



ROCKY MOUNT TOWN COUNCIL REGULAR MEETING MINUTES

**October 12, 2021
7:00 p.m.**

The following members

of Council were present: Mayor Steven C. Angle
Vice Mayor Jon W. Snead
Council Member Robert L. Moyer
Council Member Billie W. Stockton
Council Member A. Ralph Casey
Council Member J. Tyler Lee

The following staff
members were also
present:

John T. Boitnott, Town Attorney
Robert Wood, Town Manager
Cherie Compton, Acting Town Clerk
Mark Moore, Assistant Town Manager
Jessica Heckman, Planning & Zoning Administrator
Daniel Pinard, Cultural Economic Development Director
Mark Lovern, Interim Chief of Police
Brian Schofield, Public Works Superintendent
Kevin Adkins, Water Treatment Plant Superintendent
Tim Burton, Wastewater Treatment Plant Superintendent
Linda P. Woody, Finance Director
Rebecca H. Dillon, Executive Administrative Assistant

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 Acting Town Clerk called each member of the Rocky Mount Town Council by name to account that each one was present.

2. Pledge of Allegiance

Before the Pledge of Allegiance Mayor Angle asked everyone to join in a moment of silence for the late Sheriff W.Q. Overton. Mayor Angle led in saying the Pledge of Allegiance.

3. Approval of Agenda

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

Motion: To approve the agenda with the addition to Closed Session 14.1 Section 2.2-3711(A).7 and Closed Session 14.2 Section 2.2-3711 (A).1

Motion By: Council Member Lee

Seconded: Council Member Moyer

Motion Discussion: None

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

Approved (5 to 0)

4. Special Items

None at this time

5. Public Hearing

Applicant, Cooke Towing & Recovery, LLC is requesting a Special Exception Permit to have a towing storage yard at property located at 10 PELL AVENUE, ROCKY MOUNT, VA, 24151, Franklin County Tax Map and Parcel Number 2070009000. The property is zoned CBD (Central Business District). Planning & Zoning Administrator Jessica Heckman presented the staff report. A public hearing was held on the Special Exception Request and was denied by Planning Commission with a 5-2 vote.

Council Members had concerns about how long the vehicles would set there at any given time with the location being one the main corridors into Town.

Hearing no further comments Mayor Steven C. Angle asked for a motion.

Motion: To honor the Planning Commissions denial of the Special Exception Request

Motion By: Council Member Lee

Seconded: Vice Mayor Snead

Motion Discussion: None

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

Approved (5 to 0)

6. Approval of Draft Minutes

- September 13- Regular Meeting Minutes

Motion: To approve draft minutes as presented

Motion By: Council Member Stockton

Seconded: Council Member Lee

Motion Discussion: None

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

Approved (5 to 0)

7. Approval of Consent Agenda

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

- 7.1 Miscellaneous Action (None at this time)
- 7.2 Miscellaneous Resolutions/Proclamations (none at this time)
- 7.3 Departmental Monthly Reports
 - Community Development Department
 - Finance Department
 - Fire Department
 - Police Department
 - Public Works Department
 - Wastewater Department
 - Water Department

Motion: To approve consent agenda

Motion By: Vice Mayor Snead

Seconded: Council Member Stockton

Motion Discussion: None

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

Approved by unanimous vote

8. Hearing of Citizens

Mayor Angle opened the floor for the citizens who had signed in to speak during this portion of the meeting. Mayor Angle asked the citizens wishing to speak to limit their comments to 3 minutes or less.

Joe Stanley, 1618 Algoma Road, Callaway, expressed concerns to Council about former Police of Chief Ken Criner and the search criteria for a new Police of Chief, interactions with Council Members and staff, Breast Cancer walks in former relation to an employee who had Breast Cancer, Foot Patrol reports from Police Department, and inquired when the 2020 Comprehensive Financial Report will be available.

9. Old Business

9.1 Proposed Economic Development Performance Agreements

Cultural and Economic Development Director Daniel Pinard informed Council that the Town has not had a standard format for incentivizing business startup. Multiple possibilities will be proposed for Committee to recommend to council. Having a standard process and thresholds for incentives will prevent the Public Works Department from absorbing excess cost of incentives which in turn transfers the burden to existing rate payers. A standardized process will also give staff direction while ensuring businesses are being treated equitably. Mayor Angle suggested allowing Town Manager give a preliminary approval for up to \$20,000.00 but would still need to come to Council for final approval.

