

April 27, 2020

The City Council of the City of Rocky Mount met this day in a regular session scheduled for 4:00 p.m. in the George W. Dudley City Council Chamber of the Frederick E. Turnage Municipal Building with Mayor C. Saunders "Sandy" Roberson, Jr. presiding.

Councilmembers present: André D. Knight, Reuben C. Blackwell, IV, Richard Joyner, T. J. Walker\*, Lige Daughtridge, W. B. Bullock and Christine Carroll Miller\*.

*\*Councilmembers joining remotely*

Staff present: Rochelle Small-Toney, City Manager; Pamela O. Casey, City Clerk; Dorothy Brown Smith, Chief Communications and Marketing Consultant; Mark Adcox, Video Production Specialist; and Richard J. Rose, City Attorney.

Staff present for a portion of the meeting, as necessary: Robin Cox, Communications Specialist; Brad Kerr, Public Works Director; Will Deaton, Director of Development Services; Cynthia Jones, Director of Community and Business Development; Ken Hunter, Budget and Evaluation Manager; and Security Officer, Retired Police Sergeant L. S. Parker, Jr.

The Mayor called the meeting to order at 4:07 p.m. and called on Councilmember Blackwell to offer prayer.

#### **APPROVAL OF MINUTES**

Motion was made by Councilmember Joyner, seconded by Councilmember Knight and unanimously carried that the minutes of a regular scheduled meeting of the City Council held April 13, 2020 be approved as submitted to the City Council prior to the meeting.

#### **COMMITTEE OF THE WHOLE MINUTES**

The City Council received the minutes and recommendations from a regular scheduled Committee of the Whole meeting held Monday, April 13, 2020. The minutes are as follows:

**MINUTES OF A REGULAR SCHEDULED MEETING OF THE COMMITTEE OF THE WHOLE HELD MONDAY, APRIL 13, 2020 AT 5:00 P.M. IN THE GEORGE W. DUDLEY CITY COUNCIL CHAMBER OF THE FREDERICK E. TURNAGE MUNICIPAL BUILDING WITH MAYOR PRO TEM ANDRÉ D KNIGHT PRESIDING:**

*NOTE: Staff participation limited due to Governor Roy Cooper's Executive Order banning gatherings of more than ten (10) people; meeting was available via Microsoft Teams and Facebook Live (live public participation was not allowed)*

#### **MEMBERS PRESENT:**

André D Knight, Mayor Pro Tem  
Reuben C. Blackwell, IV  
Richard Joyner  
T.J. Walker\*  
Lige Daughtridge  
W. B. Bullock  
Christine Carroll Miller\*  
Mayor C. Saunders "Sandy" Roberson, Jr.

#### **STAFF PRESENT:**

Rochelle D. Small-Toney  
Pamela O. Casey  
Dorothy Brown Smith  
Mark Adcox  
Richard J. Rose

*\*participated remotely (Microsoft Teams)*

Security Officer: L. S. Parker, Jr.

OPENING REMARKS - Mayor Pro Tem André D. Knight

Mayor Pro Tem André D Knight called the meeting to order at 5:10 p.m. and noted the City Council is practicing social distancing as recommended by the Centers for Disease Control and Prevention (CDC) and the North Carolina Governor by remaining 6-feet apart and, as such, are not wearing masks today. He encouraged all to follow the guidelines in place by the Governor and the Mayor and Council to keep family, friends and staff at City Hall and the community safe.

Mayor Pro Tem Knight called on the City Manager to introduce the agenda items.

TIMED PARKING LIMITS NEAR ROCKY MOUNT EVENT CENTER - Brad Kerr

City Manager Rochelle D. Small-Toney told the Council that a tenant in the Douglas Block made the request for time parking limits to be reviewed. She introduced Public Works Director Brad Kerr to present recommendations for amending the parking ordinance.

The City Council was provided with maps of the existing and proposed timed parking limits.

Mr. Kerr reported that the concern is for there being limited parking for visitors to the Douglas Block, especially during times when events are being held at the Event Center. He stated that a review revealed that much of the parking was marked for a limit of 2 or 4 hours. He told the Council that parking enforcement has not been a priority and added that before active enforcement is implemented staff wanted to ensure that time limits are appropriate for patrons of businesses in the Douglas Block and surrounding area and will discourage parking by those attending events at the Event Center. He noted some patrons of the Event Center are parking on the street to avoid paying to park in the Event Center parking lot.

He outlined the approximate locations and times proposed for new timed parking limitations as:

- a) NE Main Street (both sides) from E. Thomas Street to Goldleaf Street - 1 hour;
- b) Thelonious Monk Plaza (east side) from E. Thomas Street north to NE Main Street - 1 hour;
- c) E. Thomas Street (north side) from Albemarle Avenue to Atlantic Avenue - 2 hours;
- d) Albemarle Avenue (west side) from a point 65' north of E. Thomas Street north for 45' - 2 hours;
- e) Thomas Street parking lot - 2 hours;
- f) N. Washington Street (both sides) from E. Thomas Street to Tarboro Street - 2 hours; and
- g) NW Main Street (both sides) from W. Thomas Street south for 215 feet - 2 hours

Mr. Kerr responded to questions from Councilmembers relative to parking enforcement by indicating the current plan is to issue citations but not tow. The City Council voiced the following questions/concerns:

- 1) The amount to be charged for parking violations (Joyner);
- 2) Some owners park in front of their businesses, especially during the week (Daughtridge); and
- 3) The possibility of having a conversation with CenturyLink relative to a partnership with the City for use of a portion of their parking lot (Knight);
- 4) That a map of the designated parking time limitations in the area of the Event Center be placed on the City's website (Miller).

