

August 28, 2017

The City Council of the City of Rocky Mount met this day in regular session at 4:00 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: Andre' Knight, Reuben Blackwell, IV, Lamont Wiggins, E. 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; Archie Jones, Director of Human Relations; Kelvin Yarrell, Parks and Recreation Director; Jonathan Boone, Director of Public Works and Water Resources; Todd Gardner, Transit System Manager; Henry King, Don Moseley and Chris Ballard, Police Lieutenants; Justin Sanders, Police Officer; Amanda James, Laboratory Supervisor; Chris Pridgen, Senior Storm Drainage Maintenance Supervisor; Michael Phillips, General Construction and Maintenance Supervisor; William Taybron, Drainage and Construction Maintenance Supervisor; Kim Batts, Deputy City Clerk; Mark Adcox, Video Production Specialist; Robin Cox, Communications Specialist, Public Affairs; and Richard J. Rose, City Attorney.

Security Officer: Retired Police Sergeant Stoney Battle.

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

#### **WELCOME**

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

The Mayor requested thoughts and prayers for the people of Texas relative to the flooding from Hurricane Harvey. He stated the citizens of Rocky Mount certainly know what Texas is going through since Rocky Mount has also experienced flooding.

#### **APPROVAL OF MINUTES**

The minutes of a regularly scheduled meeting of the City Council held August 14, 2017 were approved as submitted to the City Council prior to the meeting.

#### **SPECIAL RECOGNITION - CHRIS PRIDGEN/NC BACKHOE ROADEO AND NC/SC BACKHOE ROADEO CHALLENGE**

Mayor Combs recognized Senior Storm Drainage Maintenance Supervisor, Chris Pridgen, for recently competing in the first ever NC-SC Backhoe Roadeo Challenge in Rock Hill, South Carolina, on Friday, July 21, 2017 and placing third overall. He noted that Mr. Pridgen had been selected to participate in this event after competing in and placing in the top five operators in the State of North Carolina at the APWA-NC State Chapter Conference in Greenville, NC, on June 28, 2017. A short video of the competition was presented.

The Mayor presented Mr. Pridgen with a framed certificate of appreciation and joined him for a photograph.

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

Mayor Combs called on City Clerk, Pamela O. Casey, to administer the oath of office for the vacant Electricities First Alternate Commissioner position vacated by former City Manager, Charles W. Penny, to current City Manager, Rochelle D. Small-Toney.

**PETITIONS FROM THE PUBLIC**

The Mayor requested a report relative to the Confederate Monument at Battle Park from City Attorney, Richard J. Rose. Mr. Rose reported the matter is still under legal research and added he should have a report by the September 11, 2017 meeting.

The Mayor opened the meeting for petitions from the public.

**Pace Winstead** of 106 Wimberly Avenue stated she wants the community:

- to engage in a process of healing instead of reinforcing anger, hostility and mistrust that has been prevalent for too long;
- to embrace the past, learn from our history and move the city forward in a manner that will bring better understanding, respect and healing; and
- to examine nearby communities that have embraced their historical past and used their histories to educate and foster economic growth

**Bronson Williams** of 600 Hargrove Street:

- asked shall we choose to hold onto the racism and dehumanization of blacks and the southern ideas 100 years later and allow the symbols of hatred and divisiveness to continue to shine like a diamond in our city?
- spoke against the 2015 republican law placing limitations on the removal of confederate monuments; and
- said we are all equal in America

**Nehemiah Smith** of 1620 E. Virginia Street:

- thanked the Public Affairs Manager for her professionalism, promptness and continued efforts to disseminate precise and concise information;
- requested a warehouse on S. Church Street be repaired or removed;
- asked to be updated on diversity efforts in the Fire Department; and
- voiced his commitment for the removal of the confederate monument

**Randy Adcox** of 3212 N. Halifax Road:

- stated he is a Veteran and has traveled the world, but Rocky Mount is his home;
- read an inscription on the monument and stated the confederate statue was put in place to represent Veterans of the Civil War; was rededicated in 1977 to the Veterans of all the wars this country has fought; and is about honoring all Veterans

**Lamar Fender** of Zebulon stated:

- Robert Henry Ricks, who at 22 years of age volunteered to take up arms, became a prominent man and helped make Rocky Mount what it is today;
- Mr. Ricks was moved by his memories of the war and victims and in their honor paid the \$15,000 cost of the monument to be put at Battle Park to honor Veterans and, though it has been perverted by racist, bigoted symbols over the years it was a place of honor and

that is the way those with him perceive it to be (approximately 30 people stood)

The Mayor closed the public petitions portion of the meeting.