Motion: To approve request with the cited changes

Motion By: Council Member Stockton

Seconded: Council Member Casey

Motion Discussion: None

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

Approved (5 to 0)

9.2 Discussion of Proposals for the Water Treatment Plant Backwash Valve Replacement Request for Proposals

Town Manager Robert Wood asked to Table this discussion due to only receiving one bid and asking for more specifics in the Water Treatment Plant Backwash Valve Replacement Request.

Motion: To table until more information is gathered on the Backwash Valve Replacement

Motion By: Vice Mayor Snead

Seconded: Council Member Stockton

Motion Discussion: None

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

Approved (5 to 0)

9.3 Amendment to the Solid Waste Chapter of the Town Code

Town Manager presented Council with updated information to the Solid Waste Program. The significant changes are as follows: 1. Removal of the actual solid waste rates from the Code so that changes to rates do not have to be made by amending the Code. This will make it possible for Council to readopt or modify solid waste rates each year with an ordinance as is done with water and wastewater rates. 2. Updating language from town engineer to town manager. 3. Removing specific policy language regarding solid waste pick up that is better contained in a separate Solid Waste policy document that can be amended and updated by staff, as needed.

Motion: To amend the Solid Waste Chapter of Town Code

Motion By: Council Member Stockton

Seconded: Council Member Lee

Motion Discussion: None

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

Approved (5 to 0)

10. New Business

10.1 Review and Consideration of The Miracle Hope Memorial 5K

The Miracle Hope Memorial 5K is scheduled for Saturday, May 14, 2022 beginning at 8:00 a.m. and last approximately an hour and a half. Ms. Sarah Flint who is the organizer of the race, will postpone the race if the weather is bad on the scheduled day. Police department has approved the plans for the race.

Motion: To approve The Miracle Hope Memorial 5k

Motion By: Council Member Lee

Seconded: Council Member Stockton

Motion Discussion: None

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

Approved (5 to 0)

10.2 Review and Consideration for The Breast Cancer Fighting Flamingos Walk

The Breast Cancer Fighting Flamingos Walk is scheduled for Sunday, October 17, 2021 beginning at 2:00 p.m. The course to be taken will begin at El Rio located at 65 North Main Street in Rocky Mount and will continue 1.5 miles around town concluding back at El Rio again. The organizer of the walk is Ms. Tina Clements. Police department has approved the plans for the walk.

Motion: To approve The Breast Cancer Fighting Flamingos Walk

Motion By: Council Member Stockton

Seconded: Vice Mayor Snead

Motion Discussion: None

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

Approved (5 to 0)

10.3 Review and Consideration of Town Meeting Dates for 2022 Calendar.

Motion: To approve 2022 Meeting Dates Calendar as presented

Motion By: Vice Mayor Snead

Seconded: Council Member Lee

Motion Discussion: None

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

Approved (5 to 0)

11. Committee Reports

None at this time

12. Referrals to Planning

12.1 Proposed Amendment to Look at Commercial Vehicles and Home Occupation

Town Planner Jessica Heckman is requesting Council to allow Planning Commission to review for recommendation an amendment to the zoning ordinance to clarify definitions and terms for commercial vehicles and home occupations.

The Planning Commission's ordinance review committee has met and discussed the definitions and terms and found changes were needed to assist the zoning administrator in making clear determinations relative to enforcement and allowable uses.

Motion: To approve request for Planning Commission to review and make recommendation

Motion By: Council Member Stockton

Seconded: Vice Mayor Snead

Motion Discussion: None

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

Approved (5 to 0)

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

Postponed due to holiday will be rescheduled.

Town Manager Wood and Mayor Angle reminded everyone to keep looking at your utility bills and door hangers with information for the new Solid Waste Program.

14. Closed Meeting and Action

Mayor Angle read aloud sections.

Enter Closed Meeting

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

Time: 7:35 p.m.

Virginia Code Section:

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. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter. (Town Managers 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 Manager's Office)

Motion By: Council Member Stockton

Second: Vice Mayor Snead

Motion Discussion: None

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

Approved (5 to 0)

Action: To go into a closed meeting

Certificate of Closed Meeting Discussion:

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

Whereas, the Rocky Mount Town Council has convened a closed meeting on Monday, October 12, 2021, 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

14. Adjournment

Motion: To adjourn

Time: 8:30 p.m.

Motion By: Council Member Stockton

Seconded By: Council Member Casey

Motion Discussion: None

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

Approved by a unanimous vote

Action: Meeting was adjourned

Steven C. Angle, Mayor

ATTEST:

Cherie Compton, Acting Town Clerk

