



A	=	APPROVAL	C	=	REFERRED TO COMMITTEE
AD	=	APPROVAL DENIED	T	=	TABLED
NA	=	NO ACTION	RA	=	REMOVED FROM AGENDA
D	=	DEFERRED	I	=	INTRODUCED
R	=	REFERRED	RW	=	REQUEST WITHDRAWN
			O	=	OTHER

ACTION AGENDA FOR A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF ROCKY MOUNT HELD MONDAY, MAY 8, 2017 AT 7:00 P.M. IN THE GEORGE W. DUDLEY CITY COUNCIL CHAMBER OF THE FREDERICK E. TURNAGE MUNICIPAL BUILDING

1. Meeting Called to Order by the Mayor.

2. Prayer

3. Roll Call by the City Clerk.

A~ 4. Approval of the Minutes of the Regular Meeting of the City Council Held April 24, 2017 and Special Called Committee of the Whole Meetings Held April 27 and 28, 2017.

5. Petitions to be Received from the Public.

Note: Citizens shall state their name and address for public record and limit presentations to three (3) minutes. Time will be monitored

Stephanie Viverette of 212 Bennett Street voiced concern relative to street maintenance in the 100 block of Bennett Street and a dangerous roof condition existing on S. Church Street.

Nehemiah Smith of 1620 East Virginia Street reiterated his complaint regarding a lack of diversity in the Fire Department.

Bronson Williams of 611 Hargrove Street stated that children in the southeast community of Rocky Mount need access to broadband internet and commended the City Clerk's office for posting the full agenda online.

6. Presentations and Recognitions:

- RA*~
- *Adoption and Presentation of Resolution Recognizing the Heroism of Joyce and Milton Parker (*this presentation will occur at an upcoming City Council meeting*);
 - Presentation of Proclamation Proclaiming May 14-20, 2017 as Police Week and May 15, 2017 as Peace Officers Memorial Day to Police Chief James Moore; and
 - Presentation of Proclamation Proclaiming the Week of May 7-13, 2017 as Public Service

Recognition Week to Claude Gardner, Employee Development Coordinator, and Committee Members.

Recommended Action: Adopt Resolution.

7. CONSENT AGENDA:

A. Consideration of Request for Temporary Street Closing from Deborah Cobb, Germantown Celebration Committee, to close Beaman Street from New Street through Beaman Street (to corner of 602 Beaman Street and Boone Street sign) from 2:00 p.m. to 6:00 p.m. on Saturday, May 27, 2017 for a Germantown Celebration.

B. Consideration of the Following Tax Releases and/or Refunds:

- Schedule A - Report of taxes under \$100 approved for release and/or refund by the City Manager.
- Schedule B - Report of taxes over \$100 recommended for release and/or refund by the City Council.

C. Consideration of Budget Ordinance Amendment for Fiscal Year 2016-2017 (appropriates reimbursement from U. S. Department of Justice to Fire Department relative to an overcharge by Stericycle - \$3,388).

A~ Recommended Action: Approve Consent Agenda (inclusive of approval of street closure, tax releases and adoption of Ordinance).

8. Consideration of the Minutes and Recommendations from a Regular Scheduled Planning Board Meeting held April 11, 2017:

****Overview of request(s) and recommendation(s) by the Director of Planning and Development or his designee***

- **Public Hearing** Relative to the Following Modification of an Existing Conditional Use Permit Recommended for Approval and Found in Compliance with the Comprehensive Plan by the Planning Board:

--request by Chester S. Clack for modification of an existing conditional use permit for 121 South Fairview Street from B-2CU to B-2CU Revised

NOTE: Speakers must be sworn.

A~ Recommended Action: 1) Acknowledge Receipt of Planning Board Minutes; and
2) Adopt Resolution Authorizing Modification of Existing Conditional Use Permit.

9. **Public Hearing** Relative to the Preliminary Assessment Roll Prepared to Recover Costs Incurred by the City in Connection with Housing Code Enforcement on the Following Properties:

- a. 1401 Branch Street
- b. 2601 S. Church Street
- c. 721 E. Grand Avenue
- d. 409 Madison Street
- e. 723 Pender Street
- f. 257 Rose Street
- g. 731 Sunset Avenue
- h. 920 Sunset Avenue

A~ Recommended Action: Adopt Resolution Confirming Assessments.

