

July 22, 2019

The City Council of the City of Rocky Mount met this day in a regular scheduled 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.

The Mayor called the meeting to order and called on Councilmember W.B Bullock to offer prayer.

Councilmembers present: Reuben C. Blackwell, IV, Richard Joyner, Tom Rogers and W. B. Bullock and Christine Carroll Miller.

Councilmembers absent: André D. Knight and E. Lois Watkins,

Staff Present: Rochelle Small-Toney, City Manager; Pamela O. Casey, City Clerk; Chris Beschler and Natasha Hampton, Assistant City Managers; Tameka Kenan-Norman, Chief Communications and Marketing Officer; Will Deaton, Director of Development Services; Elton Daniels, Director of Parks and Recreation; George Robinson, Police Chief; Amy Staton, Director of Finance; Ken Hunter, Budget & Evaluation Manager; Amy Blanton, Communications Coordinator, Department of Energy Resources; Victor Lawe, Safety Officer, Human Resources; Cassandra Williams, Administrative Clerk, Employee Health, Human Resources; Corey Mercer, Fire Chief; Brenton Bent, Director of Water Resources; Amanda James, Superintendent, Water Resources; Paula Carbone, Senior Internal Auditor; Cameron Privott, Environmental Services Superintendent; Todd Gardner, Transit Administrator; Kevin Harris, Downtown Development Manager; Kim Batts, Deputy City Clerk; and Richard J. Rose, City Attorney.

Members of the Fire and Police Departments were also present.

Security Officers: Retired Police Sergeants L. S. Parker, Jr. and Stoney Battle.

WELCOME

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

COMMITTEE OF THE WHOLE MINUTES

The City Council received the minutes and recommendations from a Committee of the Whole meeting held June 10, 2019. The minutes are as follows:

MINUTES OF A MEETING OF THE COMMITTEE OF THE WHOLE HELD MONDAY, JUNE 10, 2019 AT 5:00 P.M. IN THE COMMITTEE ROOM OF THE FREDERICK E. TURNAGE MUNICIPAL BUILDING:

MEMBERS PRESENT:

Tom Rogers, Mayor Pro Tem
Reuben C. Blackwell, IV
Richard Joyner
E. Lois Watkins
W. B. Bullock
Chris Miller
Mayor David W. Combs

STAFF PRESENT:

Rochelle Small-Toney
Pamela O. Casey
Chris Beschler
Tameka Kenan-Norman
Brenton Bent
Landis Faulcon
Will Deaton
Ken Hunter
Brad Kerr

MEMBER ABSENT:

André D. Knight

Elton Daniels

Kim Batts

Richard J. Rose

OPENING OF MEETING

Mayor Pro Tem Tom Rogers called the meeting to order at 5:03 p.m. and welcomed all present. He explained the guidelines for Committee of the Whole work sessions and noted while public input in work sessions is not a part of the agenda there is always time available for public petitions at the regular Council meeting.

He recognized City Manager Rochelle Small-Toney to introduce the agenda items.

The City Manager requested that Item 10 identified as Monk to Mill/Log Cabin Homes be moved to Item 4 to provide sufficient time for questions from Councilmembers.

1. COMMUNITY CODE DIVISION/ORDERED DEMOLITIONS - *Will Deaton*

Will Deaton, Director of Development Services, reported that a moratorium was previously imposed relative to property demolition. He identified the following properties that are dilapidated because of fire damage or that are structurally compromised and unfit for human habitations or are a health or safety hazard:

- a. 300/302 Middle Street
- b. 4144 Sunset Avenue
- c. 415 Mercer Street
- d. 200 South Howell Street
- e. 708 Branch Street
- f. 728/730 Park Avenue

He provided the City Council with demolition ordinances that have been previously approved by Council and filed with the County Register of Deeds. He advised that staff intends to initiate the demolition process for these properties upon Council approval.

Councilmember Blackwell stated it was never the intent to delay the demolition process this long and requested that Council be provided with a list of properties identified for demolition in order to set priorities. He requested information relative to industrial properties in disrepair in residential zones. Mr. Deaton responded that a report relative to the demolition process and non-residential maintenance can be provided in July.

Mayor Combs questioned if staff has finalized the process for fast tracking plans. Mr. Deaton explained many processes are now online and staff is working to test inspections software so that updates can be made from the field. He said there have been some preapplication meetings and there are options available to applicants.

COMMITTEE RECOMMENDATION. Information received, no formal action.2. RAVENWOOD CROSSING SIDEWALKS - *Chris Beschler*

City Manager Rochelle Small-Toney stated that the Ravenwood Crossing Sidewalk project is an opportunity to install additional sidewalks.

Assistant City Manager Chris Beschler advised the City Council that in 2016 the WODA Group, the owner of Ravenwood Crossing, received low income tax credits and part of the success of the application was that the City agreed to share in the cost of sidewalk installation. He said at the time of the agreement the estimate cost of the sidewalks was \$60,000 and the City Council approved a 50% cost sharing, not to exceed \$30,000.

Mr. Beschler advised that a current estimate of the sidewalks has determined the price to be approximately \$156,000 and that part of the cost (\$12,171) is for installation of sidewalks in front of three parcels not owned by Ravenwood Crossing Limited Partnership (7,000 linear feet). He stated that a request has been made to amend the cost reimbursement agreement to increase the City's contribution from \$30,000 to \$42,171 and that staff recommends approval of the request.

