

August 14, 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, E. Lois Watkins, Tom Rogers, W. B. Bullock and Christine Carroll Miller.

Councilmember absent: Lamont Wiggins.

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; Archie Jones, Director of Human Relations; Rich Worsinger, Director of Energy Resources; Ken Graves, Director of Planning and Development; Todd Gardner, Transit System Manager; Kim Batts, Deputy City Clerk; and Richard J. Rose, City Attorney.

Security Officer: Retired Police Sergeant Stoney Battle.

The Mayor opened the meeting and called on Councilmember Reuben C. Blackwell, IV to offer prayer. Councilmember Blackwell called for a moment of silence to remember those who lost their lives and suffered injuries in Charlottesville this week relative to erupting violence regarding Confederate monuments and offered a prayer.

WELCOME

The Mayor welcomed citizens and directed them to copies of the agenda near the entrance of the City Council Chamber.

APPROVAL OF MINUTES

The minutes of a regularly scheduled meeting of the City Council held July 24, 2017 were approved as submitted to the City Council prior to the meeting.

SPECIAL RECOGNITION - RICH WORSINGER

Mayor Combs recognized and appreciated Rich Worsinger, Director of Energy Resources, for his outstanding leadership and service on the American Public Gas Association (APGA) Board of Directors from 2007 through 2017. The Mayor presented Mr. Worsinger with a framed certificate of appreciation and joined Mr. Worsinger and his wife, Nancy, for a photograph.

Mr. Worsinger thanked the Mayor, City Council and various managers for supporting him during his 10 years of service working with APGA and assured them he has worked hard to ensure that not only public gas, but the needs of the City of Rocky Mount's gas utilities were represented at Federal Regulatory Legislative levels.

The Mayor thanked Mr. Worsinger for his time and investment.

PETITIONS FROM THE PUBLIC

Mayor Combs opened the meeting for petitions from the public.

Stanley Deese of 2520 Arlington Street Extension requested an additional stay of a Demolition Ordinance approved by Council in October 2016 and a refund of a cash bond previously posted.

Susan Perry Cole of 251 Rose Street spoke as a resident of an underserved neighborhood relative to the Annual Action Plan for the Down East HOME Consortium saying:

- Residents of underserved communities are using the fair housing law to aggressively pursue the promise of equal access to opportunities for all;
- They are pleased and proud of the City for the progress it is making with economic recovery and support and while moving towards sustainability and resiliency calling for renewed focus on access to opportunity;
- Where one lives determines a range of opportunities and dictates many life outcomes around education, employment, health, transportation and wealth;
- They would like to see the City take a very aggressive posture in the development of a neighborhood revitalization plan as it moves forward with the consolidated planning process;
- They are concerned with gentrification pressures and are proactively engaged in the City's fair housing planning process;
- They are monitoring very closely everything that is going on and watching to see what kind of leadership Council provides;
- She has faith in the Council; is proud to be a resident of this City and, as she thinks about what happened in Charlottesville, is happy for where we are as a City; and
- We are coming together and she wants to be a part of that and to have a voice in the development of the neighborhood revitalization plan.

Dr. Kim Koo of 220 S. Englewood Drive told the Council she is a retired physician and has worked closely with community members of underserved communities, especially communities of people of color. She said the problem of deteriorating, abandoned and boarded up properties and houses is causing a decrease in the number of habitable homes, is an ugly blight on the neighborhoods and decreases the value of surrounding properties, discouraging economic development and increasing crime, arson and littering. She stated she hopes to see this addressed adequately so the City can see a significant improvement every year.

Morrie Minges of 2220 N. Wesleyan Boulevard questioned if the Council had requested an FBI probe related to police reporting in 2013. She was advised the Police had asked for a review of the City's data reporting and was advised by the FBI that the reporting was appropriate. She further complained relative to a recent Telegram story wherein she was identified only as a "white woman."

Bronson Williams of 600 Hargrove Street told the Council he was devastated by the recent tragedy in Charlottesville. He requested the Council consider removing the confederate monument on Falls Road with all deliberate speed and added that public funds should not be used to maintain the property where the monument is located. He added that the articles relative to the Police Chief's reporting method appear to indicate he has been consistent in his reporting.

