

July 10, 2017

The City Council of the City of Rocky Mount met this day in regular session at 7:00 p.m. in the George W. Dudley City Council Chamber of the Frederick E. Turnage Municipal Building with Mayor David W. Combs presiding.

Councilmembers present: André D. Knight, Reuben C. Blackwell, IV, Lamont Wiggins, Lois Watkins, Tom Rogers, W. B. Bullock and Christine Carroll Miller.

Staff Present: Rochelle D. Small-Toney, City Manager; Pamela O. Casey, City Clerk; Tasha Logan Ford and Thomas M. Moton, Jr., Assistant City Managers; Tameka Kenan-Norman, Public Affairs Manager; Ken Hunter, Budget and Evaluation Manager; Amy Staton, Director of Finance; Ken Graves, Director of Planning and Development; Mark Adcox, Video Production Specialist; Robin Cox, Communications Specialist, Public Affairs; Mike Varnell, Fire Chief; Ronnie Raper, Assistant Fire Chief; Mark Rogerson, Fire Marshal; Archie Jones, Director of Human Relations; Jonathan Boone, Director of Public Works and Water Resources; Brenton Bent, Assistant Director of Public Works and Water Resources; John Jesso, Downtown Development Manager; Richard Worsinger, Director of Energy Resources; Elayne Henderson, Director of Human Resources; Michael Shaw, Fleet Maintenance Supervisor; Kim Batts, Deputy City Clerk; and Richard J. Rose, City Attorney.

Also in attendance was Kelvin Yarrell, Parks and Recreation Director, and the following Parks and Recreation staff members: David Griffin, Alicyn Wiedrich, Joel Dunn, Alex Langley, Susan Phelps, Jacqueline Barnes, Jamel Pitt, Brian Harrell, Janie Evans, Steve Warren; Carolyn Thomas, Heather White and Sheila Long.

Security Officer: Retired Police Sergeant Stoney Battle.

The Mayor opened the meeting and prayer was offered by Councilmember W. B. Bullock.

WELCOME

The Mayor welcomed citizens and directed them to copies of the agenda near the entrance of the City Council Chamber. He recognized the following dignitaries in attendance: United States Congressman, First District, G. K. Butterfield; Senator Angela R. Bryant; Leroy Toney and family and friends of City Manager, Rochelle D. Small-Toney; Bobbie Richardson; Erica Smith-Ingram; Shelly Willingham; Zee Lamb; Betty Jo Shephard; Kelvin Macklin; and Pearl Burris Floyd.

APPROVAL OF MINUTES

The minutes of a regular scheduled meeting of the City Council held on June 26, 2017 were approved as submitted to the City Council prior to the meeting.

OATH OF OFFICE/CITY MANAGER, ROCHELLE D. SMALL-TONEY

Mayor Combs recognized the Honorable G. K. Butterfield, United States Congressman, First District, to administer the ceremonial oath of office to City Manager Rochelle D. Small-Toney.

Congressman Butterfield administered the oath of office to Mrs. Small-Toney who was joined by her husband, Leroy, and her daughter.

WELCOME/SENATOR ANGELA R. BRYANT

Senior Senator Angela R. Bryant, extended a welcome to Ms. Small-Toney on behalf of the local legislative delegation.

RECESS

The Mayor called for a brief recess.

RECONVENE

Mayor David W. Combs reconvened the regular City Council meeting at 7:23 p.m. in the George W. Dudley City Council Chamber of the Frederick E. Turnage Municipal Building.

PARKS AND RECREATION MONTH

The Mayor read and presented Kelvin Yarrell, Director of Parks and Recreation, and his staff with a Proclamation proclaiming the month of July 2017 as Parks and Recreation Month in the City of Rocky Mount. The Mayor joined Mr. Yarrell and Parks and Recreation staff for a photograph.

PETITIONS FROM THE PUBLIC

The Mayor opened the meeting for petitions from the public and recognized the following individuals:

Troy Davis of 1525 Bedford Road voiced a concern relative to policy and procedures for staff dealings with customers. He noted he has been advised that an approved procedure is to hang up on unruly customers when staff feels they are being verbally abused or when they cannot manage the phone conversation.

Lewis Turner of 158 S. Washington Street stated he has been advised by a young lady that she requested to use the South Rocky Mount Community Center 6 months ago to show movies in order to get kids off the street and has not yet been contacted by staff.

