion.

Attachment(s):

1. Town Owned Property behind 325 Franklin Street

FOLLOW-UP ACTION: (To be completed by the Town Clerk)
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Robert J. Wood <rwood@rockymountva.org>

Meeting to Discuss Angle Street

unitedhme@aol.com <unitedhme@aol.com>

Tue, Aug 30, 2022 at 3:55 PM

Reply-To: unitedhme@aol.com

To: "rwood@rockymountva.org" <rwood@rockymountva.org>

Mr. Woods,

It might be easier to converse via email than trying to coordinate our schedules.

Here are the facts regarding this space.

Permanently vacated in 2001. It can never be reopened. It has not had any maintenance done to it in the past 21 years and now it has grass growing through the asphalt.

The parcel can never be built on due to its limited size.

The parcel can only be added to my property or the car wash. Jeff has shown no interest in the parcel.

The town has refused to sell or gift the property to me in spite of several appearances before town council.

I wish the town to sell me the property. I am willing to pay up to \$500.00 for the parcel. I will not agree to any claw backs or any other input or interference from the town.

Please let me know if you still wish to meet.

I sent Mark Moore a FOIA request on Monday and asked him to acknowledge receipt. Could you confirm that he received it.

Thank you

Phillip Bane

-----Original Message-----

From: Robert J. Wood <rwood@rockymountva.org>

To: unitedhme@aol.com

Sent: Tue, Aug 30, 2022 12:18 pm

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

Town Owned Property behind 325 Franklin Street (formerly Angle Street)

Phillip Bane has requested that the Town sell him the Town owned property behind his property at 325 Franklin Street. The property was part of Angle Street until the street right-of-way was vacated by the Town as part of the public library project.

Mr. Bane originally made this request in 2020 because Mr. Bane's proposed development of 325 Franklin Street included the property in the proposed site plan for his project. A public hearing was held by the Town Council on February 8, 2021 to meet requirements in the State Code regarding procedures for disposing of real property. At that time, the Town Council agreed to enter into a performance agreement with Mr. Bane that would transfer the property to him if he met certain conditions. Shortly thereafter, Mr. Bane withdrew or rescinded his request and modified his site plan so that the Angle Street property was not needed for his development.

The Town Council meeting minutes have been included for your reference.

The agenda was amended to make a few additions to the closed meeting items for the evening to include 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)

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 Council)

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)

Motion: To approve

Motion By: Council Member Lee

Seconded: Council Member Stockton

Motion Discussion: None

Approved by unanimous vote

4. Special Items (none at this time)

Mayor Angle regrettably shared with the public that Council Member Bobby M. Cundiff had resigned his seat with the Rocky Mount Town Council effective this date of February 8, 2021. Mayor Angle further shared that the members of Council and the Town would certainly miss Mr. Cundiff's counsel and dedication to the Town and the Town's citizens. Mayor Angle wished Mr. Cundiff well going forward and thanked Mr. Cundiff for the service Mr. Cundiff gave to the Town of Rocky Mount.

5. Public Hearing

Mayor Angle recesses to begin the Public Hearing.

5.1 Disposal of Town Property Behind 325 Franklin Street Formerly Known as Angle Street

The owner of 325FranklinSt LLC, Mr. Phillip Bane, had previously asked Town Council for the right-of-way to the portion of Angle Street that was left after the Town of Rocky Mount closed the intersection of Angle Street and Claiborne Avenue in conjunction with the Franklin County Library project. The portion of Angle Street described was suitable for abandonment. Town Council had at that time indicated that the Town would deed the prior right-of-way to the developer in conjunction with a redevelopment proposal and a set of plans submitted which Mr. Bane did submit. Mr. Bane was seeking a Zoning Permit and the proposed development that Mr. Bane has continued to work on for some time now, could not go forward until a Zoning Permit could be issued so that a Building Permit could be obtained because a portion of the right-a-way referenced here was being used by the renovated building therefore, the Zoning Permit nor the Building Permit could be issued until the developer was given access to that right-of-way. The meeting was closed to the public so comments from the public were still being received from email by Town Clerk Dillon though no comments were received regarding this public hearing. State Code Section 15.2-1800 requires that localities hold a public hearing prior to disposing of real property. The public hearing was duly advertised. An aerial view of the portion of Angle Street discussed, was in Council's packet for review prior to the meeting.

Staff shared that Town Council had in the past had the view of the right-of-way being available perhaps as part of a redevelopment effort and so staff recommended that the right-of-way be deeded to the owner of 325Franklin St LLC, Mr. Bane, to use in conjunction with the development plans that had been submitted to the Town. Staff recommended a "call back clause" for 1 year and lease the parcel to the developer which would have an optional renewal at Council's discretion. When the developer can obtain a certificate of occupancy, the property would be permanently transferred to the developer.

Town Attorney Boitnott referred to the agreement between the Town and the developer as a performance agreement that would require the developer to perform certain things in the future and upon completion of which, the title would be transferred without any other action required by Council. If the things required to be completed within the 1 year time period are not completed, then the title would not be transferred to the developer and Council would have the option to extend the performance agreement for another period of time or Council might not extend the agreement. If at the end of the 1-year period, the things required were completed and the portion of Angle Street was abandoned right-of-way to the developer, that portion of real property would be permanently joined to the property at 325Franklin St LLC.

Motion: To move forward with the performance agreement for a 1-year period of time

Motion By: Council Member Stockton

Seconded: Vice Mayor Snead

Motion Discussion: None

Approved by unanimous vote

5.2 Special Use Permit for Chasity S. Wade Regarding a Manufactured Home on Byrd Lane

Ms. Chasity Wade applied for a special use permit in order to place a manufactured home of 1,791 square feet on a 1.14-acre lot located on Byrd Lane that was zoned as RB-Residential Business. The manufactured home, also commonly known as a double wide, was 28 feet x 68 feet. If approved, the manufactured home would be placed on a permanent foundation at 470 Byrd Lane, Rocky Mount and would be built to federal standards known as HUD versus State Code. At this time, the Town code only allows manufactured homes on Residential Agricultural zoned properties.

On February 3, 2021, the Town of Rocky Mount Planning Commission held a site visit and a public hearing for a Special Use Permit regarding 470 Byrd Lane in which a motion was made to recommend approval of the permit. The motion was made to recommend approval of the permit and passed with a vote of 6-0. There was one public comment by email to the Community Development Assistant in favor of the application. The Special Use Permit application was advertised in the Franklin News Post as required by law, and the public hearing notice sign was posted on the site. Also, a schematic diagram of the proposed home was placed on the Diaz for each member of Council to review.

Motion: To approve the Special Use Permit as requested

Motion By: Vice Mayor Snead

Seconded: Council Member Newbill

Motion Discussion: None

Approved by unanimous vote

6. **Approval of Draft Minutes**

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

6.1 January 11, 2021 – Regular Meeting Minutes

ITEM(S) TO BE CONSIDERED UNDER:

- ☐ **Special Items**
☒ **Public Hearing**
☐ **Consent Agenda**
☐ **Hearing of Citizens**
☐ **Old Business**
☐ **New Business**
☐ **Committee Report**
☐ **Other**

FOR COUNCIL MEETING DATED:	February 8, 2021
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STAFF MAKING REQUEST:	Mark W. Moore, Assistant Town Manager
BRIEF SUMMARY OF REQUEST:	State Code § 15.2-1800 requires that localities hold a public hearing prior to disposing of real property. The Town of Rocky Mount closed the intersection of Angle Street and Claiborne Street in conjunction with the Library project. This left a portion of Angle Street suitable for abandonment. An arial view of the area is attached. The owner of 325FranklinSt LLC, Phillip Bane, previously asked Town Council for the right-of-way previously and Town Council has indicated that the Town would deed the prior right-of-way to the developer in conjunction with a redevelopment proposal. The owner has submitted the attached plans and seeks a Zoning Permit so that a Building Permit can be obtained. Given that the proposed development uses a portion of the right-of-way sought for the project, a Zoning Permit cannot be issued until the right-of-way is conveyed to the developer. It has been Town Councils consistent view that the right-of-way is available as part of a redevelopment effort and staff recommends that the right-of-way be deeded to the owner of 325FranklinSt LLC to use in conjunction with the development plans submitted to the Town. In order to ensure the use of the property for the development, staff recommends that a clause to the transfer be added to revert the right-of-way to public ownership after a specific period of time should the development not proceed as currently proposed. As the Town is eager to assist with the redevelopment of this structure, and the owner is now at the point where a permit is sought, this is the time to confirm that the abandoned right-of-way can be used as part of the redevelopment process.

