

December 13, 2021

The City Council of the City of Rocky Mount met this day in a regular session scheduled for 7:00 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.

Staff present: Rochelle Small-Toney, City Manager; Pamela O. Casey, City Clerk; Elton Daniels, Assistant City Manager; Jessie Nunery, Interim Communications, Marketing and Public Relations Director; Mark Adcox, Video Production Specialist; Jayson Dawkins, Policy Analyst, Budget and Evaluation Department; Chris Beschler, Director of Energy Resources; Brad Kerr, Public Works Director; Will Deaton, Development Services Director; Archie Jones, Director of Human Relations; Gregory Cotten, Chief Technology Officer; Latasha Hall, Director of Business and Collections Services; Tracey Drewery, Assistant Chief of Administration & Planning (Fire Department); Keyana Walston, Management Analyst; Corey Mercer, Fire Chief; Ken Hunter, Assistant to the City Manager for Budget and Evaluation; Darvin Moore, Division Chief; Michael Roupp, Assistant Chief of Operations; Brenton Bent, Water Resources Director; Robert Hassell, Police Chief; Cornelia McGee, Community Development Administrator; Kim Batts, Deputy City Clerk; A.B. Bangura, Finance Consultant (The Robert Bobb Group) and Richard J. Rose, City Attorney.

NOTE: Public participation limited relative to the Coronavirus pandemic (COVID-19); meeting was accessible remotely via FaceBook and the City's YouTube Channel.

Security Officers: Police Sergeant Keith Miller and Senior Police Officer Shawn Battle.

The Mayor called the meeting to order at 7:04 p.m. and requested all to stand for a moment of silent prayer.

Mayor Roberson stated that tonight is the last meeting it is expected that City Clerk Pamela O. Casey will be present on the dais and thanked her for her service to the City. He added he has enjoyed working with her the past couple of years and looks forward to the next couple of months as well. The City Clerk received a standing ovation in recognition of her upcoming retirement [March 1, 2022].

Mayor Roberson recognized and thanked Mayor Pro Tem Joyner for his service this year as Mayor Pro Tem and said it has been an outstanding pleasure and honor to work with him.

APPROVAL OF/ADDITIONS TO AGENDA (ADDED TO AGENDA IN OPEN MEETING)

Mayor Roberson asked if there were any additions or deletions to the agenda adding he has received a request to move Item 26 [consideration of engaging a management team relative to the Community Land Trust] up on the agenda for consideration immediately after Item 7.

The Mayor added he has received a request from some of the Neighborhood Presidents for a status update relative to a petition for a speed reduction. Councilmember Miller stated she had been requested to ask for an update and Mayor Roberson questioned if it would be acceptable to add this matter to the next Council agenda. Councilmember Miller responded in the affirmative adding that the Neighborhood Presidents want action.

Motion was made by Councilmember Walker, seconded by Councilmember Joyner, and unanimously carried that Item 26 on this evenings' agenda be considered immediately following consideration of Item 7.

APPROVAL OF MINUTES

Motion was made by Councilmember Joyner, seconded by Councilmember Daughtridge, and unanimously carried that the minutes of a regular scheduled meeting of the City Council held October 25, 2021, be approved as submitted to the City Council prior to the meeting.

COMMUNITY UPDATE BY CITY MANAGER

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

- Began her report by sharing the City's holiday closure schedule. She reported that City facilities will be closed Friday, December 24 and Monday, December 27 in observance of Christmas and City facilities will be closed Monday, January 3, 2022, in observance of the New Year's Holiday. It was announced that Tar River Transit will not operate December 24 or 25, 2021 or January 1 and 3, 2022. The City Manager reported that residential garbage, recycling, and yard waste will not be affected by the holiday schedule and will operate as normal;
- Stated she is pleased to share that the City will be offering Downtown Holiday Shuttles through New Year's Day. She reported that shuttles will run Thursdays-Saturdays from 4 to 11 p.m. and on Sundays from 4 to 9 p.m. between Rocky Mount Mills and Station Square. A map of the shuttle route is available on the front page of the City's website at rockymountnc.gov;
- Reported that the City's Business and Collections Services Department is currently experiencing higher than normal call volumes. This increase can be attributed to seasonal shift, pandemic assistance programs and other customer account inquiries and hold times might exceed 45 minutes or more. She stated this will need to be reviewed and added that callers will be re-positioned in line if they hang up. The Manager voiced appreciation in advance for patience adding that staff looks forward to serving City customers;
- Noted the City's upcoming Martin Luther King, Jr. events, will include an Oratorical Competition scheduled for 9 a.m. on Saturday, January 8 at the Imperial Centre for the Arts and Sciences. Participants must attend a Nash County school, live in the City

limits of Rocky Mount, or attend a school in the City limits of Rocky Mount. The speech topic for middle school students is “The Power of One,” while “Where Do We Go From Here: Chaos or Community” is the subject matter for high school students. Call 972-1180 for more information;

- Requested all mark their calendar for Monday, January 17 at 7 a.m., as the Rocky Mount Event Center will be the home to the MLK Jr. Unity Breakfast, where attendees will be joined by keynote speaker Jim Goodmon of Capitol Broadcasting as well as the winners of the Oratorical Competition. Those interested may call 972-1180 for more information; and
- Wished everyone a safe and happy Holiday Season on behalf of the City of Rocky Mount.