Lewis Turner of 158 S. Washington Street stated he has spent many hours with the "Housing Group" and had hoped more would have had something to say. He stated it is a crucial problem that may go on and on. He said he has learned sometimes the less you say the more you might get done and stated he rose tonight to occupy his position and have his three minutes. He stood silent for approximately two minutes.

Sam Suber of 1628 Blaire Street, on behalf of the "God Belongs in My City" organization, invited the Mayor, Council, Managers and all involved in local government to attend and be a part of the God Belongs in My City" march on August 26 beginning on the train station lawn at 10:00 a.m.

Mary Warren of 318 Ambler Avenue, on behalf of the South Rocky Mount Community, stated she believes there is hope for underserved neighborhoods. She said she has been in the neighborhood for forty years and has seen it change from nice and clean to what it is now. She said the community has to mobilize, bring leadership to the community and hold the City and neighbors accountable. She said she has a strong faith in the City and the community and is looking forward to the City mobilizing with the community.

Troy Davis of 1525 Bedford Road stated the Confederate monument needs to be removed as soon as possible.

Tramica from the South Rocky Mount Community stated she is concerned with crime in the community and there needs to be a better relationship between the Police Department and the community. She voiced concern for children, especially boys, being targeted in the community. She says the community needs help from the City to make Rocky Mount what it should be and empower the community.

Tavares Walker of 542 Chandler Lane invited all to attend an event called "A Diamond in the Rough" at OIC on Tuesday, August 15, 2017 at 6:30 p.m. He said leaders in the community, Police, Sheriffs and Superior Court Judges will be present and the desire is to find a common ground to make Rocky Mount better.

Councilmember Blackwell stated that Council does not normally respond to public comments, but they do listen and they do hear. He thanked all who have been involved in the housing development process for coming to the Council meeting to let Council know what is on their mind. He said the housing development process has been difficult due to trying to balance economic growth with community development and sometimes things do not move as fast as we would like, but that does not mean they are not moving at all. He added that the Mayor and Council desire to see proactive engagement and real change in the development of our neighborhoods and communities and have worked to put infrastructure in place to make all of our neighborhoods better.

With regard to the Confederate statue, he stated sometimes people do not discuss issues of race and pretend there are no issues and that is simply not true. He said when he first came on the Council the statue was part of the logo and Council worked to remove that and twenty

years later the statue still remains. He asked the City Manager to take a look at options related to the statue, what other cities are doing and what the statutes allow related to public property. He said the City must be thoughtful and deliberate and he does not want similar issues as Charlottesville here in Rocky Mount. He said we do not want to look up one day and say "what could we have done to prevent that from happening" just because we did not have the courage to face and address the problem.

Councilmember Knight said he does not think Confederate men who fought to preserve slavery should be honored or glorified and the discussion needs to be referred to a Committee of the Whole. He joined Mr. Blackwell in requesting that the City Manager review options for placement of the statue where those who want to memorialize it may do so. He said the statue was removed from the logo in 2003-2004.

Mr. Knight told those working on the housing development process that Council has put a lot time and resources in the housing study and recognizes the needs in all of the fourteen identified neighborhoods. He added Council previously requested the former City Manager to look at a housing bond. He said funding is an issue, and though steps have been taken to focus on Ward 4 development, Council realizes there are issues all over the City.

Mr. Knight said this Council has been very proactive regarding crime and was the first Council to request initiation of the gun buy-back program, the youth protective ordinance (curfew); proactive policing in the community in implementing such programs as "Coffee with a Cop", the idea of police substations and ShotSpotter. He said he understands the issues, having grown up in the Hillside neighborhood, and Council has been proactive and engaged with the Police Chief, but it takes more than City Government - it takes a village to raise a child. He said the City has placed resources in schools and has invested in the school system because Council recognizes the importance of education. He stated that the City Council and the City has not gotten it all right, but has not gotten it all wrong either. He asked the community to be hopeful, to work along with the Council keeping their eyes on the prize and not be bamboozled by fake news as Council continues to work on the issues.

