

October 22, 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; Chris Beschler and Natasha Hampton-Clayton, Assistant City Managers; Tameka Kenan-Norman, Chief Communications and Marketing Officer; Archie Jones, Director of Human Relations; Dr. Landis Faulcon, Community and Business Development Director; Todd Gardner, Transit System Manager; Kim Batts, Deputy City Clerk; 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 regular scheduled meeting of the City Council held October 8, 2018 were approved as submitted to the City Council prior to the meeting.

PETITIONS FROM THE PUBLIC

The Mayor opened the meeting for petitions from the public and there were none.

CONSENT AGENDA

A. 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 | 43 | DEAL, BRANDON HERNDON 8484 LAKE RIDGE CT ELM CITY, NC 27822 | 18.50 1.85 | CITY PEN |
| | | TOTAL RELEASE: | 20.35 | BILLED IN ERROR OUTSIDE CITY LIMITS |
| 2018 | 342 | REVIS, WILLIAM LEE REVIS, NICOLE P 4313 COLLEGE RD BATTLEBORO, NC 27809 | 12.81 1.28 | CITY PEN |
| | | TOTAL RELEASE: | 14.09 | MOVED PRIOR TO 2018 OUTSIDE CITY LIMITS |

NASH COUNTY

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|------|-------|---|-------|------|--|--------------|
| 2018 | 16896 | BURKE, RANDY A KATHLEEN D 1201 LAFAYETTE AVE ROCKY MOUNT, NC 27803 TOTAL RELEASE: | 10.00 | DOG | DUPLICATE BILL | 10.00 |
| 2018 | 1056 | CARPET HUT 401 S WESLEYAN BLVD ROCKY MOUNT, NC 27803 TOTAL RELEASE: | 8.63 | CITY | MOVED PRIOR TO 2018 OUTSIDE CITY LIMITS | 8.63 |
| 2018 | 2057 | CENTRAL CAROLINA ERECTION LLC C/O JAMERSON DALE JORDAN 6689 MILL POND RD BATTLEBORO, NC 27809 TOTAL RELEASE: | 25.48 | CITY | MOVED PRIOR TO 2018 OUTSIDE CITY LIMITS | 25.48 |
| 2018 | 1648 | DUKE, JAMES A 3230 COPPEDGE RD ROCKY MOUNT, NC 27804 TOTAL RELEASE: | 31.65 | CITY | BILLED IN ERROR OUTSIDE CITY LIMITS | 31.65 |
| 2018 | 2450 | ENVOLVE VISION INC 7700 FORSYTH BLVD STE 800 SAINT LOUIS, MO 63105 TOTAL RELEASE: | 93.91 | PEN | REMOVE LATE LIST PENALTY | 93.91 |
| 2018 | 1746 | OBERRY, WAYNE H 4281 CORDIALITY CHURCH RD ROCKY MOUNT, NC 27804 TOTAL RELEASE: | 44.73 | CITY | OUTSIDE CITY LIMITS | 44.73 |
| 2017 | 2376 | TRIPLEPOINT CAPITAL LLC PMB 264 1821 S BASCOM AVE CAMPBELL, CA 95008 TOTAL RELEASE: | 20.32 | CITY | BILLED IN ERROR SOLD PRIOR TO 2017 | 20.32 |
| 2018 | 2392 | WELLS FARGO FINANCIAL LEASING TAX DEPT 800 WALNUT ST N0005-041 DES MOINES, IA 50309 TOTAL RELEASE: | 40.86 | | BILLED INCORRECT EQUIPMENT VALUE | 40.86 |

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> |
|-------------|-----------------|---------------------|------------|----------------|
|-------------|-----------------|---------------------|------------|----------------|

EDGEcombe COUNTY

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|------|-----|--|--------|-----|-----------------------------|---------------|
| 2018 | 611 | RENT-A-CENTER INC D/B/A RENT-A-CENTER #00407 P O BOX 52427 ATLANTA, GA 30355 TOTAL RELEASE: | 142.26 | PEN | REMOVE LATE LIST PENALTY | 142.26 |
|------|-----|--|--------|-----|-----------------------------|---------------|

