

July 23, 2018

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: André D. Knight, Reuben C. Blackwell, IV, Richard Joyner, Lois Watkins, Tom Rogers, W. B. Bullock and Christine Carroll Miller.

Staff Present: Rochelle D. Small-Toney, City Manager; Pamela O. Casey, City Clerk; Tameka Kenan-Norman, Chief Communications and Marketing Officer; Kelvin Yarrell, Parks and Recreation Director; Archie Jones, Director of Human Relations; Kim Batts, Deputy City Clerk; Chase Norwood, Lindsey Davis and Andrew Jakubiak, Summer Interns, City Manager's Office; and Richard J. Rose, City Attorney.

Security Officer: Police Sergeant Edwin Collins.

The Mayor opened the meeting and called on Councilmember Tom Rogers to offer prayer.

WELCOME

Mayor Combs 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 9, 2018 were approved as submitted to the City Council prior to the meeting.

PETITIONS FROM THE PUBLIC

The Mayor outlined the guidelines for petitions from the public and requested that citizens wishing to speak complete a speaker request form. 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 recognized the following individuals who voiced concern relative to the recently adopted Ordinance preventing parking of commercial vehicles and trailers within residential neighborhoods:

Alvin Blount:

- Said there is not a place for him to park his truck in his neighborhood;
- Asked where truckers will park their trucks if not near their residences;
- Said most retail businesses will not allow trucks to park in their lots and he expects as more trucks park at Walmart they too will not allow it; and
- Asked how truckers are to support their families when they have nowhere to park and if they are expected to get a difference job.

Larry Kelley:

- Said the decision was not well thought out;
- Said it is about economics; with new businesses coming to the City there will be more truck traffic than ever; and
- Said truckers who are city residents will be forced to move to neighboring cities.

No one else came forward and the Mayor closed the public petitions portion of the meeting.

Mayor Combs noted the Ordinance recently approved does not take effect until ninety (90) days after adoption.

City Manager Rochelle D. Small-Toney stated it is not uncommon to find similar ordinances in effect across the state, but staff is working to bring a resolution back to Council for consideration.

Discussion continued including discussion relative to trucks towed from an area business and high fines imposed.

Councilmember Blackwell suggested if a resolution is not found within ninety (90) days that the matter come back to the Council for reconsideration. He stated it is a priority to provide a solution to people bringing in supplies to the community.

CONSENT AGENDA

A. TEMPORARY STREET CLOSING (recommended for approval):

1. Request by Bishop Shelton Daniel, on behalf of Greater Joy Baptist Church, for permission to close Anderson Street to St. Paul Street from 10:00 a.m. to 2:00 p.m. on Saturday, July 28, 2018 for a community festival;
2. Request by Yvonne Hickman for permission to close Chase Street/Chase Court from 4:00 p.m. to 8:00 p.m. on Tuesday, August 7, 2018 for a National Night Out event;
3. Request by Bob League for permission to close Dartmoor Court from 5:30 p.m. until 8:00 p.m. on Tuesday, August 7, 2018 for a National Night Out event; and
4. Request by Ruth Bullard for permission to close the 900 Block of Arlington Street from 6:00 p.m. to 8:00 p.m. on Tuesday, August 7, 2018 for a National Night Out event (**added to agenda in open meeting**).

Councilmember Bullock noted the North Carolina Lions Club will attend the event hosted by Greater Joy Baptist Church on Saturday, July 28, 2018 and will bring their vision van to offer free vision testing.

B. AD VALOREM TAX RELEASES:(recommended for adoption)

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>				
2013	1109	CPI IMAGES LLC	23.07	CITY BILLED IN ERROR
		PICTUREME PORTRAIT STUDIO 11197	10.06	INT BUSINESS CLOSED
		1706 WASHINGTON AVE		
		SAINT LOUIS, MO 63103		
		TOTAL RELEASE:	33.73	

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>
<u>NASH COUNTY</u>				
2017	1170	DMARJE HAIR SALON 3646 SUNSET AVE ROCKY MOUNT, NC 27804	231.00 CITY 15.02 INT	BILLED IN ERROR BUSINESS CLOSED
		TOTAL RELEASE:	246.02	

Motion was made by Councilmember Miller, seconded by Councilmember Knight and unanimously carried that the recommendations relative to the Consent Agenda items be approved inclusive of approval of the temporary street closings, as amended, and tax releases.