Councilmember Daughtridge asked the City Manager if the City has the ability for callers to leave a call back number for staff to return calls. The City Manager responded that she will look into this matter further and get some information out because 45 minutes does seem like a very long time to hold. She agreed that people would appreciate having the ability to leave a call back number.

Councilmember Daughtridge noted that HB 473 goes in effect on January 1, 2022, and stated it is his understanding that Councilmembers need to provide to the Manager and City Attorney a list of boards on which they serve. He stated it would be helpful to receive direction from the City Attorney, in conjunction with the UNC/SOG, as to the requirements of SB 473, even if a special meeting is required.

ROBERT WOODS JOHNSON FOUNDATION (RWJF) CULTURE OF HEALTH PRIZE

City Manager Rochelle D. Small-Toney introduced Keyana Walston, Management Analyst, to make a presentation of a flag and plaque received by the City relative to the Robert Woods Johnson Foundation Culture of Health Prize. She said the flag will likely be flown directly under the Rocky Mount flag at City Hall.

Ms. Walston told the Council that the City was recognized a few weeks ago as one of ten cities chosen nationally to receive the 2020-2021 RWJF Culture of Health Prize. She thanked the community for its help in advancing health, opportunity, and equity. She thanked the community partners for their effort and assistance provided to help attain this honor and added it would not have been possible without the help of community partners.

The Mayor, City Manager, Councilmembers, Jayson Dawkins, Sue Perry Cole, and Cooper Blackwell joined Ms. Walston for a photograph.

PETITIONS FROM THE PUBLIC

The Mayor opened the meeting for petitions from the public and outlined guidelines for public petitions. He recognized the following individuals for public comment and a summary of comments is outlined below:

- **Tom Harris:**

- Applauded Chief Hassell and the Police Department for what they are doing, noting some good news was provided in the Committee of the Whole today and statistics continue a downward trend;
- Said, as Councilmember Knight said, the City needs to promote the good things that are happening and try to leverage what is being done;
- Suggested a mailer be included in the January utility bills providing instructions for downloading the Atlas One app;
- Voiced concern for the continued turnover of City staff and the loss of institutional knowledge adding it is hard to replace someone who has worked for 10, 15 or 20 years;
- Questioned if the City conducts exit interviews; and
- Said the City needs to get a handle on the root cause of staff turnover

- **Max Avent:**

- Said he is a member of the Workforce Housing Advisory Commission and as a realtor he is excited about the Community Land Trust;
- Said the Community Land Trust is a multi-prong approach to address issues that are crucial to improving and sustaining workforce housing;
- Stated the work towards the Community Land Trust is inclusive in all areas and addresses childcare and child development by assisting childcare providers with a broader knowledge of business operations; increases wages for staff and teachers who are in desperate need of pay raises and a broad the staff skill set and provides for children to be better equipped as they enter to higher grade levels;
- Said the Community Land Trust gives area companies a better-qualified workforce and will make the City a better place to live, work and play; and
- Said the Community Land Trust will benefit the City in just about every area of life;
- Recommended that the Council approve and move forward with the Community Land Trust

- **Adrienne Copeland:**

- Said she is present to talk about item number 22 on tonight's agenda which is about the housing demolition and replacement program for Ms. Harper;
- Said she commends those who came up with a program to help Ms. Harper adding she wants to stress that this sets a precedent of demolition that is not necessary;
- Said she has been in Ms. Harper's house and it is really not that bad and said she is working on houses that are much worse;
- Said as mentioned in the Committee of the Whole 50% of the City's housing stock is over 50 years old and they all need work especially in Ms. Harper's neighborhood and a lot of other neighborhoods;
- Said the houses are not just old but all need a lot of work and were built with galvanized plumbing pipes, which are now like clogged arteries, and built with knob and tube electrical wiring, which is a fire hazard;
- Said these houses don't have fuse boxes and aren't sufficient for the amperage needed today;
- Said even the best, most expensive roofs are due to be replaced;
- Said based on this threshold every house of that age is eligible for demolition;
- Said if the decision is to move forward with demolition of houses such as this and replacing them with new ones Council will be condemning 50% of the City's housing stock to the landfill and will be missing an opportunity; and
- Said there is a vacant lot next door to Ms. Harper's house and the owners are 10 years or more behind in City and County taxes; she suggested the City could foreclose on that lot and rebuild Ms. Harper's house there and her property could

be sold to help cut costs and demolition costs could be avoided; she added this would help the entire neighborhood in addition to Ms. Harper