Mr. Kerr stated he would talk with the Police Chief relative to fines and that staff could look into a permitting program for business owners. He added that City staff is currently in discussion with CenturyLink relative to a parking expansion.

**COMMITTEE RECOMMENDATION.** *By consensus, the Council authorized staff to place consideration of timed parking limits near the Event Center on the next City Council agenda for formal consideration.*

**RECOMMENDATIONS FOR PUBLIC SERVICE AWARDS** - *Cynthia Jones*

City Manager Rochelle D. Small-Toney told the City Council it is standard procedure as a part of the City's Community Development Block Grant (CDBG) process for Council to consider the City's public service allocation for the upcoming year. The City Council was advised that the amount of the CDBG allocation for FY 2019-2020 is \$84,144.

She introduced Cynthia Jones, the Director of Community & Business Development, to provide a presentation to the Council.

Ms. Jones informed the City Council that the City has received nine (9) proposals seeking \$291,890 in funding. The City Council was advised that:

- The total amount of CDBG funds obligated for public service activities must not exceed 15% of the annual grant allocation;
- A request for proposals was issued to local nonprofit organizations from February 3, 2020 to March 6, 2020 and a public noticed was published in the local newspaper and posted on the City's webpage.

Ms. Jones reported that, in accordance with HUD guidelines, all proposals must meet the primary objective of the CDBG program which is the development of viable urban communities by providing decent housing and a sustainable living environment and expanding economic opportunities for persons of low and moderate income.

She outlined the requirements for participation and eligible CDBG activities. Ms. Jones told the City Council that past CDBG funding priorities have included job training, foreclosure and housing counseling, homelessness and youth development.

The following FY 2019-2020 staff recommendations for funding (\$84,144) were identified as:

- United Community Ministries - \$7,000
- Rocky Mount Edgecombe CDC - \$30,000
- The Boys and Girls Club of the Tar River Region - \$30,000
- Ripple Effects - \$17,144

Council was advised that all but one of these organizations have received funding in recent years and have continually met the program goals and national CDBG program objectives. Ms. Jones advised the City Council that Ripple Effects is a new CDGB funding recipient that meets the CDBG public service requirements.

The Mayor questioned if there is a formula or process used to determine funding recommendations. The City Manager stated that

requests totaled approximately \$300,000 but funding availability is limited which makes the decision difficult for staff.

Councilmember Blackwell said it might be helpful to look at the objectives so that all can understand the impact of the investment. He said some of the organizations being funded have been funded for a while and suggested it would be a good narrative to talk about the City's role in strengthening communities.

Councilmember Daughtridge stated that he agrees with the comments by the Mayor and Councilmember Blackwell but thinks it would be helpful to know why some organizations are chosen over others and to see the historical receipts of the entities. Ms. Jones stated 9 applicants applied for funding and outlined the criteria for eligibility.

City Manager Rochelle D. Small-Toney noted the recommendations outlined are for CDBG funding, but general funds have also been used to support community projects and there have been times that an applicant has received both CDBG and general funding.

Councilmember Joyner suggested it would be helpful to look at the impact the organizations are having in the community and consider how they can be better assisted by Council.

Councilmember Knight questioned if My Sister's House is included in the funding recommendation and Ms. Jones' responded that they had applied but were not selected. Councilmember Daughtridge noted that he too is concerned about funding for My Sister's House, especially in light of domestic violence being on the rise across the United States in the wake of COVID-19.

The City Manager noted that Council's approval of the Public Service awards will be needed at the April 27, 2020 City Council meeting in order to meet HUD deadlines.

Discussion continued. The City Manager stated, if Council wishes, staff can look at funding for My Sister's House from general funds.

Councilmember Blackwell stated that the City has worked hard to right its relationship with HUD and has had hurdles with compliance in the past. He stated he is hesitant to delay consideration of the Public Service awards but agreed that homelessness, especially in domestic violence areas is critical. He requested that staff look at another source for funding for My Sister's House that better aligns with the need. He added that HUD funding is restrictive and encouraged Council not to delay approval of the funding proposals which have been vetted by staff recommending this item be placed on the next agenda for consideration. Mayor Pro Tem Knight requested additional information relative to the applicants who were not recommended for approval. Councilmember Blackwell added that proof of leverage and proof of service would also be helpful.

**COMMITTEE RECOMMENDATION. By consensus, Council agreed that consideration of funding proposals be placed on the April 27, 2020 Council agenda for formal consideration.**

**CLOSED SESSION**

The Mayor Pro Tem requested a closed session to discuss matters concerning personnel and attorney-client privilege.