**CONSENT AGENDA**

**A. FY 2017-2018 BUDGET ORDINANCE AMENDMENTS: (recommended for adoption)**

- 1) Ordinance No. O-2017-76 entitled **ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR 2017-2018 FOR SIDEWALK IMPROVEMENTS** (appropriates Powell Bill funding for sidewalk improvements - \$549,170); and
- 2) Ordinance No. O-2017-77 entitled **ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR 2017-2018 FOR CARRYFORWARD OF FISCAL YEAR 2016-2017 ENCUMBERED FUNDS** (amends the FY 2017-2018 annual operating budget to reflect carryforward of various funds encumbered, but not expensed, in FY 2017 - \$13,032,325).

**B. TEMPORARY STREET CLOSING (recommended for approval):**

- Request from Assistant City Engineer/Transportation, Steve Yetman, for permission to close the following streets for the 10<sup>th</sup> Annual Eastern Carolina BBQ Throw Down from Friday, October 13, 2017 at 12:00 p.m. until Saturday, October 14, 2017 at 8:00 p.m. (ordinance adoption requirement of NCDOT standards):
  1. South Church Street from Andrews Street to Western Avenue;
  2. Hammond Street from South Franklin Street to Southwest Main Street;
  3. Nash Street from South Church Street to Southwest Main Street;
  4. Coastline Street from South Church Street to Hammond Street; and
  5. Southwest Main Street from Nash Street to Hammond Street

**Ordinance No. O-2017-78** entitled **ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKY MOUNT DECLARING A TEMPORARY ROAD CLOSURE FOR EASTERN CAROLINA BBQ THROWDOWN.**

**C. FISCAL YEAR 2016-2017 TAX SETTLEMENT (recommended for adoption)**

- **Resolution No. R-2017-43** entitled **RESOLUTION APPROVING SETTLEMENT OF FY 2016-2017 TAXES DUE AND COLLECTED** (authorizes Collector of Revenue to collect taxes for FY commencing July 1, 2017).

**D. AD VALOREM TAX RELEASES (recommended for approval):**

**SCHEDULE A - acknowledge receipt of report of the following taxes under \$100 approved for release and/or refund by the City Manager:**

<u>YEAR</u>	<u>BILL NO.</u>	<u>NAME/ADDRESS</u>	<u>TAX</u>	<u>COMMENT</u>
<u>NASH COUNTY</u>				
2015	770	BASS AL	26.51	CITY BILLED IN ERROR
		STEVES BICYCLES & SPORTS	2.65	PEN BUSINESS MOVED
		401 S WESLEYAN BLVD	4.74	INT TO WILSON
		ROCKY MOUNT, NC 27803		
		<b>TOTAL RELEASE:</b>	<b>33.90</b>	
2016	158	BASS AL	23.23	CITY BILLED IN ERROR
		STEVES BICYCLES & SPORTS	1.68	INT BUSINESS MOVED
		401 S WESLEYAN BLVD		TO WILSON
		ROCKY MOUNT, NC 27803		
		<b>TOTAL RELEASE:</b>	<b>24.91</b>	
2012	1364	FAIRWAY HOMES INC	27.38	CITY BILLED IN ERROR
		PO BOX 1132	11.84	INT NOT THE OWNER OF
		NASHVILLE, NC 27856		MOBILE HOME
		<b>TOTAL RELEASE:</b>	<b>39.22</b>	