- **Troy Davis:**

- Said he lived about a block from Ms. Harper's house for four years and when he purchased his house it was in worse condition than her house;
- Said a house such as Ms. Harper's can be remodeled for about \$65,000 and the City would not need to spend \$145,000 for demolition or money for design fees;
- Said the entire Branch/Clark Street Community needs help and it needs help now;
- Said the City does not need to continue to spend taxpayer dollars like it is coming from its personal checkbook;
- Said approving the Community Land Trust would probably be the worst decision the City can make and all need to take a step back and see what a horrible idea it is;
- Said he does not think the WODA group has its ducks in a row and suggested the City look for another developer adding it has not gotten tax credits and he does not support extending the contract and suggested the City create market rate housing;
- Said he received an email from a guy by the name of Charles Langston indicating the City Manager is investigating Troy Davis' files and retaliating against him for demanding her termination;
- Said nothing about his jobs are illegal;
- Said this management has taken every extreme to retaliate against people and said he would greatly appreciate her being terminated from her position as City Manager

- **Bronson Williams:**

- Said tonight was the first time that WNCN TV carried the Committee of the Whole as a live meeting;
- Said this was due to community advocacy and this Council that invested additional dollars to increase its video capabilities and made it possible to broadcast a portion of that meeting;
- Said many times we think that people are just watching cable, or that they are on social media but there is a great percentage of the community who still watch television via broadcast spectrum and have actually disconnected from cable and watch television over the air and get many channels and including WNCN TV;
- Said WNCN TV hopes to be able to continue live broadcasts in the future, thanks to the investment this Council has made;
- Said he has been concerned about not having a Finance Director who lives here and values the community and makes sure the City is in compliance;
- Said he came before Council before about an issue with trash at a home and it was addressed but now the problem exists again in his neighborhood and requested it be addressed by Code Enforcement (800 block of Tyan Street);
- Said the Christmas parade was a great event; adding he wished there could be some coordination with CSX or Amtrak or that another location could be found;
- Said the lighting at City Lake was a great event;
- Said he is sorry to see the departure of the City Clerk adding there is availability of a job at WNCN TV; and
- Wished all a Merry Christmas and Happy New Year

- **Samuel Battle:**

- Said he agreed with everything Troy Davis and Adrienne Copeland said about housing;
- Said he went by the house (Ms. Harper's house) this weekend and it does not need to be torn down; said a couple of people have said it could be remodeled ;
- Said the City is not a bank;

- Said taxpayer money should not be thrown around and if the lady needs help another solution needs to be found;
- Said the other houses need to be considered because many have been in a deteriorated condition for years;
- Said the City is spending \$160,000 on replacing a house that could be remodeled for \$40,000 questioning what is so special about that house and adding that four houses could be remodeled for that amount; stated there is drug activity at that property;
- Said he has been in Rocky Mount his whole life and seen a lot of older people pass away and takes is personally when he sees money being thrown around; and
- Suggested some actions are being taken due to the upcoming election

- ***Brenda Cooper:***

- Said she is from the South Rocky Mount Community and is always coming to Council about something to help her community;
- Said the main concern right now is aggressive stray dogs running around in the neighborhood;
- Said last week she called the Police about a dog that was dead in the warehouse fence behind her house and dogs are running across properties in the neighborhood and the dogs are mean;
- Said she has come before Council before relative to dilapidated properties in the area, especially on the corner of Kingston and South Church, and nothing has been done to improve the look and condition of the warehouse on Church Street;
- Said telling her the property is under code means nothing to her;
- Said some community landlords (slum lords) don't seem to care about the properties and should be held accountable; and
- Said she still needs to study up on the Community Land Trust but as of now is not in favor of it

Councilmember Daughtridge noted that Ms. Cooper has come before Council at least twice about stray dogs and questioned if that matter is being looked into. City Manager Rochelle D. Small-Toney called on Chief Hassell stating that animal control is under the auspices of the Police Department. Chief Hassell stated he will personally look into Ms. Cooper's concerns relative to the dogs tomorrow.

- ***Nehemiah Smith, Jr.:***

- Said as the sesquicentennial year (150) draws to a close Mount Zion First Baptist Church exemplifies why the church is still relevant and needed in the community;
- Said on behalf of Mount Zion First Baptist Church and its congregation, he would like to thank everyone who participated in making the second annual "Feed the City" event a success. He thanked the City Manager for her continued support and Mayor Roberson for his volunteerism saying it is definitely not beneath the Mayor to pass out water and meals to citizens. He also thanked Councilmember Joyner for being there and helping in the effort to serve meals and praying with those who requested prayer;
- Said words are not enough to thank volunteers and community business partners for their hard work and dedication to this much-needed event; he personally thanked a number of community partners along with the Rocky Mount Fire and Police Departments and Sheriff Clee Atkinson;
- Said this year's event accomplished a lot but it also exposed that there is so much work left to do adding they are looking forward to doing that work;
- Said he looks forward to seeing the City Clerk at WNCR TV adding the community will miss her and wished her "Happy Trails";

- Suggested with regard to housing, perhaps students can assist with design adding there are design departments at North Carolina State and North Carolina A&T and perhaps there could be a contest with a scholarship award; he said there are many different ways the issue could be addressed, and money saved at the same time; and
- Reiterated his appreciation to those who came by the “Feed the City” event and said if they just rode by this year perhaps next year, they would feel inspired to stop and get a meal or volunteer

Terrence McPhail approached the podium to speak relative to a public hearing scheduled for this evening and Mayor Roberson requested he hold his comments until the public hearing is opened.