10. Consideration of the Following Rezoning Request Recommended for Approval and Found in Compliance with the Comprehensive Plan by the Planning Board:

- Request by Ibrahim Hasan Odeh to rezone ±0.34 acres at 1545 South Church Street from I-2 to B-5 (*amended to add conditional uses*)

Action to Date:

- *Public Hearing Held 1 /11/2017 - referred back to Planning Board;*
- *Re-recommended by Planning Board;*
- *Public Hearing held 3/13/2017;*
- *Action Deferred until 4/10/2017;*
- *Action Deferred until 5/08/2017;*
- *Discussions facilitated by Human Relations (request amended)*

A~ Recommended Action: 1) Adopt Ordinance Amending the Land Development Code and Map; and
2) Adopt Resolution Authorizing Conditional Use Permit Required in Connection with said Rezoning.

11. Consideration of Certification by the City Clerk of the Sufficiency of Petition Submitted for Annexation No. 310 – Wayne and Frances Coley Property/SR 1400 and Scheduling a Public Hearing.

A~ Recommended Action: 1) Adopt Resolution of Certification of Petition for Annexation (sufficient);
2) Adopt Resolution Scheduling Public Hearing for June 12, 2017; and
3) Instruct Department of Planning and Development to Prepare Feasibility Study.

12. Consideration of Lease Agreement with Tar River Transit for Space (Rooms 315, 316 and 317) on the Third Floor of the Train Station (5 year lease @ \$21,504 annually; tenant

responsible for pro rata share of utility costs; tenant to provide janitorial services - lease advertised pursuant to G.S. 160A-272 – no upset bids received).

A~ Recommended Action: Adopt Resolution Authorizing Lease Agreement (authorizes the Mayor and City Clerk to Execute the Agreement on Behalf of the City).

13. Consideration of Additional New Market Tax Credits (NMTC) Financing Documents Relative to Funding for the Downtown Community Facility (DCF):

- a. Resolution Approving Certain Documents in Connection with New Markets Tax Credit Transaction;
- b. Use Agreement (Rocky Mount Downtown Community Facility); and
- c. Construction Monitoring and Disbursement Agreement.

A~ Recommended Action: 1) Adopt Resolution;
2) Approve Use Agreement; and
3) Authorize Execution of Related Documents on Behalf of the City.

14. Consideration of Resolution Authorizing the Execution and Delivery of a Tax-Exempt Installment Financing Agreement with US Bancorp in the Amount of \$6,301,000 for the Purchase of Equipment.

A~ Recommended Action: Adopt Resolution.

15. Consideration of Resolution Authorizing Emergency Repairs to the Tar River Water Supply Reservoir Dam.

A~ Recommended Action: Adopt Resolution.

16. Consideration of Resolution Designating Stephen W. Raper, Interim City Manager; and Tasha D. Logan Ford and Thomas M. Moton, Jr., Assistant City Managers as the City's Officials to Make Recommendations to the North Carolina Alcoholic Beverage Control Commission on ABC Permit Applications.

A~ Recommended Action: Adopt Resolution.

17. Consideration of Offer (\$4,833) from Rocky Mount Mills, LLC to Purchase City-Owned Property at the End of Elm Street (1025 Rhodes Place) (\$100).

Recommended Action: Adopt Resolution Authorizing an Upset Bid Process (declares property surplus and authorizes City Clerk to Advertise Offer for Upset Bids Pursuant to G.S. 160A-269).

A~ 18. Consideration of Declaring Certain Personal Property Surplus and Authorizing Disposal by

Electronic Auction via GovDeals, Inc.

A~ Recommended Action: Adopt Resolution Declaring Property Surplus and Authorizing Disposal by Electronic Auction.

19. Consideration of Task Order No. 4 on Contract with The Wooten Company for Engineering Services for Screw Pump Replacement at the Wastewater Treatment Plant – Phase II (adds removal and replacement of two additional pumps to scope of work - \$24,300).

A~ Recommended Action: Approve Task Order and Authorize the Mayor to Execute the Same on Behalf of the City.

NA~ 20. Appointments:

a. Board of Adjustment (alternate) – term expires 6/30/2017

A~ 21. Special Called Committee of the Whole Meeting scheduled for 5:30 P.M., Monday, May 15, 2017 (Purpose: Closed Session Personnel Matter).