2011	2062	PARKER DANA PREMIER HOME HEALTH CARE AGENCY PO BOX 901 ROCKY MOUNT, NC 27802	23.57 2.36 2.85	CITY PEN INT	BILLED IN ERROR DUPLICATE BILLING BILLED TO PREMIER HOME HEALTH CARE AGENCY
		<b>TOTAL RELEASE:</b>	<b>28.78</b>		
2012	2048	PARKER DANA PREMIER HOME HEALTH CARE AGENCY PO BOX 901 ROCKY MOUNT, NC 27802	20.21 8.74	CITY INT	BILLED IN ERROR DUPLICATE BILLING BILLED TO PREMIER HOME HEALTH CARE AGENCY
		<b>TOTAL RELEASE:</b>	<b>28.95</b>		
2014	1400	PARKER DANA PREMIER HOME HEALTH CARE AGENCY PO BOX 901 ROCKY MOUNT, NC 27802	19.05 4.81	CITY INT	BILLED IN ERROR DUPLICATE BILLING BILLED TO PREMIER HOME HEALTH CARE AGENCY
		<b>TOTAL RELEASE:</b>	<b>23.86</b>		
2015	1974	PARKER DANA PREMIER HOME HEALTH CARE AGENCY PO BOX 901 ROCKY MOUNT, NC 27802	19.87 1.99 3.55	CITY PEN INT	BILLED IN ERROR DUPLICATE BILLING BILLED TO PREMIER HOME HEALTH CARE AGENCY
		<b>TOTAL RELEASE:</b>	<b>25.41</b>		
2016	1308	PARKER DANA PREMIER HOME HEALTH CARE AGENCY PO BOX 901 ROCKY MOUNT, NC 27802	19.87 1.99 1.58	CITY PEN INT	BILLED IN ERROR DUPLICATE BILLING BILLED TO PREMIER HOME HEALTH CARE AGENCY
		<b>TOTAL RELEASE:</b>	<b>23.44</b>		
2016	188	PEARCE ELIZABETH COBB EAST NC 97 ROCKY MOUNT, NC 27804	6.59	CITY	BILLED IN ERROR DEFERRED PROPERTY
		<b>TOTAL RELEASE:</b>	<b>6.59</b>		
2013	2705	WILLS JAMES D WILLS ROOFING & HOME REPAIR 4127 HUNTSMOOR LN WILSON, NC 27896	11.60 3.97	CITY INT	BILLED IN ERROR BUSINESS MOVED TO WILSON
		<b>TOTAL RELEASE:</b>	<b>15.57</b>		
2014	2076	WILLS JAMES D WILLS ROOFING & HOME REPAIR 4127 HUNTSMOOR LN WILSON, NC 27896	11.60 2.93	CITY INT	BILLED IN ERROR BUSINESS MOVED TO WILSON
		<b>TOTAL RELEASE:</b>	<b>14.53</b>		
2015	2621	WILLS JAMES D WILLS ROOFING & HOME REPAIR 4127 HUNTSMOOR LN WILSON, NC 27896	12.10 1.21 10.00 3.80	CITY PEN DOG INT	BILLED IN ERROR BUSINESS MOVED TO WILSON
		<b>TOTAL RELEASE:</b>	<b>27.11</b>		
2016	1940	WILLS JAMES D WILLS ROOFING & HOME REPAIR 4127 HUNTSMOOR LN WILSON, NC 27896	12.10 1.21 0.97	CITY PEN INT	BILLED IN ERROR BUSINESS MOVED TO WILSON
		<b>TOTAL RELEASE:</b>	<b>14.28</b>		

**EDGECOMBE COUNTY**

2017	8563	LTJ LAND LLC DREAVER ROCKY MOUNT, NC 27801	18.81	CITY	BILLED IN ERROR DEFERRED VALUE
		<b>TOTAL RELEASE:</b>	<b>18.81</b>		