- ***Moe Deloach:***

- Invited the community to an annual toy and coat drive being held this Saturday at the South Rocky Mount Community Center from 2 to 5 p.m. and announced they will be giving away free toys and coats for the holiday;
- Said the Christmas parade was amazing and showed how people will come out to support things that happen and requested more things be done in the Downtown;
- Said he had a chance this weekend to go check out two events – the OIC gospel sing off and an event at the Event Center and both were great and expressed the desire to see more events like these on the weekends; adding the problem is that citizens don’t know about them; he suggested the City partner with local promoters to help get the word out about some of these events; and
- Requested the City address adding more light to the Downtown area, especially in the alleys, and put pressure on some of the Downtown property owners to repair their Downtown property and also address stray animals

- ***Morrie Minges:***

- Said she is the litter lady;
- Suggested the City put out signs to encourage people not to litter;
- Said she is still unhappy with the old Ebony and Ivory building and was of the understanding it was to be cleaned up but now it looks worse than ever because someone has thrown mattresses over the fence;
- Said she cleaned up litter in front of her business for three and a half hours recently;
- Said SB473 will soon come into law, and it will be a felony if elected officials try to line their own pockets instead of helping the community adding it embarrassed her that there is now a state law because Rocky Mount was investigated; and
- Wished all a Merry Christmas

Mayor Roberson closed the public petitions portion of the meeting.

COMMUNITY LAND TRUST/PROPOSED MANAGEMENT SERVICES AGREEMENT

The City Council was advised that a professional management team was formed and secured a \$1M grant in October 2021 using the \$1M City funding previously reserved for the Community Land Trust (CLT). Council was further advised that the proposed team consists of Wendell Davis, Reginal Boney, Dr. James Johnson, Jr., and Jeanne Milliken Bonds. The City Manager requested authorization to negotiate up to 25% of the allocated City funding for the services of the proposed management team.

It was explained that the management team would be charged with the following scope of work:

- Creating a separate legal entity to provide the independent governance of the land trust;
- Implementing the Trades Accelerator Training Program for land trust home construction;
- Implementing the Child Care Accelerator and Training for home-based and facility childcare;
- Establishing a Green School prototype; and
- Assisting the neighborhood associations.

Council held a discussion relative to the request and the main points outlined are:

- ***Knight:***
 - The Community Land Trust (CLT) is still new to Rocky Mount and while he is not opposed to it, he would like more time to see how it will work and more time to talk with stakeholders;
 - Said people want to own both their home and the land it is on;
 - Questioned how much has been spent thus far for consultants relative to this initiative and how much in addition to the requested \$250,000 is expected to be spent;
 - Said the City is not in the childcare business and already has partnerships with daycares and nonprofits who are doing that work and there would need to be collaboration;
 - Said it took five years to get the \$5M to develop Beal Street Square Apartments and there are many other communities that need redevelopment, and the focus needs to be on obtaining a housing bond which has been discussed for the past 7 or 8 years;
 - Said housing redevelopment is the reason the Community Academy was created, and Sue Perry Cole has been working with this and other groups;
 - Said piecemeal redevelopment is not going to work;
 - Stated he would like to have information relative to the housing bond and the 14 underserved communities before the \$250,000 is spent to move forward with the Community Land Trust and recommended the matter be tabled;
 - Stated the Council did not direct staff to move forward with the Community Land Trust instead of the housing bond and there are too many unanswered questions relative to the Community Land Trust (how the board will be structured, how appointments are made, how to involve stakeholders);
 - Questioned if additional grant funding could be expected;
 - Said there are many vacant lots because the City was previously aggressive with demolition, and he is very disappointed in the lack of redevelopment in these neighborhoods; and
 - Requested that Council receive information relative to the housing bond

At the request of Councilmember Joyner, the City Manager provided information with regard to work that has been done relative to the Community Land Trust. She reported that:

- The work goes back to when she and City staff made a presentation relative to the Affordable Housing Strategic Plan and the Community Land Trust at the City Council retreat in Asheville;
- Said one of the reasons for visiting Asheville was to find out more about their Community Land Trust;
- Said the land trust is only one of several different vehicles that has been identified for the provision of more affordable housing stock in the community;
- Said prior to the retreat Dr. Jim Johnson and his team had been talking about the establishment of a Community Land Trust;

- Added that when American Rescue Plan (ARP) funding was received by the City, Council reserved \$1M of the \$3M received for affordable housing and from that Council seemed to be interested in continuing research, investigation, and establishment of a Community Land Trust;
- Dr. Johnson and Professor Bonds and that team was been able to take that \$1M set aside for the Community Land Trust and leverage it to get a commitment from another foundation of an additional \$1M;
- Said one of the unique programs associated with the Community Land Trust is that it is actually three different programs: the accelerator where people are trained to become entrepreneurs; the childcare accelerator; and wage acceleration; and
- There is also the issue of the Green School Building Initiative to address the aging school facilities in the community.

