

September 10, 2018

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, Richard Joyner, E. Lois Watkins, Tom Rogers, W. B. Bullock and Christine Carroll Miller.

Councilmember absent: Reuben C. Blackwell, IV.

Staff Present: Rochelle D. Small-Toney, City Manager; Pamela O. Casey, City Clerk; Chris Beschler and Natasha Hampton-Clayton, Assistant City Managers; Tameka Kenan-Norman, Chief Communications and Marketing Officer; Mike Varnell, Fire Chief; Willie Williams, Interim Police Chief; Thomas Seighman, Police Lieutenant; Archie Jones, Director of Human Relations; Amy Staton, Finance Director; Nicki Gurganus, Accounting Manager; JoSeth Bocook, Interim Director of Development Services; Justin Floyd, Inspections Services Administrator; Kim Batts, Deputy City Clerk; Tanika Cooper, Executive Secretary, 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 Richard Joyner to offer 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 regular rescheduled meeting of the City Council held August 27, 2018 were approved as submitted to the City Council prior to the meeting.

HURRICANE FLORENCE UPDATE

City Manager Rochelle D. Small-Toney informed the City Council that, due to the impending hurricane, the Down East Viking Football Classic has been canceled.

She stated that the City's Emergency Operations Center would be activated on Wednesday at noon and a great deal of information is being released to the community and media relative to preparations for Hurricane Florence.

The City Manager called on Fire Chief Mike Varnell to provide an update. Chief Varnell told the Council Hurricane Florence continues on its path towards Rocky Mount and approximately ten inches of rain can be expected. He noted the speed and direction of the storm is subject to change. He added latest predictions are that the hurricane will reach landfall midday on Thursday with heavy impacts to Edgecombe County. He noted that both Edgecombe and Nash Counties are expected to open shelters on Wednesday at 6 p.m. He provided additional storm briefings.

FIRST RESPONDERS DAY

The Mayor read a portion of a Proclamation proclaiming September 11, 2018 as First Responders Day in the City of Rocky Mount. He presented the proclamation to Fire Chief Mike Varnell and Interim Police Chief Willie Williams. The Mayor and City Manager Rochelle D. Small-Toney joined the Fire Chief and Interim Police Chief for a photograph.

VOTER REGISTRATION DAY

The Mayor read a portion of a Proclamation proclaiming September 25, 2018 as Voter Registration Day in the City of Rocky Mount. He presented the proclamation to Lewis Turner, Nellene Richardson and Dr. Kim Koo. The Mayor, Councilmember Knight and City Manager Rochelle D. Small-Toney joined them for a photograph.

PETITIONS FROM THE PUBLIC

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

Rodd Meyers reiterated concerns relative the appearance of the Downtown and areas he views as potential hazards.

John Manns suggested term limits of two years be imposed for the City's governing board.

Samuel Battle agreed with comments made by the above citizens. He spoke in opposition of the placement of low-income housing in the Downtown near Edgecombe Community College.

CONSENT AGENDA**A. TEMPORARY STREET CLOSING (recommended for approval):**

- Request from Assistant City Engineer/Transportation, Steve Yetman, for permission to close the following streets for the 11th Annual Eastern Carolina BBQ Throw Down from Friday, October 12, 2018 at 12:00 p.m. until Saturday, October 13, 2018 at 8:00 p.m. (*ordinance adoption requirement of NCDOT standards*):
 1. South Church Street (US 301 Business North) from Andrew Street to Nash Street;
 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

NOTE: Nash Street and Andrew Street will remain open for through traffic.