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|---------------------------|---------|--|-------------------------------------|-------------|---|
| 2018 | 23662 | REVIS, WILLIAM LEE REVIS, NICOLE P 4313 COLLEGE ROAD BATTLEBORE, NC 27809 TOTAL RELEASE: | 614.98 614.98 | CITY | MOVED PRIOR TO 2018 OUTSIDE CITY LIMITS |
| <u>NASH COUNTY</u> | | | | | |
| 2018 | 2234 | AFFORDABLE CARE LLC P O BOX 1042 KINSTON, NC 28503 TOTAL RELEASE: | 373.23 373.23 | PEN | REMOVE LATE LIST PENALTY |
| 2018 | 2107 | BROWN, BELLE & JIMMIE R 2503 CORINTH RD NASHVILLE, NC 27856 TOTAL RELEASE: | 538.14 53.81 591.95 | CITY PEN | OUTSIDE CITY LIMITS |
| 2018 | 2565 | CARDTRONICS LP ATTN: HARDING & CARBONNE 3903 BELLAIRE BLVD HOUSTON, TX 77025 TOTAL RELEASE: | 269.51 269.51 | CITY | DUPLICATE BILL |
| 2018 | 2570 | CONN'S APPLIANCE INC STORE 225-C WILSON & FRANCO 11000 RICHMOND AVENUE SUITE 350 HOUSTON, TX 77042 TOTAL RELEASE: | 142.54 142.54 | PEN | REMOVE LATE LIST PENALTY |
| 2017 | 1000149 | EVOLUTION MARKETING GROUP INC DUANE WILLIAMS 600 TIFFANY BLVD ROCKY MOUNT, NC 27804 TOTAL RELEASE: | 99.00 8.66 107.66 | CITY INT | BILLED IN ERROR BUSINESS CLOSED IN 2016 |
| 2018 | 1764 | EVOLUTION MARKETING GROUP INC DUANE WILLIAMS 4497 SUNSET AVE ROCKY MOUNT, NC 27804 TOTAL RELEASE: | 102.75 102.75 | CITY | BILLED IN ERROR BUSINESS CLOSED IN 2016 |
| 2018 | 15767 | JORDAN, JAMERSON D & CATHERINE 1613 HUNTER HILL RD ROCKY MOUNT, NC 27804 TOTAL RELEASE: | 1,045.38 1,045.38 | CITY | REMOVE BOAT OUTSIDE CITY LIMITS |
| 2018 | 20174 | LIDL US OPERATIONS LLC 940 N WESLEYAN BLVD ROCKY MOUNT, NC 27804 TOTAL RELEASE: | 535.58 535.58 | CITY | DENR EXEMPTION |
| 2018 | 188 | PIERCE, SUSAN S 3630 PRIDGEN RD ROCKY MOUNT, NC 27803 TOTAL RELEASE: | 166.25 166.25 | CITY | BILLED IN ERROR OUTSIDE CITY LIMITS |

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|------|-------|--|-----------------|------|----------------------------|
| 2018 | 2102 | PROCTOR, DANIEL WINTON 1529 GLEN EAGLES CT NASHVILLE, NC 27856 | 202.69 | CITY | OUTSIDE CITY LIMITS |
| | | TOTAL RELEASE: | 202.69 | | |
| 2018 | 10015 | ROCKY MOUNT RECYCLERS INC 816 S HALIFAX RD ROCKY MOUNT, NC 27804 | 1,034.85 | CITY | DENR EXEMPTION BUILDING |
| | | TOTAL RELEASE: | 1,034.85 | | |
| 2018 | 10014 | WARD, CHARLES TED & GARRY K 816 S HALIFAX RD ROCKY MOUNT, NC 27803 | 1,686.34 | CITY | DENR EXEMPTION LAND |
| | | TOTAL RELEASE: | 1,686.34 | | |
| 2018 | 10004 | WARD, CHARLES TED & GARRY WARD 4601 COMMUNITY DR ROCKY MOUNT, NC 27804 | 848.63 | CITY | DENR EXEMPTION |
| | | TOTAL RELEASE: | 848.63 | | |

B. AWARD OF DUTY SIDEARM (recommended for approval):

The City Council received a recommendation for the award of a duty sidearm to Senior Police Office Tim Braddy who will retire from the Rocky Mount Police Department on November 1, 2018 with 28 years of service.

Councilmember Miller noted the comments contained in the request for releases of taxes are different than those seen previously and questioned how that is determined.

Motion was made by Councilmember Joyner, seconded by Councilmember Blackwell and unanimously carried that the recommendations relative to the Consent Agenda items be approved inclusive of approval of the tax releases and award of duty sidearm.

FY 2020 SECTION 5310, 5311 AND 5339 PUBLIC TRANSPORTATION GRANTS/PUBLIC HEARING

The Mayor opened a public hearing relative to FY 2020 Section 5310, 5311 and 5339 Public Transportation Grants for funding of \$1,481,701 through the North Carolina Department of Transportation, Public Transportation Program, for a portion of the Tar River Transit administrative, operating and capital expenses. It was explained this grant will require a local match of \$344,856.

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

Motion was made by Councilmember Watkins, seconded by Councilmember Bullock and unanimously carried that the Transit Grant application be approved; that **Resolution No. R-2018-53** entitled **PUBLIC TRANSPORTATION PROGRAM RESOLUTION** be adopted; and that the Mayor and City Clerk be authorized to execute the required documentation, certifications and delegation of authority, including the subsequent grant agreement on behalf of the City.

COMMITTEE OF THE WHOLE MINUTES

The City Council received the minutes from a regular scheduled Committee of the Whole Meeting held October 8, 2018 as follows:

MINUTES OF A MEETING OF A REGULAR SCHEDULED COMMITTEE OF THE WHOLE HELD MONDAY, OCTOBER 8, 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
 Richard Joyner
 Tom Rogers
 W.B. Bullock
 Chris Miller
 David W. Combs, Mayor

STAFF PRESENT:

Rochelle D. Small-Toney
 Pamela O. Casey
 Chris Beschler
 Natasha Hampton-Clayton
 Tameka Kenan-Norman
 Landis Faulcon
 Cornelia McGee
 Steve Yetman
 Brad Kerr
 JoSeth Bocook
 Archie Jones
 Kim Batts
 Tanika Cooper
 Richard J. Rose

OPENING OF MEETING

Mayor Pro Tem E. Lois Watkins called the meeting to order at 5:05 p.m. and welcomed all present.