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**COMMITTEE RECOMMENDATION.** *Motion was made by Councilmember Joyner, seconded by Councilmember Blackwell and unanimously carried that the City Council go into Closed Session at 5:34 p.m.*

The minutes of the Closed Session (personnel and attorney-client privilege) shall be placed on file as **ESM-549** at the end of **Minute Book 37** upon approval for release by the City Attorney.

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**REGULAR SESSION/ADJOURN.** The City Council returned to open session at 6:55 p.m. and, by consensus, the meeting was adjourned.

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

**COMMUNITY UPDATE BY CITY MANAGER**

City Manager Rochelle Small-Toney provided the following community update:

- All Commission and Board Meetings will continue to be canceled until the governor's executive order is lifted. In addition, neighborhood meetings, Citizens Academy and the Rocky Mount Area Youth Council Meetings also remain canceled.
- To actively encourage black youth to focus on being counted in the 2020 Decennial Census, despite the Coronavirus (COVID 19) global pandemic, the National Coalition on Black Civic Participation's Black Youth Vote civic leadership and power-building program and its Unity Diaspora Coalition 2020 Campaign's national and state-based partner organizations launches #CountMeBlack this week. Youth Census 2020 Week (Count Me Black Youth Week) begins today and runs through Friday, May 1, 2020.

While this week has been designated as such, and you might not be a part of this group, if you have not done so, I encourage you to fill out and send in your 2020 Census form. The census will determine funding for housing programs, schools, hospitals, economic development and much more in our community. If you have questions, you can contact one of the City's Census Outreach members at 252-972-1181 or visit [2020census.gov](http://2020census.gov).

- Per the City Council's direction, there is a moratorium on all utility disconnections until further notice and late fees will not be assessed during this time. If you are struggling and need help with your bill, please contact the Business Services Center.
- We have sent letters to our state and federal delegation requesting their support for revenue stabilization funding for the City and shared our perspective on why the City should be included for assistance. We, as well as other local governments in the state and nation, have not received any good news on this front however with the support of our local government partners we are pushing forward hoping that we will receive stimulus support from both the state and federal government.

- During this pandemic, I would like to remind you, if you can...stay home and know that the City of Rocky Mount is working to ensure you continue to receive excellent municipal services. To stay informed of all the assistance available to our community, I encourage you to visit our website at [rockymountnc.gov](http://rockymountnc.gov) or connect with us on Facebook, Twitter and Instagram.

#### **PRESERVATION MONTH**

The Mayor read a Proclamation proclaiming the month of May 2020 as Preservation Month in the City of Rocky Mount and presented the proclamation to Development Services Director Will Deaton. Mayor Roberson joined Mr. Deaton for a photograph.

#### **2020 KIDS TO PARKS DAY**

Mayor Roberson read a proclamation proclaiming May 16, 2020 as "Kids to Parks Day" in the City of Rocky Mount. The Mayor presented the proclamation to Interim Parks and Recreation Director Joel Dunn.

#### **PUBLIC WORKS WEEK**

Mayor Roberson read a proclamation proclaiming the week of May 17-23, 2020 as "Public Works Week" in the City of Rocky Mount and presented the Proclamation to Public Works Director Brad Kerr and Water Resources Director Brenton Bent. The Mayor joined Mr. Kerr and Mr. Bent for a photograph.

#### **DAY OF PRAYER**

Mayor Sandy Roberson read a proclamation proclaiming May 7, 2020, as "Day of Prayer" in the City of Rocky Mount.

#### **PETITIONS FROM THE PUBLIC**

The Mayor outlined the guidelines for petitions from the public and opened the meeting for public petitions. Mayor Roberson recognized Tom Harris for public comment and a summary of Mr. Harris' comments is outlined below:

- ***Tom Harris:***
  - Read a recent quote from the newspaper relative to the availability of the City's budget for public review and inquired when the budget will be available for public inspection (he was advised by the City Manager that the budget is typically made available in public places such as the library, the Clerk's office and on the City's website);
  - Asked if the operations of the Event Center will be clearly itemized in a format that can be reviewed; he stated he came before the Council in January of 2020 with a concern that in the fiscal year end report of June 30, 2019 the Event Center operations were blended and requested that the operations of the Event Center be segregated so that the public is able to see the operations along with the audit report for June 30, 2020;
  - Asked when live broadcasts of Council meetings will be on live television and the Manager reported she has just received a proposal from staff but has not yet had an opportunity for review

**PLANNING BOARD RECOMMENDATIONS**

- *Public Hearing/Rezoning Request (minutes received and public hearing deferred at the April 13, 2020 Meeting of the City Council)*

Mayor Sandy Roberson called on Director of Development Services Will Deaton to give an overview of the request and recommendation of the Planning Board and to respond to questions posed by Council. Mr. Deaton gave an overview of the project, adding that the Planning Board unanimously approved the development which is a 60-bed assisted living facility.

Mr. Deaton responded to questions from Councilmembers relative to potential flooding, the neighborhood response to the proposed development and parking.

Councilmembers Blackwell and Knight expressed their pleasure at seeing more institutions of this nature in the area and in the historic community. Councilmember Blackwell stated this shows all communities in the City are postured for all type of growth. Councilmember Knight stated that 20 years ago when he tried to start an adult daycare much opposition was voiced and a lawsuit filed which ended in the Court of Appeals. He noted the approval shows that Rocky Mount has progressed in moving towards being the "City on the Rise."