Ms. Small-Toney stated approval of the request would ensure continuity of sidewalk installation, so the sidewalk continues and also keep the sidewalks looking consistent.

COMMITTEE RECOMMENDATION. Motion was made by Councilmember Watkins, seconded by Councilmember Joyner, unanimously carried that the request to approve the request for an additional contribution up to \$12,171 (total of \$42,171) for Ravenwood Crossing be recommended for approval.

3. SHORT-TERM LEASE FOR NABS DELI AND COFFEE SHOP - Landis Faulcon

Dr. Landis Faulcon told the City Council that staff has been working with the owners of NABS Deli (Barbeque & Jazz, Inc. d/b/a Deli & Coffee Shop) since 2015 trying to come to an agreement of upfit of property. She advised that the City and Tenant (Ed Wiley and Yalem Kiros) have agreed to the terms of a short-term, one-year lease effective May 20, 2019 requiring \$1,740 per month, calculated at \$10 per square foot, with lease payments beginning in the fourth month. She reported that no lease payments will be required for the first three months. Dr. Faulcon stated that the tenant has shared the cost of upfit, as well as the cost of equipment, fixtures and upfit specific to the deli and coffee shop and its operations in the estimated amount of \$70,000 which will be repaid by the end of the lease.

Dr. Faulcon told the City Council that work on a long-term lease continues.

It was requested that Council approve lease of the property and the one-year lease agreement.

City Manager Rochelle Small-Toney told the Council it was intended that the lease be presented to Council before the soft opening in May but due to logistics it was not ready before now.

Councilmember Blackwell asked the City Attorney if the lease seems to be in order. City Attorney Richard J. Rose stated that it is good to have lease signed prior to the tenant moving in but the City has experience with this tenant and he has invested in the upfit of the facility.

COMMITTEE RECOMMENDATION. Motion was made by Councilmember Joyner, seconded by Councilmember Blackwell, unanimously carried that the resolution and short-term lease agreement be recommended for approval.

4. MONK TO MILL/LOG CABIN HOMES - Brad Kerr

NOTE: Item 10 on agenda moved to item 4

Public Works Director Brad Kerr told the Council the Purchase Option and Exchange Agreement for parcels (Pearl and Grace Street) associated with the Monk to Mill Trail project have previously been explained and the intent of the agreements is to secure right to the project right-of-way until NCDOT funding is available to complete the purchase. He stated these documents will be on the agenda for consideration tonight. He explained that the Exchange Agreement provides for the transfer of City property at 2305 N. Wesleyan (\$61,000) as a non-refundable option fee for property on Pearl and Grace Streets. Mr. Kerr told the Council that Option and Exchange Agreements are intended to reserve the right-of-way for construction of a portion of the Monk to

Mill Trail and restoration of the portion of the creek which runs adjacent to the proposed trail and through the Log Cabin Homes parcels. He provided a map of the trail to give Council a "big picture" perspective of the trail and bike plan.

Mr. Kerr reported that the original estimated cost for Log Cabin Homes to relocate was \$2M, but that amount has been reduced to the purchase price of \$950,000 less grant proceeds (maximum grant \$500,000; plus Carolinas Gateway Partnership \$50,000). He explained that if the owner of Log Cabin Homes does not take the re-use grant the purchase price is capped at \$600,000. He said the City's project will be funded by the Powell Bill.

Mr. Kerr stated that the owner of Log Cabin Homes has some reluctance to accepting the Department of Commerce Building re-use grant due to the uncertainty of being able to create the required jobs.

Mr. Kerr explained the plans for 2305 N. Wesleyan property (move, consolidate and expansion). Councilmember Miller questioned if screening will be required. The Director of Development Services, Will Deaton, stated this would be reviewed when the application and plan is received from the owner of Log Cabin Homes. He said some of the area may require screening and some may not.

Councilmember Miller questioned if funding will be taken from streets relative to the Powell Bill funding for this project. Mr. Kerr responded explaining that a couple hundred dollars from Powell Bill funding is routinely used for bike and ped projects and sidewalks.

Mr. Kerr stated the deal is structured to provide as much incentive as possible for the owner to pursue the grant. Councilmember Blackwell stated in the past the City has worked with people and provided incentives but if owners do not adhere to code enforcement restrictions there have been some punitive issues. He said he does not see that model applied with respect to Log Cabin Homes and does not see a cost for noncompliance with the code. He said he is opposed to a business receiving \$600,000 and refusing to commit to creating jobs (by taking the grant). Mr. Kerr said if the City closes on the option agreement the owner will have no choice but to relocate and make the investment required at the Wesleyan Boulevard property.

Mr. Kerr said there is a business plan, but until the owner is ready to commit to the job creation he is not ready and if he does not take the grant he will have to fund it with debt payments.

Mayor Pro Tem Rogers asked what the City's maximum investment would be should the deal move forward. Mr. Kerr stated that amount would be 20% of between \$420,000 and \$600,000 (approximately \$120,000).

Councilmember Blackwell questioned what the plan is if he does not move. Mr. Kerr said if the City exercises its option there is no place for him to expand in the current location and the incentive is for him to move to the property on Wesleyan Boulevard which has room for expansion. He explained this is an NCDOT project in which the City is participating in the maximum amount of \$120,000.

He explained that a portion of this property is critical for creating the greenway.

Staff responded to questions from Councilmembers.