TEMPORARY STREET CLOSING - GREEN AVENUE

The City Council received a request from Kimberle Evans on behalf of Unity of Faith Worship Center to close the 600 block of Green Avenue on Saturday, August 26, 2017 from 10:00 a.m. until 2:00 p.m. for a back to school celebration.

Motion was made by Councilmember Knight, seconded by Councilmember Blackwell and unanimously carried that the request be granted.

PLANNING BOARD RECOMMENDATIONS

The City Council received the minutes and recommendations from a Planning Board meeting held July 11, 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 Jennifer Campbell to rezone +/-2.3 acres at 1105 North Winstead Avenue and 1081 Shearin Andrew Road from A-1 to O-I

Adam Bartholomew of 4379 London Church Road spoke on behalf of Jennifer Campbell and told the City Council that Rocky Mount is growing and they want to be part of it.

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

Motion was made by Councilmember Rogers, seconded by Councilmember Bullock and unanimously carried that receipt of the Planning Board minutes be acknowledged and that **Ordinance No. O-2017-73** entitled **ORDINANCE AMENDING THE LAND DEVELOPMENT CODE AND MAP OF THE CITY OF ROCKY MOUNT** be adopted.

CONDITIONAL USE REZONING REQUEST/PUBLIC HEARING

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

- request by Deleon Parker on behalf of INCO Land, LLC for the rezoning of ±1.92 acres at 1200 Atlantic Avenue from I-2 to B-5CU

The Mayor announced that a public hearing on a conditional use rezoning is quasi-judicial and all who testify must be sworn.

Lewis Turner of 158 S. Washington Street was sworn by the City Attorney. Mr. Turner stated that he believes when people seek to become a part of the City they should be willing to express a reason and state who the rezoning will benefit/not benefit and more information should be provided.

The Mayor called on Planning and Development Director Ken Graves to provide more detailed information.

Mr. Graves provided an overview of the request and stated the Petitioner has a potential applicant who wishes to purchase the property. He explained the current zoning of I-2 is industrial and the requested rezoning of B-5 is heavy commercial. He stated the B-5CU conditional uses are as follows:

PERMITTED USES:

- All uses permitted in a B-5 zone as defined in the Land Development Code of the City of Rocky Mount, Sec. 503. Zoning use tables, Table 5-2: General Use Table - Transitional, Business and Industrial Districts.

CONDITIONS:

- Adult Establishment shall not be allowed

-- Nightclub, Bar & Tavern shall not be allowed

No one else from the public appeared relative to the conditional use rezoning request and the Mayor declared the public hearing closed.

Motion was made by Councilmember Miller, seconded by Councilmember Bullock and unanimously carried that **Ordinance No. O-2017-74** entitled **ORDINANCE AMENDING THE LAND DEVELOPMENT CODE AND MAP OF THE CITY OF ROCKY MOUNT** and **Resolution No. R-2017-40** entitled **RESOLUTION AUTHORIZING CONDITIONAL USE PERMIT FOR THE CITY OF ROCKY MOUNT** be adopted.

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 Michael J. Goodmon, on behalf of Blackwell Street Management Co., LLC, to rezone +/3.52 acres located at two unaddressed vacant lots, one on each side of West Spring Street, from R-10 to R-6FMA

Planning and Development Director Ken Graves explained that the rezoning is part of the ongoing development of the Mill property and they are seeking to increase the density of the properties to allow not only single family homes, but also multi-family. He stated no development plan is in place at this time.

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

Councilmember Miller questioned if the property will be added to the existing addressed lots. Mr. Graves stated at the time the property is developed new addresses will be assigned.

Motion was made by Councilmember Miller, seconded by Councilmember Rogers and unanimously carried that **Ordinance No. O-2017-75** entitled **ORDINANCE AMENDING THE LAND DEVELOPMENT CODE AND MAP OF THE CITY OF ROCKY MOUNT** be adopted.