The Mayor opened a public hearing relative to the following rezoning request recommended for approval and found in compliance with the Comprehensive Plan by the Planning Board:

- request by William Carter Keller for the rezoning of ±12.62 acres on the corner of River Drive and Carr Street from R-10 and I-1 to R-6MFA

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

Motion was made by Councilmember Blackwell, seconded by Councilmember Knight and unanimously carried that **Ordinance No. O-2020-15** entitled **ORDINANCE AMENDING THE LAND DEVELOPMENT CODE AND MAP OF THE CITY OF ROCKY MOUNT** be adopted.

**AD VALOREM TAX RELEASES**

The City Council received the following schedules of ad valorem taxes recommended for release and/or refund:

**SCHEDULE A - acknowledge receipt of report of the following taxes under \$100 approved for release and/or refund by the City Manager:**

<u>YEAR</u>	<u>BILL NO.</u>	<u>NAME/ADDRESS</u>	<u>TAX</u>	<u>COMMENT</u>
<u>NASH COUNTY</u>				
2018	1238	CAROLINA GALLERY 115 S CHURCH ST ROCKY MOUNT, NC 27804	6.11 1.78 1.05	CITY SPEC INT
		<b>TOTAL RELEASE:</b>	<b>8.94</b>	

2019	1284	CAROLINA GALLERY 115 S CHURCH ST ROCKY MOUNT, NC 27804	5.90 1.72 .32	CITY SPEC INT	OWNER CORRECTION
<b>TOTAL RELEASE:</b>			<b>7.94</b>		

**SCHEDULE B - taxes over \$100 recommended for release and/or refund by the City Council:**

<u>YEAR</u>	<u>BILL NO.</u>	<u>NAME/ADDRESS</u>	<u>TAX</u>	<u>COMMENT</u>	
<u>NASH COUNTY</u>					
2019	2123	AVERY, CAROL 521 QUAIL CT ROCKY MOUNT, NC 27803	144.26 6.13	CITY INT	VALUATION CORRECTION
<b>TOTAL RELEASE:</b>			<b>150.39</b>		
2019	20131	MCDADE, TONYA K & TERRENCE S 117 SOUTHALL CT ROCKY MOUNT, NC 27804	308.25	CITY	ELDERLY/DISABLED EXEMPTION
<b>TOTAL RELEASE:</b>			<b>308.25</b>		

Motion was made by Councilmember Knight, seconded by Councilmember Blackwell and unanimously carried that receipt of the report from the City Manager of Schedule A taxes approved for release and/or refund be acknowledged and that the tax releases and/or refunds listed on Schedule B be approved.

**BUDGET REVIEW FY 2021**

The City Council received a proposed schedule for budget review work sessions. Mayor Roberson requested the Manager provide details relative to the proposed schedule. The City Manager called on Budget and Evaluation Manager Ken Hunter to provide a report to the City Council.

Mr. Hunter reported that the proposed schedule is similar to past budget sessions and outlined the schedule in detail as follows:

- Wednesday, May 6<sup>th</sup> - 2021-2025 Proposed CIP Document Distributed to City Council
- Monday, May 11<sup>th</sup> - Presentation of 2021-2025 Proposed CIP During Committee of the Whole Meeting
- Thursday, May 21<sup>st</sup> - City Manager Proposed FY 2021 Budget distributed to City Council
- Thursday, May 28<sup>th</sup> - Presentation of City Manager Proposed FY 2021 Budget and Council Work session. 4 p.m. (Council Chamber)
- Monday, June 1<sup>st</sup> - Council Work Session, 4 p.m. (Council Chamber)
- Tuesday, June 2<sup>nd</sup> - Council Work Session, 4 p.m. (Council Chamber)
- Thursday, June 4<sup>th</sup> - Council Work Session, 4 p.m. (Council Chamber)
- Monday, June 8<sup>th</sup> - Budget Public Hearing during Regular Council Meeting, 7 p.m. (Council Chamber)
- Wednesday, June 10<sup>th</sup> - Council Work Session (if necessary), 4 p.m. (Council Chamber)
- Monday, June 22<sup>nd</sup> - Budget Adoption during Regular Council Meeting, 4 p.m. (Council Chamber)

Councilmember Daughtridge inquired as to what opportunity the City Councilmembers will have to provide input relative to the proposed budget and was advised by the City Manager that since the City Council



annual retreat was canceled this year staff will rely on feedback throughout the year in preparing the Manager's proposed recommended budget. She added that there will be opportunities during the budget sessions for input from Council adding that once the Manager's proposed budget is presented to the City Council it becomes their budget. She invited Councilmembers to make her aware of any concerns they may have and noted that staff is close to balancing the budget. She recommended the proposed budget review work session schedule be approved and responded to questions from Council relative to the work sessions. She noted the proposed budget will be presented to Council by her, that she is open to suggestions from Council as to how they prefer to receive the budget and is available to meet with any member of the Council relative to questions or concerns relative to the budget.

Motion was made by Councilmember Joyner, seconded by Councilmember Knight and unanimously carried that the budget review work session schedule be approved, as recommended.