Public Works Director Brad Kerr presented a PowerPoint presentation relative to the Monk to Mill Trail and showed renderings of the greenways, Tar River Trail and other short-term greenway priorities and urban trails. He said the City is close to taking possession of the loading dock across from the Event Center. He added that ground level pedestrian improvements are in for NCDOT's approval and groundwork to pursue funding for a pedestrian overpass is beginning.

Mayor Pro Rogers questioned the plans for the loading dock and Mr. Kerr responded it will be handicapped accessible and be used for pop-up open-air event space. He added an open wall/barrier will be required by NCDOT to ensure pedestrians cross at the intersection.

He explained that the TIP funding schedule is:

- Bike and Ped projects are funding 80% NCDOT/20% local match
- TIP project includes entire reach from Monk Park to Rocky Mount Mills
 - Design 2022
 - Right-of-way 2024
 - Construction scheduled for 2025 (project is a committed project in the NCDOT State Transportation Improvement Program [STIP])
- Current TIP programmed budget \$2M
- Match is Powell Bill eligible

He showed imagery of the Urban Trail and wayfinding signs. Council expressed a desire to see street pianos.

Parks and Recreation Director Elton Daniels stated his role is getting to the community and talking with folks to see what they want. He said his idea is to tie the park to music. He showed schematics of ideas for the Park (6 acres, currently playground equipment, one picnic shelter, baseball backstop, lighted basketball court; least utilized for shelter rentals). He said the park is slated to be renovated in 2024 according to the Master Plan.

Mayor Pro Tem Rogers stated he would love to see street pianos. Mr. Daniels said he would like to make the park more of a destination so that people start the trail at Monk Park.

Mr. Daniels outlined the cost, timeline and next steps as:

- COST AND TIMELINE
 - Complete renovation of a neighborhood park ranges from \$300,000 to \$500,000+
 - Monk Park is currently exempt from ADA requirements (due to the age of the park) however, if/when it is renovated said exemption will no longer be applicable
 - After park funding is approved, complete buildout will take 8-12 months
- NEXT STEPS/IDEAS MOVING FORWARD
 - Develop Monk Park Master Plan to include community and stakeholder engagement/input
 - Apply for grants and seeks partnerships
 - One of the best new trends in public play environments is the growing number of multi-generational and music education themed playgrounds

Dr. Landis Faulcon showed a map of parcels of interest. She showed properties and ownership information (Redevelopment Commission, City and privately). She said there is a lot of opportunity for development.

She said the Redevelopment Commission is working on a draft redevelopment plan for the area intended blend with plans for the park since 2016-2017. She said it is a work in progress and she will be bringing the plan to the Council in July. She added the Rocky Mount Planning Commission certified the redevelopment area last year. She said according to the proposed plan the future of southeast Rocky Mount and Around the Wye includes safe, livable and welcoming communities offering affordable housing, public space and amenities for all ages. She said redevelopment goals include improving existing housing

conditions through rehabilitation and repair services, reducing neighborhood blight and returning vacant properties to productive use and recruiting mixed-income home owners to buy rehabilitated and newly constructed homes and bringing new businesses into the communities. She reported that there are 42 vacant parcels in the Around the Wye Community (6 parcels owned by the City; four parcels owned by the Rocky Mount Redevelopment Commission; and other vacant parcels).

Dr. Faulcon said moving forward with redevelopment Around the Wye requires public and private investment, use of existing community development and active code enforcement. She added that the planned Monk to Mill Trail is a cultural, recreational and neighborhood asset that inspires community pride, healthy lifestyles and food options, economic development, strong neighborhoods and other quality of life improvements for Around the Wye residents and businesses.

Councilmember Joyner questioned how the City will make sure the residents currently living there can continue to live there. Dr. Faulcon responded that staff has been working with community groups who are concerned with the effect of redevelopment on local residents to plan for that to ensure strategies are inclusive. Councilmember Joyner said he would like to see a Town Hall meeting in that area and address questions and concerns. He requested that the Manager ensure that meeting is scheduled, and Councilmembers are invited to be a part of the process.

Councilmember Blackwell stated that while this looks great but what he sees missing is no focus on the Monk end and the southeast Raleigh end is no focus on business development or commercial redevelopment. He said he sees new businesses requesting to come in but there are some anchor companies located there and some are going to have some environmental issues and concerns and as staff recognizes clean up is needed we need to provide incentives and also need to require adherence to code enforcement. He said the Mill portion is strong on economic development and job creation and infrastructure improvement and the focus on the Monk side seems to be aesthetics and housing. He said housing without jobs is unsustainable and recommended that business and economic development be added and that we learn to work with existing developers who have been in the community for a long time.

Councilmember Joyner suggested that staff be proactive in meeting with businesses (individually and collectively to invite them to participate in the process to find a user-friendly way to bring them to the table. He noted an Around the Wye and Clark Street meeting is scheduled.

City Manager Rochelle Small-Toney said an update can be provided at the July Committee of the Whole. She said the businesses need to be identified as well as their current zonings.

COMMITTEE RECOMMENDATION. Motion was made by Councilmember Joyner, seconded by Councilmember Bullock, unanimously carried that the Purchase Option and Exchange Agreements be recommended for approval.

5. AMENDMENT TO 2006 WATER PURCHASE CONTRACT WITH NASH COUNTY - Brenton Brent

The City Manager called on Director of Water Resources, Brenton Bent, to provide an amendment to the 2006 water purchase contract with Nash County.