**SCHEDULE B - approve release and/or refund of the following taxes over \$100:**

<u>YEAR</u>	<u>BILL NO.</u>	<u>NAME/ADDRESS</u>	<u>TAX</u>		<u>COMMENT</u>
<b><u>NASH COUNTY</u></b>					
2012	1000575	FAIRWAY HOMES INC PO BOX 1132 NASHVILLE, NC 27856	62.99 12.60 25.89	CITY PEN INT	BILLED IN ERROR NOT THE OWNER OF MOBILE HOME
		<b>TOTAL RELEASE:</b>	<b>101.48</b>		
2017	12630	HERBERT LINDA B 224 TYSON AVE ROCKY MOUNT, NC 27804	239.48	CITY	SENIOR EXEMPTION
		<b>TOTAL RELEASE:</b>	<b>239.48</b>		
2011	860	MOSLEY MICHAEL G & ANNE B 508 WILDWOOD AVE ROCKY MOUNT, NC 27803	1,097.48	CITY	BILLED IN ERROR INCORRECT SQUARE FOOTAGE
		<b>TOTAL RELEASE:</b>	<b>1,097.48</b>		
2012	857	MOSLEY MICHAEL G & ANNE B 508 WILDWOOD AVE ROCKY MOUNT, NC 27803	1,157.34	CITY	BILLED IN ERROR INCORRECT SQUARE FOOTAGE
		<b>TOTAL RELEASE:</b>	<b>1,157.34</b>		
2013	865	MOSLEY MICHAEL G & ANNE B 508 WILDWOOD AVE ROCKY MOUNT, NC 27803	1,157.34	CITY	BILLED IN ERROR INCORRECT SQUARE FOOTAGE
		<b>TOTAL RELEASE:</b>	<b>1,157.34</b>		
2014	865	MOSLEY MICHAEL G & ANNE B 508 WILDWOOD AVE ROCKY MOUNT, NC 27803	1,157.34	CITY	BILLED IN ERROR INCORRECT SQUARE FOOTAGE
		<b>TOTAL RELEASE:</b>	<b>1,157.34</b>		
2015	865	MOSLEY MICHAEL G & ANNE B 508 WILDWOOD AVE ROCKY MOUNT, NC 27803	1,207.23	CITY	BILLED IN ERROR INCORRECT SQUARE FOOTAGE
		<b>TOTAL RELEASE:</b>	<b>1,207.23</b>		
2016	866	MOSLEY MICHAEL G & ANNE B 508 WILDWOOD AVE ROCKY MOUNT, NC 27803	1,207.23	CITY	BILLED IN ERROR INCORRECT SQUARE FOOTAGE
		<b>TOTAL RELEASE:</b>	<b>1,207.23</b>		
2016	1364	PIZZATTIS HOT N FAST 157 S WESLEYAN BLVD ROCKY MOUNT, NC 27804	131.44 13.14 10.48	CITY PEN INT	BILLED IN ERROR BUSINESS CLOSED
		<b>TOTAL RELEASE:</b>	<b>155.06</b>		

<u>EDGECOMBE COUNTY</u>					
2017	24441	EDMONDSON CHRISTINA LYNN EDMONDSON JESSE RAY LT 49 DEER RUN S/D SEC 4 ROCKY MOUNT, NC 27801	136.01	CITY	BILLED IN ERROR COUNTY CALCULATION ERROR
		<b>TOTAL RELEASE:</b>	<b>136.01</b>		
2017	22026	JACOBS MYRTLE JONES 1512 CHARTER DR ROCKY MOUNT, NC 27801	165.00	CITY	SENIOR EXEMPTION
		<b>TOTAL RELEASE:</b>	<b>165.00</b>		
2017	2498	JENKINS ODELL H JENKINS MATHEW LEE HEIRS LOT 23 J A THOMAS DIV ROCKY MOUNT, NC 27801	110.00	CITY	SENIOR EXEMPTION
		<b>TOTAL RELEASE:</b>	<b>110.00</b>		
2017	2519	NEWSOME JOSEPH EARL LOT 9 BLK A TILLERY S/D ROCKY MOUNT, NC 27801	185.25	CITY	SENIOR EXEMPTION
		<b>TOTAL RELEASE:</b>	<b>185.25</b>		
2017	22502	SHOWERS OF BLESSINGS CHRISTIAN CENTER SHOWERS OF BLESSINGS CHURCH ROCKY MOUNT, NC 27802	33,005.26	CITY	RELIGIOUS EXEMPTION
		<b>TOTA RELEASE:</b>	<b>33,005.26</b>		
2017	6148	THE BOARD OF TRUSTEES OF EDGECOMBE COMMUNITY COLLEGE 256 TARBORO ST ROCKY MOUNT, NC 27801	158.40	CITY	GOVERNMENT EXEMPTION
		<b>TOTAL RELEASE:</b>	<b>158.40</b>		
2017	6147	THE BOARD OF TRUSTEES OF EDGECOMBE COMMUNITY COLLEGE 268 TARBORO ST ROCKY MOUNT, NC 27801	107.25	CITY	GOVERNMENT EXEMPTION
		<b>TOTAL RELEASE:</b>	<b>107.25</b>		

Motion was made by Councilmember Rogers, seconded by Councilmember Miller and unanimously carried that the recommendations relative to the Consent Agenda items be approved inclusive of adoption of the ordinances and resolution and approval of the tax releases contained therein.