ACTION NEEDED:	Authorize the Town Manager, Town Attorney, and staff for the disposition of public property that is a portion of Angle Street behind 325FranklinSt LLC.
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Attachment(s): Yes

FOLLOW-UP ACTION:
(To be completed by Town Clerk)

ITEM(S) TO BE CONSIDERED UNDER:
New Business

FOR COUNCIL MEETING DATED:	September 12, 2022
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STAFF MAKING REQUEST:	Mark Moore, Assistant Town Manager
BRIEF SUMMARY OF REQUEST:	A Weekly Report in July included information regarding Designated Outdoor Refreshment Areas (DORAs). That information has been included for your reference. At a recent meeting, the Economic Development Authority (EDA) recommended that the Town explore a DORA for a portion of the Central Business District. Their recommendation was to identify key events when a DORA would be effective. This would allow restaurant patrons to carry open containers of alcohol outside of the establishments, so long as they stay within the designated area—and only during specific events.
ACTION NEEDED:	Staff recommend that this matter be referred to the Community and Economic Development Committee for further discussion.

Attachment(s):

1. DORA Information

FOLLOW-UP ACTION: (To be completed by the Town Clerk)
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Robert J. Wood <rwood@rockymountva.org>

Designated Outdoor Refreshment Areas

1 message

Robert J. Wood <rwood@rockymountva.org>

Sun, Jul 24, 2022 at 2:01 PM

To: Council <council@rockymountva.org>

Cc: Rebecca Dillon <rdillon@rockymountva.org>, Mark Moore <mmoore@rockymountva.org>, Daniel Pinard <dpinard@rockymountva.org>

Council,

At a recent Town Council meeting, Councilmember Lee brought up the idea of designated outdoor zones where alcohol possession and consumption is allowed. The Commonwealth calls these Designated Outdoor Refreshment Areas or DORAs. Cultural and Economic Development Director Pinard helped me gather some information so that we can all get educated on this topic.

The following article from the Cardinal News discusses what they are and how the concept was created by the legislature in 2021:

<https://cardinalnews.org/2021/11/30/with-new-abc-license-virginia-localities-can-create-permanent-open-air-alcohol-zones/>

The City of Danville is utilizing the new DORA legislation to establish such an area:

<https://cardinalnews.org/2022/04/06/danville-votes-to-allow-outdoor-alcohol-in-its-river-district/>

The City of Roanoke is also establishing a limited DORA:

https://roanoke.com/business/local/biz-intel-downtown-roanoke-samples-refreshment-zone/article_ea5a8e4c-e1d8-11ec-af6c-b7332586a068.html

<https://www.downtownroanoke.org/events/dora>

I have attached copies of each article in case you have trouble with any of the links that I have included above.

If you would like to discuss this topic further, please let me know.

Robert

Robert J. Wood
Town Manager



3 attachments

 **20220612 Roanoke Times Article on Downtown Roanoke samples refreshment zone _ Business Local _ roanoke.com.pdf**
396K

 **20220406 Cardinal News Article on Danville votes to allow outdoor alcohol in its River District - Cardinal**



ECONOMY

With new ABC license, Virginia localities can create permanent open-air alcohol zones

Danville and Abingdon are among the first localities in the state to consider a so-called Designated Outdoor Refreshment Area license.



by **Megan Schnabel**

November 30, 2021



Danville's River District has become a focal point for entertainment and dining. The city is pursuing a special license that would allow it to create a permanent Designated Outdoor Refreshment Area, or DORA, that would permit visitors to walk through the district with beers or cocktails. Courtesy of the River District Association.

When Lee Vogler stands in the middle of Danville's River District and looks around, he sees a growing entertainment and cultural hub: restaurants, a brewery, apartments, music venues.

When he imagines the River District a year from now, he sees an addition to that scene: happy visitors wandering the sidewalks with beers or cocktails in their hands.

"More and more, folks are ready to see Danville kind of step into this next phase of its history, becoming a tourist destination, a place where folks can have a nice night out, and have entertainment," said Vogler, a member of the Danville City Council. "We just feel that this is another step in that direction."

Vogler is helping to spearhead the city's effort to obtain a new ABC license that would allow it to create permanent open-air zones where alcoholic beverages can be consumed on the street, and even taken into stores.

Danville, Abingdon and Charlottesville are among the first localities in Virginia to consider a DORA license – that stands for Designated Outdoor Refreshment Area – since the law creating it took effect July 1. About a dozen other localities have received licenses that allow similar zones to be created for specific events.

DORAs are different from festival beer gardens, where trucks usually provide the brews and drinkers must stay within a fenced area. A DORA, by contrast, could span multiple blocks – even a whole downtown – and patrons would buy drinks from ABC-licensed restaurants in the zone and then carry them as they browse nearby merchants.

Vogler sees it as a logical continuation of Danville's efforts to reinvigorate itself, a process that has been underway for years with the renovation of vacant downtown buildings into residential and commercial spaces but last year got a

“I don’t think the results would be some sort of unmanageable chaos,” said Doug Plachcinski, Danville’s director of planning. “We’re just not that rowdy. Even our existing live music – everything closes up at 10 o’clock.”

Doug Beatty, the driving force behind a petition seeking a DORA that would encompass about six blocks of Abingdon’s Main Street, said he’s heard the concerns in his town but thinks it’s “much ado about nothing.”

“Abingdon will never be downtown New Orleans or the French Quarter. It’ll never be Savannah. We’re just not that,” said Beatty, who owns Bonfire Smokehouse in Abingdon’s historic downtown.

Beatty said he’s learned from his decades in the restaurant business, both in Abingdon and in Asheville, North Carolina, that putting “feet on the street” is a key to a thriving downtown, and he believes that a DORA would help create the right kind of atmosphere to attract more people to Abingdon’s historic district.

Tonya Triplett, the Abingdon’s director of economic development and tourism, said the grassroots effort has prompted a lot of discussion in town, and some fears about noise and drunkenness.

“It’s an education process,” she said. “When I was first hearing about it, I thought, My goodness, this is going to be like Bourbon Street. And that definitely is not something that we are interested in.”

But the town has been looking at how other states have implemented DORAs, she said, and they’ve seen reports from other towns that haven’t seem to have had any problems.

One idea they’ve been talking about would be to start small – to create the first DORA just in the farmers market area, and then expand it later if it’s successful.

Town officials are considering logistical questions as well: How does the sanitation department deal with the increased trash that would be produced, since

very public jolt when more than two-thirds of Danville voters voted to allow a casino to be built in the city. Caesars Virginia is slated to open in 2023 with 500 rooms, plus tens of thousands of square feet of meeting and convention space.

“The message that we continue to receive from our citizens in general is ‘We want more’ – more entertainment, more music, more nightlife,” Vogler said. “And so we are trying to meet that demand.”

For its first DORA, the city is targeting the River District, which Vogler describes as a “gathering hub of activity.” It’s a walkable area that’s home to a high concentration of businesses that could benefit from added visitors, he said.

“I view this as something that ties in with entertainment and culture, this communal kind of atmosphere,” he said. “Our River District, that’s what that is for us ... so it seemed like the logical place for the first one.”

A handful of other states have created similar licensing options.

Ohio, for instance, which approved its first DORA in 2015, now has 81 of the zones – including 32 created just last year – according to a July story in the Dayton Daily News.

Michigan approved the creation of so-called “social districts” last year; as of this summer, there were 40 across the state, according to a story in MLive, a statewide news site.