She outlined the guidelines for Committee of the Whole Meetings and called on City Manager Rochelle D. Small-Toney to introduce the agenda items.

PARKING AREA DEVELOPMENT AND SHARED USE WITH EDGEcombe COMMUNITY COLLEGE - Rochelle D. Small-Toney

City Manager Rochelle D. Small-Toney requested that Item 8 (Parking Area Development and Share Use with Edgecombe Community College) be tabled pending clarification of the terms of the agreement.

Councilmember Miller questioned if this would prevent the parking area from being available upon the opening of the Event Center. The City Manager responded that the improvements will not proceed until the agreement is clarified and though the parking will not be ideal the space can still be used for parking.

COMMITTEE RECOMMENDATION. Motion was made by Councilmember Joyner, seconded by Councilmember Rogers, and unanimously carried that Item 8 Parking Area Development and Shared Use with Edgecombe Community College be tabled.

REQUEST TO PROVIDE GRANT TO HELPING HANDS CHURCH (request to add to agenda) - Rochelle D. Small-Toney

City Manager Rochelle D. Small-Toney told the City Council that she has been contacted by Presiding Bishop Robin B. Atwater of the Helping Hands Church relative to an interest by the church for acquiring and converting a residence at 817 West End Street into a community center for the West End Community and requested that this item be added to the agenda for consideration by Council.

CLOSURES OF PORTIONS OF INSTRUMENT DRIVE AND COLLEGE ROAD - NCDOT

City Manager Rochelle D. Small-Toney called on Director of Engineering Brad Kerr to present the next agenda item.

Mr. Kerr introduced Bobby Liverman, NCDOT District Engineer, to lead discussion relative to the CSX project and requested street closures.

Mr. Liverman explained that the North Carolina Department of Transportation (NCDOT) is requesting the closure of the following streets for construction of the CCX Intermodal site and explained the parameters of the closings of:

- INSTRUMENT DRIVE RAIL CROSSING (from US 301 to Tanner Road) - permanently close from US 301 to Tanner Road; and
- A PORTION OF COLLEGE ROAD - support deletion from State maintained road system

He provided information to Council with regard to road improvements associated with the CCX project including a roundabout at Morning Star Church Road and a right turn lane at West Battleboro Avenue and NC-4.

Brad Kerr, Director of Engineering, told the City Council the closure of Instrument Drive is on the agenda for the regular City Council agenda this evening noting that, if approved, a public hearing will be held in November and, thereafter, an Order entered for closure of the requested roadway and an agreement entered into with the NCDOT Rail Division.

Ronald L. Keeter, Jr, Division Engineer with NCDOT, told the Council that CSX will make improvements to access the cemetery along College Road and access will remain open to the second cemetery.

Discussion was held relative to the anticipated effect of trains stopped in the Downtown and John Dillard, with the NCDOT, stated these improvements should not result in any changes relative to train delays. He added the planned additional track adjacent to the main line will allow for trains to pull directly into the terminal so they will not block any crossings.

Councilmember Blackwell stated he has received concerns relative to train delays blocking Downtown tracks.

Councilmember Miller questioned if there is still a plan for noise buffering and Mr. Dillard stated NCDOT is in the process of finalizing design and buffers are planned along with technology to reduce noise. He said the goal is to provide benefits for the community without trains being seen and heard on a daily basis.

Councilmember Knight questioned if research reveals trains to be stopping in the Downtown for extended periods of time if CSX would be willing to meet with the City to look at ways to mitigate the problem and Mr. Dillard responded they would be happy to have that conversation. Mr. Keeter stated that every two years projects are submitted to improve the MPO and if it is recognized as a problem it could be submitted as a spot project. He said if the traffic were to increase that may well help the score for building an overpass or underpass. Councilmember Knight requested the City Manager work to facilitate a meeting.

Councilmember Bullock questioned if there have been conversations held and arrangements made for existing businesses on Fountain Road and was told conversations were held early on with the Carolinas Gateway Partnership and it is believed that road improvements will provide access needed today and for future growth.

City Manager Small-Toney noted there are two resolutions on the 7 p.m. agenda for consideration.

In response to a question from the Mayor, Mr. Dillard stated the hope is to begin construction in early 2019 on the terminal, subject to obtaining required permits and added he will be able to provide a more precise date as the NCDOT moves through the permitting process.

Mr. Keeter noted that all roadway projects are complete with the exception of the roundabout which should be completed in the Fall of 2019.

Councilmember Joyner requested a written timeline.

COMMITTEE RECOMMENDATION. No formal action.

WAYFINDING DISTRICT PLAN UPDATE - Brad Kerr

City Manager Rochelle D. Small-Toney told the Council that at the last Council meeting discussion was held relative to the Wayfinding Districts and a request was received from the Council to identify other locations (Districts) on the east side of the City. She said an update will be provided today identifying those areas.

Mayor Combs stated that at the September 24, 2018 meeting of the Council the minutes of the September 10, 2018 Committee of the Whole were amended to add a 6th district; however, only 5 districts were identified at the September 10 meeting. He added there was some confusion relative to the Districts and the Council should take corrective action at the 7 p.m. meeting this evening. He requested and Council received direction from the City Attorney.

Discussion was held and actions considered.