Ordinance No. O-2018-80 entitled **ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKY MOUNT DECLARING A TEMPORARY ROAD CLOSURE FOR EASTERN CAROLINA BBQ THROWDOWN.**

B. 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>EDGECOMBE COUNTY</u>				
2018	340	SMITH, RANDY 1925 FLETCHER DR ROCKY MOUNT, NC 27801	\$24.38 2.44	CITY PEN
		TOTAL RELEASE:	\$26.82	
2018	16	WALKER, JIMMY A 115 DALEWOOD DR ROCKY MOUNT, NC 27801	\$20.00	DOG
		TOTAL RELEASE	\$20.00	MOVED PRIOR TO 2018

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>EDGECOMBE COUNTY</u>				
2018	8178	KINGDOM LIFE CHRISTIAN CENTER INTERNATIONAL 610 S. GLENDALE DR ROCKY MOUNT, NC 27801	\$4,098.05	CITY
		TOTAL RELEASE:	\$4,098.05	EXEMPT PROPERTY

C. FY 2018-2019 BUDGET ORDINANCE AMENDMENTS: (recommended for adoption)

- 1) **Ordinance No. O-2018-81** entitled **ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR 2018-2019 FOR PFIZER GAS MAIN PROJECT** (increases FY 2019 Annual Budget and by increasing funds in the Gas Fund to cover projected costs and contingencies for the Pfizer Gas Main Project; funds materials for project that have already been awarded as well as project labor - \$1,442,445; City will be reimbursed \$1,196,127.51 from Pfizer over next 5 years); and
- 2) **Ordinance No. O-2018-82** entitled **ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR 2018-2019 FOR CARRYFORWARD OF FISCAL YEAR 2017-2018 ENCUMBERED FUNDS** (amends the FY 2019 Annual Operating Budget to reflect appropriation of carryforward of FY 2018 unspent funds designated for projects and activities; combined total = \$13,331,366).

Motion was made by Councilmember Knight, seconded by Councilmember Joyner and unanimously carried that the recommendations relative to the Consent Agenda items be approved inclusive of adoption of the street closing and budget ordinances and approval of the tax releases contained therein.

ANNEXATION NO. 313 - 1728 GOLDROCK ROAD

The Mayor recognized City Manager Rochelle D. Small-Toney to explain the feasibility study prepared in connection with the annexation by the Department of Planning and Development. The City Manager called on the Interim Director of the Department of Development Services JoSeth Bocoock. Mr. Bocoock explained the report and concluded by recommending approval of the annexation. A copy of the report is on file in Annexation No. 313 in the office of the City Clerk.

The Mayor opened a public hearing relative to Annexation 313 and recognized **Lewis Turner** of 158 S. Washington Street. Mr. Turner stated he would like to see maps of subject property relative to future annexations displayed at the public hearings. Upon no one else appearing relative to the annexation, the Mayor declared the public hearing closed.

Motion was made by Councilmember Joyner, seconded by Councilmember Rogers and unanimously carried that receipt of the feasibility study be acknowledged and that **Ordinance No. O-2018-83** entitled **ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF ROCKY MOUNT/ANNEXATION NO. 313 - 1728 GOLDRICK ROAD** be adopted.

SURPLUS PERSONAL PROPERTY/SUBSTATION TRANSFORMERS

It was noted that during the March 27, 2017 City Council meeting, the Council approved a request that the following personal property be declared surplus to the City's needs and authorized for private sale, reserving the right for final approval of said sale:

- Substation 10(C): General Electric, Serial No. F-961189A
- Substation 1: Westinghouse, Serial No. 6532686
- Substation 9: Allis Chamber, Serial No. 02-8228-62560-1

The Council was informed that efforts to find a buyer for the transformers has been unsuccessful and staff recommends selling the transformers as scrap at the best bid of \$11,500.

Motion was made by Councilmember Bullock, seconded by Councilmember Miller and unanimously carried that staff be authorized to sell the transformers to the highest bidder, Emerald Transformer, for \$11,500.

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. 1617 S. Church Street
- b. 506 S. Franklin Street
- c. 526 Gay Street
- d. 421 S. Grace Street
- e. 1014 Sunset Avenue

Motion was made by Councilmember Watkins, seconded by Councilmember Joyner and unanimously carried that receipt of the preliminary assessment roll be acknowledged; that **Resolution No. R-2018-43** entitled **RESOLUTION OF DETERMINATION OF COST OF REPAIR/DEMOLITION OF SUBSTANDARD HOUSING AND STRUCTURES** and **Resolution No. R-2018-44** entitled **RESOLUTION OF PRELIMINARY ASSESSMENT ROLL** be adopted; and that a public hearing on the assessments be scheduled for October 8, 2018.

