

December 11, 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, Chief Communications and Marketing Officer; Archie Jones, Director of Human Relations; Elayne Henderson, Director of Human Resources; JoSeth Bocook, Interim Director of Department of Development Services; Kellieanne Davis, Community Development Administrator; James Moore, Police Chief; Marty Clay, George Robinson, Henry King and Michael A. Whitley, Police Captains; Charles Williams, Police Lieutenant; Montez Fields, Police Office; Sherika Clifton, Police Corporal; Yvette Jones, Community Services Supervisor (Police Department); Mark Adcox, Video Production Specialist; Michael Shaw, Fleet Maintenance Supervisor; 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 Tom Rogers to offer prayer.

APPROVAL OF MINUTES

The minutes of a regular meeting of the City Council held on November 27, 2017 were approved as submitted to the City Council prior to the meeting.

ORGANIZATIONAL MEETING

Mayor Combs explained that the North Carolina General Statutes require municipal governments to hold organizational meetings each municipal election year after election results are certified. He noted that during an organizational meeting newly elected officials are administered the oath of office and other organizational matters are acted upon. He stated that the City Council is holding its organizational meeting this evening.

OATH OF OFFICE/COUNCILMEMBERS

Mayor Combs recognized the Honorable Quentin T. Sumner, Senior Resident Superior Court Judge for the Seventh Judicial District, to administer the oath of office to the following City Officials who were re-elected on October 10, 2017 (run-off November 7, 2017):

- Ward 2 - Reuben C. Blackwell, IV
- Ward 3 - Lamont Wiggins
- Ward 6 - W. B. Bullock
- Ward 7 - Chris Miller

Judge Sumner administered the oath of office to incumbent Ward 2 Councilmember Reuben C. Blackwell, IV for a four-year term to expire December 2021. Councilmember Blackwell was joined for the swearing in by his wife, Neva. Councilmember Blackwell took his seat at the Council table.

Judge Sumner administered the oath of office to incumbent Ward 3 Councilmember Lamont Wiggins for a four-year term to expire December 2021. Councilmember Wiggins was joined for the swearing in by his fiancé, Robin Gibson. Councilmember Wiggins took his seat at the Council table.

Judge Sumner administered the oath of office to incumbent Ward 6 Councilmember W. B. Bullock for a four-year term to expire December 2021. Councilmember Bullock took his seat at the Council table.

Judge Sumner administered the oath of office to incumbent Ward 7 Councilmember Christine Carroll Miller for a four-year term to expire December 2021. Councilmember Miller was joined for the swearing in by her husband, Eric, and Mae Parker. Councilmember Miller took her seat at the Council table.

Photographs of Councilmembers and supporters were taken.

ROLL CALL

The City Clerk called the roll for the newly seated City Council.

Members present: David W. Combs, Mayor; André D. Knight; Reuben C. Blackwell, IV; Lamont Wiggins; Lois Watkins; Tom Rogers, W. B. Bullock; and Christine Carroll Miller (Chris).

CITY TREASURER

Mayor Combs called for nominations for the office of City Treasurer.

Councilmember Rogers nominated Councilmember Chris Miller for City Treasurer for a two-year term to expire December 2019. The nomination was seconded by Councilmember Blackwell and Councilmember Miller was unanimously elected City Treasurer

MAYOR PRO TEMPORE

Mayor Combs called for nominations for the office of Mayor Pro Tempore.

Councilmember Blackwell nominated Councilmember Lois Watkins for Mayor Pro Tempore for a one-year term to expire December 2018. The nomination was seconded by Councilmember Rogers and Councilmember Watkins was unanimously appointed Mayor Pro Tempore.

Judge Sumner administered the oath of office to Mayor Pro Tempore, Lois Watkins, Councilmember for Ward 4. Mayor Pro Tem Watkins took her seat at the Council table.

SPECIAL RECOGNITION

Mayor Combs recognized and welcomed the following dignitaries in the audience: Senator Angela Bryant; Edgecombe County Commissioner, Chairman Leonard Wiggins; Nash County Sheriff, Keith

Stone; Edgecombe County Sheriff, Clee Atkinson; former U. S. Marshall, Scottie Parker; former Rocky Mount Police Chief, John Manley, and thanked Judge Sumner for his services in administering the oaths.

INTERIM CHIEF OF POLICE

Mayor Combs introduced Interim Police Chief, Willie R. Williams, and called on Judge Sumner to administer the oath of office to Interim Chief Williams. Interim Chief Williams was joined for the swearing in by his wife.

Interim Chief Williams recognized the law enforcement officials in the audience and invited them to join him for a photograph.