Mr. Bent told the Council the City has a longstanding water contract with Nash County and in February of 2019 the City made and entered into a Water Line Purchase Agreement with Nash County to sell the line that runs from Hunter Hill Road and Halifax Road to Dortches. He provided the City Council with a copy of the agreement. Mr. Bent

stated for that reason amendments to the existing Water Purchase Contract are requested as follows:

- That the Dortches water agreement dated January 28, 1985 be terminated and the 45,000 GPD reallocated to Nash County;
- That an additional allocation 70,000 GPD be provided to Nash County (increasing the allocation from 450,000 GPD to 565,000 GPD; and
- That the minimum purchase requirement increased from 100,000 GPD to 215,000 GPD (potential to increase water sales by approximately \$7,100 per month);
- That a second metering point be located at 1972 North Halifax Road.

Mr. Bent reported that the City Attorney has revised the agreement and it has been approved by the County Attorney.

Mr. Bent responded to questions from Councilmembers and noted there are no changes in the rates, but only an increase in the allocation.

COMMITTEE RECOMMENDATION. *Motion was made by Councilmember Joyner, seconded by Councilmember Bullock, unanimously carried that the amendments to the Water Purchase Contract with Nash County be recommended for approval.*

6. **LDC AMENDMENT: PARKING** - Will Deaton

NOTE: Item 4 on agenda moved to item 6

City Manager Rochelle Small-Toney noted she skipped the LDC Amendment in error and called on the Director of Development Services, Will Deaton.

Mr. Deaton told the City Council that staff recommends amending the Land Development Code (LDC) to eliminate parking and loading ratios for the Core Subdistrict of the Central City area and reducing the ratios for the Transitional Subdistrict within the Central City area. He stated in association with these parking exemptions, the required distance to shared parking and the standards for parking decks are also proposed to be amended to support purposeful development.

Mr. Deaton added that the Department of Development Services intends to hold a public hearing at the June 2019 Planning Board meeting (tomorrow) and the Board's recommendation will be forwarded to the City Council for consideration. The Council was provided with a map of areas with current exemptions - the Central City parking area and Douglas Block Overlay.

Councilmember Miller questioned if notices can be sent to property owners and Mr. Deaton stated that could be done.

He noted the intent is get products and projects with a more urban feel. He stated no benefit is received from a parking lot and in some cases the footprint of the parking lot is larger than the building. He stated ratios will be half of the current and there will be no minimum parking standards. Mr. Deaton responded to questions from Councilmembers.

COMMITTEE RECOMMENDATION. *Information only; no formal action.*

7. **REZONING REQUEST OF 25 ACRES AT CROSSING AT 64** - Will Deaton

NOTE: Item 6 on agenda moved to item 7

Will Deaton, Director of Development Services, provided the City Council with a detailed rezoning request from Brian Michot, Kimley-Horn and Associates, including analysis for the rezoning of a ±54.29 parcel

located between Highway 64 and Virginia Street from R-10 to R-10 and O-I2. It was noted that the southernmost 25 acres is proposed to be rezoned to office and institutional (O-I2) and the portion north would retain designation as a low-density residential district (R-10).

He provided information relative to land uses, zoning history, conformance with comprehensive plan, traffic, community impact and notice/public response and recommended approval of the rezoning request. Council was advised that this matter came before the Planning Board at its May 14, 2019 meeting and was unanimously recommended for approval and will be on tonight's regular agenda.

Mr. Deaton advised this property is mixed use. Councilmember Blackwell asked the City Attorney if Council can ask questions at the meeting tonight relative to the planned development. City Attorney Richard J. Rose responded it is not a good idea because Council is deemed to have approved it for all uses available.

Mr. Deaton responded to questions from Council. Councilmember Blackwell questioned if Council has vetted the listed uses. The City Attorney noted this request is not for a conditional use and should someone voice concern at the public hearing it could be referred back to the Planning Board. Councilmember Watkins requested that Council be provided with a list of all uses prior to tonight's Council meeting.

COMMITTEE RECOMMENDATION. Information only; no formal action.

8. AMENDMENT TO THE CITY FARM LEASE AGREEMENT - Brenton Bent

NOTE: Item 7 on agenda moved to item 8

Director of Water Resources, Brenton Bent, told the City Council that the City entered into a lease agreement with Joel Boseman and Steve Wordsworth for the use of approximately 300 acres of the City's farm (near the wastewater treatment plant) to be used as a pasture for cattle to graze and for deer hunting. He reported that the lease was for 10 years with the option to extend for 2 additional 5-year terms and is set to expire on March 31, 2022. He stated that the monthly rental fee is \$875 due on or before the first of each month.

Mr. Bent reported that the wastewater treatment plant has a permit for the application of bio-solids to the property and while the dual use of the property has worked well over the years, it is now necessary for the plant to increase bio-solids application during the months of December to March. He added that during this period the pasture is not available for grazing and both parties recognize the additional cost associated with moving cattle to other pastures and have agreed to amend the agreement to recalculate the monthly rent to \$583.75 to be prorated to the 8 months when the pasture is available for grazing. The Council was provided with an amendment which has been reviewed by the City Attorney. Mr. Bent recommended approval of the amended agreement.

COMMITTEE RECOMMENDATION. Motion was made by Councilmember Joyner, seconded by Councilmember Bullock, unanimously carried that the amendment to the lease be recommended for approval.

9. PROPERTY DONATION/229 COLEMAN AVENUE - Brad Kerr

NOTE: Item 8 on agenda moved to item 9

Director of Public Works Brad Kerr advised the Council that the property located at 229 Coleman Avenue has been offered for donation to the City by Community Restoration Corporation. Council was provided with a vicinity map of the property on Coleman Avenue across from OR Pope School and located directly adjacent to Parker's Canal.