GRANT/SUNSET PARK BOAT RAMP RENOVATION

Assistant City Manager Natasha Hampton-Clayton provided the City Council with a Memorandum of Cooperative Agreement between the City and the North Carolina Wildlife Resource Commission for the design and construction of a universally designed boat ramp and American with

Disabilities Act Compliant parking at a mutually agreed upon site a Sunset Park.

Council was advised a Golden Leaf Grant application in the amount of \$657,191 was approved on October 9, 2017 and on December 13, 2017 the Golden Leaf Foundation approved a reduced grant in the amount of \$208,022 for restoration of the Sunset Park Boat Ramp.

Council was further advised that the Golden Leaf Foundation Disaster Recovery Grant in the amount of \$208,022 will be used to construct the boat ramp and any additional required funding, though none is anticipated, will come from Parks and Recreation FY 2019 CIP Park Improvement and Operating accounts.

Motion was made by Councilmember Miller, seconded by Councilmember Joyner and unanimously carried that the Memorandum of Cooperative Agreement between the City and the North Carolina Wildlife Resources Commission (**C-2018-24**) be approved and that the Mayor and City Clerk be authorized to execute the agreement 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 for the following FY 2019 transit grants:

- a. 5339 Bus and Bus Facilities Grant - assists in funding for replacement of existing para-transit vehicles (FTA = \$481,800; State = \$60,225; Local Match = \$60,225);
- b. 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Grant - funds expenses associated with Evening Transit Service for the General Public (FTA -\$65,500; Local Match - \$65,500);
- c. 5311 Community Transportation Program Grant - assists in funding the administrative expenses associated with Tar River Transit's Rural Para-Transit Program (FTA - \$295,223; State - \$18,451; Local Match - \$55,355); and
- d. 5303 Metropolitan Planning Program Grant - (City designated Federal Transit Administration recipient for the Rocky Mount Urban Area Metropolitan Planning Organization) for various planning activities for the Transit Department (FTA = \$31,200; State = \$3,900; Local Match = \$3,900).

Motion was made by Councilmember Miller, seconded by Councilmember Watkins 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 and certifications on behalf of the City.

RELEASE OF FEES AND INTEREST ON ASSESSMENT/617 CLARK STREET

Assistant City Manager Charis Beschler advised the City Council that Troy Davis desires to purchase the property at 617 Clark Street and has requested that fees and interest on said property in the amount of \$1,424.59 be released. The City Council was provided with a Resolution outlining the following terms for release of the fees and interest:

- City agrees to release 617 Clark Street from all weed assessments upon receipt of a copy of the closing statement and letter from the closing attorney verifying the sale of the property to Troy Davis;
- Troy Davis agrees to make site improvements and renovations necessary to making the property suitable for occupancy; and
- Troy Davis agrees to obtain all required permits for renovations and improvements and to make said renovations/improvements within

twelve (12) months of the date of adoption of the Resolution (September 10, 2019)

Motion was made by Councilmember Joyner, seconded by Councilmember Rogers and unanimously carried that **Resolution No. R-2018-45** entitled **RESOLUTION RELEASING FEES AND INTEREST ON ASSESSMENT** be adopted.

RESOLUTION APPROVING WATER SUPPLY PLAN

The City Council was advised that the City of Rocky Mount prepared and submitted a Local Water Supply Plan (LWSP) to the North Carolina Department of Environment and Natural Resources (NCDENR) in 2017.

Council was further advised that the Plan is now a five-year requirement for water suppliers in response to the severe drought of 2007 and is intended to capture pertinent information relating to the City's water and wastewater systems and includes a summary of the water distribution system, water conservation protocol, water use information (service areas, type of use, water sales) and permitted capacity/production of the water treatment plants.