Marvin Winstead, Jr., Nash County resident and member of the Sierra Club, Medoc Group, invited the Council and all present to attend a public hearing sponsored by the North Carolina Department of Water Resources on Thursday, July 20, 2017 from 6-9 p.m. at the Brown Auditorium on the campus of Nash Community College, 522 N. Old Carriage Road relative to the Atlantic Coast Pipeline. He stated the Atlantic Coastline Pipeline Companies have made a request to the Federal Energy Regulatory Commission for a 14% return on investment in this proposed project and this increase will show up in the rate payers' monthly bills after completion of the project. He encouraged all Councilmembers to attend the public hearing.

Bronson Williams of 600 Hargrove Street said he is elated to be present tonight to be a part of history and installation of the first female City Manager for Rocky Mount. He requested

improvements to Branch Street Park in Southeast Rocky Mount and suggested a walking trail, Wi-Fi and a shelter.

Nehemiah Smith, Jr., of 1620 E. Virginia Street, welcomed the new City Manager and stated he will pray for her continued success and is confident that during her tenure as City Manager the City will grow by leaps and bounds. He said diversity in the Fire Department has been at the forefront of most of his remarks to Council for nearly three years. He voiced a concern that a recent Fire Department promotion was improper. Additionally, he requested repairs to the Council Chamber.

Maureen Minges of 2220 N. Wesleyan Boulevard stated her desire that those hired in the Fire Department be qualified. She questioned who prepares the test for Fire Department applicants. She also questioned who is responsible for the placement of manholes.

These matters were referred to the City Manager's Office.

PLANNING BOARD RECOMMENDATIONS

The City Council received the minutes and recommendations from a Planning Board meeting held June 13, 2017. The minutes are on file in the office of the City Clerk. The following action was taken upon the recommendations of the Planning Board.

REZONING REQUEST/PUBLIC HEARING

The Mayor opened a public hearing relative to the following rezoning request recommended for approval and found in compliance with the Comprehensive Plan by the Planning Board:

- request by Daniel and Sharlene Edmondson rezone ±0.33 acres at 2501 South Church Street from I-2 to R-6MFA

Petitioner, Daniel Edmondson, told the City Council that his wife would have come with him tonight, but she is ill. He stated they own property at 2501 South Church Street that was formerly a car lot. He stated he and his wife would like to place a home on the property.

No one else appeared to speak and the Mayor declared the public hearing closed.

Motion was made by Councilmember Wiggins, seconded by Councilmember Knight and unanimously carried and that **Ordinance No. O-2017-70** entitled **ORDINANCE AMENDING THE LAND DEVELOPMENT CODE AND MAP OF THE CITY OF ROCKY MOUNT** be adopted.

STREET CLOSING/PEMBERTON ALLEY/PUBLIC HEARING

The Mayor opened a public hearing relative to a petition submitted by Steve Raper, Interim City Manager, to close an unopened alley between NE Main Street and 150 feet east of NE Main Street known as the Pemberton Alley.

No one from the public appeared relative to the proposed street closing and the Mayor declared the public hearing closed.

Motion was made by Councilmember Knight, seconded by Councilmember Blackwell and unanimously carried that **Resolution No.**

R-2017-37 entitled **ORDER CLOSING PEMBERTON ALLEY (unopened alley NE Main Street/150 feet east of NE Main Street)** be adopted.

BUDGET ORDINANCE AMENDMENT/CARRYFORWARD

The City Council received an ordinance amending the FY 2017-2018 budget to appropriate \$488,972 across the following funds to facilitate carryforward of funds budgeted during FY 2017 into FY 2018:

General Fund -	\$ 322,223
E-911 Fund	<u>166,749</u>
TOTAL	\$ 488,972

Motion was made by Councilmember Miller, seconded by Councilmember Rogers and unanimously carried that **Ordinance No. O-2017-71** entitled **ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR 2017-2018 FOR CARRYFORWARD OF FISCAL YEAR 2016-2017 BUDGETED FUNDS** be adopted.

LEASE/PANTHER ISLAND

The Mayor requested that consideration be given to an offer of a lease agreement at \$1 per year for 25 years, with one additional automatic renewal unless terminated from Rocky Mount Dam, LLC to lease City-owned property located in the Tar River below the Rocky Mount Mills Dam known as Panther Island. It was noted that this matter was added to the agenda during the open session at the June 26, meeting and consideration deferred until today.