Mr. Kerr advised that the property is vacant and unbuildable due to its size and proximity to the stream and is needed to facilitate a

Hurricane Matthew drainage repair project as well as construction of a proposed future greenway. He stated the structure shown on the vicinity map has been removed by the property owner.

Council was further advised that city and county taxes have been paid through 2018 and there are assessments due in the amount of \$389.36 which will be paid by the stormwater capital fund. He stated that 2019 city and county taxes will be paid as part of the consideration and advised that the land valuation is \$6,254. Mr. Kerr told Council this property is needed for drainage improvement work but also for the future Cowlick Trail Greenway and would start to facilitate access.

It was noted that 223 Coleman Avenue located immediately south of this project has previously been donated to the City and is also needed for the drainage project.

COMMITTEE RECOMMENDATION. *Motion was made by Councilmember Watkins, seconded by Councilmember Blackwell, unanimously carried that donation of the property be recommended for approval.*

10. **PROPOSED 2019-2020 ANNUAL ACTION PLAN** - *Landis Faulcon*

NOTE: Item 11 on agenda moved to item 10

Director of Community and Business Development Landis Faulcon presented a PowerPoint presentation relative to the proposed FY2019-2010 Annual Action Plan. Council was advised this is year 2 of the FY2018-2021 three-year consolidated plan.

Council was advised that an Annual Action Plan is required by localities receiving funding through the Community Development Block Grant (CDBG) Program and the HOME Investment Partnerships Program of the United States Department of Housing and Urban Development (HUD). She stated that during the 2019-2020 program year the City will receive \$560,957 in CDBG funding and the Down East HOME Consortium will receive \$537,505 in HOME funding. The City Council was advised that the public display period began Monday, May 20, and will end on Wednesday, June 19, 2019. Dr. Faulcon stated that 2 public hearings have been held, in Edgecombe County (as part of the Commissioner's meeting) and Nash County (at the library). She added that a public hearing will be held on June 10, 2019 in the City of Rocky Mount and the Annual Action Plan will be placed on the June 24, 2019 City Council agenda for Council's consideration.

Mayor Pro Tem Rogers suggested that the public hearings in the Counties both be held as a part of the Commissioner's meetings to encourage public input.

COMMITTEE RECOMMENDATION. *Information only; no formal action.*

11. **FLOODPLAIN PROTECTION ZONING OVERLAY DISTRICT ORDINANCE UPDATE** - *Will Deaton*

NOTE: Item 9 on agenda moved to item 11

Director of Development Services Will Deaton informed the City Council that for several years the State of North Carolina in conjunction with FEMA has worked to prepare a preliminary Flood Insurance Study and Flood Insurance Rate Maps for the Rocky Mount community. He advised that the City's current base flood elevations and map parcels have been in effect since June 18, 2013.

Mr. Deaton told the Council that in June 2017 the NC Department of Public Safety Emergency Management Division published an update to the model flood damage prevention ordinance to meet or exceed the National Flood Insurance Program minimum requirements. He provided a draft of the City's ordinance edited with the State's prototype and explained the major edits.

Mr. Deaton stated that the Department of Development Services plans to hold a public hearing at the June 2019 Planning Board meeting relative to the proposed update.

COMMITTEE RECOMMENDATION. Information only; no formal action.

12. **BOARDS, COMMISSIONS AND COMMITTEES** – Pam Casey

Mayor David W. Combs encouraged the City Council to make appointments to the Animal Care and Control Advisory Board as expeditiously as possible so that the first meeting can be scheduled within the next two weeks.

Councilmember Blackwell nominated Angela Reid and Councilmember Watkins nominated Margaret Cropps to the Animal Care and Control Advisory Board.

Councilmember Watkins nominated Brinda Greene to the Workforce Housing Advisory Commission, contingent upon receipt of her personal history form.

COMMITTEE RECOMMENDATION. By consensus, the above appointments were recommended.

ADJOURN.

There being no further business for the Committee of the Whole, by consensus, the meeting adjourned at 7:05 p.m.

Motion was made by Councilmember Miller, seconded by Councilmember Rogers and unanimously carried that consideration of the minutes of the Committee of the Whole relative to Item (e) be tabled.

Motion was made by Councilmember Miller, seconded by Councilmember Rogers and unanimously carried that the minutes and recommendations of the Committee of the Whole meetings be approved, with the exception of the minutes as they relate to Item (e): Amendment to the 2006 Water Purchase Contract with Nash County.

NOTE: The Committee of the Whole Minutes were approved, as prepared, in open session following the closed session at the end of this meeting.

COMMUNITY UPDATE BY CITY MANAGER

Staff Introductions:

City Manager Rochelle Small-Toney introduced Corey Mercer, Fire Chief, and recently promoted Water Resources employee Amanda James, Superintendent of Water Quality Services.

Down East Viking Football Classic

The City Manager reminded those in attendance of the press conference for the Down East Viking Football Classic scheduled for July 31, 2019 at noon in the City Council Chamber. She noted the game is set to take place on September 28 at 4 p.m. at the stadium between Elizabeth City State University and Fayetteville State University.

Housing Incentive Programs

The City Manager advised that the Community and Business Development Department is set up in the atrium and is taking applications for three (3) housing incentive programs: Housing Rehab Matching Rebate Program; Housing Repair Program and Urgent Repair

Program. She encouraged the community to stop by to see if these are programs from which they can benefit.