**RESOLUTION HONORING AND REMEMBERING A LIFE WELL-LIVED/HERMAN BOONE**

Motion was made by Councilmember Daughtride, seconded by Councilmember Joyner and unanimously carried that **Resolution R-2020-11** entitled **RESOLUTION HONORING A LIFE WELL-LIVED AND REMEMBERING HERMAN BOONE** be adopted.

Mayor Roberson read the following adopted Resolution into the record:

**RESOLUTION HONORING A LIFE WELL-LIVED AND REMEMBERING HERMAN BOONE**

**WHEREAS**, legendary high school football coach and the inspiration for the movie "Remember the Titans" passed away at his home in Alexandria, Virginia at the age of eighty-four (84) years old on Wednesday, December 18, 2019; and

**WHEREAS**, Herman Boone, known in North Carolina as "Ike", was born on October 28, 1935 to his parents, Frank and Daisy Boone, and was one of twelve (12) children; and

**WHEREAS**, Herman Boone attended Abraham Lincoln Elementary School and went on to graduate from Booker T. Washington High School in Rocky Mount, North Carolina in 1954. He was an outstanding athlete and his desire to excel took him to North Carolina College in Durham, North Carolina, (North Carolina Central University) where he received his Bachelor of Arts and Masters degrees in 1958; and

**WHEREAS**, Herman Boone's teaching career took him to Luther H. Foster High School in Blackstone, Virginia in 1958 where he coached football, basketball and baseball; and it was in Blackstone, Virginia where he met and married his wife Carol; and

**WHEREAS**, in 1961 Herman Boone returned to his home state of North Carolina to continue his teaching and coaching career at E.J. Hayes High School in Williamston where his football teams amassed an astonishing record in a nine-year period of 99 wins and 8 losses and was recognized in 1966 by Scholastic Coach's Magazine as "The Number One Football Team in America"; and

**WHEREAS**, in 1969 Herman Boone resigned from his position after being informed by the Williamston school board that the Town of Williamston was "not ready for a black head coach" and accepted the role of assistant football coach at T.C. Williams High School in Alexandria, Virginia; and

**WHEREAS**, the City of Alexandria, Virginia integrated its school system in 1971 and appointed Herman Boone as its first consolidated head football coach over a legendary white coach with several years seniority and a steadfast following. It was here that he pulled together and solidified a diverse coaching staff and an unfocused group of young boys into the most powerful football team in the State of Virginia, leading the team to a 13-0 record, winning the state championship and earning a #2 national ranking; and

**WHEREAS**, this extraordinary football season at T.C. Williams High School was the basis for the 2000 award winning film "Remember the Titans" in which Herman Boone was portrayed by Denzel Washington; and

**WHEREAS**, Herman Boone, was a motivator of young people of all races and as a teacher and retired football coach was a true symbol of social transformation; and

**WHEREAS**, the Mayor and City Council of the City of Rocky Mount are desirous of honoring the memory of Herman Boone and commemorating the recognition he brought to the City of Rocky Mount.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council of the City of Rocky Mount, hereby honor the life, memory and accomplishments of Herman Boone and share the loss felt by his wife, children, family and friends; and recognize the life of Herman Boone as a life “well-lived”; and

**BE IT FURTHER RESOLVED** that this resolution shall be spread upon the pages of the minutes of this proceeding and a copy shall be forwarded to the Boone family.

**RESOLUTION HONORING AND REMEMBERING A LIFE WELL-LIVED/BENJAMIN “MAYO” BODDIE, SR.**

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner and unanimously carried that **Resolution R-2020-12** entitled **RESOLUTION HONORING A LIFE WELL-LIVED AND REMEMBERING BENJAMIN “MAYO” BODDIE, SR.** be adopted.

Mayor Roberson read the following adopted Resolution into the record:

**RESOLUTION HONORING A LIFE WELL-LIVED AND REMEMBERING BENJAMIN “MAYO” BODDIE, SR.**

**WHEREAS**, entrepreneur and philanthropist, Benjamin “Mayo” Boddie, Sr. passed away peacefully at his home at the age of ninety (90) years old on Tuesday evening, March 31, 2020; and

**WHEREAS**, Benjamin “Mayo” Boddie, Sr. was born December 16, 1929 at his beloved Rose Hill plantation in Nash County, North Carolina, to his parents, Nicholas Bunn Boddie, Sr. and Lucy Valeria Mayo Boddie; and

**WHEREAS**, prior to distinguishing himself as a giant in the family-owned Boddie-Noell Enterprises, the largest franchise of Hardee’s restaurants, Benjamin “Mayo” Boddie, Sr., graduated from Rocky Mount Senior High School in 1948, completed a post graduate year at Saint James School in Hagerstown, Maryland and then attended the University of North Carolina at Chapel Hill; and

**WHEREAS**, Benjamin “Mayo” Boddie, Sr., was a faithful Christian and lifetime member of First Presbyterian Church of Rocky Mount where he served as a Deacon and Elder; and

**WHEREAS**, Benjamin “Mayo” Boddie, Sr., was a co-founder of Boddie-Noell Enterprises, Inc., which currently operates nearly 350 Hardee’s restaurants, ENE Land and Development and other ventures; and