Director of Engineering, Brad Kerr, told the City Council that, based on discussion at the last meeting, Corbin Design is making additional suggestions. He identified potential districts as follows:

- Proposed district in the vicinity of MLK Park and Booker T. Washington School that unifies the major parks in the area into a single district;
- The proposed Thelonious Monk district;
- A possible future district at the intersection of US 64 and Raleigh Boulevard; and
- Proposed walking tours intended to connect core districts at the pedestrian level using kiosks and other interpretive elements to illustrate the accomplishments of significant individuals from the area as well as cultural heritage sites such as Thelonious Monk Park, Professional Row, the Douglas Block and Booker T. Washington School (site of the first presentation of the "I have a Dream" speech by Dr. Martin Luther King, Jr.).

Mr. Kerr noted that the Oakwood area was considered but was not noted to be more unique than other shopping centers.

He outlined the following suggested names for a new 6th district as:

- MLK Cultural District
- African American Cultural District
- "Dream" Heritage District
- Heritage District

Discussion was held relative to the distinction between districts and destinations and marketing. Councilmember Blackwell voiced a concern that previous discussion had included a desire for the intentional marketing and branding relative to the Douglas Block's significance and history. Mr. Kerr noted plans are to identify the Douglas Block history with kiosks, cultural walks and destination signage. Councilmember Blackwell expressed a desire for a commitment to including the Douglas Block's significance to the City and a kiosk dedicated to the Douglas Block.

Councilmember Blackwell stated he approves the boundaries outlined, but requested time be allowed for Council to consider a naming process.

City Manager Small-Toney noted staff originally suggested four names (Gateway District; Mills District, Downtown District and Sports

Complex) and there could be others. Mr. Kerr stated at some time in the future the intersection of 64 and Raleigh Boulevard was envisioned as a possible destination/hospitality/major retail center. He added that staff has looked at the area that Councilmember Knight specifically identified in which the following destinations: MLK Park, the MLK statue, Booker T. Washington School; Stith Talbot Park, the trailhead for the Tar River Trail and the area where Buck Leonard's house exists as a potential 5th district and identified the area surrounding Thelonious S. Monk Park as the potential 6th District.

The City Manager stated that, once the wayfinding recommendations are adopted, a cross functional team consisting of Archie Jones, Landis Faulcon and Brad Ker can be formed to make suggestions for naming the additional districts and proceeding with the process for ordering signs and implementing the signage and kiosks.

Mr. Kerr told the Council that only public parking and trailblazing signs are included in the current budget, but installation of other signage identified in the forthcoming Master Plan and Parks and Recreation Master Plan will be an ongoing effort and future budget requests can be anticipated.

The City Manager noted a desire to have the wayfinding signage installed to educate visitors of the districts and history around Downtown.

A depiction of interchangeable signage was provided to the Councilmembers and described as being very modular, mobile and flexible.

COMMITTEE RECOMMENDATION. Motion was made by Councilmember Knight, seconded by Councilmember Blackwell, and unanimously carried to recommend that a motion be made in the 7 p.m. meeting to rescind the motion to amend the COW minutes on September 24, 2018 leaving the minutes to read that four districts were previously recommended by Corbin Design with a fifth to be added on the east side of the City; that a 6th District (potential Thelonius S. Monk District) and 5th District (currently unnamed) is recommended by Council; and that staff be authorized to proceed with implementation of the wayfinding district plan, as recommended.

COMMUNITY CONVERSATIONS DEALING WITH THE CONFEDERATE MONUMENT - Human Relations Commission

City Manager Rochelle D. Small-Toney introduced Director of Human Relations Archie Jones.

Mr. Jones introduced Lynwood Williams, Co-Chair of the Human Relations Commission, and Curmilus Dancy, II, the NAACP appointee to the Human Relations Commission.

Mr. Williams thanked the City Council for allowing him to be a part of this interesting initiative. He noted community meetings have just been completed and added he believes the Council would have been proud of the civility and frankness exhibited by attendees in the discussions relative to the confederate monument. He added that diverse opinions were shared in nonthreatening ways and while some thought the statue should be removed and others disagreed there was a lot of interesting discussion.

Mr. Williams stated the charge, as the committee understood it, was to consider whether the confederate monument on Falls Road at Battle Park should be removed. He told the Council the Commission was tasked with creating a process that would provide a safe space for diverse groups of residents to share their feelings, thoughts and stories surrounding sensitive community issues, including the confederate monument at Battle Park and it is anticipated that more discussions of other topics will be held.

Mr. Williams reported that the Commission underwent training and members were challenged to find out who they were and consider their

personal thoughts before standing before the community to facilitate the meetings. He thanked Willie Ratchesford for his assistance with these difficult conversations.

Mr. Williams told the Council that four community conversations were held with city staff, the Human Relations Commission members and other volunteers implementing and coordinating the meetings on May 22, June 19, July 19 and July 24, 2018. He advised that approximately 166 residents attended the conversations held at the Booker T. Theater to provided feedback. He added that conversations were rich, engaging and energetic and attendance was racially, ethnically and economically diverse. Mr. Williams noted that representation included individuals from the inner city and suburban neighborhoods, grassroots groups, congregations, youth, service providing organizations, government and business.