City Manager Rochelle D. Small-Toney added that the Community Land Trust management team would establish a very small core group of people, primarily from the community, as well as one or two people from banking and real estate to make up the initial group that actually seeks the 501(c)(3) designation and establishes the by-laws and from there it would grow to a larger number, perhaps twenty-one (21). She stated this would be a decision of Council. She outlined the role of the management team.

Ms. Small-Toney told the City Council that there are eight neighborhoods that have consistently appeared in at least two housing studies that were done (2007 and 2015) and staff has been engaged with bond counsel, working in small groups, and doing inventories within these different neighborhoods because it is not yet known how much will be needed for a housing bond, but it is known it will be a sizable amount of money. She added that Council has already been apprised of the City's finance capacity for a bond and there is still much work to be done.

The City Manager requested authority to negotiate a contract with the management team up to 25% of City funding. She clarified the request by saying, if the contract with the management team is approved the team will be responsible for initiating the small group and guiding them through the process of creating the Community Land Trust. She reminded the Council that the Community Land Trust will be an independent group.

Councilmember Blackwell confirmed that the initial contract for the Community Land Trust has ended and the request is to negotiate a new contract and that the Manager and staff will be ready in January to present information relative to the housing bond. He questioned if there is correlation and collaboration between the Community Land Trust and the housing bond and asked if funds will be allocated from the housing bond for the Community Land Trust and if the Community Land Trust will participate in activities relative to the housing bond.

Ms. Small-Toney confirmed the initial contract with Dr. Johnson has ended and the negotiation will be for a new contract. She said the City does not want to become a realtor. She said the desire is to be able to acquire property and then pass it on to another entity to develop. She said there is a direct correlation and considerable resources will be needed. She said it is her recollection that a housing bond of \$47M to \$56M has been considered in order to provide information to Council relative to the City's debt capacity. It was clarified that the requested action is to negotiate a contract with the management team that will then be considered by Council. She said staff feels comfortable with the financial side of the housing bond.

Mayor Roberson asked for clarification of the requested action for tonight and the City Manager responded she is comfortable with negotiating an amount of the contract and coming back to Council for formal approval.

Discussion continued and Councilmember Daughtride stated that it is his understanding that the 501(c)(3) to be established will seek grant funds to leverage the City's contribution for affordable housing in the event the housing bond is approved. He stated he is comfortable with providing approval for the Manager to negotiate an amount of a proposed contract and added he believes it would be prudent to continue small group conversations because questions exist. He said there is a good deal of property that will be available for the Community Land Trust, but some land can be made available for private investment in the City.

Councilmember Knight asked who the contract will be with, and the Manager confirmed that it will be with Dr. Jim Johnson. Councilmember Blackwell stated he was the one who called for the concept to be explored but heard information that was concerning in the presentation. He requested clarity of how the City will be able to transfer property to a third party not for profit entity without the use of the upset bid process or legally forgiving taxes/liens. He questioned if the plan is for this relationship to be a template for future collaboration with other not for profit groups. He said there are individuals in the community who want to do more. Mr. Blackwell said the main thing is affordable housing and questioned if Council supports moving forward with the Community Land Trust if Council can expect to receive clear and detailed information relative to the affordable housing bond process. The Manager responded in the affirmative and added staff is looking into legislation to better define the opportunity to transfer property. She added it is not expected to be a one size fits all but adds a tool to the toolbox. She said the amount of the housing bond will be a Council decision.

Councilmember Knight said there has been a lot of activity in the City and there have been houses that have been boarded up for many years and when people have started work on the properties, he has heard they have received stop work orders from the City's inspections department. He requested that the City Manager have discussion with the inspections department to encourage them to work with the community so that if the work being done is beautifying and uplifting the community and not causing a public danger or safety issue it should not be delayed. He said he would be elated to see boards removed and improvements made.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner, and unanimously carried that the City Manager be authorized to negotiate for a proposed management services agreement relative to the Community Land Trust up to 25% of the \$1M allocated by the City (up to \$250,000). It was clarified that the contract will be provided to Council for consideration and/or approval.

PLANNING BOARD RECOMMENDATIONS

The City Council received the minutes and recommendations from a Planning Board meeting held November 9, 2021. The minutes are on file in the office of the City Clerk.