ASSESSMENTS/HOUSING CODE ENFORCEMENT/PUBLIC HEARING

The Mayor opened a public hearing relative to assessments proposed to be levied to recover costs incurred by the City in connection with Housing Code Enforcement on the following properties:

- a. 907 Branch Street
- b. 624/626 Dexter Street
- c. 1336 S. Franklin Street
- d. 723 S. Grace Street
- e. 411 Matthews Street
- f. 413/415 Matthews Street
- g. 631 W. Raleigh Street
- h. 615 E. Virginia Street

No one from the public appeared relative to the assessments and the Mayor declared the public hearing closed.

Motion was made by Councilmember Rogers, seconded by Councilmember Miller, and unanimously carried that **Resolution No. R-2017-41** entitled **RESOLUTION CONFIRMING ASSESSMENTS** be adopted.

Councilmember Miller noted she has stated on prior occasions that Council laments the necessity of tearing down properties in the City, especially residences, but this can only be avoided by having stricter code enforcement all along the way so properties do not get to this condition. She added an example of this is the gentleman appearing before Council this evening pleading for his property and, while their hearts bleed for him, this dilemma is the result of allowing blighted properties to remain when the property owner(s) cannot keep them in decent condition.

LEASE/PANTHER ISLAND

Consideration of 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 was deferred from the June 26 meeting until July 10 and deferred from the July 10 meeting until today's meeting (August 14).

By consensus, consideration of the lease was deferred until the September 11, 2017 meeting of the City Council.

FY 2017-2018 DOWN EAST HOME CONSORTIUM ANNUAL ACTION PLAN

Assistant City Manager Tasha Logan Ford explained that each year entitlement communities are required to submit an Annual Action Plan which describes in detail the activities the jurisdiction will undertake to pursue the goals of the multi-year Consolidated Plan. She outlined the changes from the previous Action Plan to be:

- Increase for Urgent Repairs: NCHFA awarded \$75,000 of Urgent Repair Program funds to the City for FY 2017-2018. The City will also use \$150,000 of General Funds to provide additional urgent repairs; and
- Housing Assistance Program: General fund allocations for the Urgent Repair Program and the new Housing Repair and Housing Rehab Matching Rebate programs are outlined.

The City Council was provided with the proposed Plan.

Motion was made by Councilmember Blackwell, seconded by Councilmember Watkins and unanimously carried that the 2017-2018 Action Plan be approved, as completed; that the Mayor be authorized to execute the Plan, including any required certifications and/or documentation required for submission of the Plan to HUD.

ABC PERMITS

City Manager, Rochelle D. Small-Toney, advised the Council that the North Carolina ABC Commission requires each local government to designate a local government official to sign opinion forms in connection with the issuance of ABC permits. She provided the City Council with a Resolution identifying City Manager Rochelle D. Small-Toney, and Assistant City Managers, Tasha Logan Ford and Thomas M. Moton, Jr., as the local government officials authorized to sign opinion forms.

Motion was made by Councilmember Miller, seconded by Councilmember Blackwell and unanimously carried that **Resolution No. R-2017-42** entitled **RESOLUTION OF THE CITY OF ROCKY MOUNT, COUNTIES OF EDGEcombe AND NASH,**

REGARDING THE DESIGNATION OF OFFICIALS TO MAKE RECOMMENDATIONS TO THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION ON ABC PERMIT APPLICATIONS be adopted.

CAPE FEAR TUTORING REIMBURSEMENT CONTRACT/AFTERSCHOOL PROGRAM

The City Council was provided with a reimbursement contract with Cape Fear Tutoring, Inc. for the 2017-2018 afterschool program. The Council was advised that Cape Fear Tutoring, Inc. is a non-profit organization administered at the Federal level by the Food and Nutrition Service, an agency of the U. S. Department of Agriculture, that provides subsidized funding for healthy snacks served to eligible children at participating centers and day cares and the contract allows for reimbursement to the City in an estimated amount of \$500 per month for a total of \$5,546, based on attendance numbers for 2016.

Motion was made by Councilmember Watkins, seconded by Councilmember Blackwell and unanimously carried that the reimbursement contract with Cape Fear Tutoring, Inc. be approved and that the Mayor and/or the appropriate agent(s) be authorized to execute the contract **(C-2017-36)** on behalf of the City.