**SALE OF ALCOHOLIC BEVERAGES ON SUNDAY MORNING/BRUNCH BILL**

Mayor David W. Combs announced that the North Carolina General Assembly recently granted municipalities the authority to allow the sale of malt beverages, unfortified wine, fortified wine and mixed beverages at licensed premises beginning at 10:00 a.m. on Sunday and many communities have adopted ordinances allowing Sunday morning alcohol sales.

Mayor Combs opened a public hearing relative to the sale of alcoholic beverages on Sunday morning:

Three individuals spoke in opposition to the sale of alcohol on Sunday mornings and one spoke unopposed, saying:

**Morrie Minges** of 220 N. Wesleyan Boulevard appeared on behalf of herself and her family and stated:

- The City does not need anyone drinking at 10 a.m. on Sunday morning; there are 6 days of week that people can drink in the morning;
- People should be at church and not drinking; and
- Beer should not be sold until after 1 p.m.

**Richard Gurganus**, lead and founding Pastor of Church on the Rise (campus on Bishop Road, South Rocky Mount and Nashville) stated:

- Sunday morning should be protected as a traditional worship time for families;
- The Rocky Mount Community is blessed with strong community faith;
- Sunday morning alcohol sales would probably have some small economic impact, but allows others to see drinking on Sunday mornings as normal behavior; and
- Council should use its power to strike a balance.

**Nehemiah Smith** of 1620 E. Virginia Street told the Council:

- As a Pastor, he opposes the brunch bill; and
- It is baffling that the faith-based community can be against the sale of alcohol on Sunday morning and not speak about the Confederate monument.

Mr. Smith stated that those for whom the Confederate monument was erected were not veterans, but traitors. He stated he is offended those individuals are compared to his father who fought for the USA in Vietnam. He added that history cannot be erased, but the monument needs to be placed in a museum.

**Bronson Williams** of 600 Hargrove Street told the Council he believes:

- Two (2) hours does not make a difference and failure to adopt the ordinance approving the sale of alcohol on Sunday mornings will not stop people from buying alcohol

Mr. Williams stated he wished to continue the conversation with how this matter is intertwined with the Confederate monument. He said a person cannot heal with a gaping wound and we should be mindful of the total community. He added something constructed for one purpose cannot be rededicated to another and those for whom the monument was erected were traitors. He invited those present to listen to his show on WNCN TV.

Mayor Combs closed the public hearing.

Councilmembers held discussion and requested clarification from the City Attorney relative to the legislation.

Motion was made by Councilmember Wiggins, seconded by Councilmember Blackwell and carried by a 6-1 vote (Councilmember Watkins opposed) that **Ordinance No. O-2017-79** entitled **ORDINANCE AMENDING THE CITY CODE OF THE CITY OF ROCKY MOUNT TO ALLOW FOR THE SALE OF ALCOHOLIC BEVERAGES BEGINNING AT 10:00 A.M. ON SUNDAY** be adopted.

**COMMITTEE OF THE WHOLE MINUTES**

The City Council received the minutes from Committee of the Whole meeting held August 14, 2017. The minutes are as follows:

**MINUTES OF A MEETING OF THE COMMITTEE OF THE WHOLE HELD MONDAY, AUGUST 14, 2017 AT 5:00 P.M. IN THE COMMITTEE ROOM OF THE FREDERICK E. TURNAGE MUNICIPAL BUILDING****MEMBERS PRESENT:**

W. B. Bullock, Mayor Pro Tem  
 André D. Knight  
 Reuben C. Blackwell, IV  
 Lois Watkins  
 Tom Rogers  
 Chris Miller  
 David W. Combs, Mayor

**MEMBER ABSENT:**

Lamont Wiggins

**STAFF PRESENT:**

Rochelle D. Small-Toney  
 Pamela O. Casey  
 Tasha Logan Ford  
 Thomas Moton, Jr.  
 Tameka Kenan-Norman  
 Brad Kerr  
 Ken Graves  
 Kim Batts  
 Richard J. Rose

**OPENING OF MEETING**

Mayor Pro Tem W.B. Bullock called the meeting to order and called on City Manager Rochelle D. Small-Toney to introduce the agenda items.