The following action was taken upon the recommendations of the Planning Board:

A. PUBLIC HEARING/REZONING REQUEST

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 Barton Horne to rezone ±60.5 acres located within the 2700 block of W. Raleigh Boulevard from R-10 to R-6

Will Deaton, Director of Development Services, gave an overview of the request. It was noted that upon approval of this request the Raleigh Road/Raleigh Street [Raleigh Boulevard] Corridor Plan shall be deemed amended.

Mayor Roberson recognized Terrence McPhail.

Mr. McPhail told the City Council that he has just purchased property on Kinchen Drive and questioned the effect of the rezoning from R-10 to R-6 and the plan for the property.

Mr. Deaton explained that the difference in the zoning is units per acre. He added that neither a site plan or subdivision plan has been submitted and stated that once plans are received staff will review the information to ensure they meet all criteria. He said there is potentially some cross connection access to the streets that currently exist to limit traffic out on West Raleigh Boulevard.

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

Motion was made by Councilmember Joyner, seconded by Councilmember Walker, and unanimously carried that **Ordinance No. O-2021-93** entitled **ORDINANCE AMENDING THE LAND DEVELOPMENT CODE AND MAP OF THE CITY OF ROCKY MOUNT** be adopted.

ANNEXATION NO. 324 - 677 FOUNTAIN SCHOOL ROAD

The Mayor recognized City Manager Rochelle D. Small-Toney to explain the feasibility study prepared in connection with the annexation by the Department of Planning and Development. The City Manager called on the Director of the Department of Development Services Will Deaton. Mr. Deaton explained the report and concluded by recommending approval of the annexation. A copy of the report is on file in Annexation No. 324 in the office of the City Clerk.

The Mayor opened a public hearing relative to Annexation No. 324, and no one appeared. The Mayor declared the public hearing closed.

Motion was made by Councilmember Blackwell, seconded by Councilmember Joyner, and unanimously carried that receipt of the feasibility study be acknowledged and that **Ordinance No. O-2021-94** entitled **ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF ROCKY MOUNT/ANNEXATION NO. 324 - 677 FOUNTAIN SCHOOL ROAD** be adopted. The City Council was advised that the property will located in Ward 2.

Councilmember Knight requested further explanation of the location of the property and Mr. Deaton responded.

ANNEXATION NO. 325 - THOMAS A. BETTS PARKWAY AND PEELE ROAD - PIN 384200922115

The Mayor recognized City Manager Rochelle D. Small-Toney to explain the feasibility study prepared in connection with the annexation by the Department of Planning and Development. The City Manager called on the Director of the Department of Development Services Will Deaton. Mr. Deaton explained the report and concluded by recommending approval of the annexation. A copy of the report is on file in Annexation No. 325 in the office of the City Clerk.

The Mayor opened a public hearing relative to Annexation No. 325 and no one appeared. The Mayor declared the public hearing closed.

Councilmember Miller questioned if lighting in the area has been studied. The Director of Energy Resources responded by saying the study can be conducted internally. Councilmember Daughtride agreed that it would be prudent to conduct a lighting study of the area. He added there are some other areas nearby that are also dark. Councilmember Knight suggested that a lighting study of the entire City is needed. Further discussion was held, and Councilmember Miller requested the annexation be approved on the condition a lighting study is conducted. City Attorney Richard J. Rose recommended the annexation be approved separately and that Council address the lighting study as a separate issue.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner, and unanimously carried that receipt of the feasibility study be acknowledged and that **Ordinance No. O-2021-95** entitled **ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF ROCKY MOUNT/ANNEXATION NO. 325 - THOMAS A. BETTS PARKWAY AND PEELE ROAD - PIN 384200922115** be adopted. The City Council was advised that the property will located in Ward 7.

ANNEXATION NO. 322 - OLD SPRING HOPE ROAD SUBDIVISION - WILLIAMS LOTS

The City Clerk provided the City Council with a resolution certifying the petition as sufficient to proceed with annexation of the non-contiguous parcel pursuant to NCGS 160A-58.1.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner, and unanimously carried that the following resolutions be adopted and that the Department of Development Services be instructed to prepare a feasibility study in connection with the annexation:

- a. **Resolution No. R-2021-59** entitled **RESOLUTION OF CERTIFICATION OF RESULTS OF INVESTIGATION OF THE SUFFICIENCY OF PETITION FOR ANNEXATION OF A NON-CONTIGUOUS AREA BY CITY CLERK OF THE CITY OF ROCKY MOUNT/ANNEXATION NO. 322 - OLD SPRING HOPE ROAD SUBDIVISION - WILLIAMS LOTS; and**
- b. **Resolution No. R-2021-60** entitled **RESOLUTION CALLING A PUBLIC HEARING TO CONSIDER A PROPOSED EXTENSION OF THE CITY LIMITS OF THE CITY OF ROCKY MOUNT TO INCLUDE ANNEXATION OF A NON-CONTIGUOUS AREA/ANNEXATION NO. 322 - OLD SPRING HOPE ROAD SUBDIVISION - WILLIAMS LOTS** (schedules public hearing for January 10, 2022).

