

ROCKY MOUNT TOWN COUNCIL
REGULAR MEETING MINUTES

October 12, 2020
7:00 p.m.

The Regular 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.

The following members of Council were present:

- Mayor Steven C. Angle
- Vice Mayor Jon W. Snead
- Council Member Bobby M. Cundiff
- 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
- Tim Burton, Waste Water Treatment Superintendent
- Ken Criner, Chief of Police
- Rebecca H. Dillon, Town Clerk/Executive Administrative Assistant
- James Ervin, Town Manager
- Michael "Kevin" Adkins, Acting Water Superintendent
- Brian Schofield, Public Works Superintendent
- Elizabeth "Beth" Simms, Economic Development & Cultural Placemaking
- Linda P. Woody, Finance Director

1. **Roll Call**

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

2. **Pledge of Allegiance**

Mayor Angle led in saying the Pledge of Allegiance.

3. **Approval of Agenda**

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

Motion: To approve the agenda as presented

Motion By: Council Member Stockton

Seconded: Vice Mayor Snead

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

Approved (6 to 0)

4. **Special Items**

4.1 Retirement Recognized of Mr. William (Bobby) Brown from Town of Rocky Mount Public Works Department

Mayor Angle read aloud kind words about Mr. Brown including naming some of his duties and thanking him for his years of service while employed by the Town of Rocky Mount. Mayor Angle then presented Mr. Brown with a small token of appreciation and shared with Mr. Brown that he would be missed. Mr. Bobby Brown was employed by the Town for 29 years.

5. **Public Hearing**

5.1 Special Use Permit for Empire Foods

LJMT or 515 Weaver Street, LLC, (Empire Foods) applied for a special use/exception permit in order to operate a business of consumer retail outlet space to offer finished baked goods. It was explained that a cooler was intended to be in the lobby that would house the finished baked goods that the company would offer. Staff had reviewed the application that the Planning Commission approved on a vote of (6-0) and recommended the approval of to Town Council. The public hearing and the application were both advertised in the Franklin News Post as required by law and the public hearing was posted on the site.

Ms. Kian Dudley, 111 Highland Avenue in Roanoke Va. The bakery currently disposes of the overages of their products and the bakery would like to change that. Also, granting the permit would provide for the addition of 5 positions within the bakery.

No one else spoke.

Motion: To approve the request as submitted

Motion By: Council Member Moyer

Seconded: Council Member Lee

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

Approved (6 to 0)

5.2 Rezoning of Property Located on Pell Avenue – Requested by Luanne Wray

Ms. Luanne Wray, of 555 Pell Avenue, purposed to rezone her adjoining property from the current zoning of General Business (GB) to Residential Business (RB). The adjoining land at the same address is currently vacant and is pending a sale along with the property at 555 Pell Avenue. The applicant wishes to have the joining lot rezoned and has applied for the rezoning because the rezoning would be necessary in order to make the purchase of the property one transaction as the lenders are not able to finance properties that are zoned differently. The Planning Commission recommended a rezoning from GB to RB be approved on a vote of 6-0. The public hearing was duly advertised in the Franklin News Post as required by law.

No one else spoke.

Motion: To approve the request as submitted

Motion By: Vice Mayor Snead

Seconded: Council Member Newbill

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

Approved (6 to 0)

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 October 12, 2020 – Regular Meeting Minutes

Motion: To approve the minutes with the stated change of adding the Consent Agenda that was not included.

Motion By: Council Member Newbill

Seconded: Council Member Stockton

Ayes: (6): Council Member Cundiff, Council Member Lee, Council Member Moyer, Council Member Newbill, Vice Mayor Snead, 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 (none at this time)
- 7.2 Miscellaneous Resolutions/Proclamations (none at this time)
- 7.3 Departmental Monthly Reports
 - 7.3.1 Community Development Department
 - 7.3.2 Finance Department
 - 7.3.3 Fire Department
 - 7.3.4 Police Department
 - 7.3.5 Public Works Department
 - 7.3.6 Wastewater Department
 - 7.3.7 Water Department

Motion: To approve the consent agenda as presented.