**WHEREAS**, Benjamin “Mayo” Boddie, Sr., served as President and CEO of Boddie-Noell, Enterprises, Inc. for many years before serving the last twenty-five (25) years of his life as Chairman of the Board; and

**WHEREAS**, Benjamin “Mayo” Boddie, Sr., was an active and contributing member of his community throughout his life serving on numerous boards. The Boys Scouts of America renamed their Camp Bonner on the Pamlico River as Camp Boddie in honor of Mr. Boddie and his brother, Nick, in appreciation of the loyal support and dedication provided to the scouting program; and

**WHEREAS**, Benjamin “Mayo” Boddie, Sr., was the recipient of the 2014 Jupiter Award from Morehead Planetarium and Science Center which recognizes outstanding contributions to science education in North Carolina. Through his sponsorship of field trips and other educational activities Mr. Boddie provided enrichment opportunities for thousands of North Carolina school children; and

**WHEREAS**, Benjamin “Mayo” Boddie, Sr. possessed those rare, intangible qualities of leadership, courage and compassion that generated admiration and he will be greatly missed; and

**WHEREAS**, the Mayor and City Council of the City of Rocky Mount are desirous of honoring the memory of Benjamin “Mayo” Boddie, Sr. and commemorating the recognition he brought to the City of Rocky Mount.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council of the City of Rocky, hereby honor the life and memory of Benjamin “Mayo” Boddie, Sr. and send sincere sympathy and condolences to the Boddie family and his many friends; and

**BE IT FURTHER RESOLVED** that this resolution shall be spread upon the pages of the minutes of this proceeding and a copy shall be forwarded to the Boddie family.

**2019-2020 PUBLIC SERVICE AWARDS/CDBG**

The City Council was advised that the City's CDBG public service allocation for FY 2019-2020 is \$84,144. It was explained that nine (9) proposals were received seeking \$291,890 in funding.

Council was further advised that:

- The total amount of CDBG funds obligated for public service activities must not exceed 15% of the annual grant allocation;
- A request for proposals was issued to local nonprofit organizations from February 3 to March 6, 2020, a public notice was published in the local newspaper for three (3) weeks and posted on the City's webpage; and
- According to HUD guidelines, all proposals must meet the following primary objective of the CDBG program:
  - o The development of viable urban communities by providing decent housing and a sustainable living environment and expanding economic opportunities for persons of low and moderate income

The City Council was provided with criteria for eligibility along with a list of eligible CDBG activities. The recommendations for FY 2019-2020 Public Service Awards in the amount of \$84,144 were outlined as follows:

- United Community Ministries (Bassett Center) - \$7,000;
- Rocky Mount Edgecombe CDC (Housing Counseling Center) - \$30,000;
- Boy & Girls Club of the Tar River Region - \$30,000; and
- Ripple Effects - \$17,144

Councilmember Daughtridge stated he had sent an email to the Manager last week questioning if the entities recommended to receive the public service awards are in good standing with the City and up to date on any requirements and received a response that the Manager would check but he has not heard back. City Manager Rochelle Small-Toney responded that she had provided a response indicating that the entities are in good standing with the City.

Councilmember Daughtridge stated that a proposed non-profit agency funding policy was on a Committee of the Whole agenda in 2018 for discussion but was removed from the agenda. He questioned if this policy was followed in making the funding recommendations and requested the funding policy be placed on an upcoming Committee of Whole agenda for discussion. The City Manager acknowledged that the policy which appeared on the 2018 agenda was not followed relative to the current recommendations because consideration of the policy was removed from the Committee of the Whole agenda in 2018. Mr. Daughtridge responded that the policy is good policy to follow in order to be fair and equitable to all.

Councilmember Daughtridge added that about a year ago (April 8, 2019) the City Attorney gave a report surrounding tax credits and the unwinding of the Douglas Block project. He stated that subsequently the Rocky Mount Edgecombe CDC (RMECDC) received \$450,000 and the City conveyed a vacant lot on E. Thomas Street to RMECDC with RMECDC agreeing

that construction would begin within 18 months and a building permit would be issued relative to development of the lot within 30 months of the date the deed was delivered and if said conditions were not met the Douglas Block would automatically revert to the City. He told the Council he is not aware that any construction has begun on the property and as such believes the land is due back to the City because the contingency was not met.

Mr. Daughtridge stated he still has concerns relative to the constitutionality of the City providing grants to nonprofits. He questioned whether the CDGB funds obligated for public service must be up to or not exceed 15% of the annual grant allocation adding that the criteria for non-profits requires the organization to have a federal 501(c)(3) tax-exempt status, be a government entity or be a faith-based organization; directly serve Rocky Mount neighborhoods or households and have at least three (3) years' experience assisting low- and moderate-income households or neighborhoods. He noted that based on reports staff has provided to the Council and to the Utilities Commission in three (3) weeks there has been an increase of 193% of residents eligible to have utility service disconnected and an increase of 125% for small business disconnections. He said the Council voted to approve a moratorium on utility disconnections and the Governor has mandated suspension of utility disconnections adding that everyone who owes utility fees will still owe the fees regardless if they are on a payment plan. He told the Council that thus far late fees total approximately \$33,000 and the past due account has increased to \$1.7M which is an increase of \$436,000 in three (3) weeks. He added that people have lost their jobs, businesses are shuttering and a lot of these have little prospect of paying the money owed to the City and at some point, will face utility disconnection.