POLICE CHIEF

Mayor Combs recognized and thanked retiring Police Chief, James Moore, for his service to the City.

RECOGNITION/FORMER CITY MANAGER

Mayor Combs read a Resolution of the North Carolina League of Municipalities honoring Mr. Penny for faithful service and lasting contributions to municipal government.

He read a portion of a Retirement Resolution of the City Council of the City of Rocky Mount. Motion was made by Councilmember Knight, seconded by Councilmember Wiggins and unanimously carried that the following resolution be adopted.

Resolution R-2017-59

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKY MOUNT
COMMENDING AND THANKING CHARLES W. PENNY FOR THIRTY-FIVE YEARS
OF PUBLIC SERVICE AND TWENTY-THREE YEARS OF OUTSTANDING SERVICE TO
THE CITY OF ROCKY MOUNT**

WHEREAS, after thirty-five years of public service and twenty-three years of outstanding service to the City of Rocky Mount, Charles W. Penny retired on March 31, 2017; and

WHEREAS, Charles W. Penny began his public service career thirty-five years ago serving in the capacity of Assistant City Manager with the cities of Asheville, Kinston and Morganton. He came to the City of Rocky Mount as the Director of Planning on March 21, 1994 and was promoted to Assistant City Manager in January of 1995. On January 1, 2011, Charles W. Penny became Rocky Mount's first African American City Manager; and

WHEREAS, Charles W. Penny has served the City of Rocky Mount with dignity and distinction utilizing his extraordinary personal and professional management skills to provide the City with clear direction and strong leadership, always crafting his management decisions based on the best interest of the city and its welfare; and

WHEREAS, Charles W. Penny surrounded himself with a talented and extremely competent management team and utilized his expertise and the collective talents of the team to conduct the affairs of the City in an efficient, fair and progressive manner; and

WHEREAS, the City enjoyed the commitment to and culmination of many significant projects and events while Charles W. Penny was City Manager, including the development of the Downtown Streetscape, redevelopment of the South Rocky Mount Community Center, development of the Douglas Block and renovation of the Booker T. Theater, the ongoing redevelopment of Rocky Mount Mills, and, most significantly, the planning and development of the Rocky Mount Event Center, currently under construction, among others; and

WHEREAS, in addition to his service as City Manager, Charles W. Penny made many significant contributions and provided valuable service to the Rocky Mount community as an active member of Metropolitan Baptist Church; board member for the Rocky Mount Area Chamber of Commerce, board member and board chairman of the Boys and Girls Club of Nash and Edgecombe Counties, member of the Elizabeth City State University Board of Trustees and other boards and committees; and

WHEREAS, Charles W. Penny has been a visionary leader who has earned the respect of those with whom he has worked and served during his public service career and especially during his twenty-three years of service to the City of Rocky Mount; and

WHEREAS, as City Manager of the City of Rocky Mount, Charles W. Penny embodied the values of the Athenian Oath, leading by example, and thus transmitted the City of Rocky Mount "not only, not less, but greater and more beautiful than it was transmitted to" him.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Rocky Mount hereby commend Charles W. Penny for his years of outstanding service to the City and for his state and national involvement and hereby offer heartfelt thanks and sincere appreciation for his professional leadership, unselfish devotion and skillful guidance of the City for twenty-three years and for leaving the City physically, structurally and fiscally sound;

BE IT FURTHER RESOLVED that the Mayor and City Council of the City of Rocky Mount hereby individually and collectively congratulate Charles W. Penny on his retirement and wish for him and his family health, happiness and prosperity and many productive years to come;

BE IT FURTHER RESOLVED that this resolution shall be spread upon the pages of the minutes of this proceeding and a copy shall be presented to Charles W. Penny for his records.

Adopted, this the eleventh day of December, 2017.

Mayor David W. Combs presented former City Manager, Charles W. Penny, with the above Resolution and a Resolution of the North Carolina League of Municipalities and joined former Manager Penny, his wife, Edith, Councilmembers, City Attorney, Jep Rose and other staff for a photograph.

PETITIONS FROM THE PUBLIC

The Mayor stated that individuals wishing to address the Council will need to sign up. He noted this is an opportunity to raise a question or present a request to Council; that comments should be directed to the Council as a whole and not to individual Councilmembers or City staff; and, in most cases, Councilmembers will not respond to public comments, but may refer a matter to the City Manager or staff for follow-up. He requested that comments be made from the podium in a civil, non-argumentative and respectful manner and added that personal attacks that have the potential to disrupt the meeting will not be tolerated.