The Director of Public Works and Water Resources provided the Council with a Resolution Approving Local Water Supply Plan and reported that the North Carolina Department of Environment Quality (NCDEQ) Division of Water Resources considers the City's 2017 LWSP to be complete but not compliant with the requirements of NCGS 143-335(1) until the Water Planning Branch Supervisor receives an adopted resolution.

Motion was made by Councilmember Bullock, seconded by Councilmember Miller and unanimously carried that **Resolution No. R-2018-46** entitled **RESOLUTION FOR THE CITY OF ROCKY MOUNT APPROVING LOCAL WATER SUPPLY PLAN** be adopted.

RE-BID/ROCKY MOUNT JUDICIAL CENTER RE-ROOFING

The City Council received copies of the tabulation of re-bids received for the Rocky Mount Judicial Center Re-Roofing. Re-bids were received and opened on August 14, 2018 after all necessary legal procedures had been implemented and the bid tabulation is on file in the office of the City Clerk as **BD-2018-27**.

Motion was made by Councilmember Joyner, seconded by Councilmember Rogers and unanimously carried that the re-bid for the Judicial Center Re-Roofing in the total amount of \$372,086, which includes a 5% contingency of \$17,719 be awarded to B & M Roofing Contractors and that the Mayor and City Clerk be authorized to execute the bid contract on behalf of the City.

BIDS/NATURAL GAS SYSTEM - NORTHERN SYSTEM STRENGTHENING

The City Council received copies of the tabulation of bids received for Natural Gas System - Northern System Strengthening. Bids were received and opened on August 21, 2018 after all necessary legal procedures had been implemented and the bid tabulation is on file in the office of the City Clerk as **BD-2018-28**.

Motion was made by Councilmember Joyner, seconded by Councilmember Rogers and unanimously carried that the bid for the Natural Gas System - Northern System Strengthening at the total base bid cost of \$921,850 be awarded to MasTec, Incorporated and that the Mayor and City Clerk be authorized to execute the bid contract on behalf of the City.

BIDS/EMPLOYEE TIME AND ATTENDANCE SYSTEM

The City Council received copies of the tabulation of bids received for an Employee Time and Attendance System. Bids were received and opened on May 29, 2018 after all necessary legal procedures had been implemented and the bid tabulation is on file in the office of the City Clerk as **BD-2018-29**.

Motion was made by Councilmember Joyner, seconded by Councilmember Rogers and unanimously carried that the bid for an Employee Time and Attendance System in the total amount of \$201,363 (includes license, maintenance, implementation, training, software and timeclocks) be awarded to Tyler Technologies and that the Mayor and City Clerk be authorized to execute the bid contract on behalf of the City.

BOARDS, COMMISSIONS AND COMMITTEES

By consensus, consideration of appointments to boards, commissions and committees was deferred until the October 8, 2018 meeting of the City Council.

MUNICIPAL MODEL FOOD SYSTEM (ADDED TO AGENDA IN OPEN MEETING)

City Manager Rochelle D. Small-Toney recommended approval of the development of a municipal model food system plan and implementation to increase access to fresh produce and foods in underserved communities and promotion of economic development opportunities. She told the City Council implementing a model food system to address essential community health food needs will also boost economic development opportunities and provide additional financial resources to some of the City's most blighted areas.

Motion was made by Councilmember Rogers, seconded by Councilmember Knight and unanimously carried that **Resolution No. R-2018-47** entitled **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKY MOUNT APPROVING THE DEVELOPMENT OF A MUNICIPAL MODEL FOOD SYSTEM PLAN AND IMPLEMENTATION TO INCREASE ACCESS TO FRESH PRODUCE AND FOODS IN UNDERSERVED COMMUNITIES AND PROMOT ECONOMIC DEVELOPMENT OPPORTUNITIES** be adopted.

PROJECT ORDINANCE AMENDMENT/2009 NEIGHBORHOOD STABILIZATION GRANT (ADDED TO AGENDA IN OPEN MEETING)

The City Council received an amendment to the original Grant Project Ordinance for the Fiscal Year 2009 Neighborhood Stabilization Grant to increase appropriations by \$36,670 for receipt of rents paid by occupants of properties acquired by the City with funding through the grant project. City Manager Rochelle D. Small-Toney informed the City Council these funds will be used for qualifying activities associated with the Neighborhood Stabilization Grant.