She reported that applications will be taken for the Housing Rehab Matching Rebate Program and Housing Repair Program until the budget for these programs is depleted and applications will be taken for the Urgent Repair Program through September 3.

Imperial Centre - Play "Annie"

City Manager Rochelle Small-Toney stated she attended the play, "Annie", at the Imperial Centre yesterday and said it rivaled a Broadway production. She gave accolades to all involved and stated that the actors ranged from grades 4 through 12 and was a very good production. She urged support of the theater.

PETITIONS FROM THE PUBLIC

Mayor Combs stated the public has been given a lot of leeway the past few months relative to public petitions. He said the purpose of the public petition portion of the meeting is to petition the Council for items wished to be considered and not to grandstand or give a sermon.

Mayor Combs outlined the guidelines for public petitions. He noted that a Public Hearing relative to the proposed Development Agreement, Ground Lease and Capital Lease for the Downtown Development Project is on the agenda this evening and requested that those wishing to make comments on that subject wait until that item is being discussed.

Mayor Combs and opened the meeting for petitions from the public and recognized the following individuals and a summary of comments are as follows:

- ***Anna Lamb:***
 - Stated she is yet to hear a response to her two previous requests that Council oppose the pipeline;
 - Spoke in opposition to the pipeline and requested Council oppose it as well;
 - Stated the pipeline is dangerous, will not offer long-term economic benefits and will result in higher utility costs;
 - Stated there needs to be a focus on renewable energy;
 - Said Eastern North Carolinians do not want the pipeline
- ***Nathlyn Ohree:***
 - Said she is third vice-president of the Rocky Mount NAACP; said the NAACP was founded in 1908 and read its mission;
 - Said she is proud of the City Council and believes Rocky Mount currently has the most diverse, qualified leaders it has had in its history and that is it time to stop pulling the City's leaders down and it is time to life them up in prayer and encouragement
- ***Dr. Kim Koo:***
 - Said she supports Anna Lamb's petition and said she has also spoken in opposition to the pipeline;
 - Said people continue to mention that the railroad divides the City; she read results of research she has done relative to the Twin Counties and how and why it was divided and credited the Phoenix Historical Society for the information provided

- **Morrie Minges:**
 - Said she is a retired art teacher from Rocky Mount Senior High and Edwards Middle School;
 - Said people should be positive and not bring up old stuff;
 - Said when something it divided it will fall and when united it will rise;
 - Asked where information can be found relative to how the Event Center is doing;
 - Requested that the public not litter
- **Nehemiah Smith:**
 - Gave the definitions of sermon, fact and question;
 - Said the Chamber is a true public square and many decisions have been debated recently;
 - Said at the last Council meeting an irresponsible former City employee talked about water and said Rocky Mount is in danger of becoming the next Flint, Michigan;
 - Stated that fact is that Rocky Mount has been the recipient of water awards in past years and said the Council needs to rebuke those statements and assure the citizens Rocky Mount's water is safe;
 - Questioned where the cries for fiscal responsibility were under the management of former Managers;
 - Said he always knew there is a double standard mentioning a former City employee;
 - Said all should keep moving the City forward
- **Elaine Williams:**
 - Said she left the Council meeting two weeks ago confused by statements made about the City's water;
 - Requested the public be given an update relative to the City's water

Mayor Combs closed the public petitions portion of the meeting.

Councilmember Joyner requested that a report be provided relative to the water system. City Manager Rochelle Small-Toney said she will be proud to provide that report to citizens.

Councilmember Miller stated it is her understanding that comments recently made were about infrastructure needs and allocation of funds and not about the quality of drinking water. She said Rocky Mount like a lot of other City's has older infrastructure in need of replacement. She said she looks forward to a report relative to drinking water.

Councilmember Blackwell agreed relative to infrastructure needs but stated the problem occurred with the individual making the comments coming from a position of perceived authority because of his former position with the City and said the comments were intended to make a direct connection with regard to the City's drinking water and that of Flint, Michigan and added that needs to be clarified.

PROPOSED DEVELOPOMENT AGREEMENT, GROUND LEASE AND CAPITAL LEASE FOR DOWNTOWN DEVELOPMENT/PUBLIC HEARING

The Mayor opened a public hearing relative to the proposed Development Agreement, Ground Lease and Capital Lease for the Downtown Development and recognized the following individuals:

- **Sue Perry Cole:**
 - Spoke in support of moving forward with the proposed Downtown Development;
 - Stated there was an article in today's *Telegram* about hotel construction, primarily in Nash County, as she recalls, and said none of the facilities under consideration or construction are in Downtown Rocky Mount or the Edgecombe County side of the City;