Mayor Combs opened the meeting for petitions from the public and a summary of comments made are listed below:

Randy Adcox:

- inquired as to the status of a request he made approximately one month ago for the creation of a crime prevention task force aimed at young people and working in conjunction with law enforcement and the Council;
- requested a list of staff positions for the new Event Center;
- asked what the procedures are for vendors to submit bids relative to the Event Center; and
- asked if additional parking is planned for the Event Center, voicing concern that more parking will be needed

Bronson Williams stated:

- stated the former City Manager promised to take the City from good to great and he has had a lasting impact on the City and he expects the new manager to also have a lasting impact;
- the Police Chief understands and realizes gangs are in place and has a gang unit;
- he is excited about the Event Center;
- he attended the Committee of the Whole meeting prior to tonight's meeting and sees the Council is focused on combatting gentrification and the challenge of disseminating information to the communities and encouraged staff and Council to stay on course

Johnnie Cunningham told the City Council:

- poverty still exists in our community;
- young men in the community face similar challenges now that he faced as a youth;
- he helped to renovate the Clark Street Community some years ago, but it is again in disrepair today;
- City funds should be used in a positive way rather than a destructive one

Cleo Evans, of 7201 Sunflower Road, stated:

- she is concerned with issues relative to teens, particularly lack of supervision and places to go;
- she would like to know if arcades can be placed in facilities (gaming machines not internet cafés); and
- she is interested in opening an arcade and requested feedback from the City relative to zoning in relation to arcades

Mayor Combs requested staff follow up with Ms. Evans.

PLANNING BOARD RECOMMENDATIONS

The City Council received the minutes and recommendations from a Planning Board meeting held November 14, 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:

PUBLIC HEARING/REZONING REQUEST

Mayor David W. Combs called on Interim Director of Department of Development Services, JoSeth Bocook, to give an overview of the request and recommendations of the Planning Board and to respond to questions posed by Council.

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 Donald H. Williams, Jr. on behalf of Lewis Advertising, Inc., for the rezoning of ±8.39 acres at 1050 Country Club Road from R-6MFA and O-ICU to O-I

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

Motion was made by Councilmember Rogers, seconded by Councilmember Wiggins and unanimously carried that **Ordinance No. O-2017-101** entitled **ORDINANCE AMENDING THE LAND DEVELOPMENT CODE AND MAP OF THE CITY OF ROCKY MOUNT** be adopted.

PUBLIC HEARING/ASSESSMENT OF FAIR HOUSING

Mayor David W. Combs stated that the City and the Down East HOME Consortium, of which the City serves as the lead entity, is required by HUD to submit an Assessment of Fair Housing (AFH) by December 31, 2017 to guide the priorities of the Consolidated Plan and subsequently, the Annual Action Plan. The City Council was furnished with a draft copy of the 2017 Assessment of Fair Housing.

He called on Community Development Administrator, Kellieanne Davis, to provide additional information relative to the general plan, specific policies related to fair housing and actions by the City to affirmatively further fair housing; and, to respond to questions from Councilmembers.

She noted the assessment of fair housing was on public display from November 9 to December 9 and written comments were received from the steering committee of the Community Academy and said comments will be included in the appendix of the final adopted assessment of fair housing. She outlined the written comments provided on behalf of the Community Academy which included, among others, a request that the City adopt policies to mitigate the impact of neighborhood gentrification in year one; take actions to encourage meaningful citizen participation; and create a Citizens' Workforce Housing Advisory Commission and comments from the Latino Outreach Committee. Ms. Davis explained actions taken by staff to comply with all HUD requirements. She thanked the Community Academy for its participation and comments.

The Mayor opened a public hearing relative to the Plan.

Susan Perry Cole spoke as a member of the DownEast Community Neighborhood Association and the Community Academy Steering Committee and:

- congratulated the newly re-elected Councilmembers and those entering new offices
- recognized the City has entered a new phase of economic development and revitalization much due to the leadership and vision of the Council and congratulated them for that;
- stated new tools, programs and strategies will be required for the uplift of underserved neighborhoods;
- commended and congratulated City staff for the progress seen in the assessment of fair housing for 2017 and noted there is an expansion of programs, tools and strategies from 2012;
- questioned how Council will react to the recommendations of the Community Academy relative to:
 - conducting a cost/benefit analysis of the City's community revitalization strategies and sharing the conclusions with the public;
 - assembling a tool box to deal with imminent changes particularly moving gentrification to year one; and
 - creating a Workforce Advisory Council.