COMMITTEE OF THE WHOLE MINUTES

The City Council received the minutes from a regular Committee of the Whole Meeting held July 9, 2018 as follows:

MINUTES OF A MEETING OF A REGULAR SCHEDULED COMMITTEE OF THE WHOLE HELD MONDAY, JULY 9, 2018, AT 5:00 P.M. IN THE COMMITTEE ROOM OF THE FREDERICK E. TURNAGE MUNICIPAL BUILDING

MEMBERS PRESENT:

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

MEMBER ABSENT:

David W Combs, Mayor

OTHERS PRESENT:

David Hunt, Hunt Williams Development, LLC
Jerry L. Pesce, JPA Architects
Bridget Chisholm, BCW Consulting
Cedric Johnson, BCW Consulting

STAFF PRESENT:

Rochelle D. Small-Toney
Kimberly D. Batts
Chris Beschler
Natasha Hampton-Clayton
Dr. Landis Faulcon
Rich Worsinger
Ken Hunter
Jonathan Boone
Elayne Henderson
JoSeth Bocook
Amy Staton
Chase Norwood
Lindsey Davis
Andrew Jakubiak
Richard J. Rose

OPENING OF MEETING

Mayor Pro Tem E. Lois Watkins called the meeting to order and welcomed all present.

Mayor Pro Tem Watkins explained the guidelines for Committee of the Whole Meetings and called on City Manager Rochelle D. Small-Toney to introduce the agenda items.

1. CLOSED SESSION. The City Manager requested a Closed Session for matters concerning economic development.

COMMITTEE RECOMMENDATION. *Motion was made by Councilmember Knight, seconded by Councilmember Blackwell and unanimously carried that the City Council go into Closed Session at 5:03 p.m.*

The minutes of the Closed Session shall be placed on file as **ESM-497** at the end of **Minute Book 34** upon approval for release by the City Attorney.

OPEN SESSION:

The Committee of the Whole returned to open session at 6:10 p.m.

MEMBERS PRESENT:

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

MEMBER ABSENT:

David W Combs, Mayor

STAFF PRESENT:

Rochelle D. Small-Toney
 Kimberly D. Batts
 Chris Beschler
 Natasha Hampton-Clayton
 Dr. Landis Faulcon
 Rich Worsinger
 Amy Staton
 Ken Hunter
 Jonathan Boone
 Elayne Henderson
 JoSeth Bocook
 Chase Norwood
 Lindsey Davis
 Andrew Jakubiak

2. Three-Year Consolidated Plan and Annual Action Plan - Dr. Landis Faulcon, Director of Community and Business Development

The Director of Community and Business Development, Dr. Landis Faulcon, provided the Council with an update on the Down East Home Consortium 2018-2021 Three-Year Consolidated Plan and FY 2018 Annual Action Plan which are required by the United States Department of Housing and Development.

Dr. Faulcon told the City Council that the Down East Home Consortium is a partnership between the City and Nash and Edgecombe Counties and their jurisdictions regarding HOME Program Funding.

Dr. Faulcon presented a PowerPoint presentation outlining a schedule for public processes and the following information and updates:

- The Three-Year Consolidated Plan
 - A planning document required by the United States Department of Housing and Urban Development (HUD)
 - A tool for assessing affordable housing and community development needs
 - Assists localities in recognizing market conditions and making data-driven, place-based decisions
 - Identifies housing and community development priorities
 - Identifies priorities for using HUD funding
- The Annual Action Plan
 - Identifies how the Consolidated Plan will be implemented
 - Provides a summary of actions, activities and federal and non-federal resources that will be used to address priority needs and goals

- 2018 Funding Allocations

Program	Total Allocation		
DEHC HOME	Rocky Mount		\$178,890
	Nash		\$159,146
	Edgecombe		\$119,017
	Other		\$140,400
Rocky Mount CDBG			\$565,761

- Summary of City of Rocky Mount Goals

- Increase affordable housing opportunities throughout the City
- Leverage HOME and CDBG funding with other resources to support CHOO projects in Target Areas of Opportunity
- Increase public outreach, engagement and awareness concerning housing issues
- Expand housing choices and access to opportunities

- Increase home ownership among low-income households and members of the protected classes
- Improve the utilization of public transit for low-income and disabled persons
- Through administration of CDBG and HOME programs, strengthen fair housing enforcement, operations, and education

— HOME Program

- Each year the City receives CDBG and HOME funding according to a federal formula based on size, demographics and housing characteristics
- The purpose of the HOME Program is to create affordable housing for low income households
- The eligibility of households for HOME assistance varies depending on the project being funded

— HOME Expenditures

- **Nash and Edgecombe Counties**
 - ✓ Single-family rehabs
- **City of Rocky Mount**
 - ✓ Single-family rehabs
 - ✓ Edgecombe Meadows
 - ✓ Holly Street Duplexes
 - ✓ Beal Street Redevelopment
 - Russell Jackson Village
 - Sunset Avenue Duplexes
 - Beal Street Square Apartments
 - ✓ Harambee Square Renovation
 - ✓ Genesis Estates

— HOME Funds Consortium

Administration (10%)	\$59,746
Rocky Mount	\$178,890
CHDO Activity (15%)	\$80,657
Edgecombe County Scattered Site	\$119,017
Nash County Scattered Site	\$159,146
<u>Total</u>	<u>\$597,456</u>

— CDBG Program

- The CDBG Program provides flexible funding for community development activities for low to moderate income individuals, households and neighborhoods
- The CDBG Program is designed to ensure decent affordable housing, provide services to the most vulnerable in our communities, and create jobs through the expansion and retention of businesses.