ANNEXATION NO. 323 - OLD SPRING HOPE ROAD SUBDIVISION - HORTON LOTS

The City Clerk provided the City Council with a resolution certifying the petition as sufficient to proceed with annexation of the non-contiguous parcel pursuant to NCGS 160A-58.1.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner, and unanimously carried that the following resolutions be adopted and that the Department of Development Services be instructed to prepare a feasibility study in connection with the annexation:

- b. **Resolution No. R-2021-61** entitled **RESOLUTION OF CERTIFICATION OF RESULTS OF INVESTIGATION OF THE SUFFICIENCY OF PETITION FOR ANNEXATION OF A NON-CONTIGUOUS AREA BY CITY CLERK OF THE CITY OF ROCKY MOUNT/ANNEXATION NO. 323 - OLD SPRING HOPE ROAD SUBDIVISION - HORTON LOTS; and**
- c. **Resolution No. R-2021-62** entitled **RESOLUTION CALLING A PUBLIC HEARING TO CONSIDER A PROPOSED EXTENSION OF THE CITY LIMITS OF THE CITY OF ROCKY MOUNT TO INCLUDE ANNEXATION OF A NON-CONTIGUOUS AREA/ANNEXATION NO. 323 - OLD SPRING HOPE ROAD SUBDIVISION - HORTON LOTS** (schedules public hearing for January 10, 2022).

ANNEXATION NO. 327 - 4290 S. CHURCH STREET (NON-CONTIGUOUS) AND ANNEXATION AND UTILITY SERVICE AGREEMENT

The City Council received an Annexation and Utility Service Agreement (including Irrevocable Petition for Annexation of

Property) for water service outside the City limits for property at 4290 S. Church Street.

Council was advised that the petitioner has paid the standard annexation petition fee, has agreed to be bound by all provisions of the Irrevocable Annexation Petition and the agreement provides for connection to City water. It was noted that staff has performed a preliminary analysis of the property and recommends proceeding with investigation of the sufficiency of the petition.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Miller, and unanimously carried that receipt of the petition be acknowledged; that **Resolution No. R-2021-63** entitled **RESOLUTION ORDERING THE CITY CLERK TO INVESTIGATE THE SUFFICIENCY OF A PETITION FOR ANNEXATION OF A NON-CONTIGUOUS AREA INTO THE CORPORATE LIMITS OF THE CITY OF ROCKY MOUNT - ANNEXATION NO. 327 - 4290 S. CHURCH STREET** be adopted; and that the Annexation and Utility Service Agreement for water service to the property be approved, subject to payment of required privilege and connection fees, and that the Mayor be authorized to execute the Agreement with Benjamin Martinez Gonzales for water service to 4290 S. Church Street (**C-2021-39**) on behalf of the City.

TEMPORARY STREET CLOSING - 554 AMBLER STREET

The City Council was advised that it was requested that a temporary street closing request approved at the Special Called Meeting on November 16, 2021, be amended to correct the address, date and time of the street closing as follows and as informally approved:

- Request from the Community Action Group to close 544 Ambler Street (corner of Branch and Ambler Streets) from 11:30 a.m. to 2:00 p.m. on Thursday, November 25, 2021, for a Day of Giving

Motion was made by Councilmember Joyner, seconded by Councilmember Blackwell, and unanimously carried that the request to close 544 Ambler Avenue previously informally approved be ratified.

LEASE AMENDMENT/ROCKY MOUNT AREA CHAMBER OF COMMERCE

Consideration was given to an amended lease agreement with the Rocky Mount Area Chamber of Commerce, Inc. for approximately 5,200 square feet on the second floor of the Helen P. Gay Train Station. The Council was advised that one of the main terms for the current lease, which was effective February 1, 2019, calls for monthly rent of \$2,197 for a period of four years. The City Council was advised that the Chamber has experienced a hardship related to the COVID-19 pandemic and is requesting a temporary reduction in rent from \$2,197 to \$1,100 per month from January 1, 2022, for six months ending June 30, 2022.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner, and unanimously carried that the amended lease agreement with Rocky Mount Area Chamber of Commerce, LLC be approved

and that the Mayor and City Clerk be authorized to execute the amended lease agreement on behalf of the City. The amended lease will be filed with the original lease agreement (C-2019-20) in the office of the City Clerk.

LEASE AMENDMENT/TAR RIVER TRANSIT

Consideration was given to an amended lease agreement with Tar River Transit for office space in Rooms 315, 316 and 317 on the third floor of the Helen P. Gay Historic Train Station to extend the lease for one year from the 1st day of January, 2022 to the 31st day of December 2022, with all other terms and conditions remaining in full force and effect. The City Council was advised that NCGS 160A-272 authorizes the City Council to delegate to the City Manager authority to lease City property for a term of one (1) year or less.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner, and unanimously carried that the amended lease agreement with Tar River Transit be approved and that **Resolution No. R-2021-64** entitled **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKY MOUNT AUTHORIZING AN EXTENSION OF THE TAR RIVER TRANSIT OFFICE LEASE UNTIL DECEMBER 31, 2022**, be adopted; and that the City Manager be authorized to execute the Lease Amendment on behalf of the City. The amended lease will be filed with the original lease agreement (C-2017-17) in the office of the City Clerk.