The City Manager requested a closed session for economic development at the end of today's Committee of the Whole meeting.

**BRUNCH BILL - Richard S. Rose, City Attorney**

City Attorney Richard S. Rose introduced the first agenda item relative to recent legislation adopting the brunch bill and provided the City Council with a draft of an Ordinance Amending the City Code of the City of Rocky Mount to Allow for the Sale of Alcoholic Beverages Beginning at 10:00 A.M. on Sundays. He explained the legislation affects the sale of on and off premise alcoholic including mixed drinks, fortified and non-fortified wine.

Mr. Rose explained that businesses must possess an ABC permit in order to sale alcohol at 10 a.m. on Sunday rather than noon. He explained that there are special permits for off-site premises.

Discussion was held among Councilmembers.

**COMMITTEE RECOMMENDATION.** *By consensus, the City Council recommended scheduling a public hearing relative to the brunch bill for Monday, August 28, 2017 at 4 p.m.*

**ATLANTIC AVENUE CORRIDOR EXPANDED STUDY AREA AND DOWNTOWN BUSINESS ASSISTANCE GRANT BOUNDARY - Tasha Logan Ford, Assistant City Manager**

Assistant City Manager Tasha Logan Ford provided the City Council with the following maps:

- Highway Map of the Rocky Mount MPO;
- Proposed Atlantic-Arlington Corridor Plan study area - Ratio;
- Downtown Core Overlay District;
- Aerial Atlantic Avenue North;
- Downtown Transitional Overlay District; and
- Central City Business District.

Ms. Ford reported that today's discussion is a follow-up to a discussion from the July 10, 2017 meeting relative to adjusting the boundaries of the Atlantic Avenue Corridor Study Area to include a study on the alignment of Atlantic Avenue with Tanner Road and the boundaries



for the Downtown Incentive Grant (DIG)/Building Assistance Program and staff is prepared to present options.

Ms. Ford stated that Councilmember Wiggins is not present today, but she has had conversation with him relative to the Atlantic Avenue Corridor Study and he is concerned about future growth.

She stated that Ratio Design was engaged to look at pedestrian and vehicular traffic patterns along a portion of Atlantic Avenue as well as redevelopment strategies including highest and best use taking into consideration the Rocky Mount Event Center coming online in September 2018. She advised that expanding the scope of services with Ratio Design to include Tanner Road alignment at this time will duplicate planning efforts under way through the Metropolitan Planning Organization (MPO) and the North Carolina Department of Transportation (NCDOT).

Ms. Ford advised that the proposed transportation improvement project to align Atlantic Avenue with Tanner Road was included in the MPO Transportation Plan 2035 adopted by the MPO in May 2009. She added the proposal has remained in the plan and currently is in the Metropolitan Transportation Plan 2040.

Ms. Ford told the City Council that the MPO was permitted to submit new projects to the North Carolina Department of Transportation for evaluation in the Prioritization P3.0 process in January/February 2014 and the Rocky Mount MPO submitted new projects including the alignment of Atlantic Avenue with Tanner Road in February of 2014, however, the alignment did not score well enough to be included in the State Transportation Improvement Program (STIP) as part of P3.0. She stated, for that reason and due to interest in other projects, the alignment was not submitted in P4.0. She noted a large portion of Highway 97 after crossing 64 is in a floodplain.

The Assistant City Manager stated that with the anticipated increase in truck traffic from the future CSX Railroad Terminal and the proposed closing of the Fountain Park Road railroad crossing, the MPO has approved submission of the Atlantic Avenue/Tanner Road re-alignment for scoring in the Prioritization P5.0 process in September 2017. She added that if the project scores well in P5.0 the MPO and NCDOT Division 4 will have the opportunity to prioritize the project by allocating local priority points during the process to develop the 2020-2029 STIP.