Moved: Council Member Stockton

Seconded: Council Member Newbill

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

Result: Approved (6 to 0)

8. **Hearing of Citizens**

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

No one came forward.

9. **Old Business**

9.1 CARES Act Expenditures

Approximately two weeks prior to this Council meeting, the Town received additional guidance regarding the use of CARES Act funds. In the new guidance documents, it was stated that the CARES Act funds could be used for all policing

expenses after March 1, 2020. The Town has spent \$1,117,979.48 on sworn law enforcement salary from March 1, 2020 to September 30, 2020, with \$606,567.27 remaining in Town allocated CARES Act funds. Staff recommended to Council that the Town request those funds for the documented and eligible expenses related to Town policing operations and that those funds then be available for Town Council to appropriate as needed for expenses related to COVID-19 or essential expenses the Town faces that the Town cannot bare due to the economic impact of COVID-19 after December 31, 2020. Requesting those funds would allow the Town to continue the SAFE program in the year 2021 as the program will likely see more demands into the year 2021 than the program had seen in the year 2020 as the first significant spread of the virus begins to take place in the schools, more and more hot spots are revealed in the Town, and there are more positive tests in the community.

Motion: To approve the request

Moved: Vice Mayor Snead

Seconded: Council Member Stockton

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

Result: Approved (6 to 0)

Arts and Culture District Modification

The Town had two businesses operating in the Arts and Culture District Program in which the year 2020 would have been the business's first year to participate in the program. The program gives back to the businesses a portion of the meals tax generated to them if those businesses make investments back into their establishments from that portion of their generated meals tax. Those establishments were Ippy's Restaurant and Rocky Mount Burger Company. Due to COVID-19, Town Manager Ervin asked Council to authorize him to waive the year 2020 for Ippy's Restaurant and Rocky Mount Burger Company and allow them to either count the year 2019 receipts as the first year of business in the Arts and Culture District or to wave the year 2020 and start the program in the year 2021, to reset the start date of the program.

Motion: To approve the request to allow Town Manager Ervin to wave the year 2020 to the two businesses in the Arts & Culture Program and allow Town Manager Ervin to extend to those businesses the right to use the year 2019 or the year 2021 as their first year of the program.

Moved: Council Member Newbill

Seconded: Council Member Stockton

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

Result: Approved (6 to 0)

9.2 Follow-up of Nuisance/Blight for 325 Franklin Street, LLC

Town Manager Ervin shared with Council that all issues that had contributed to the blight at 325 Franklin Street, brought to Council's attention at the September 14th regular meeting, were taken care of. Town Manager Ervin recommended not to move any further to blight with the property.

No action was needed at this time.

10. **New Business**

10.1 "Success Through Diversity" Committee

Economic Development Director Simms asked that Mayor Angle create a new Town Council committee entitled "Success Through Diversity" designed to meet with community leaders and formulate recommendations to Council as to how the Town of Rocky Mount could continue to move forward on complex issues involving race, equity, and public safety with all Town citizens collectively empowering each other.

Mayor Angle stated he would form a committee comprised of three members. Mayor Angle also stated that the appointments would be Council Member Stockton, Mayor Angle himself, and one more Council Member. Mayor Angle asked if any of the other Council Members would like to serve on the committee to please let him know. The committee will meet beginning in November.

10.2 Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting

Accolades were given to the Town's Finance Director, Linda Woody in her work and the work of her department in receiving the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting. The award was the highest form of recognition in the area of governmental accounting and financial reporting. Attaining the award represents a significant accomplishment by a government as well as the government's management. Town Manager Ervin pointed out that the award was a hallmark and that this was the 14th consecutive year that Ms. Woody and her department had received the award.

No action was needed.