Mr. Williams told the City Council that though the focus of the community conversations was the confederate statue feedback provided revealed that residents are prepared to engage in conversations and seek solutions to other issues of importance in the community including schools, unemployment, affordable housing, homelessness, poverty and crime.

He stated participants were able to express their ideas without feeling threatened and the following questions were expressed:

- 1) What feelings do you have about the confederate monument at Battle Park? What about your own identity and your life experience form these feelings?
- 2) What are your thoughts and feelings about how the history and presence of the confederate monument at Battle Park impacts other people in the room? In the community?
- 3) What suggestions/ideas do you have for members of the Rocky Mount City Council regarding the confederate monument at Battle Park for a diverse and inclusive community?
- 4) If the City of Rocky Mount is to move forward on this particular issue, what are you personally willing to do that make that happen?

Mr. Williams stated it was discovered that a lot of people do not know much about the statue.

He provided the following background information relative to the confederate statue:

- It is viewed as a historical marker to many and a symbol of hate to others;
- It has a large square base and a confederate soldier placed atop a tall Corinthian-styled column;
- Originally a statue of a soldier sat atop each of the short columns at the base (two were stolen in the 1970's and the other two removed for safekeeping and stored in a City-owned warehouse);
- The monument was removed from the City log sometime after 2000;
- Some residents have asked that the monument be removed while others have asked it to be left in place; and
- A North Carolina law enacted in 2015 prevents removing, relocating or altering monuments on public property without permission from the North Carolina Historical Commission.

He noted:

- The monument has been in place since 1917;
- Originally a statue of a soldier stood at the top; and
- The statue was donated to the City

Mr. Williams stated the basic mission of the Committee was to solicit input and allow the community to voice their opinions and bring back to Council a bird's eye view of the responses. He told the Council that responses were varied and many shared a preference to keep the monument in place while others indicated it should be removed.

The City Council was advised that community feedback included the following suggestions to:

| | |
|---|---|
| <ul style="list-style-type: none"> • Expand the monument to make it more diverse | <ul style="list-style-type: none"> • Have more community dialogues |
| <ul style="list-style-type: none"> • Keep the monument in place | <ul style="list-style-type: none"> • Look at and consider diversity, equity and inclusion |
| <ul style="list-style-type: none"> • Remove or relocate the monument | <ul style="list-style-type: none"> • Be an example for the country |
| <ul style="list-style-type: none"> • Address other, more important, issues of concern in the community | <ul style="list-style-type: none"> • Address race relations and build relationships; get people on the same page |
| <ul style="list-style-type: none"> • Educate people about the monument | <ul style="list-style-type: none"> • Be mindful of how people feel about the monument |
| <ul style="list-style-type: none"> • Hold a community referendum on the monument | |

Mr. Williams said discussion was held relative to the monument having been rededicated to all military personnel at some point and that all involved wanted more meetings and had deep-seated feelings about the monument. He asked if Councilmembers had any questions and called on the Director of Human Relations Archie Jones and Willie Ratchesford for assistance with answering question posed.

Mr. Ratchesford referred Council to the Final Report relative to the Community Conversations provided to Council and stated that pages 12-25 contains suggestions for how to proceed. He explained the difference between diversity, inclusion and equity.

Discussion was held among Councilmembers regarding the question of ownership of the statue and City Attorney Richard S. Rose stated the real estate belongs to the City. He stated the statue was constructed on private property with private funds and dedicated to the Bethel Heroes. He added the property on which the statue is situate was owned by Rocky Mount Mills and conveyed to the City on the condition the City maintain the monument. He said if the monument is moved or destroyed the land ownership would revert to the Mill. He told the Council the question remains of who owns the statue.

Council Knight stated that the City Attorney has been asked to provided that answer.

Mr. Rose responded there is not a specific answer to every question and it is hard to give a definitive opinion relative to ownership. He said if the City owns it the law prevents the City from moving the statue. He added that if the statue is owned by someone else it can be moved but there should be a contract between the owner and the City. He added the Ricks heirs have not listed the statue as an asset of the Ricks Estate and R. H. Ricks did not have children, although he educated his nieces and nephews and there are approximately 900 heirs. He added the cost to move the statue is estimated at about \$260,000.

Mr. Ratchesford suggestions that the word statue be substituted for monument.

Discussion continued relative to the ownership of the statue.

Councilmembers thanked Mr. Williams and the Human Relations Commission, Mr. Jones and Mr. Ratchesford for their efforts. Councilmember Blackwell stated this is a topic that all Councilmembers have feelings about, but stated he believes everyone is open to possibilities.

COMMITTEE RECOMMENDATION. Motion was made by Councilmember Rogers, seconded by Councilmember Joyner, and unanimously carried that the City Attorney be instructed to construct a process that includes receiving a verdict by a Judge as to ownership of the confederate statue situate at Battle Park and that the City Council engage in a deliberate process with staff for consideration of ideas as to how to proceed to come together for a process that is wise, smart and right.

Note: Mr. Rose indicated this process may take 60 to 90 days.

URGENT REPAIR PROGRAM FY 2018-2019 FUNDING AGREEMENT - Landis Faulcon

City Manager Rochelle D. Small-Toney introduced Director of Community and Business Development Landis Faulcon, Ph.D. to provide information relative to the Urgent Repair Program FY 2018-2019 Funding Agreement.