- Said that Norris Tolson, one of the regions lead economic developers, stated that the growth of lodging construction reflects economic development and expansion in Rocky Mount and that Rocky Mount is being discovered and will need more hotel rooms;
- Stated she is a resident who lives in community adjacent to the Central Downtown District and pointed out that the neighborhoods that surround that district have a very poor investment quality that was documented in the 2014 housing study “Crossroads to Prosperity”;
- Said the proposed project on the table has the potential to attract additional investment in the neighborhoods that are currently marred by blight, vacancy and abandoned property that have not been addressed by the City
- ***Lige Daughtridge:***
 - Stated the documents online in reference to the proposed Downtown Project are incomplete and decisions should not be made until all documents are complete and made available to the public in final form;
 - Said he believes the article in the paper about proposed hotel projects being in Nash County was due to private investors that have no tax dollars involved, therefore, he feels there is a difference;
 - Said he is a citizen, a tax payer and Downtown business owner of two businesses, located adjacent to the Central Downtown District in neighborhoods that could be updated and that he wishes would be updated;
 - Stated he opposes the project as it sits right now
- ***Dr. Kim Koo:***
 - Supported comments made by Sue Perry Cole about the City Council moving forward with the Downtown Development Project;
 - Stated seeing the City divided is upsetting;
 - Said hotels are continuously being built on the rich side and they have a lot of shops that Edgecombe County people shop in then they are paying taxes to Nash County for the sale and everything they buy, meanwhile, there are no hotels on the Edgecombe side of the City and no high schools;
 - Stated it is very distressing because it is a part of biblical teaching that we should be uplifting those that need to be uplifted and that every day the disparity, wealth and opportunities for people on the other side is extremely upsetting
- ***Daniel Hunter:***
 - Feels the Event Center should be free and there are frictions because there is only one community center in South Rocky Mount; stated the City needs more community centers;
 - Stated the City needs more subsidized housing for everyone and not just single mothers
- ***Trameka Lancaster:***
 - Stated she supports the parking development for the Event Center because it will eventually need more parking spaces;
 - Stated that even though the Event Center is not doing well right now she hopes that with accountability, open minds and positive solutions that it will go far;
 - Stated more needs to be done in the inner city and that the parking development and the Event Center will help but the Council needs to figure out how to get more revenue in for the Center and the City;
 - Stated the people in the community need to be held more accountable as they look to hold the Council more accountable

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

TEMPORARY STREET CLOSING

The City Council received a request from Loquisha Johnson, on behalf of St. Augusta Church, for the temporary closing of Park Avenue from 10 a.m. to 2 p.m. on Saturday, August 10, 2019 for a Back to School Block Party.

Motion was made by Councilmember Blackwell, seconded by Councilmember Rogers and unanimously carried that the temporary street closing request be approved.

FISCAL YEAR 2018-2019 TAX SETTLEMENT

The City Council received a resolution from the Tax Collector of taxes collected for the Fiscal Year 2018-2019 and requesting permission to collect 2018-2019 taxes.

Motion was made by Councilmember Bullock, seconded by Councilmember Miller and unanimously carried that **Resolution No. R-2019-29** entitled **RESOLUTION APPROVING SETTLEMENT OF FY 2018-19 TAXES DUE AND COLLECTED** be adopted.

LEASE/TRAIN STATION SUITE 324

The City Council was provided with a one-year lease (July 1, 2019 through June 31, 2020) with Sandra Taybron for approximately 1,127 square feet of space on the third floor of the train station (Suite 324), to be restricted to Sundays and Wednesdays only for a total of 104 days per year at \$325 per month.

Following further explanation by the City Manager, motion was made by Councilmember Blackwell, seconded by Councilmember Miller and unanimously carried that the lease be approved and that **Resolution No. R-2019-30** entitled **RESOLUTION AUTHORIZING LEASE** be adopted. It was noted that the Resolution authorizes the Mayor and City Clerk to execute the Lease Agreement (**C-2019-26**) 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 2020 transit grants:

- a. 5339 Statewide Capital Grant - Bus and Bus Facilities Grant - assists in funding for replacement of ten (10) existing para-transit vehicles (Total: \$628,000; FTA = \$502,400; State = \$62,800; Local Match = \$62,800);
- b. Rural Operating Assistant Program Grant - will fund a portion of Tar River Transit's Rural General Public Transportation Program and Evening Shuttle operating expenses (Total: \$128,892; NCDOT = \$64,446; Local Match = \$64,446)

Motion was made by Councilmember Miller, seconded by Councilmember Joyner 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 all required documentation and certifications on behalf of the City.

CHANGE ORDER/CSX MAINLINE UTILITIES RELOCATION (WATER AND SEWER)

The City Council received Change Order No. 2 on a contract with Ed Braswell & Sons, Inc. relative to CSX Mainline Utilities Relocation for line item overruns for work required by CSX and its on-site representative resulting in an increase of \$278,865.

The City Council also received an ordinance amending the FY 2019-2020 budget to appropriate \$162,829 in the Water Fund and \$116,036 in the Sewer Fund for the project.

Motion was made by Councilmember Blackwell, seconded by Councilmember Joyner and unanimously carried that the change order be approved and that the Mayor and City Clerk be authorized to execute the same on behalf of the City and that **Ordinance No. O-2019-61** entitled **ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR 2019-2020 FOR CSX WATER AND SEWER REALIGNMENTS AND IMPROVEMENTS** be adopted.

The change order will be placed on file in the City Clerk's office with the initial bid contract with Ed Braswell & Sons, Inc. (**B-2019-4**).

BIDS/SINGLE STREAM RECYCLING

The City Council received the tabulation of bids for single stream recycling. Bids were received and opened on May 31, 2019 after all necessary legal procedures had been implemented and the bid tabulation is on file in the office of the City Clerk as **BD-2019-17**.

Motion was made by Councilmember Rogers, seconded by Councilmember Joyner and unanimously carried that the bid be awarded to Sonoco Recycling, LLC for three (3) years with an option for two (2) additional one (1) year terms at the City's discretion at an estimated cost of \$200,000 annually and that the Mayor and City Clerk be authorized to execute the bid contract or Purchasing Manager to authorized to issue a purchase order, as appropriate, on behalf of the City.