10.3 Review and Consideration for Veterans of Foreign Wars Event

Mr. Ken Barron of 1005 Sawmill Road, Ferrum, VA. The Commander of VFW Post 10840, asked Council's permission to hold an event at the Veterans' Memorial Park on December 7, 2020 at 7:53 a.m. Mr. Barron asked Council if he might be granted permission from Council to discharge firearm blanks prior to playing Taps at the event in addition to traffic control assistance in case the event drew a large crowd. Mr. Barron shared with Council that he would like to see the event become a regular annual event. The event is a rain or shine event.

Motion: To approve

Moved: Vice Mayor Snead

Seconded: Council Member Stockton

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

Result: Approved (6 to 0)

10.4 Public Service Announcement Regarding Halloween

In order to comply with the State of Virginia's rules in regard of COVID-19, the Town cancelled the usual "trunk-or-treat" event that in years past was held at the Rocky Mount Police Department and Emergency Services Building on North Main Street in Rocky Mount. Though the Town did not make a public statement in regard of the event's safety, Town Manager Ervin shared with Council the Centers for Disease Control (CDC) guidelines for Trick-or-Treat for this year. The Town wished to advise everyone to follow those guidelines and be safe.

No action was needed at this time.

10.5 Review and Consideration for Write Offs of Delinquent Tax Amounts

Annually the Town writes off various amounts due that are uncollectible real estate, personal property, and machinery & tools taxes. For the year 2020, write-offs in real estate were two parcels for the total of 39 cents. Machinery and tools tax write-offs for the year 2020 totaled \$150.13. Personal Property taxes and license fees for the year 2020 were \$5,781.43.

The decision by Council to approve this item was made with the next item on the agenda and therefore recorded for the record as such.

10.6 Review and Consideration for Write Offs of Utility Account Amounts

Council was asked to give authorization to write-off uncollectible finalised utility billing balances. The balances to be written off for 2020 are \$7,403.72.

Motion: To approve writing off uncollectible delinquent tax amounts and uncollectible finalised utility billing balances.

Moved: Council Member Newbill

Seconded: Vice Mayor Snead

Ayes: (6): Vice Mayor Snead, Council Member Cundiff, Council Member Lee, Council Member Moyer, Council Member Newbill, and Council Member Stockton
Result: Approved (6 to 0)

10.7 Review and Consideration for Approval of 2021 Town Meeting Dates Calendar

Each year in October, Council is asked to adopt a schedule of meeting dates for the new year. Town Manager Ervin asked Council to review and make a recommendation for the year 2021 meeting dates before them. The list presented, as is customary, does not include special meeting dates and budget work session dates.

Motion: To approve

Moved: Council Member Lee

Seconded: Council Member Newbill

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

Result: Approved (6 to 0)

11. Committee Reports (None at this time)

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

Town Manager Ervin was on Rise n' Shine this morning.

Mr. Moyer asked if the Town had changed West Court Street behind the First Horizon bank to a two-way street again as it had been years ago. Other members of Council began discussion of West Court Street and if the street were changed to a 2-way street again, the traffic flow that would be impacted and traffic lights that would be needed in order to maintain proper traffic flow from West Court Street through to Main Street.

Council Member Newbill would like the Streets, Sidewalks and Streetlights Committee to review the stoplight timing at the traffic light in front of the courthouse on Main Street as vehicles sometimes get backed up as far down Main Street as the hospital.

Mayor Angle had a concern regarding vehicles at the intersection of East Court Street and Main Street wishing to make a quick right turn onto Main Street and then a small left turn onto West Court Street. Mayor Angle questioned was that type of turn an illegal turn or is that kind of turn allowed at that intersection.

Mayor Angle ask for the three concerns to be taken before the Streets, Sidewalks and Streetlights Committee.

13. Closed Meeting and Action (None at this time)

ADJOURNMENT

Motion: To adjourn meeting

Time: 7:49 p.m.

Moved By: Council Member Lee

Seconded: Council Member Stockton

Ayes: (6): Vice Mayor Snead, Council Member Cundiff, 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

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