Dr. Faulcon told the City Council that the North Carolina Housing Finance Agency (HFA) has awarded \$100,000 in funding to the City as part of the 2018/2019 cycle of the Urgent Repair Program (URP18) which is \$25,000 more than awarded last year. She added that this funding will be leveraged with the \$150,000 from the general fund approved by Council for the Urgent Repair Program for a total of \$250,000 for the 2018/2019 URP18 program cycle. She noted that eligible homeowners can receive a maximum of \$12,500.

Dr. Faulcon advised that City Council approval of the program policy; purchase agreement; funding agreement; and appropriation of \$100,000 in URP funding is required.

She told the Council that the program provides funding to improve housing conditions which pose an imminent threat to the life or safety of very low-income homeowners with special needs and the elderly, disabled, single parents, households of five or more people, children with elevated blood lead levels or military veterans.

Dr. Faulcon reported that eligible repairs are those affecting the safe occupancy of the home such as flooring support structures, the roof, bathroom and doorway modifications for handicap accessibility and heating and cooling.

She outlined eligibility requirements as:

- **APPLICANT ELIGIBILITY**
 - Home ownership and primary residency in the home;
 - Earning less than 50% of area median income; and
 - A documented special need.
- **PROPERTY ELIGIBILITY**
 - Home must be located within the corporate limits of the City;
 - Single family residences; and
 - Manufactured homes (if they meet quality standards established by HUD)

The City Council was advised the URP has become increasingly popular over time and the City has participated in the program since 2012. She noted that more than 55 homes have been repaired or modified through the program. Dr. Faulcon advised that last year there were 34 applications received with 11 projects completed and 23 applications remain from FY 2017-2018 for consideration.

Councilmember Rogers inquired relative to the need and was told more applications are received each year than can be filled. Councilmember Blackwell asked if current allocations will fund applications remaining from last year and Dr. Landis responded that she hopes to address the 23 existing applications from last year. Councilmember Blackwell recommended freezing applications until the backlog is completed.

Councilmember Joyner asked if current funding will be sufficient to address the backlog and Dr. Faulcon responded that some carryover funds have been identified that can also be used.

To a question relative to staffing needs, Dr. Faulcon responded that applications not processed last year will need to be updated and they will need to go through the process of inspection. She noted interviews will begin on Friday and inspections is an important piece.

She said they are prepared to move forward with environmental assessment and scope of work. She said she hopes to address the 23 remaining applications between now and mid-November and to open the process.

Councilmember Rogers asked if the maximum allocation of \$12,500 is usually the full amount. Dr. Faulcon responded that the average is about \$10,500 for urgent repair. Cornelia McGee added that the average for other programs is \$12,500.

COMMITTEE RECOMMENDATION. Motion was made by Councilmember Joyner, seconded by Councilmember Blackwell, and unanimously carried that the program policy; purchase agreement; funding agreement; and appropriation of \$100,000 be recommended for approval.

GENERAL FUND APPROPRIATIONS FOR MS HAYWORTH COURT - Landis Faulcon

Director of Community and Business Development Landis Faulcon, Ph.D. reported that the City entered into an agreement with the Southeastern North Carolina Community Development Corporation in June of 2017 to commit \$182,453.65 in HOME Investment Partnership Funds for subsidizing the construction of MS Haywood Court (planned to provide 8 housing units for low to moderate income families with disabilities). She told the Council the City agreed to commit HOME Investment Partnership Funds for 2 units. She advised that the City was unable to secure the HOME Investment Partnership Funds to support the construction of the project. Dr. Faulcon told the Council a request for the release of HOME funding was not submitted as required by the United States Department of Housing and Urban Development prior to the start of construction and subsequently HOME funds cannot be committed to the MS Hayworth project.

Dr. Faulcon advised that staff has been unable to identify another source of funding and the project is underway with an expected completion date of January 2019.

The Council was advised that the City Manager recommends a general fund appropriation of \$182,453.65 to support completion of the project.

Mayor Combs asked if a process is in place to ensure the City does not find itself in this situation again and Dr. Faulcon responded that a checklist should be used. Councilmember Miller added the checklist should include an associated timeline.

Councilmember Miller questioned from where the funds will come since they were not previously budgeted and City Manager Rochelle D. Small-Toney stated they would come from the general fund which currently stands at about \$14M and sufficient to handle the costs.

COMMITTEE RECOMMENDATION. Motion was made by Councilmember Joyner, seconded by Councilmember Knight, and unanimously carried that the staff be authorized to move forward with funding the MS Hayworth Court project with general fund funding as recommended (\$182,453.65).

REGULAR MEETING AGENDA - Rochelle D. Small-Toney

City Manager Rochelle D. Small-Toney requested that a closed session for a personnel matter be added to today's regular 7 p.m. agenda.

CITY ACTION PLAN REGARDING THE COMMERCIAL VEHICLE ORDINANCE - JoSeth Bocook

City Manager Rochelle D. Small-Toney suggested that the presentation relative to the City's action plan regarding the commercial vehicle ordinance be deferred. Councilmember Knight agreed it should be postponed until meetings are held.

Mayor Combs recommended that a COW meeting be scheduled for October 22, 2018 at 2 p.m. to discuss items on the agenda not reached at today's meeting and for a closed session for a personnel matter.