He proposed that the funding recommended to be awarded to RMECDC be given to the WARM program to help Rocky Mount citizens who are unable to pay their utility bills. He outlined the eligibility requirements for the WARM program and stated it is his opinion such an award would be a good use of the funding. Councilmember Miller supported this recommendation.

City Manager Rochelle Small-Toney responded by saying:

- Community Development Block grant funding is subject to certain criteria and guidelines set by HUD for municipalities like Rocky Mount which is an entitlement city. She stated that criteria has been provided to Council by staff and there is a process in place relative to the public service awards that has been approved by HUD that includes receipt of applications, staff evaluation and Council approval. She explained the scoring chart included in the agenda and noted that the recommendation is to award \$84,144 because that is the 15% of the City's allocation for CDBG funding as required by

HUD. She stated that the recommended funding in some cases is not in the amount of the requested funding.

- The City has been notified due to the COVID-19 pandemic that it will receive additional funds through the CARES Act which will be used to assist United Community Ministries (Community Shelter) and My Sister's House.
- The RMECDC Business Center is not a part of the CDBG Public Service funding but is being recommended for funding at a later time for the CDBG.

The City Manager asked City Attorney Richard J. Rose to respond to Mr. Daughtridge's concerns relative to the constitutionality of grant awards.

City Attorney Richard J. Rose reported that:

- In order to appropriate to a non-profit there must be a public purpose as determined by the Legislature and the authorizations municipalities have which is ultimately determined by the Courts;
- The purpose must be a purpose that the local government is authorized by law to undertake, as some appear to be; however, it may be that some of the recommended non-profits undertake activities the City is not authorized to undertake and in the case of this situation a contract should be entered into with the non-profit to ensure the funds are used for an authorized public purpose that the City itself is authorized to be engaged; and
- Such a contract would need to outline for what purposes the funds may be used and require the entity to provide an accounting to the City outlining the purposes for which the funds were used to ensure they were used for an authorized public purpose.

Mayor Roberson invited further discussion relative to the constitutionality of the funds being given to a non-profit and the need for said entity to use said funds for an approved public purpose, including having the safeguards of a contract and reporting on the use of said funds.

Councilmember Daughtridge stated that he reads the information provided to Council to state that the allocation of CDBG funds to the City (\$84,144) must NOT exceed 15% of the annual grant allocation and questioned if the City has entered into contracts in previous years and if the non-profits have provided reports as to the use of said funds and if there have been audits.

The City Manager responded in the affirmative adding that HUD monitors the use of CDBG funding, and the City is in good standing with HUD. She added that while Mr. Daughtridge is correct and the funds obligated may be up to 15% of the annual grant allocation, funding requests always far exceed the amount of available funding. Ms. Small-Toney reported that the City provides up to the limit that can be

provided which is 15%. The stated that FY 2019-2020 funding requests totaled \$291,890, but available funding is only \$84,144.

Councilmember Blackwell stated that if the issue of constitutionality is such an issue, he would expect it to be an issue across the country and not isolated to Rocky Mount adding that Rocky Mount is not doing anything different than any other city in this country. He stated there is no basis for questioning the constitutionality of the funding and, if there is, it should be worked out in the Courts with the City of Rocky Mount being impacted like every other city and as long as the City is adhering to federal requirements and standards there is nothing to discuss.

Councilmember Blackwell stated this is a targeted attack on Rocky Mount Edgecombe CDC and he finds it interesting that they are the only entity being funded that has actually built houses for low income residents in the City and the funding allocation being discussed is Community Development Block grant funding which provides funding for building housing in the City. He stated, in his opinion, this is a moot conversation and the questions are a targeted attack against the RMECDC and he is ready to cast his vote.

Motion was made by Councilmember Knight, seconded by Councilmember Blackwell and passed with a vote of 6-1 (Councilmember Daughtridge opposed) that the funding requests be approved, as recommended.

Councilmember Knight expressed his wish that the Council was able to fund more than 15% of the annual grant allocation because United Community Ministries serves the homeless and RMECDC works with housing foreclosures and none of us know when we may be in a position to need those services. He noted that all the entities requesting funding are good organizations and that staff did a great job in making the funding recommendations.

#### **PARKING ORDINANCE AMENDMENT**

The City Council received the following recommendations for modifying existing timed parking limits near the Event Center, as presented at the April 13, 2020 Committee of the Whole:

- a. NE Main Street (both sides) from E. Thomas Street to Goldleaf Street - 1 hour
- b. Thelonious Monk Plaza (east side) from E. Thomas Street north to NE Main Street - 1 hour
- c. E. Thomas Street (north side) from Albemarle Avenue to Atlantic Avenue - 2 hours
- d. Albemarle Avenue (west side) from a point 65' north of E. Thomas Street north for 45' - 2 hours
- e. Public parking lot located in the SW corner of E. Thomas Street and Albemarle Avenue - 2 hours
- f. N. Washington Street (both sides) from E. Thomas Street to Tarboro Street - 2 hours
- g. NW Main Street (both sides) from W. Thomas Street south for 215 feet - 2 hours

Motion was made by Councilmember Joyner seconded by Councilmember Blackwell and unanimously carried that Ordinance No. **O-2020-16** entitled

**ORDINANCE AMENDING THE TRAFFIC CONTROL ORDINANCE MAP OF THE CITY OF ROCKY MOUNT** be adopted.

**GRANT APPLICATION/FY 2020 CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM (CESF)**

The City Council was advised that staff is seeking authorization to apply for a grant (\$121,771) through the Coronavirus Emergency Supplemental Funding Program (CESF) to be used to purchase personal protective equipment (PPE), supplies for cleaning work areas, gloves, masks and training.