Robert Davis spoke as a member and President of the Meadowbrook Neighborhood Community Association and Chair of the Community Academy saying:

- he has pledged to work with the City in any capacity to help improve all underserved neighborhoods and encourages members of his community to do the same;
- if you continue to do the same thing you get the same result and what the City has done in the past has not worked. He requested the creation of a Workforce Advisory Council;
- sustained improvement needs to have input from the community and requested the City partner with the communities

Tamisha Patterson spoke as a member of SERMCO (Southeast Rocky Mount Community) underserved neighborhoods in Southeast Rocky Mount near Planters/Branch Streets) saying:

- there is beauty in our City and the citizens are thankful for what has been done and what will be done by the City Council;
- members of underserved neighborhoods understand the need for economic development strategies to revitalize the City, but also understand, to mitigate impending threats of gentrification and the displacement of already marginalized residents, the City needs to implement intentional and meaningful strategies to promote equitable development

Mary Warren told the Council that:

- she has lived in the community for 40 years;
- she would like to see the fair housing plan move from a 2-3 year plan to a 1-year plan;
- time for change for the community is now and the community is motivated and ready for a change now

Charles Chambliss:

- congratulated the City Council on renewing its commitment to the City;
- stated the reasons for frontloading this project to year 1 are significant and it is important to make it a priority;
- said typically when a city is about to do major development in the city one of the things known is the city has to look at gentrification and what the impact of major projects in close proximity to residential areas will have, so essentially, we are already behind;
- affordable housing and fair housing go hand in hand;
- notice to citizens needs to be addressed because we live in a digital age

Darlene Spencer-Harris stated:

- she is a member of SERMO (Southeast Rocky Mount Community);
- she wants the City Council to listen and be observant as to what the community needs and should have had years ago;
- she does not want gentrification to affect the community and it should be addressed in year one
- she does not feel she is on the poor side of the City but is treated that way;
- these problems were not created overnight and it will take time to remedy them;
- Council needs to take proactive steps to make this happen so the community does not have inequities and the community will hold Council accountable
- the community needs a plan that is going to work now

Lewis Turner told the Council:

- he agrees with the statements made, especially relative to addressing gentrification/affordable housing in the 1st year of the plan;
- he understands there are sanctions included in a new law relative to affordable housing;
- he is offended when time is monitored for comments from the public and that is going to be changed

No one else from the public appeared relative to the assessment for fair housing and the Mayor declared the public hearing closed.

Councilmember Blackwell thanked staff for working hard to reflect the needs and interests of the community in the Fair Housing Plan. He stated he is impressed with the outpouring throughout the community to assist with the plan. He said:

- 1) There does not need to be one official vehicle to disseminate information; there are several newspapers that cover the area and all newspapers in the area should receive press releases/notices; we need to aggressively develop an email subscription for citizens and include Facebook and Instagram for public notices
- 2) He disagrees with "waiting to see"; Martin Luther King, Jr. came to Rocky Mount in 1962 and said, "the Negro cannot wait"; we have been pushed back long enough; there is no reason we have to wait for 2 years to start a conversation about something that has already been happening and taking place every day. People are buying up properties and bringing in investment and we are happy about that; however, others are losing their properties at faster rates than they can hold on to them and need help and he believes we have the collective wisdom in our community to make this happen; and
- 3) Thirdly, and asked Councilmembers to agree with our communities on this saying, "I think we need to establish a Workforce Housing Advisory Task Force", not to ask people not to come to this community but to not ask our residents who have endured the impacts of disinvestment, disrespect and total overlooking what is happening and the needs of our communities, homes and neighborhoods. Let's elevate that to

priority number one just like we did in this event center. These individuals who have spoken tonight have met and studied for 3 years and we have the benefit of community momentum. Let's move together with the community and do what we need to do and make this a priority and be a part of making Rocky Mount great for everybody.

Motion was made by Councilmember Blackwell, seconded by Councilmember Wiggins and unanimously carried that: 1) the 2017 Assessment of Fair Housing Plan be approved, as amended in the public meeting, and that staff be authorized to submit the Plan, as amended; 2) that the process for disseminating information/press releases/notices to the public be immediately broadened to include other area newspapers, Facebook and Instagram and the strategic process used to disseminate information to the Latino community be use to disseminate information to the African American community; 3) that staff move the action of the cost/benefit analysis of policies that help prevent gentrification from year three to year one; and 4) that a Workforce Housing Advisory Commission be established and that the City Manager and her team work along with the Community Academy to develop a reasonable plan of action to be presented to the City Council within ninety (90) days.