While tourist meccas like Bourbon Street or the Las Vegas Strip get most of the publicity surrounding public drinking, local DORA backers will be quick to tell you that they don’t want to be like those places. Even if they did have neon aspirations, they would be unlikely to ever achieve that kind of atmosphere.

each to-go beverage must be in a disposable plastic cup? What if there are merchants who don't want to participate – do they need special signage?

“This council is very conscious about making sure we balance the tourism experience with the citizens who live here,” Triplett said.

“We want to just make sure that we're crossing all of our t's and dotting all of our i's, and that we've heard all of the concerns.”

While it might be easier to obtain the more limited version of a license – the kind that allows open-air alcohol zones during certain events – Beatty said he's committed to pushing for a permanent DORA.

“We don't want to have certain days of the week or really weird hours on certain days – none of that,” he said. “We need to make this simple and consistent and easy to follow.”



GO Fest, Roanoke's annual outdoors-focused festival, moved downtown for the first time this October, and Downtown Roanoke Inc. applied for a license that allowed it to create a zone where people could drink alcohol outside, without the need for a beer garden. Courtesy of Kait Pedigo, Roanoke Outside Foundation.

No one in Virginia has received a full DORA license yet, but more than a dozen localities or nonprofits have obtained a more limited version that's similar to the old local special events license and allows for the creation of a time-limited refreshment area for a festival or other event.

That's the route Downtown Roanoke Inc. took. The nonprofit successfully applied for a DORA license that allows it to create outdoor beverage zones for up to 16 events over the course of the year. The impetus was last month's GO Fest, which moved downtown for the first time in its history.

The outdoors-focused festival, which ran for three days, in years past had always been held at River's Edge Park, with beer gardens served by trucks. But when organizers decided to move it downtown, it made sense to work with nearby restaurants instead of bringing in beer trucks to compete with them, said Jaime Clark, vice president of marketing and communications for DRI.

The desire to give a boost to local restaurants, which have been pummeled by the pandemic, has been a driving factor for at least some of the DORA licensees, including Tazewell Today, a nonprofit that handles event planning for the town of Tazewell.

In the past, Tazewell Today would get a banquet license and bring in a beer truck for its First Fridays series, said Emily Combs Davis, a member of the Tazewell Town Council who's also on the board of Tazewell Today.

"That was nice, but we now have restaurants on Main Street that we want to support," Davis said. "We're bringing all of these people to Main Street, but if we have a beer truck, we are competing with the restaurants for the business, and that's not really what we want to do. We want to encourage the economic activity to the restaurants."

Julia Boas, director of marketing for the Roanoke Regional Partnership and an organizer of GO Fest, said she could see the appeal of creating a permanent DORA, especially if Roanoke were to close off the city market area to traffic – an idea that has periodically surfaced over the years.

She wondered, though, how it would work logistically.

For GO Fest, extra security personnel were hired to patrol the edges of the refreshment area to make sure no one came into or left the zone with alcohol. How would that work with a permanent DORA? she wondered.

“You’d just have to trust people, I guess,” she said. “There could be a serious learning curve of people taking their alcohol wherever.”

She paused, then said: “Then again, people could, in theory, take beers out in the streets whenever they wanted, but they don’t do it. People are like, ‘Everybody’s going to go insane and lose their minds because you let them take a beer out.’ People could always walk around with alcohol and you would never know. They don’t do it. It’s not the societal norm, so we don’t do it.”



The new setup for GO Fest in Roanoke allowed patrons to buy beer and cocktails from local restaurants rather than beer trucks. Courtesy of Kait Pedigo, Roanoke Outside Foundation.

In Danville, city leaders haven't publicized the DORA push yet, but Vogler and Plachcinski both said the feedback they've received has been positive.

Rick Barker, who owns two restaurants in the River District, Mucho Taqueria and The Garage, said he hadn't heard of the DORA plans but liked the idea.

“Generally, we would be supportive of that, because it promotes a relaxed, casual, somewhat festival atmosphere,” Barker said. “It’s entertainment-friendly, and for that reason we would be supportive.”

Pre-COVID, Mucho would host occasional block parties. The city would close the street, and patrons could wander with their drinks within the limited area.

“Customers love it,” he said. “It’s like one block out of Bourbon.”

Diana Schwartz, executive director of the River District Association, said she believes that a DORA would be one more amenity that would encourage people to visit Danville's downtown, and she thinks that it fits in with the city's other tourism and economic development initiatives, like the casino.

"You have some very forward thinking folks here in Danville," she said. "They understand there's risk involved whenever you're trying to do something to move your community forward, but thankfully they're very very smart, and it's calculated risk, and it's educated risk, and so far it has certainly paid off."

Plachcinski's office is working through the logistics of a DORA plan, including what the boundaries should be. A public safety plan will have to be developed, and the city will need to figure out what entity should hold the license. Eventually, the city council will have to vote on the proposal.

Danville is already eyeing two other potential DORA sites: North Main commercial area, across the river from downtown, and the area around the casino project, called Schoolfield.

"Initially the first effort is to support our existing and growing businesses," Plachcinski said. "After that, we hope to use the tool more as kind of direct economic incentive, to stimulate actual growth and business creation."



ECONOMY

Danville votes to allow outdoor alcohol in its River District

The ordinance passed Tuesday night will allow the city to create a so-called DORA that will allow patrons to carry drinks in the open. If Virginia ABC signs off on a license, Danville will be the first locality in the state with a year-round Designated Outdoor Refreshment Area.



by **Megan Schnabel**

April 6, 2022



Danville's River District has become a focal point for entertainment and dining. The city is pursuing a special license that would allow it to create a permanent Designated Outdoor Refreshment Area, or DORA, that would permit visitors to walk through the district with beers or cocktails. Courtesy of the River District Association.

Danville is on the cusp of becoming the first locality in Virginia to create a year-round zone where visitors can carry beer and cocktails on the sidewalks and into stores.

The Danville City Council on Tuesday approved an ordinance that will allow the city to create a so-called Designated Outdoor Refreshment Area, or DORA, in its River District. Virginia ABC must now approve a license, a process that could take 60 to 90 days, according to Lee Vogler, the council member who has spearheaded the city's effort.

"I was worried that maybe somebody had gotten ahead of us, but no, we're still going to be the first, so I'm happy about that," Vogler said Wednesday morning.

A state law that took effect last July created the DORA designation; it was part of a larger pandemic-era move to tweak Virginia's alcohol laws that also opened the door to to-go cocktails and delivery of alcohol to homes.

Before DORA licenses were available, an organization that wanted to serve alcohol at an outdoor event would have to bring in a beer truck or other vendor, and drinking would be limited to fenced-off areas like beer gardens.

By contrast, a DORA can span multiple blocks, and patrons can buy drinks from ABC-licensed restaurants within the area and carry them throughout the zone.

And, for localities like Danville that take an extra step, a DORA can exist independent of any particular event.

While the law allows DORA licensees to hold up to 16 events a year, with each event lasting no more than three days, it provides an option for localities that want greater freedom: A town or city council or county board of supervisors can

adopt an ordinance requesting an increase in frequency and duration of its DORA.

According to an ABC spokesperson, DORA licenses have already been issued in 15 Virginia localities, but none of those involved such an ordinance. (The current DORA licensees are in Alexandria, Charlottesville, Fredericksburg, Hampton, Harrisonburg, Manassas, Norfolk, Onancock, Richmond, Roanoke, Scottsville, Suffolk, Tazewell, Winchester and Wytheville.)

By and large, Vogler said, there's been a lot of excitement about the idea around Danville. He's heard some questions about how a DORA would be implemented, he said, but city staff tried to address any concerns in the ordinance.

Outdoor alcohol consumption within the DORA would have to stop at midnight. (It could resume at 8 a.m.)

The ordinance prohibits alcohol consumption in Danville's city hall, the library, schools, city buses, the courthouse, the Riverwalk Trail and a handful of other properties. The city market and city parks also would be off-limits, unless a separate ABC license had been issued for an event there. The ordinance also prohibits alcohol consumption on the property of any place of worship.