— Rocky Mount Proposed CDBG Budget

Administration (20%)	\$113,152
Section 108 Loan	\$112,000
Public Service (15%)	\$84,864
Redevelopment Project	\$140,000
Rehab Delivery Costs	\$40,000
Public Infrastructure Improvements	\$25,000
Economic Development Activity	\$50,745
<u>Total</u>	<u>\$565,761</u>

— CDBG Expenditures

City of Rocky Mount

- Acquisition of real property
- Economic development technical assistance
- Single family housing rehabilitation
- Multiple family housing rehabilitation
- Public facilities and improvements
- Section 108 loan repayment
- Public services
 - o Housing counseling

- o Neighborhood clean ups
- o Employment training

Dr. Faulcon responded to questions from the Council.

COMMITTEE RECOMMENDATION. Update only. No official action.

**3. Resolution for Workforce Housing Advisory Commission -
Dr. Landis Faulcon, Director of Community and Business Development**

The City Council was provided with a draft of a proposed Resolution for a Workforce Housing Advisory Commission for consideration pursuant to direction from Council following the 2018 Assessment of Fair Housing (AFH). Director of Community and Business Development Dr. Landis Faulcon gave an overview of the information in the proposed Resolution.

City Manager Rochelle Small-Toney asked Council to advise her of any changes in structure or other aspects after they had an opportunity to further review the document.

The Mayor Pro Tem asked what action was recommended on this item. The City Manager stated it appeared to need to come back to the Committee of the Whole meeting on August 13, 2018.

Discussion was held among Councilmembers. Councilmember Miller requested the minutes that reference the direction to establish the commission. The City Manager stated the City Clerk would locate the minutes and the City Manager would forward them to Council.

Sue Perry Cole shared information relating to the meeting in which the recommendation was made about the Workforce Housing Advisory Commission.

The City Manager stated she would work to update Mayor and Council in small groups and receive input and suggestions about the structure and purpose of the Workforce Housing Advisory Commission prior to the August 13, 2018 Committee of the Whole meeting.

COMMITTEE RECOMMENDATION. Received report; Council to receive more information.

4. Conflict of Interest Policy - Amy Staton

The City Council was provided with a draft of a proposed Conflicts of Interest Policy for consideration. Amy Staton, Director of Finance, stated the policy was recommended pursuant to recent changes to federal uniform standards for the award and expenditure of federal funds that requires changes in procurement practices when federal funds are involved as well as a written conflict of interest policy.

Mrs. Staton presented a PowerPoint presentation outlining the following:

- Purpose
 - Establish written guidelines and standards for conflict of interest and ethical expectations
 - Complies with state and federal laws
- Local Law
 - City of Rocky Mount Municipal Code Chapter 6, Article II, Division 6
 - Sets out specific acts deemed to be a conflict (personal financial gain, use of city resources, for personal gain, gift ban, etc.)
- State Law
 - North Carolina General Statutes 14-234 and 133-32
 - o Prohibits direct benefit for public officers and employees involved in making or administering public contracts

- o Prohibits use of gifts and favors to influence public contract decisions (giving or receiving)
 - o Violations are subject to criminal penalties
- Federal Law
- Uniform Administrative Requirements, Cost Principles and Audit Requirements (2 C.F.R. Part 200)
 - o Applies to officers, employees and subrecipients
 - o Benefit defined as real or apparent conflict
 - o Violation - loss of federal funding
- Ethical Standards
- Acting in the best interest of the community we serve
 - Demonstrate excellence, integrity and responsibility in our work
 - Adhere to law - local, state and federal
 - Provide honest, accurate, timely and complete information
 - Identify problems and help create solutions
 - Follow city and department policies, procedures and rules
 - Report improper conduct
 - Keep co-workers safe from retaliation
 - Abstain from decisions that could result in direct benefit

Mrs. Staton responded to questions from the Council.

COMMITTEE RECOMMENDATION. Report only. No official action.

The City Manager stated that the following remaining items on the Committee of the Whole Agenda could be postponed to the August 13, 2018 Committee of the Whole if not addressed at the City Council meeting at 7:00 p.m.