Motion was made by Councilmember Knight, seconded by Councilmember Watkins and unanimously carried that **Ordinance No. O-2018-84** entitled

GRANT OPERATING PROJECT AMENDMENT/2009 NEIGHBORHOOD STABILIZATION GRANT PROJECT be adopted.

MEMORANDUM OF UNDERSTANDING/TWIN COUNTY COMMUNITY PRIDE (ADDED TO AGENDA IN OPEN MEETING)

The City Council was provided with a Memorandum of Understanding between the City and Twin County Community Pride, Inc. for installation of the Twin County Hall of Fame portraits in the Rocky Mount Event Center. The main terms of the Memorandum of Understanding were outlined as follows:

- Term of agreement is for a five-year period from November 1, 2018 through November 1, 2023
- City will:
 - Provide space for TCCP's portraits to be housed at the RMEC in the pre-function area;
 - Provide a secure environment for TCCP's portraits in the RMEC;
 - Provide reasonable access for visitors to see TCCP's portraits in the RMEC;
 - Not charge admission to see TCCP's portraits;
 - Ensure TCCP's portraits are displayed in a professional manner;
 - Take every reasonable means to ensure TCCP's portraits are not damaged due to any negligence on the City's part;
 - Notify the TCCP Board of Directors of any issues with the conditions of the portraits;
 - Maintain liability insurance on its facility; and
 - The Rocky Mount City Council, at its discretion, will determine the amount of assistance it wishes to provide to TCCP for the event at the RMEC on a year to year basis.
- Twin County Community Pride, Inc. will:
 - Provide RMEC's architect approved digital portraits to be displayed in the pre-function area of the RMEC;
 - Be responsible for installation costs of the TCCP portraits by a professional contractor to ensure the portraits are displayed securely at the highest degree of museum quality;
 - Provide annual financial support to cover the costs of the new TCCP portraits installed at the RMEC;
 - Provide property insurance on the portrait collection and provide a copy of the Certificate of Insurance;
 - Cover the costs for the annual Induction and Banquet event and other events;
 - Apply for the non-profit subsidy provided in accordance with the guidelines established by the City;
 - Vacate the current TCCP location at the Helen P. Gay Train Station within sixty (60) days, subject to the terms in Section II, paragraph 11 of the agreement;
 - Store any of TCCP's artifacts, files and memorabilia at a location away from the Train Station and the RMEC;
 - Provide TCCP portraits by induction year to ensure the appropriate display of the artwork at the RMEC; and
 - Enter into a contract to have TCCP portraits made and installed at the RMEC, upon securing an appropriate grant/grants funding.

In addition, the TCCP may provide docents to assist guests as they visit the TCCP portrait collection during major events and high traffic times.

The agreement can be terminated with a 12-month notice, subject to mutual agreement by the parties.

Motion was made by Councilmember Rogers, seconded by Councilmember Joyner and unanimously carried the Memorandum of Understanding with Twin County Community Pride, Inc. (C-2018-25) be approved and the Mayor be

authorized to execute the agreement on behalf of the City.

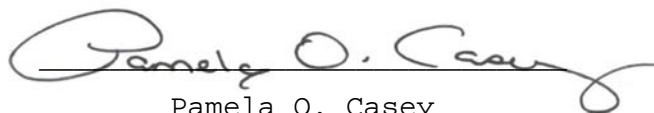
CLOSED SESSION

The City Attorney requested a Closed Session to discuss a matter concerning attorney-client privilege and that a personnel matter be added to the agenda.

Motion was made by Councilmember Knight, seconded by Councilmember Watkins and unanimously carried that the City Council go into a Closed Session at 7:35 p.m. The minutes of the Closed Session shall be filed as ESM-503 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 8:15 p.m. and there being no further business, the City Council meeting adjourned.



Pamela O. Casey
City Clerk