Private businesses within the DORA wouldn't have to allow customers to bring drinks in – the owner of a clothing store who's worried about red wine spills, for instance, could post signs prohibiting alcohol. Nor could patrons bring beverages they bought at one restaurant into another eatery.

The boundary of the DORA would be marked with permanent signage. Public intoxication would still be illegal, and the police department would "regularly patrol" the DORA and coordinate with the license holder about security, the ordinance says. (The city itself won't be applying for the ABC license; that will fall to the nonprofit Danville Development Council.)

Across Virginia, some groups that have sought the new licenses have said that they see DORAs as a way to support local restaurants during the pandemic.

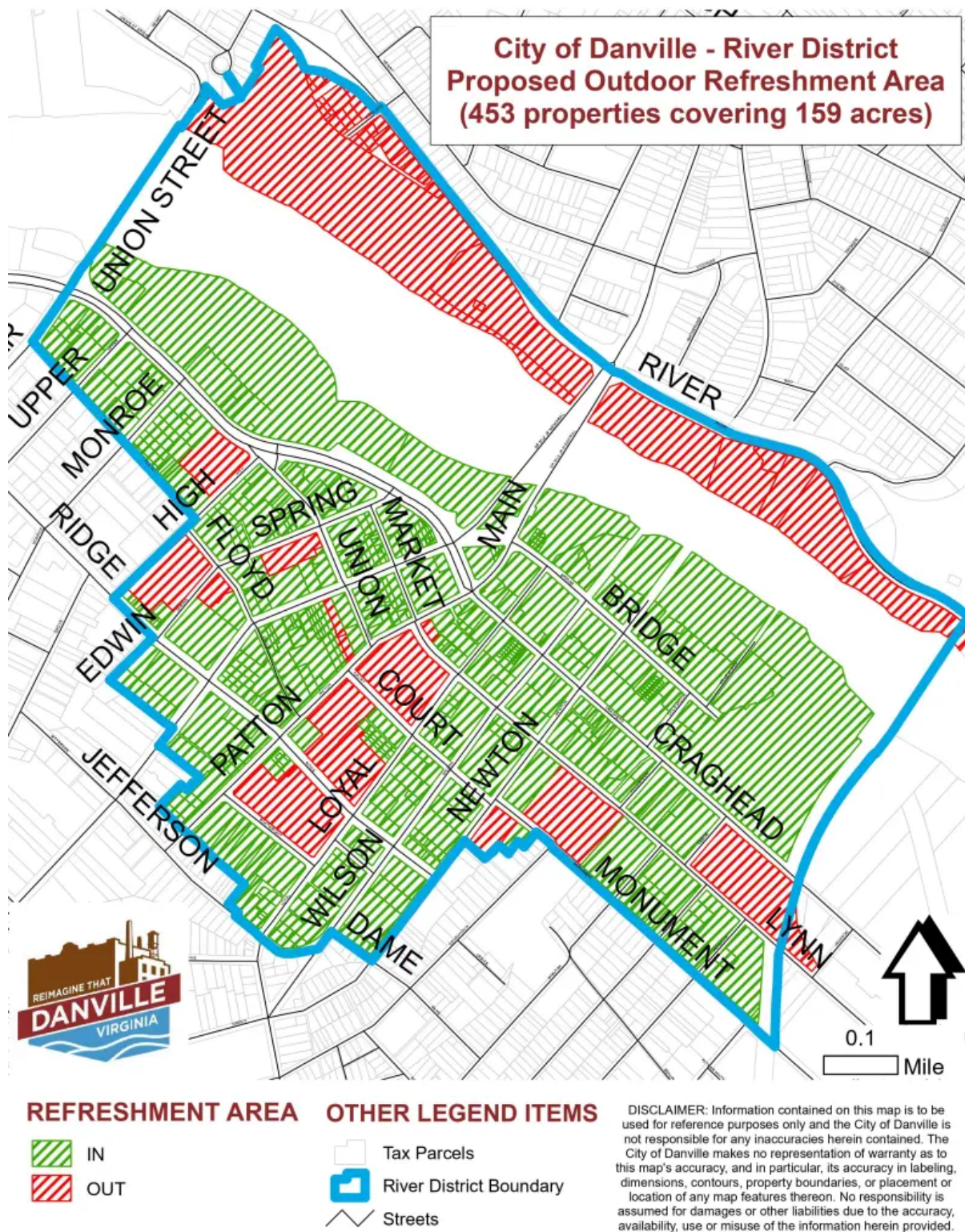
Others have touted it as a tourism or economic development tool.

Last fall, when Danville was already well into discussions about establishing a DORA, Vogler said that he saw it as a logical continuation of the city's efforts to reinvent itself, and as a response to residents' demand for more entertainment options.

By law, the city can set up three DORAs. The River District, a walkable, well-defined area that is home to numerous ABC-licensed restaurants, was a logical first step, Vogler said. The city's Schoolfield area, where a Caesars casino will open next year, is another possibility.

But there's no rush, Vogler said.

"We kind of want to wait to see what happens with this one, and what we learn from this, and any adjustments we need to make," he said. "We do plan at some point to utilize the other two, but we don't want to just rush into them. We kind of want to see where the growth and development happen over the next couple of years."



Map of Danville's designated outside drinking area. Courtesy of Danville.

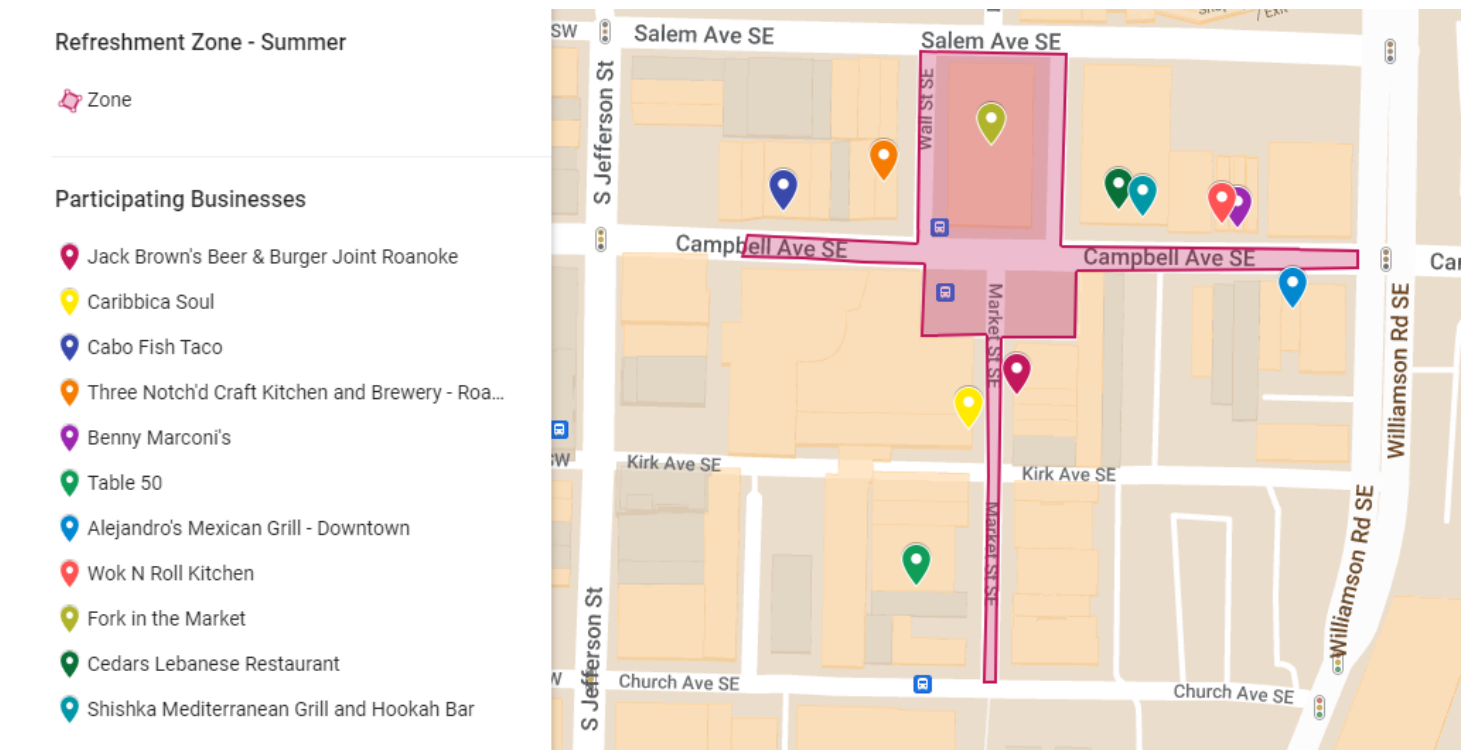
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https://roanoke.com/business/local/biz-intel-downtown-roanoke-samples-refreshment-zone/article_ea5a8e4c-e1d8-11ec-af6c-b7332586a068.html