Ms. Ford reported that:

- The Downtown Incentive Grant boundaries are currently comprised of the Central City Business District;
- As part of the Downtown implementation strategy to be presented to Council in the fall of 2017, this boundary was adjusted slightly to better follow street lines and create an overall district to guide development;
- The proposed overlay district boundaries were established to meet two primary purposes:
  1. The Core District - to mimic local historic district (red center map) (current boundaries do not allow properties not adjacent to participate; i.e. across the street);
  2. The Transitional District boundary - to follow the outline of the Central City boundary and serve as a blend of existing development standards combined with the proposed Core District standards (blue transitional map).

In response to Council inquiry Ms. Ford stated that when the Downtown Development Manager came onboard the City reached out to businesses to advertise a change had been made in the grant program and cards were sent out to request current owner information so the City could assist with marketing and grant programs. She noted it has probably been several years since the City has made a concerted effort to market available grants, although staff does discuss grant opportunities whenever they meet with Downtown Groups and local investors.

She offered the following options regarding the boundaries for the Downtown Incentive Grant (DIG)/Building Assistance Program for Council consideration:

1. Keep the existing Core District boundary and expand the eligibility to commercial uses fronting the boundary; and
2. Expand the boundary to the Central City Boundary with slight adjustments to coincide with the existing boundaries and eligibility to include commercial uses fronting the boundary.

She explained that the tax rebate program is only provided to the core district and expansion would require approval by Nash and Edgecombe Counties.

**COMMITTEE RECOMMENDATION.** *Motion was made by Councilmember Blackwell, seconded by Councilmember Knight and unanimously carried for expansion of the program to allow businesses located in the Downtown Transitional Overlay District, as presented, to have access to applicable grant incentive programs.*

**CLOSED SESSION**

The City Manager requested a closed session to discuss a matter concerning economic development.

Motion was made by Councilmember Rogers, seconded by Councilmember Miller and unanimously carried that the City Council go into Closed Session at 5:38 p.m. for the purpose stated. The minutes of the Closed Session shall be placed on file as **ESM-480** at the end of Minute Book 33 upon approval for release by the City Attorney.

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**REGULAR SESSION/ADJOURNMENT**

The Mayor Pro Tem convened the Committee in regular session at 6:48 p.m. and, there being no further business, the Committee of the Whole adjourned.

Motion was made by Councilmember Blackwell, seconded by Councilmember Watkins and unanimously carried that the minutes of and recommendations from the Committee of the Whole be approved.

**MEMORANDUM OF UNDERSTANDING/ROCKY MOUNT PREPARATORY SCHOOL**

Assistant City Manager Tasha Logan Ford provided the City Council with a Memorandum of Understanding with Rocky Mount Preparatory School for the assignment of a School Resource Officer (SRO) at its campus at 3334 Bishop Road. She reported that the school has proposed to reimburse the City for 100% of its direct personnel and operating costs relative to the assignment and the agreement is similar to a financial agreement that has been in place with Nash-Rocky Mount Public Schools since 2002.

Discussion was held among Councilmembers and Councilmember Wiggins stated the City needs to bring clarity to its agreements with the school systems relative to civil liability.

Motion was made by Councilmember Rogers, seconded by Councilmember Blackwell and unanimously carried that the Memorandum of Understanding with Rocky Mount Preparatory School (**C-2017-38**) be approved and that the Mayor and City Clerk be authorized to execute the Agreement on behalf of the City.

**ASSESSMENTS/HOUSING CODE ENFORCEMENT**

The City Council received the preliminary assessment roll prepared to recover costs incurred by the City in connection with Housing Code Enforcement on the following properties:

- a. 612 Cleveland
- b. 620 Dexter Street
- c. 1505 Harper Street
- d. 1021 E. Holly Street
- e. 314/316 Olive Street
- f. 408 N. Pine Street
- g. 302 Smith Street
- h. 1543 Springbrook Drive
- i. 711 Mill Street

Motion was made by Councilmember Rogers, seconded by Councilmember Wiggins and unanimously carried that receipt of the preliminary assessment roll be acknowledged; that **Resolution No. R-2017-44** entitled **RESOLUTION OF DETERMINATION OF COST OF REPAIR/DEMOLITION OF SUBSTANDARD HOUSING AND STRUCTURES** and **Resolution No. R-2017-45** entitled **RESOLUTION OF PRELIMINARY ASSESSMENT ROLL** be adopted; and that a public hearing on the assessments be scheduled for October 9, 2017.