BIDS/WATER PURIFICATION CHEMICALS 2019-2020

The City Council received the tabulation of bids received for Water Purification Chemicals 2019-2020. Bids were received and opened on June 20, 2019 after all necessary legal procedures had been implemented and the bid tabulation is on file in the office of the City Clerk as **BD-2019-18**.

Motion was made by Councilmember Rogers, seconded by Councilmember Joyner and unanimously carried that the bids be awarded to the following vendors for the amounts shown for twelve-month contracts at a total cost of \$1,255,432.20 and that the Mayor and City Clerk be authorized to execute the bid contracts or Purchasing Manager be authorized to issue purchase orders, as appropriate, on behalf of the City:

1. Liquid Ferric Sulfate - Pencco, Incorporated - 350 tons @ \$1,858 per ton = \$650,300;
2. Liquid Chlorine - JCI Jones - 120 tons @ \$525 per ton = \$63,000;
3. Sodium Hydroxide (Caustic Soda) - Univar USA, Incorporated - 500 dry tons @ \$453 per dry ton = \$226,500;
4. Liquid Calcium Hydroxide - Polytec - 700,000 pounds @ \$0.1428 per pound = \$99,960;
5. Hydrofluosilicic Acid - Pencco, Incorporated - 22,500 pounds @ \$0.55 per pound. = \$12,375;
6. Dry Polymer - Brenntag - 20,000 pounds @ \$1.82 per pound = \$36,400;
7. Sulfur Dioxide - JCI Jones - 17 tons @ \$1,200 per ton = \$20,400
8. Calcium Thiosulfate (CAPTOR) - Water Guard, Incorporated - 60,000 pounds @ \$1.84 per pound = \$110,400;
9. Corrosion Inhibitor - Sterling Chemical - 34,000 pounds @ \$0.7558 per pound = \$25,697.20; and

10. Sodium Hypochlorite (Bleach) - Water Guard, Incorporated - 160,000 gallons @ \$0.69 per gallon = \$110,400.

BIDS/CLEANING, LITTER AND TRASH REMOVAL FOR CITY PARKS

The City Council received copies of the tabulation of bids received for cleaning, litter and trash removal for City parks to include cleaning of sixteen (16) shelters. It was recommended that the bid be awarded to Precision Cut Landscaping & Lawn Care, LLC for a three (3) year contract at \$69,852 per year for a total cost of \$209,556. It was noted that the contract may be extended for two (2) additional years if agreed by the parties. The bid tabulation is on file in the office of the City Clerk as **BD-2019-19**.

Motion was made by Councilmember Rogers, seconded by Councilmember Joyner and unanimously carried that the bid for cleaning, litter and trash removal for City parks be awarded to Precision Cut Landscaping & Lawn Care, LLC and that the Mayor and City Clerk be authorized to execute the bid contract or that the Purchasing Manager be authorized to issue the purchase order, as appropriate, on behalf of the City.

SOLE-SOURCE PURCHASE/WATER METER TERM CONTRACT AWARD

The City Council received a proposal for the "sole-source" purchase of badger water meters pursuant to G.S. 143-129(e)(6) based on standardization or compatibility. The information furnished by the Purchasing Division supporting the recommendation will be placed on file in the office of the City Clerk as **BD-2019-20**.

Motion was made by Councilmember Rogers seconded by Councilmember Joyner and unanimously carried that the "sole-source" purchase of the badger water meters at a total cost of \$334,203 be approved and that the Purchasing Division be authorized to issue a purchase order for the system in accordance with the Council's award.

CITY COUNCIL MEETING/CANCELLATION

Consideration was given by the City Council of canceling the Committee of the Whole Work Session and Regular City Council Meeting scheduled for August 12, 2019 due to a conflict with the Electricities Annual Conference.

Motion was made by Councilmember Miller, seconded by Councilmember Blackwell and unanimously carried that the Committee of the Whole Work Session and regular City Council meeting scheduled for August 12, 2019 be canceled.

CLOSED SESSION (ATTORNEY-CLIENT PRIVILEGE)

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

Motion was made by Councilmember Rogers, seconded by Councilmember Blackwell and unanimously carried that the City Council go into a Closed Session at 4:49 p.m. The minutes of the Closed Session shall be filed as **ESM-_____** at the end of **Minute Book _____** upon approval for release by the City Attorney.

REGULAR SESSION/RECONVENUED

The City Council of the City of Rocky Mount reconvened in regular session at 6:58 p.m.

COMMITTEE OF THE WHOLE WORK SESSION (ADDED TO AGENDA IN OPEN MEETING)

The City Council scheduled a Committee of the whole Work Session for Monday, August 26, 2019 at 2 p.m.

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

The City Council reconsidered approval of the minutes and recommendations from a Committee of the Whole meeting held June 10, 2019.

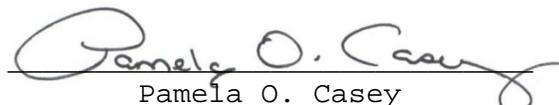
Motion was made by Councilmember Rogers, seconded by Councilmember Bullock and unanimously carried that the June 10, 2019 Committee of the Whole minute be approved, as submitted.

APPOINTMENT(ADDED TO AGENDA IN OPEN MEETING)

Motion was made by Councilmember Miller, seconded by Councilmember Blackwell and unanimously carried that Chris Beschler be appointed as Second Alternate Commissioner of the North Carolina Eastern Municipal Power Agency (NCEMPA).

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:00 p.m.


Pamela O. Casey
City Clerk