Biz Intel: Downtown Roanoke samples refreshment zone

Alicia Petska.
Jun 12, 2022



The zone, filed for by **Downtown Roanoke Inc.**, allows customers to buy a drink and stroll outside with it. The drinks, which will be poured in clearly marked, disposable cups, can't be taken into other restaurants but can be toted into nearby retail shops that are taking part in the pilot.

Outdoor refreshment zones are a new concept in Virginia. The move, enacted by lawmakers last year, expands on a prior statute that allowed portable drinks in designated areas but only for special events.

The new law was developed as legislators were seeking ways to aid businesses and support the cultivation of entertainment districts.

People are also reading...

- 1 **Point guard Brandon Rechsteiner picks Virginia Tech**
- 2 **Roanoke drug treatment center settles allegations of false billing**
- 3 **Suspect arrested in California, charged in I-81 road rage shooting**
- 4 **Decorated Virginia Tech track star Cole Beck back with football team after two-year absence**

Roanoke was the third place in the state to secure a license for a “designated outdoor refreshment area.” Organizers said it struck them as a fun and novel way of drawing people downtown.

“The entire goal is really to get people to come down and explore all that we have to offer,” said Jaime Clark, vice president of communications with Downtown Roanoke Inc.

The pilot covers a zone around the downtown market square. The license offers the flexibility to shift that to other parts of the district in the future but that slice was picked for the trial run. If it's successful, organizers will consider next steps.

The outdoor refreshment zone will be in effect on weekends, from 11 a.m. to 8 p.m. Fridays to Sundays, between this weekend and July 31.

Drinks can't be taken beyond the bounds of the zone. Signs are posted to mark the perimeter. Only participating, ABC-licensed establishments can sell portable drinks.

Shoppers should check if a retail shop allows drinks to be brought in. Look for signage on the doors.

The initial list of participating restaurants, which organizers expect to expand, includes: **Jack Brown's Beer & Burger Joint, Caribbica Soul, Cabo Fish Taco, Three Notch'd Craft Kitchen and Brewery—Roanoke, Benny Marconi's, Table 50, Alejandro's Mexican Grill, Wok N Roll Kitchen, Fork in the Market, Cedar's Lebanese Restaurant and Shishka Mediterranean Grill.**

More information about the program and a map of participating restaurants can be found online at **downtownroanoke.org/events/dora**.

3 killed in shooting
at Iowa state park;...



gdad

Undoubtedly yet
another good guy wit...



Top Comment



2

Steve Bannon
convicted of...



Ben Cline

Couldn't happe
nicer fellow.



Top Comment

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ITEM(S) TO BE CONSIDERED UNDER:
New Business

FOR COUNCIL MEETING DATED:	September 12, 2022
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STAFF MAKING REQUEST:	Robert J. Wood, Town Manager
BRIEF SUMMARY OF REQUEST:	The Franklin County High School will hold their annual Franklin County Homecoming Parade on the streets of Rocky Mount on Thursday, October 6, 2022. The parade route is attached accordingly. The event has been approved by your police department.
ACTION NEEDED:	Approve or deny

Attachment(s):

1. 2022.0912 801.1 Letter of Request for FCHS Homecoming Parade 2022

FOLLOW-UP ACTION: (To be completed by the Town Clerk)
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Franklin County High School
700 Tanyard Road
Rocky Mount, VA 24151

September 7, 2022

Rocky Mount Town Council
Rocky Mount Municipal Building
345 Donald Avenue
Rocky Mount, VA 24151

Rocky Mount Town Council Members:

The 2022-2023 Student Council Association (SCA) and Eagle Excellence Committee (EE) of Franklin County High School asks the members of the Council for their permission to have our **Homecoming parade on Thursday, October 6, 2022** beginning at approximately **6:30 p.m.** The parades held in the past years were very successful, and SCA met its goals in positively promoting school spirit amongst students, faculty, staff, and members of the community. Our school family, along with our community stakeholders, look forward to continuing this tradition and growing its impact.

The planned parade route begins in the bus lot at Franklin County High School making a left onto Perdue Lane, then turning right up to the light, left onto Pell Avenue, left at the Hub, left at the light onto Tanyard Road, and then ending again in the Law Parking Lot. There will be NO rescheduling if the parade gets rained out.

In conclusion, we would like to THANK YOU for your time and consideration in approving this event. The hope is for your support in our goal of cultivating the connection between school and community. Feel free to contact us with any further questions.

Sincerely,

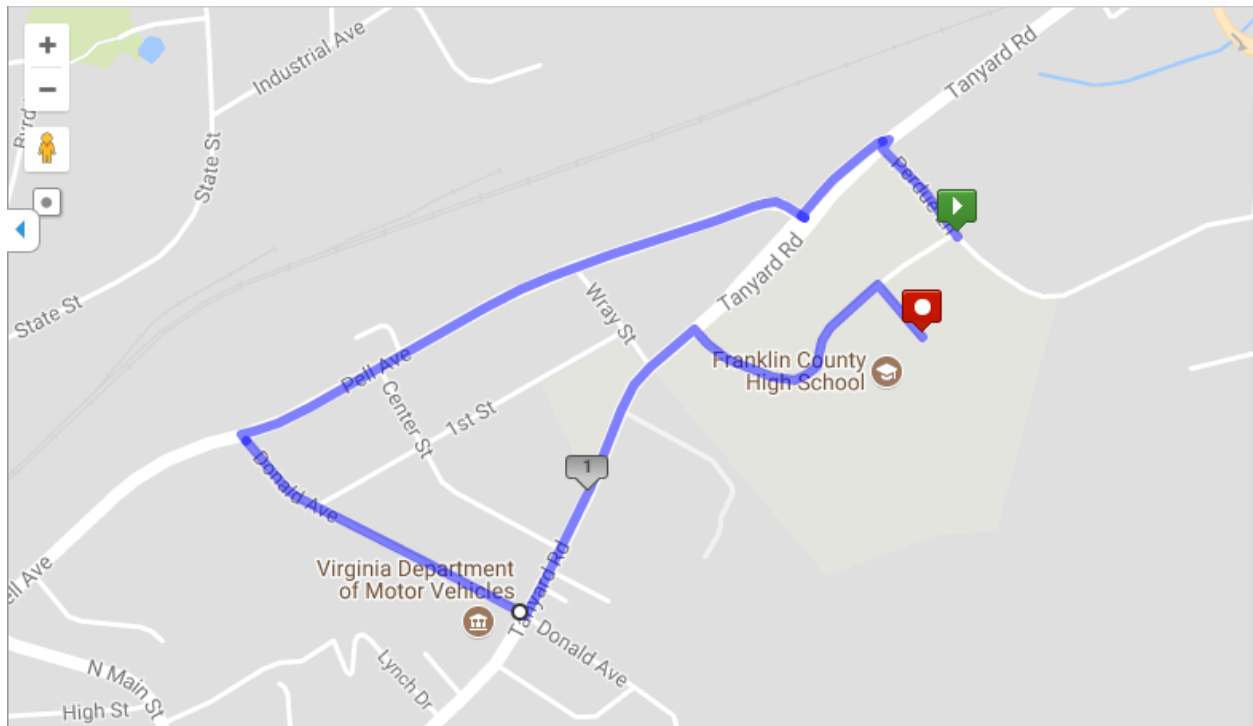
Mrs. Laura Bird
Teacher & Student Council Association Faculty Sponsor
Franklin County High School

cc: Mr. Steven Angle, Town Mayor
Mr. Robert Wood, Town Manager

Attached: Proposed Parade Route Map

Proposed Homecoming Parade Route

The 2022 Franklin County Homecoming Parade would start at 6:30 pm on Thursday, October 6, 2022 at the High School. It would exit the high school on Perdue Lane, make a left onto Tanyard Rd., right onto Pell Ave., left onto Donald Ave., a left onto Tanyard Rd., and finally enter back at the High School. This is the same route as the parade in the past.