**BENEFITS CONTRACT AMENDMENT/FY 2017-2018 FLEXIBLE SPENDING**

City Manager Rochelle D. Small-Toney advised the Council that effective August 1, 2017 Gilsbar/FSA is reducing its monthly administrative fee from \$4.00 to \$3.50 resulting in a savings of \$93 per month (\$.50 per participant for 186 participants) for a total savings of \$1,116 annually. She advised the minimum fee remains at \$125 and recommended approval of the amendment.

Motion was made by Councilmember Blackwell, seconded by Councilmember Knight and unanimously carried that the amendment to the benefits contract with Gilsbar be approved, as recommended; and that the Mayor and City Clerk be authorized to execute the appropriate document(s) on behalf of the City.

**STATE MAINTENANCE ASSISTANCE PROGRAM (SMAP)/TAR RIVER TRANSIT**

Assistant City Manager Tasha Logan Ford advised the City Council that each year the North Carolina Department of Transportation (NCDOT) allocates funding for transit systems for system maintenance purposes. She stated that funds are awarded on the condition that the City's contribution to the transit operation will be equal to or more than the City's contribution in FY 1993 and on the condition that funds will be spent by fiscal year end. She noted that the request for funding for 2018 is \$224,169.

She explained to receive these funds, the City is required to certify that it will comply with the conditions noted above and other standard requirements and the City Manager is required to submit a letter certifying the City expended the FY 2017 allocation as of June 30, 2017, or certifying that the unused portion will be deducted from the requested allocation.

Motion was made by Councilmember Miller, seconded by Councilmember Wiggins and unanimously carried that the certification be approved and

that the Mayor and City Clerk be authorized to execute the Certified Statement on behalf of the City.

**BIDS/FY 2017 SIDEWALK IMPROVEMENTS**

The City Council received the tabulation of bids received for FY 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 in the office of the City Clerk as **BD-2017-25**.

Motion was made by Councilmember Rogers, seconded by Councilmember Miller and unanimously carried that the bid be awarded to Carolina Earth Movers at a total cost of \$499,243.75, plus a 10% project contingency of \$49,924.38 and that the Mayor and City Clerk be authorized to execute the bid contract on behalf of the City.

**BIDS/ONE (1) NEW ELGIN CROSSWIND REGENERATIVE AIR STREET SWEEPER AND ONE (1) NEW FREIGHTLINER M2 CONVENTIONAL CHASSIS**

The City Council received a recommendation for the purchase of one (1) New Elgin Crosswind Regenerative Air Street Sweeper for the Streets and Storm Water Division to include one (1) New Freightliner M2 Conventional Chassis, plus pre-delivery inspection, local delivery and training at a total cost of \$234,003, after implementing a \$4,657 discount, 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 February 21, 2014. Bid documentation is on file in the office of the City Clerk as **BD-2017-26**.

Motion was made by Councilmember Rogers, seconded by Councilmember Miller and unanimously carried that the bid be awarded to Public Works Equipment and Supply, Incorporated at a total cost of \$234,003, after implementing a \$4,657 discount, based on contract #022014-FSC 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.

**APPOINTMENTS**

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

**CLOSED SESSION**


The City Attorney requested a Closed Session to discuss matters concerning attorney-client privilege and personnel.

Motion was made by Councilmember Rogers, seconded by Councilmember Blackwell and unanimously carried that the City Council go into a Closed Session at 4:58 p.m. The minutes of the Closed Session shall be filed as **ESM-481** at the end of **Minute Book 33** upon approval for release by the City Attorney.

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**REGULAR SESSION/ADJOURNMENT**

The Mayor convened the City in regular session at 6:49 p.m. and there being no further business, the City Council meeting adjourned.

  
Pamela O. Casey  
City Clerk