Councilmember Blackwell reported that he and Councilmember Knight have recently met with Evan Covington Chavez of Rocky Mount Mills and they are working to schedule a meeting with the City Manager and critical core City staff to finalize the lease prior to the first meeting in August meeting

Motion was made by Councilmember Blackwell, seconded by Councilmember Knight unanimously carried that consideration of the lease be deferred until the August 14, 2017 meeting of the City Council.

ATLANTIC-ARLINGTON LAND USE CORRIDOR STUDY

The City Council was provided with a proposal from Ratio Architects, Inc. for the Atlantic-Arlington Land Use Corridor Study in the amount of \$47,000. They were advised the study is intended to provide guidance for future development along the Atlantic-Arlington corridor from Grand Avenue to E. Raleigh Boulevard and will include the following elements: 1) Market analysis; 2) Land Use analysis; 3) Character and Urban Design analysis; 4) Analysis of Public Facilities; and 5) Identification of Targeted Development and Redevelopment Opportunities.

Councilmember Blackwell recommended extending the boundaries of "Downtown" and amending the overlay to allow more businesses to take advantage of incentive programs and extending the study. He added that Councilmember Wiggins has previously requested the study be extended to the intersection of NC 97 and Atlantic Avenue.

Councilmember Wiggins requested that the matter be placed on an upcoming Committee of the Whole agenda for discussion and consideration and for a review of a map of the core and transitional districts to review the overlay and ordinance in order to provide direction to staff.

Motion was made by Councilmember Blackwell, seconded by Councilmember Miller and unanimously carried that the proposal of Ratio Architects be accepted and that the Mayor be authorized to execute the contract **(C-2017-32)** with Ratio Architects for the Atlantic-Arlington Land use Corridor Study at a cost of \$47,000. It was noted this contract may be amended to include a more extension study area.

BIDS/2017 SIDEWALK IMPROVEMENTS

The City Council received copies of the tabulation of bids received for 2017 Sidewalk Improvements. Bids were received and opened on June 20, 2017 after all necessary legal procedures had been implemented and the bid tabulation is on file as **BD-2017-21**.

Motion was made by Councilmember Rogers, seconded by Councilmember Blackwell and unanimously carried that Resolution No. **R-2017-38** entitled **RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF ROCKY MOUNT A CONTRACT AND ANY CHANGE ORDERS WITHIN THE BUDGETED AMOUNT WITH CAROLINA EARTH MOVERS FOR THE PROJECT KNOWN AS SIDEWALK IMPROVEMENTS, FY 2017 (TIP PROJECT C-5548)**. This resolution awards the bid to Carolina Earth Movers at their bid of \$499,243.75 contingent on review and approval by the North Carolina Department of Transportation and authorizes the Mayor to execute the bid contract and any change orders on behalf of the City.

AMENDMENT TO ASSESSMENT CONTRACTS/902 AND 916 S. GRACE STREET

City Manager Rochelle D. Small-Toney informed the City Council that the Wright Center, Inc. is acquiring 902 and 916 S. Grace Street and both properties are subject to assessments. She advised that the buyer has requested, and staff recommends, that the City release half of the interest and agrees to pay the remaining half of the interest plus the principal amount of the assessment upon closing on the properties as follows:

- 902 S. Grace Street
 - Grass and weed assessment - \$2,261.65 (release requested: \$525.84 in interest)
- 916 S. Grace Street
 - Grass and weed assessment - \$5097.61 (release requested: \$1,229.88 in interest)
 - Demolition assessment - \$6,598.08 (release requested: 1,423.79 in interest)

Motion was made by Councilmember Blackwell, seconded by Councilmember Rogers and unanimously carried that the assessment contract be reduced as recommended.

APPOINTMENTS

No action was taken to fill the vacancies on the Board of Adjustment or the Utility Service Review Board.

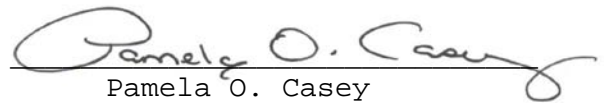
CLOSED SESSION

The City Attorney requested a Closed Session to discuss a matter concerning attorney-client privilege.

Motion was made by Councilmember Miller, seconded by Councilmember Wiggins and unanimously carried that the City Council go into a Closed Session at 8:04 p.m. The minutes of the Closed Session shall be filed as **ESM-479** at the end of **Minute Book 33** upon approval for release by the City Attorney.

REGULAR SESSION/ADJOURNMENT

The Mayor convened the City in regular session at 8:29 p.m. and there being no further business, the City Council meeting adjourned.


Pamela O. Casey
City Clerk