If there are any questions or concerns, please contact Laura Bird, FCHS Student Council Advisors, at (540) 420-0407. Thank you!

ITEM(S) TO BE CONSIDERED UNDER:
Committee Report

FOR COUNCIL MEETING DATED:	September 12, 2022
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STAFF MAKING REQUEST:	Robert J. Wood, Town Manager
BRIEF SUMMARY OF REQUEST:	The Finance and Human Service Committee met on August 30, 2022. The Committee recommended two items go forward to the Town Council for consideration: 1. Draft Procurement Policy The Committee recommended that Town Council approve the Procurement Policy drafted by staff. 2. Modification of compensation for Police Department in order to remain competitive with other law enforcement agencies so that Rocky Mount PD can attract and retain the best officers. The Committee recommended that the Town Council consider increasing compensation as follows: Phase One: a. Converting the monthly uniform stipend to salary b. Recognizing years of law enforcement experience rather than years with the Rocky Mount PD c. Increasing starting pay to \$45,187.84 Phase Two: Increase starting pay to \$48,662.36 as of January 1, 2023.
ACTION NEEDED:	

Attachment(s):

1. Rocky Mount DRAFT Procurement Policy

FOLLOW-UP ACTION: (To be completed by the Town Clerk)
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TOWN OF ROCKY MOUNT
PURCHASING POLICY & PROCEDURES
September 12, 2022

This policy is adopted to guide the Town of Rocky Mount in obtaining high quality goods and services at reasonable cost and conducting all procurement procedures in a fair and impartial manner with avoidance of any impropriety or appearance of impropriety. The Town of Rocky Mount provides an equal competitive opportunity to all vendors by promoting competitive bidding and/or negotiation, while establishing and maintaining trust, confidence, and cooperation with all vendors. The statutes governing the procurement of goods and services by government entities are contained in the Virginia Public Procurement Act (VPPA). In addition to the requirements of the VPPA, the Town of Rocky Mount has established the following purchasing policies and procedures.

Quick Reference Guide

Purchase Amount	Requisition Required*	Three Documented Telephone, Written, Catalog or Electronic Quotes	Four Written or Electronic Quotations	IFB¹, RFP², RFQ³ and approval by Town Council⁴
Less than \$5,000	N/A			
\$5,000 - \$29,999	Yes*	Yes		
\$30,000 - \$99,999	Yes*		Yes	
\$100,000 and above	Yes*			Yes

*A requisition is an electronic document that is accessed and completed in the Town's financial system, Municipal Uniform Information System (MUNIS), to purchase goods or services. After the appropriate system approval (s) a requisition becomes a purchase order. Requisitions must be submitted and approved in MUNIS prior to placing any order and receiving invoices.

¹Invitation for Bid (**IFB**)

²Request for Proposal (**RFP**)

³Request for Qualifications (**RFQ**)

⁴Any proposed expenditure that is not budgeted requires approval by Town Council

1. PURCHASES OF LESS THAN \$5,000

This level of purchase is delegated to the applicable department head or designee(s) without obtaining quotations or keeping records for procurement purposes. Users are encouraged to compare pricing and utilize previous research when purchasing at this level. A requisition is not required. See section 5 if your purchase is considered professional services.

2. PURCHASES BETWEEN \$5,000 AND \$29,999.

This level of purchase shall be made on the open market based on terms most financially advantageous to the Town. It shall be accomplished by obtaining at least three attempted telephone, written, catalog, or electronic quotations. See section 5 if your purchase is considered professional services. For any purchase over \$5,000, please refer to "Exceptions to the Procurement Policy". The applicable department should obtain these quotations and forward with the requisition in MUNIS for appropriate approvals. Approvals in MUNIS will be as follows:

- Department Head
- Finance Director or designee

3. PURCHASES BETWEEN \$30,000 AND \$99,999

This level of purchase shall be made on the open market based on terms most financially advantageous to the Town. It shall be accomplished by obtaining at least four attempted written or electronic quotations (Telephone quotes cannot be accepted). See section 5 if your purchase is considered professional services. For any purchase over \$5,000, please refer to "Exceptions to the Procurement Policy". The applicable department should obtain these quotations and forward with the requisition in MUNIS. Approvals in MUNIS will be as follows:

- Department Head
- Finance Director or designee
- Town Manager or designee

4. PURCHASES OF \$100,000 AND ABOVE

This level of purchase requires that an IFB or RFP be issued. This shall be accomplished by soliciting interested bidders and vendors. A legal ad shall also be published in the local newspaper after approval by the Finance Director and Town Manager or their designee at least 10 days prior to the date set for receipt of the bids or proposals. Town Council must also approve any purchase greater than \$100,000.

Notation: The IFB and RFP are two distinctly different methods of procurement. In general, an IFB is the most common and contains specifications, a public bid opening, posted bid tabulations, and a firm price offer from a vendor which may not be changed (unless the cost is over the town's budgeted amount). The RFP differs in that it is a negotiated procurement. Responses to an RFP may be opened in private with no information regarding contents and prices being released until after the negotiation process. Construction may be procured only by competitive sealed bidding except that competitive negotiation may be used in the following instances:

- On a fixed price design-build basis or construction management basis.
- The construction of highways and any draining, dredging, excavation, grading or similar work on real property upon a determination made in advance and in writing that competitive sealed bidding is either not practicable or not fiscally advantageous to the public.

Once a successful bidder or proposer is chosen, a requisition will need to be submitted in MUNIS to proceed through workflow as follows:

- Department
- Finance Director or designee
- Town Manager or designee

5. PROFESSIONAL SERVICES

This level of purchase shall be made on the open market and shall be accomplished using the documentation and monetary guidelines stated above. Emphasis shall be on qualifications, experience, suitability and timeliness to provide the required services. In most cases a RFQ will be used for the procurement of professional services. *Cost shall not be the sole determining factor.* A requisition is required based on the guidelines stated above and will require the applicable approvals in MUNIS.

6. EXCEPTIONS TO THE PROCUREMENT POLICY

- Purpose
This guideline establishes the policies and procedures concerning the purchase of items or services that are exempt from the requirements of applicable policies covering small, intermediate, or large purchases.
- Responsibility
Specific responsibility is assigned to the Town Manager and/or designee to review purchases made under the provisions outlined in this policy for compliance with these regulations and to all department heads for seeking to avoid using provisions of this policy that limit competition.
- Policy
Normal purchasing policies shall be suspended for purchases made under the following provisions:
 - a) Sole Source – when determined in writing by the individual responsible for procurement of an item or service that there exists only one source capable of providing an item or service as specified or of equal quality, the Town Manager or designee may issue a requisition. The individual or department head making this request shall explain in writing the basis for determination of why this vendor is considered the sole source. The Town Manager or designee may require the department head to lessen the specifications in order to prequalify additional vendors and seek competitive bids. The designation of a vendor as sole source is applicable to a single requisition and permission for future sole source purchases will be considered on a case-by-case basis. If sole source designation is assigned, this fact is denoted on the requisition and all other

documents related to the purchase. All other requirement of purchasing policies applicable to the value of the purchase shall remain in effect. Sole source documentation must be included with the requisition.