COMMITTEE RECOMMENDATION. *By consensus, the Council agreed to schedule a Special Called Committee of the Whole meeting for October 22, 2018 at 2 p.m. to discuss the items on today's agenda not reached and for a closed session relative to a personnel matter.*

REQUEST TO PROVIDE GRANT TO HELPING HANDS CHURCH (added to agenda in open meeting)

City Manager Rochelle D. Small-Toney told the City Council that she has been contacted by Presiding Bishop Robin B. Atwater of the Helping Hands Church relative to an interest by the church for acquiring and converting a resident at 817 West End Street into a community center for the West End Community.

Ms. Small-Toney stated she met Bishop Atwater and Mayor Pro Tem Watkins at the site and she agrees the residence could be converted to a community center and would be an asset to the community.

She advised the property is owned by Garcia Vivian Hunter and Wilbur L. Hunter and has a total assessed value of \$28,930 (land value = \$9,140; building value = \$19,790).

She added that the owners are willing to donate the property to the church; however, there are delinquent taxes in the sum of \$6,692.67 and property assessments in the sum of \$1,022.68 (total = \$7,715.35) owed. She stated the church is requesting that the City abate the delinquent taxes by awarding a grant in the amount of \$6,692.67 at the time the property is transferred to Helping Hands Church. Ms. Small-Toney added that should Council take this action a subsequent request to abate the assessments against the property in the amount of \$1,022.68 will come before Council for consideration at a later date.

The Council was provided with an action plan for outreach to youth and persons suffering from addiction was provided by Helping Hands Church.

Discussion was held among Councilmembers. City Attorney Richard S. Rose suggested an agreement with the church be prepared if the Council agrees to approve the request. Councilmember Miller suggested criteria is needed for agencies/churches making such requests. The Mayor stated he is not necessarily opposed to the request, but noted there are a lot of duplicate programs in the community. Councilmember Knight questioned if the church is willing to partner with the Boys & Girls Club. The City Manager responded that she did not get the impression that a conversation has been held with the Boys & Girls Club. She noted the property owners are willing to donate the property to the church.

Mayor Pro Tem Watkins stated Bishop Atwater is working in full collaboration with Pastor Lynch.

Discussion continued relative to City policy, procedure and regulation.

COMMITTEE RECOMMENDATION. *Motion was made by Councilmember Blackwell, seconded by Councilmember Joyner, and unanimously carried that further discussion relative to this matter held at the Special Called Committee of the Whole Meeting on October 22, 2018 at 2 p.m.*

ADJOURNMENT

There being no further business for the Committee of the Whole, by consensus, the meeting adjourned at 4:55 p.m.

Motion was made by Councilmember Knight, seconded by Councilmember Joyner and unanimously carried that the minutes and recommendations be approved.

GRANT/JUSTICE ASSISTANCE (JAG 2018)

City Manager Rochelle D. Small-Toney advised the City Council that the City has been awarded \$44,145 for FY 2018 through the Department of Justice, Office of Justice Programs' Bureau of Justice Assistance, in the form of the Justice Assistance Grant (JAG). She explained that these funds are normally received each year and typically used by the Police Department to purchase equipment items that it is unable to acquire through normal budgetary channels. She further explained that the Nash County Sheriff's Department will receive \$17,658 for various equipment purchases and the Rocky Mount Police Department will receive \$26,487. She advised the City Council that the Police Department plans to use the funds to purchase a license plate reader system (to include a laptop computer and mounting equipment for installation).

Council was advised that special public notifications have been posted as required by the grant.

Councilmember Miller requested that Council be provided with information relative to how the funds are allocated between the City and Nash County.

Motion was made by Councilmember Miller, seconded by Councilmember Rogers and unanimously carried that receipt of the grant be acknowledged, including notification of planned use; that the grant agreement be approved and that the Mayor and City Clerk be authorized to execute same, including certifications, on behalf of the City; and that the following project ordinance be adopted:

- **Ordinance No. O-2018-89** entitled **GRANT PROJECT ORDINANCE/EDWARD BYRNE MEMORIAL JUSTICE (\$44,145)**.

BUDGET AMENDMENT/MS HAYWOOD COURT HOUSING

The City Council was advised that the City entered into an agreement with the Southeastern North Carolina Community Development Corporation, Inc. on June 5, 2017 to commit \$182,453.65 in HOME Investment Partnership Funds for subsidizing the construction of MS Hayworth Court; however, the City was unable to secure the HOME Investment Partnership Funds to support construction of MS Hayworth Court (City commitment to construct 2 units in the 8-unit housing project for low to moderate income families with disabilities).

The City Manager recommended the City Council approve a general fund appropriation in the sum of \$182,453.65 to support completion of the MS Hayworth Court project.

Motion was made by Councilmember Watkins, seconded by Councilmember Blackwell and unanimously carried that the following budget ordinance be adopted:

- **Ordinance No. O-2018-90** entitled **ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR 2018-2019 FOR MS HAYWORTH COURT HOUSING (\$182,454)**.

BUDGET AMENDMENT/BATTLEBORO APARTMENTS DRAINAGE PROJECT

The City Council was provided with a budget ordinance amendment for the Battleboro Apartments Drainage Project at a total cost of \$75,000 which will be shared equally between the City, the property owner and

the North Carolina Department of Transportation (NCDOT) at \$25,000 each. The budget ordinance appropriates funds from each of the sources to the Stormwater Fund for the project.