GRANT/JUSTICE ASSISTANCE (JAG 2017)

City Manager Rochelle Small-Toney noted that the Council was advised in September 2017 that the Police Department intended to apply for the 2017 JAG Grant and of the planned use of funding. The Council was provided with Certifications and Assurances required for submission of the grant for approval.

Motion was made by Councilmember Wiggins, seconded by Councilmember Miller and unanimously carried that the Mayor be authorized to execute Certifications and Assurances required in connection with the grant on behalf of the City.

DEMOLITION ORDINANCE

The City Council received an ordinance ordering the Community Code Inspector to proceed with demolition of the following substandard properties:

- a. 1617 S. Church Street
- b. 415 S. Mercer Street
- c. 526 Gay Street
- d. 1014 Sunset Avenue
- e. 229 Coleman Avenue (AKA 225 Coleman Avenue)
- f. 510 E. Highland Avenue
- g. 506 Myrtle Avenue
- h. 500 Myrtle Avenue

Councilmember Miller stated the only way to stop the long list of properties to be demolished is to strengthen the housing code. She stated if City funds can be used to demolish property, why not expend them (with liens in place to get money back) to bring them up to code. Councilmembers Blackwell and Knight agreed.

Motion was made by Councilmember Miller, seconded by Councilmember Blackwell and unanimously carried that **Ordinance No.**

O-2017-102 entitled **ORDINANCE ORDERING THE COMMUNITY CODE INSPECTOR TO PROCEED TO DEMOLISH CERTAIN DILAPIDATED STRUCTURES PURSUANT TO THE HOUSING CODE OF THE CITY OF ROCKY MOUNT** be adopted.

STADIUM FACILITY LICENSE AGREEMENT/ROCKY MOUNT ATHLETIC STADIUM

Assistant City Manager Thomas M. Moton, Jr. provided the City Council with a Stadium Facility License Agreement with North Carolina Wesleyan College (NCWC) for the Rocky Mount Athletic Stadium effective January 1, 2018 through December 31, 2022 (five years).

The City Manager outlined the main terms of the agreement as follows:

- Five-year lease (January 2, 2017 through December 31, 2022)
- \$1,500 per football game, regardless of whether the facility is used - payable each year on or before July 15
- Plus, end zone and midfield logo painting fee - \$500 per game, payable as a lump sum within 30 days of invoice date each year on or before July 15
- Plus, light fee of \$200 per night game if facility lights used (payable 7 days prior to game day)

Motion was made by Councilmember Rogers, seconded by Councilmember Bullock and unanimously carried that the Stadium Facility License Agreement between the City of Rocky Mount and North Carolina Wesleyan College (**C-2017-47**) be approved and that the City Manager and City Clerk be authorized to execute the same on behalf of the City.

HOUSING INCENTIVE FUNDS

Assistant City Manager Tasha Logan Ford noted that the City Council previously allocated \$75,000 in 2017 Housing Incentive Funds to the Joy Community Development Corporation (Joy CDC) to be used towards renovation costs associated with new roofs and windows for units at 716-720 Starling Way. She advised the Council that an allocation request in the sum of \$30,000 has been received for additional enhancements for the 45 properties to include front porches.

Motion was made by Councilmember Watkins, seconded by Councilmember Rogers and unanimously carried that the funding allocation outlined above be approved and that the Mayor and City Clerk be authorized to execute Memorandum of Agreement Amendment with the Joy Community Development Corporation (Joy CDC) on behalf of the City. The Amendment shall be filed in the City Clerk's Office with the original agreement (**C-2017-26**) approved June 26, 2017.

APPOINTMENTS

No action was taken to fill the vacancies on the Board of Adjustment, the Human Relations Commission or the Martin Luther King, Jr. Commission.

CONDOLENCES

On behalf of the City Council, the Mayor offered condolences to Councilmember Knight on the death of his father, Pastor Benjamin Knight.

CLOSED SESSION

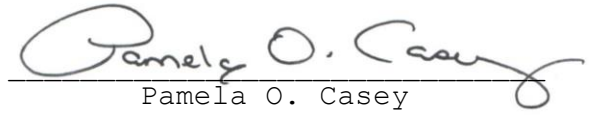
The Mayor requested a closed session for personnel matters.

The minutes of the closed session shall be placed on file as **ESM-487** at the end of Minute Book No. 33 upon approval for release by the City Attorney.

Motion was made by Councilmember Wiggins, seconded by Councilmember Knight and unanimously carried that the City Council go into closed session at 8:39 p.m.

REGULAR SESSION/ADJOURNMENT

The Mayor convened the City in regular session at 9:02 p.m. and there being no further business for regular session, the meeting adjourned.



Pamela O. Casey
City Clerk