- b) Emergency Purchase – in cases of emergency, contracts may be entered into or purchases made without competitive bidding or competitive negotiations. However, this provision should be avoided if possible and practical under the circumstances. A formal, written documentation of the basis for the emergency and the reasons for selection of the vendor or contractor shall be made available to the Town Manager as soon as possible. He/she shall then issue a written notice that the purchase or contract was awarded on an emergency basis, identifying that which was procured, and the date of the procurement or award of contract. This notice shall be posted in a public place within the Rocky Mount Municipal Building prior to making the purchase or awarding the contract for service, if possible, or as soon as practical thereafter.

This purchase will be placed on a requisition and forwarded to the Finance department as quickly as possible for processing. In the event the Town Manager is unavailable to make a determination of emergency purchases, his/her designee may be empowered to make such decision. All other requirements of purchasing policies applicable to the value of the purchase shall remain in effect.

- c) State Contract – items purchased off contracts negotiated by the Virginia Department of General Services (see DGS website) will not require any competitive bids. However, should a similar item of equal quality and at less cost be obtained from another vendor, the regular purchasing policies will still be effective, with the state contract or other price shown on quotation forms as a comparative bid. If the state contract is used, notation of such and contract number should be made on the requisition and forwarded to the approving authority for further processing according to the policy applicable to the value of the purchase. It is encouraged to ask vendors to provide the state contract number. The applicable department should denote the state contract number on the requisition when processing. All other requirements of purchasing policies applicable to the value of the purchase shall remain in effect.
- d) Cooperative Procurement – items or services purchased in conjunction with another public body or agency or other State and National associations for the purpose of combining requirements to increase efficiency or reduce administrative expense. A public body may also purchase from another public body's contract even if it did not participate in the IFB or RFP, if the IFB or RFP specified that the procurement was being conducted on behalf of other public bodies, except for instances stated in Section 2.2-4304 of the Virginia State Code.

If cooperative procurement is utilized, the department head should identify the name of the cooperating agency/locality and include supporting documentation as required and approved by the Finance Director or designee. Cooperative procurement may not be used for architectural or engineering services contracts or construction.

- e) Repetitive Operating Services - for services of recurring operations of the government of the Town of Rocky Mount and which generally is available from a sole source and routine in nature. Examples include utilities such as power, natural gas, and telephone. While no requisition is needed, the authorizing department head must approve the invoice, but only after reviewing for accuracy and discounting for expenses due from employees, such as long-distance personal telephone calls. Exempted items or services will only be charged to object codes identified for repetitive services or utilities.
- f) Contractual Items - items may be bid competitively on a recurring basis for goods or services deemed most cost effective to do such. Examples may include gasoline for Town vehicles, chemicals, asphalt, concrete, salt for snow removal, maintenance service agreements, communication equipment, and other goods and services fiscally feasible to procure on a contractual basis to guarantee long term costs. Contractual items must meet all purchasing requirements applicable to the aggregate costs of the term of the contract, including competitive bidding, but does not require a requisition One (1) copy each of any contract for goods or services must be forwarded to the Town Manager's office and to the Finance Director to be filed for audit purposes. Any invoices for these goods or services must be clearly marked "Contract Purchase" and approved by the appropriate department head prior to processing.

7. QUESTIONS

Questions concerning this document should be directed to the Finance Director. The Town Manager has final authority on interpretation of the purchasing policy.

ITEM(S) TO BE CONSIDERED UNDER:
Committee Report

FOR COUNCIL MEETING DATED:	September 12, 2022
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STAFF MAKING REQUEST:	Robert J. Wood, Town Manager
BRIEF SUMMARY OF REQUEST:	The Community and Economic Development Committee met on August 30, 2022. The Committee recommended that Town Council adopt the draft ordinance regarding mobile food vendors (food trucks) as an allowed, temporary use with one change: the minimum distance between a mobile food vendor and a restaurant be increased from 100 feet to 150 feet.
ACTION NEEDED:	Adoption of ordinance.

Attachment(s):

1. Zoning Ordinance Amending Temporary Uses 07072022 Revised Draft

FOLLOW-UP ACTION: (To be completed by the Town Clerk)
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IN THE COUNCIL OF THE TOWN OF ROCKY MOUNT

AN ORDINANCE of the Town of Rocky Mount amending Appendix A of the Code of the Town of Rocky Mount, Virginia (2002), known and cited as the “Zoning and Development Ordinance of the Town of Rocky Mount, Virginia” and providing for changes to temporary use regulations.

WHEREAS, the Town Council of the Town of Rocky Mount is required to adopt zoning regulations for the purpose of promoting and improving public health, safety, convenience or welfare and to plan for the future development of the Town and to accomplish the objectives of Section 15.2-2200, et seq., of the Code of Virginia (1950), as amended, and the Zoning and Development Ordinance of the Town of Rocky Mount, Virginia.

THEREFORE, BE IT ORDAINED by the Town Council of the Town of Rocky Mount that Appendix A of the Code of the Town of Rocky Mount, Virginia (2002), known and cited as the “Zoning and Development Ordinance of the Town of Rocky Mount, Virginia” be amended and the following changes are adopted.

ARTICLE 6. SUPPLEMENTARY DISTRICT REGULATIONS

Section 6-6 is amended to read and provide as follows:

6-6. Temporary uses.

6-6-1. Purpose.

(a) There are certain temporary uses that by their nature require additional regulation, beyond the general requirements applicable to a particular zoning district, to protect the welfare, safety and convenience of the public. The impacts of temporary uses are generally quantifiable and subject to mitigation by imposition of specific standards. Such uses may be allowed within designated zoning districts under the controls, limitations and regulations of the Temporary Use Permit established by this section.

(b) The Zoning Administrator may approve a Temporary Use Permit under the provisions of this section after concluding that the proposed temporary use complies with the applicable use regulations.

(c) Special events that are expressly approved by the Town Council are exempt from the requirements for a Temporary Use Permit. Itinerant Vendors and Mobile Food Vendors participating in private or public events without pre-approval by the Town Council are subject to the requirements for a Temporary Use Permit.

6-6-2. Application.

(a) An application for a Temporary Use Permit may be made by (i) any person who is a property owner or (ii) by any lessee with written permission from the owner.

(b) The application shall be filed with the Zoning Administrator on forms provided by the Planning and Zoning Department. All information required for evaluation of the application shall

be supplied and the applicant shall remit the fee established by Town Council for such permit. No application shall be deemed filed until all submission requirements have been met.

(c) The Zoning Administrator shall approve or deny an application for a Temporary Use Permit within 45 calendar days of filing. In the event the Zoning Administrator denies any application, the Zoning Administrator shall clearly identify the deficiencies that are the basis for the denial by reference to specific zoning ordinance sections and requirements.

(d) Whenever a Temporary Use Permit is denied by the Zoning Administrator, the applicant may take either of the following actions in lieu of accepting the decision as final:

(1) Revise the application to satisfy the stated reason for denial, in which case the revised application shall be handled as a new application; or

(2) Appeal the denial to the Board of Zoning Appeals in accordance with Article 11.

6-6-3. Revocation or Expiration of Temporary Use Permit.

(a) A Temporary Use Permit may be revoked by the Zoning Administrator at any time due to the failure of the permit holder to observe all requirements of the Zoning Ordinance. Notice of the revocation shall be made in writing. Any person aggrieved by such notice may appeal the revocation to the Board of Zoning Appeals in accordance with Article 11.

(b) A Temporary Use Permit shall be issued on an annual basis. Temporary Use Permits shall automatically expire twelve (12) months after the date of issuance and must be renewed by filing a new application and receiving approval from the Zoning Administrator. Proof of current standing on business license and/or meals tax are required for renewal.

6-6-4. Temporary Use Permit General Requirements.

(a) All temporary uses shall satisfy the applicable use regulations.

(b) Issuance of a permit shall be conditioned upon the applicant's consent to reasonable inspections initiated by the Zoning Administrator to verify compliance with the requirements of this section and a right of access for the Zoning Administrator to make such inspections.