Motion was made by Councilmember Blackwell, seconded by Councilmember Joyner and unanimously carried that the following budget ordinance be adopted:

- **Ordinance No. O-2018-91** entitled **ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR 2018-2019 FOR BATTLEBORO APARTMENTS DRAINAGE PROJECT (\$75,000)**.

FY 2018-2019 URGENT REPAIR PROGRAM

The City Council was provided with the North Carolina Housing Finance Agency Urgent Repair Program Funding Agreement for award of \$100,000 and outlining the deadline for use of the funds; the Urgent Repair Program Funding Agreement; Repair Program Procurement and Disbursement Policy; and Repair Program Assistance Policy.

Motion was made by Councilmember Blackwell, seconded by Councilmember Rogers and unanimously carried that the funding agreement and appropriation of funds be approved; that the Urgent Repair Program Procurement and Disbursement Policy and Urgent Repair Program Assistance Policy be approved; and that the Mayor and City Clerk be authorized to execute any required documentation related to the FY 2018-2018 Urgent Repair Program on behalf of the City.

WATER ASSESSMENT CONTRACT

The City Council received a water assessment contract with Luis Soto-Sandoval and Sugei Marlen Rocha-Valenzuela for water and sewer service to 1728 Goldrock Road (PIN #385213127558). Council was advised that the contract provides for the prepayment of \$1,400 and assessment of \$7,405 in water and sewer main, taps, water meter and sewer capacity fees against the property.

Motion was made by Councilmember Miller, seconded by Councilmember Joyner and unanimously carried that the assessment contract with Luis Soto-Sandoval and Sugei Marlen Rocha-Valenzuela for water and sewer service to 1728 Goldrock Road (**C-2018-27**) be approved and that the Mayor and City Clerk be authorized to execute the same on behalf of the City.

BIDS/ONE (1) ALTEC AA55, NON-OVERCENTER AERIAL DEVICE WITH MATERIAL HANDLING (INSULATED); ONE (1) ALTEC DH50, 50' FULLY HYDRAULIC DERRICK, REAR MOUNT; AND ONE (1) ALTEC TA50, ARTICULATING TELESCOPIC AERIAL DEVICE WITH MATERIAL HANDLING (INSULATED)

The City Council received a recommendation for the purchase of one (1) Altec AA55, non-overcenter aerial device with material handling (insulated); one (1) Altec DH50, 50' fully hydraulic derrick, rear mount; and one (1) Altec TA50, articulating telescopic aerial device with material handling (insulated) through Sourcewell, formerly 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).

Sourcewell advertised as required by law and bid documentation is on file in the office of the City Clerk as **BD-2018-31**.

Motion was made by Councilmember Joyner, seconded by Councilmember Miller and unanimously carried that the bids be awarded to Altec Industries, Incorporated based on Sourcewell Contract #012418-ATL as follows and that City staff be authorized to issue a purchase order for the equipment in accordance with the Council's award:

1. One (1) Altec AA55, Non-Overcenter Aerial Device with Material Handling (Insulated) @ a cost of \$230,875;
2. One (1) Altec DH50, 50' Fully Hydraulic Derrick, rear mount @ a cost of \$255,958; and
3. One (1) Altec TA50, Articulating Telescopic Aerial Device with Material Handling (Insulated) @ a cost of \$211,043.

BIDS/ONE (1) ALTEC AT37G ARTICULATING TELESCOPIC AERIAL DEVICE (INSULATED)[BUCKET TRUCK]

The City Council received a recommendation for the purchase of one (1) Altec AT37G Articulating Telescopic Aerial Device (insulated) [bucket truck] through Sourcewell, formerly 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). Sourcewell advertised as required by law and bid documentation is on file in the office of the City Clerk as **BD-2018-32**.

Motion was made by Councilmember Knight, seconded by Councilmember Joyner and unanimously carried that the bid for one (1) Altec AT37G, Articulating Telescopic Aerial Device (insulated)[bucket truck] be awarded to Altec Industries, Incorporated based on Sourcewell Contract #012418-ALT; that the Purchasing Division be authorized to issue a purchase order for the equipment in accordance with the Council's award; and that **Ordinance No. O-2018-92** entitled **ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR 2018-2019 FOR TRAFFIC SIGNAL SYSTEM BUCKET TRUCK (\$135,000)** be adopted.

SPECIAL CALLED COMMITTEE OF THE WHOLE(ADDED TO AGENDA IN OPEN MEETING)

By consensus, the City Council scheduled a Special Called Committee of the Whole meeting for Monday, November 5, 2018, at 12:00 noon to be held at the Tar River Water Treatment Plant, 4489 Leaston Road, Rocky Mount, North Carolina, for the purpose of a tour of the dam and a cost of services discussion.


CLOSED SESSION (ADDED TO AGENDA IN OPEN MEETING)

The City Manager requested a Closed Session to discuss a matter concerning economic development.

Motion was made by Councilmember Bullock, seconded by Councilmember Watkins and unanimously carried that the City Council go into Closed Session at 4:31 p.m. The minutes of the Closed Session shall be filed as **ESM-507** 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 4:53 p.m. and there being no further business for regular session, adjourned the meeting.


Pamela O. Casey
City Clerk