WATER ASSESSMENT CONTRACT

The City Council received a water assessment contract with Katherine Szabo for water service to 4547 Laurel Trail Road (PIN #383105186651). Council was advised that the contract provides for the prepayment of water connection fees of \$1,000 and for water tap, meter, capacity and main fees totaling \$3,265 to be assessed against the property.

Motion was made by Councilmember Rogers, seconded by Councilmember Miller and unanimously carried that the assessment contract with Katherine Szabo for water service to 4547 Laurel Trail **(C-2017-37)** be approved and that the Mayor and City Clerk be authorized to execute the same on behalf of the City.

ROCKY MOUNT TRANSIT/GRANT AGREEMENTS

The City Council was advised that the City has been approved by the North Carolina Department of Transportation/Public Transportation Division for the following FY 2018 grants:

1. 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Grant - funds expenses associated with evening transit services for the general public (federal share - \$62,500; local match - \$62,500);
2. Community Transportation Program Grant - assists in funding the administrative expenses associated with Tar River's rural para-transit program (federal share - \$262,110; state share - \$16,381; local match - \$49,147).

Motion was made by Councilmember Watkins, seconded by Councilmember Knight and unanimously carried that the grant agreements with the North Carolina Department of Transportation be approved and that the Mayor and City Clerk be authorized to execute the grant agreements and required documentation/certification(s) on behalf of the City.

BIDS/SCREW PUMP REPLACEMENT (TAR RIVER WASTEWATER TREATMENT PLANT)

The City Council received the tabulation of bids received for Tar River Wastewater Treatment Plant Screw Pump Replacement. Bids were received and opened on July 25, 2017 after all necessary legal procedures had been implemented and the bid tabulation is on file in the office of the City Clerk as **BD-2017-23**.

Motion was made by Councilmember Blackwell, seconded by Councilmember Knight and unanimously carried that the bid be awarded to Step Construction, Incorporated at a total cost of \$549,500 and that the Mayor and City Clerk be authorized to execute the bid contract on behalf of the City.

BIDS/BASKETBALL BACKSTOPS AND EQUIPMENT - ROCKY MOUNT EVENT CENTER

The City Council received a recommendation for the purchase and installation of basketball backstops and equipment for the Rocky Mount Event Center (consisting of sixteen [16] ceiling suspended, side folding retractable backstops; two [2] model 1735800 portable backstops and four [4] center roll divider curtains, for a total of [\$206,803.50] through the National Joint Powers Alliance (NJPA), a competitive group purchasing program which allows purchases to be made through competitive bidding and offers competitively obtained purchasing services at discount prices to two or more public agencies, pursuant to N.C.G.S. 143-129(e) (3). The NJPA advertised as required by law and opened sealed bids on August 21, 2014. Bid documentation is on file in the office of the City Clerk as **BD-2017-24**.

Motion was made by Councilmember Blackwell, seconded by Councilmember Knight and unanimously carried that the bid be awarded to Porter Athletic (an LSG Company) at a total cost of \$206,803.50 based on contract PTA #082114 awarded by the National Joint Powers Alliance (NJPA) and that the Purchasing Division be authorized to issue a purchase order for the equipment in accordance with the Council's award.

APPOINTMENT

No action was taken to fill the Ward 1 vacancy on the Utility Service Review Board.

COMMENTS/COUNCILMEMBER E. LOIS WATKINS

Councilmember E. Lois Watkins thanked and appreciated Susan Perry Cole and the faithful members who attended the Saturday academy to learn and participate in the housing development process.

She urged community members not to become discouraged due to the lack of funding and limited number of projects in development because most recently Ward 4 has been blessed with two large projects: The Beal Street Project and the Clairmont Project. She said these projects are small in comparison to the need, but other projects have been done in the past in other parts of the City.

She stated Councilmembers understand the needs in the community because they too are part of the community. She expressed hope that a housing bond can be obtained in the future.

BRUNCH BILL/PUBLIC HEARING (ADDED TO AGENDA IN OPEN MEETING)

The City Council scheduled a Public Hearing for Monday, August 28, 2017 at 4 p.m. relative to the recent Brunch Bill legislation.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:01 p.m.

Pamela O. Casey
City Clerk