- Belmont Lake Preserve - JoSeth Bocook
- LCD Amendments: Parking of Commercial Vehicles and Trailers in Residential Areas Recreational Vehicle Definition and Special Use Permit Standards - JoSeth Bocook
- Boards and Commissions - Pamela Casey

COMMITTEE RECOMMENDATION. By consensus the remaining items were postponed to the August 13, 2018 Committee of the Whole, if not addressed at City Council Meeting at 7:00 p.m.

There being no further business for the Committee of the Whole, by consensus, the meeting adjourned at 7:00 p.m.

Printed copies of the PowerPoint presentations are on file in the office of the City Clerk

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

PRESENTATION OF SIDEARM

The City Council received a recommendation from Interim Chief of Police Willie Williams to award the duty sidearm of Senior Police Officer Chris Driver, who died in the line-of-duty on June 23, 2018 as a result of a traffic accident, to his surviving spouse, Lorin Driver, pursuant to the Police Department's General Order concerning the recognition of line-of-duty deaths and in compliance with state law. The Council was advised that, if approved, the firearm will be presented at a recognition service to be scheduled at a later date.

Motion was made by Councilmember Joyner, seconded by Councilmember Rogers and unanimously carried that the recommendation of the Interim

Chief of Police for award of the duty sidearm of Senior Police Officer Chris Drive to his wife, Lorin, be approved.

2018 LONGLEAF GRANT AGREEMENT AND PROJECT ORDINANCE/SOUTH ROCKY MOUNT COMMUNITY CENTER

City Manager Rochelle D. Small-Toney recommended acceptance of the 2018 Longleaf Fund Grant and approval of the Grant Agreement in the amount of \$95,000 for construction of a new playground at South Rocky Mount Community Center. The City Council was advised that the grant requires a local match of \$95,000.

Motion was made by Councilmember Joyner, seconded by Councilmember Watkins and unanimously carried that staff be authorized to accept the grant; that **Resolution No. R-2018-38** entitled **RESOLUTION APPROVING APPLICATION AND ACCEPTANCE OF LONGLEAF GRANT FOR NEW PLAYGROUND AT SOUTH ROCKY MOUNT COMMUNITY CENTER** be adopted; that the Mayor and City Clerk be authorized to execute the grant agreement and any required certifications on behalf of the City; and that **Ordinance No. O-2018-74** entitled **GRANT PROJECT ORDINANCE LONGLEAF FOUNDATION PLAYGROUND PROJECT** be adopted.

CONTRACT EXTENSION/WATER PURIFICATION CHEMICALS

The City Council was advised that in 2017 the contract for various water purification chemicals was awarded to various companies as the lowest responsive responsible bidders and the bid specifications allowed for bid prices to be extended for up to two (2) years if both parties are in agreement and there are no cost increases. The Council was further advised that the following companies have offered to extend their contract prices for one (1) year at the contract award amounts as noted on the attached contract extension requests:

- 1) Liquid Ferric Sulfate - Penccco, Incorporated - @ unit price \$1,111.67 per ton = \$277,917.50;
- 2) Liquid Chlorine - JCI Jones Chemicals Company - @ unit price of \$481 per ton = \$57,720;
- 3) Hydrofluorosilic Acid - Univar USA, Incorporated - @ unit price of \$0.54 per pound = \$12,150; and
- 4) Dry Polymer - Sterling Water Technologies, LLC - @ unit price of \$1.8319 per pound = \$36,638.

The information provided by the Purchasing Division in connection with the extension of these contracts shall be placed on file in the office of the City Clerk with contract number **BD-2017-20**.

Motion was made by Councilmember Bullock, seconded by Councilmember Joyner and unanimously carried that the contracts with Penccco, Incorporated; JCI Jones Chemicals Company; Univar USA, Incorporated; and Sterling Water Technologies, LLC be extended as recommended and that the Mayor and City Clerk be authorized to execute the contracts on behalf of the City.

CLOSED SESSION (ADDED TO AGENDA IN OPEN MEETING)

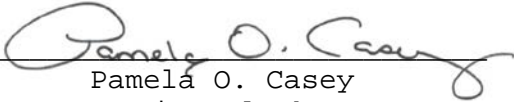
The City Attorney requested a Closed Session to discuss a matter concerning attorney-client privilege.

Motion was made by Councilmember Knight, seconded by Councilmember Joyner and unanimously carried that the City Council go into a Closed

Session at 4:29 p.m. The minutes of the Closed Session shall be filed as **ESM-499** at the end of **Minute Book 34** upon approval for release by the City Attorney.

REGULAR SESSION/ADJOURNMENT

The Mayor convened the City in regular session at 4:57 p.m. and there being no further business, the City Council meeting adjourned.



Pamela O. Casey
City Clerk