(c) The Zoning Administrator shall have no authority to vary, modify, or waive any of the regulations or standards prescribed for any use for which a Temporary Use Permit is required, except that the Zoning Administrator may waive any application submission requirements that do not apply in a given situation.

(d) All activities to be conducted under a Temporary Use Permit shall be in compliance with all applicable town, county, state, and federal regulations.

(e) Use of all buildings and structures as part of a Temporary Use Permit shall be in compliance with all applicable zoning regulations.

6-6-5. Itinerant Vendor.

(a) An Itinerant Vendor is defined as any person who engages in, does, or transacts a temporary or transient business in the Town and who, for the purpose of carrying on such business, occupies any location for a maximum of seven (7) consecutive days at one time for no more than four (4) times per calendar year.

(b) Farmers Market vendors selling on market days (i.e., the regular market day on Saturdays and the midweek market during peak season) and vendors that are exclusively selling goods that they have grown or produced are not required to have a Temporary Use Permit.

(c) Application Requirements. The following is required as part of a Temporary Use Permit application for an Itinerant Vendor:

(1) A town business license (or a statement from the Finance Department that no town business license is required).

(2) Written permission from the owner(s) of the private properties upon which the permit holder will operate.

(3) A general sketch to be approved by the Zoning Administrator for each proposed location, illustrating access to the site, all parking areas, routes for ingress and egress, placement of the Itinerant Vendor, distance from lot lines, garbage receptacles and any other feature associated with the Itinerant Vendor.

(d) General standards.

(1) No signage shall be permitted except temporary signs.

(2) No buffer yard, screening, landscaping, or site plan is required.

(3) An Itinerant Vendor is allowed to locate in a General Business (GB), Central Business (CBD), Commercial Office (C1), and Commercial Office (C2) Zoning District.

(4) An Itinerant Vendor shall not be allowed to locate within 100 feet of a Residential (R1, R2, R3, RA, RB, or RPUD) Zoning District.

(5) An Itinerant Vendor shall be positioned on improved, designated parking spaces and shall not block (i) the main entry drive aisle or impact circulation overall, (ii) other access to loading areas, or (iii) emergency access and fire lanes. The Itinerant Vendor must also be positioned at least 15 feet away from fire hydrants, any fire department connection (FDC), driveway entrances, alleys and handicapped parking spaces.

6-6-6. Mobile Food Vendor.

(a) A Mobile Food Vendor is defined as any person who uses a readily movable wheeled cart, trailer, or vehicle designed and equipped for the preparing, serving, and/or selling of food and operated at temporary locations, which includes food trucks and food carts.

(b) Application Requirements. The following is required as part of a Temporary Use Permit application for a Mobile Food Vendor:

(1) A town business license (or a statement from the Finance Department that no town business license is required). All food sales are subject to meals tax and must be paid monthly at current rates.

(2) Approval from the Virginia Health Department (as applicable) stating that the Mobile Food Vendor meets all applicable standards prior to operation. A valid health permit must be maintained for the duration of the Temporary Use Permit.

(3) Written permission from the owner(s) of the private properties upon which the permit holder will operate.

(4) A general sketch to be approved by the Zoning Administrator for each proposed location, illustrating access to the site, all parking areas, routes for ingress and egress, placement of the Mobile Food Vendor, distance from lot lines, garbage receptacles, dining area and any other feature associated with the Mobile Food Vendor.

(c) Location.

(1) A Mobile Food Vendor shall locate a maximum of 3 days per calendar week at any 1 lot or parcel within the town. For the purposes of this standard, a calendar week shall start on a Sunday and end on a Saturday.

(2) A Mobile Food Vendor and all materials associated with the business shall be removed from the lot or parcel by 10:30 p.m., each day.

(3) No Mobile Food Vendor shall be located in public right of way or obstruct a public sidewalk.

(4) A Mobile Food Vendor is allowed to locate in a General Business (GB), Central Business (CBD), Commercial Office (C1), Commercial Office (C2), Industrial Limited (M1), and Industrial General (M2) Zoning District.

(5) A Mobile Food Vendor shall not be allowed to locate within 100 feet of a Residential (R1, R2, R3, RA, RB, or RPUD) Zoning District.

(6) A Mobile Food Vendor selling prepared food shall not locate within ~~100-150~~ feet of an established restaurant during the restaurant's operating hours (determined by measuring from the edge of the Mobile Food Vendor to the foundation of the restaurant) unless permission of the restaurant owner is provided.

(7) A Mobile Food Vendor shall be positioned on improved, designated parking spaces and shall not block (i) the main entry drive aisle or impact circulation overall, (ii) other access to loading areas, or (iii) emergency access and fire lanes. The Mobile Food Vendor must also be positioned at least 15 feet away from fire hydrants, any fire department connection (FDC), driveway entrances, alleys and handicapped parking spaces.

(d) Hours of operation. Mobile Food Vendors are allowed to operate between the hours of 6:00 a.m., and 10:00 p.m. No Mobile Food Vendor shall operate past 10:00 p.m.

(e) Noise/Lighting.

(1) Amplified music is forbidden outside of the vehicle. All other noise ordinances must be adhered.

(2) The operation of the vehicle or use of a generator should not be loud enough to be plainly audible at a distance of 100 feet away. Excessive complaints about vehicle or generator noise will be grounds for the Administrator to require that the Mobile Food Vendor change locations on the site or move to another property.

(3) All portable or temporary lighting shall meet Town lighting requirements and may remain on until 10:30 p.m. to allow for the safety of the patrons and employees and to allow for the site to be cleaned properly.

(f) Dining Areas. One 10'X 10' area is allowed next to the Mobile Food Vendor. All activities must be wholly contained within this area, which may be covered or uncovered, with tables and chairs for dining or for a table with condiments for patrons.

(g) Number of mobile food vendors permitted. No more than 3 Mobile Food Vendors may operate from the same lot or parcel at the same time. Use of the lot or parcel must at all times be in accordance with all other Town regulations. For one-time events, the Zoning Administrator may approve more than 3 vendors on the same lot or parcel at the same time. This approval requires a written request from the property owner, which shall include a general sketch of the site for each proposed location, illustrating access to the site, all parking areas, routes for ingress and egress, and placement of all vendors.

(h) Signage. All signage shall be limited to the Mobile Food Vendor itself. Only the food products for sale, the name of the business and a price list shall be listed. Alternative signage not affixed to the Mobile Food Vendor is allowed when related to daily menu information only. This signage shall be located within 5 feet of the Mobile food vendor and not exceed 8 square feet in size.

(i) Trash. A Mobile Food Vendor shall provide trash and recycling receptacles and workers shall properly recycle containers and dispose of all trash, refuse and compost that is generated by the patrons.

(j) Other.

(1) The sale of anything other than food and non-alcoholic beverages (and items incidental to the product and its consumption) is prohibited.

(2) Mobile Food Vendors are allowed at public or private events as follows:

(i) In the zoning districts listed in (c) (4);

(ii) At events approved by the Town of Rocky Mount;

(iii) At events conducted by the Town of Rocky Mount; and

(iv) At events conducted by Franklin County public schools on school property.

(3) The requirements of this section shall not apply to Mobile Food Vendors at catered events (events where the food is not sold through individual sales but provided to a group under a catering contract with a single payer).

(4) No liquid wastes shall be discharged from the Mobile Food Vendor.

6-6-7. Yard or garage sales. Yard or garage sales shall be permitted in any district on a Friday, Saturday, Sunday, and federal holidays only during daylight hours. A Temporary Use Permit is not required. For purposes of this section, a "yard or garage sale" means a public sale at a dwelling at which personal items belonging to the residents of the dwelling are sold, provided that (i) items purchased elsewhere expressly for resale at a yard or garage sale shall be prohibited and (ii) items intended for sale shall not be stored or displayed in the front or side yards of a dwelling except on the day of sale.

This ordinance shall be in full force and effect upon its passage.

Adopted this _____ day of _____, 2022

Ayes:

Nays:

Present:

APPROVED:

Mayor

ATTEST:

Clerk

Approved as to form:

Town Attorney