Motion was made by Councilmember Knight, seconded by Councilmember Miller and unanimously carried that staff be authorized to submit the grant application on behalf of the City; and that the Mayor and City Clerk be authorized to execute any required documentation and/or certifications, including a subsequent grant agreement on behalf of the City.

**GRANT APPLICATION/ROCKY MOUNT COMMUNITY FOUNDATION**

The City Council was advised that staff is seeking approval for the submission of a grant to the Rocky Mount Community Foundation for \$20,000 to assist with Battle Park renovations.

Motion was made by Councilmember Blackwell, seconded by Councilmember Joyner and unanimously carried that the grant application be approved; that staff be authorized to submit the grant application on behalf of the City; and that the Mayor and City Clerk be authorized to execute any required documentation and/or certifications, including a subsequent grant agreement on behalf of the City.

**BIDS/SIDEWALK PROJECT**

The City Council received the tabulation of bids received on a bid for the design of sidewalk project C-5549 (study area includes sections along W. Raleigh Boulevard and S. Winstead Avenue). Bids were received and opened on September 5, 2019 after all legal procedures had been implemented. The solicitation was also posted on the City's purchasing webpage and on the North Carolina Interactive Purchasing System website by the North Carolina Department of Transportation (NCDOT) and the bid tabulation is on file in the office of the City Clerk as **BD-2020-15**.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner and unanimously carried that the bid be awarded to SEPI, Inc. at a total cost of \$143,033.32 and that the Mayor and City Clerk be authorized to execute the bid contract on behalf of the City.

**APPOINTMENTS**

Motion was made by Councilmember Blackwell, seconded by Councilmember Knight and unanimously carried that Councilmember Richard Joyner be appointed to fill the vacant alternate position on the Upper Coastal Plain Council of Governments.

No action was taken to fill the remaining vacancies on the City's Boards, Commissions and Committees.

**CLOSED SESSION/ATTORNEY-CLIENT PRIVILEGE**

Motion was made by Councilmember Joyner, seconded by Councilmember Knight and unanimously carried that the City Council go into Closed Session at 5:12 p.m. The minutes of the Closed Session shall be filed as **ESM-550** at the end of **Minute Book 37** upon approval for release by the City Attorney.

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**REGULAR SESSION/RECESS**

The Mayor convened the City Council meeting in regular session at 7:19 p.m. and recessed the meeting to reconvene at 11:00 a.m. on Friday, May 1, 2020 in the George W. Dudley City Council Chamber of the Frederick E. Turnage Municipal Building.

\* \* \* \* \*

May 1, 2020

The City Council of the City of Rocky Mount met this day at 11:00 a.m. in the George W. Dudley City Council Chamber of the Frederick E. Turnage Municipal Building with Mayor C. Saunders "Sandy" Roberson, Jr. presiding in a meeting recessed from a regular meeting of the City Council held April 27, 2020.

Councilmembers present: André D. Knight, Reuben C. Blackwell, IV, Richard Joyner, T. J. Walker\*, Lige Daughtridge, W. B. Bullock and Christine Carroll Miller\*.

*\*Councilmembers joining remotely*

Staff Present: Rochelle Small-Toney, City Manager; Pamela O. Casey, City Clerk; Dorothy Brown Smith, Chief Communications and Marketing Consultant; Mark Adcox, Video Production Specialist; and Richard J. Rose, City Attorney.

Staff Present for part of meeting, as necessary: Robin Cox, Communications Specialist.

The Mayor called the meeting to order at 11:06 a.m. and called on the City Clerk to call the roll.

**CLOSED SESSION/ATTORNEY-CLIENT PRIVILEGE**

Motion was made by Councilmember Joyner, seconded by Councilmember Knight and unanimously carried that the City Council go into Closed Session at 11:07 a.m. The minutes of the Closed Session shall be filed as **ESM-550 (continuation from April 27, 2020)** at the end of **Minute Book 37** upon approval for release by the City Attorney.

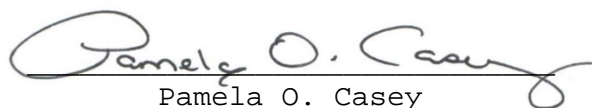
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**REGULAR SESSION/ADJOURNMENT**

The Mayor convened the City in regular session at 11:35 a.m. There being no further business for regular session motion was made by



Councilmember Miller, seconded by Councilmember Joyner and unanimously carried that the meeting adjourn at 11:36 a.m.

A handwritten signature in black ink that reads "Pamela O. Casey". The signature is written in a cursive style with a large initial "P" and a long, sweeping underline.

Pamela O. Casey  
City Clerk