AWARD OF DUTY SIDEARM

The City Council received a recommendation from the Chief of Police for the award of duty sidearm and badge to Sergeant John Tomlinson for thirty (30) years of dedicated service. It was noted that Sergeant Tomlinson will retire on January 1, 2022.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Miller, and unanimously carried that the duty sidearm and badge be awarded to Sergeant Tomlinson as recommended by the Chief of Police.

K-9 RETIREMENT

The City Council received a recommendation from the Chief of Police for the retirement of K-9 Police Dog, Cato, and for donation to Coal Mountain Animal Rescue, Inc. pursuant to NCGS 20-187.4.

Motion was made by Councilmember Joyner, seconded by Councilmember Daughtridge, and unanimously carried that the recommendation of the Chief of Police be approved and that K-9 Police Dog Cato be retired and released to Coal Mountain Animal Rescue, Inc. in accordance with the provisions of NCGS 20-187.4.

FY 2022 LEASE FINANCING/REIMBURSEMENT RESOLUTION

The Council was advised that the City intends to enter into a lease financing arrangement for the following projects budgeted in FY 2022:

Construction of Certain Improvements - Warehouse Improvements, Business Services Center Improvements, Battleboro Community

Center Improvements, Denton Street Pool Improvements and Old Mill Road Pump Station - estimated at approximately \$3,525,000

The Council was advised lease financing is customary and the United States Treasury requires adoption in advance of a resolution declaring the City's intent to reimburse expenditures.

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

Resolution No. R-2021-65 entitled **RESOLUTION DECLARING OFFICIAL INTENT OF THE CITY OF ROCKY MOUNT TO REIMBURSE EXPENDITURES MADE FOR THE CONSTRUCTION OF CERTAIN IMPROVEMENTS.**

FY 2022 INSTALLMENT PURCHASE CONTRACT FOR EQUIPMENT

The City Council received copies of the tabulation of proposals received on November 18, 2021, for financing a total of \$3,190,000 for a 59-month term at a fixed interest rate of 1.1705% for the following equipment:

- \$828,000 (5) Peterson TL-3 Lightning Loaders
- \$160,000 Automated Side Loader: Crane Carrier Cab Chassis
- \$ 95,000 RT Backhoe
- \$187,000 Automated Side Loader: New Way Automated Body
- \$223,000 Automated Leaf Truck
- \$115,000 Steel Recycling Transport Trailer
- \$304,000 50' Fully Hydraulic Derrick, Rear Mount
- \$ 99,000 Vermeer Vacuum Excavator
- \$245,000 Articulating Telescopic Aerial Device w/Material Handling
- \$211,000 Mini Derrick
- \$103,000 Replacement backhoe
- \$168,000 Peterson TL-3 Lightning Loader
- \$256,000 Track Excavator
- \$196,000 Tractor Boom Mower

The Council was advised that the most favorable rate was received from Banc of America Public Capital Corp.

Motion was made by Councilmember Miller, seconded by Councilmember Blackwell, and unanimously carried that the proposal of Banc of America Public Capital Corp be accepted and that

Resolution No. R-2021-66 entitled **RESOLUTION APPROVING A PROPOSAL FROM BANC OF AMERICA PUBLIC CAPITAL CORP TO FINANCE THE ACQUISITION OF VEHICLES AND EQUIPMENT** be adopted.

This resolution authorizes the Mayor, Finance Director, and the City Manager, or any one of them, to execute and deliver an installment financing agreement and such other necessary documentation and take all action necessary on behalf of the City.

FY 2021-2022 FIRE DEPARTMENT ASSISTANCE TO FIREFIGHTERS GRANT

The City Council was informed that the Fire Department is requesting authorization to apply for a \$993,565 Assistance to Firefighters Grant (AFG). The Council was further informed that the AFG Program helps firefighter and first responder agencies obtain critically needed resources necessary for protecting the public and emergency personnel from fire and related hazards. It was explained

that, in general, eligible applicants shall agree to make available non-federal funds to carry out an AFG award and when serving a jurisdiction of more than 20,000 residents, but not more than 1M residents, the applicant shall make available non-federal funds in an amount equal to not less than 10 percent of the grant awarded.

The City Council was further informed that the preliminary reason for the grant request to replace all soon to be antiquated self-contained breathing apparatus (SCBA) packs total \$993,565 and, if awarded, the City's match would be \$90,324.09.

Motion was made by Councilmember Miller, seconded by Councilmember Joyner, 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, certifications, and the subsequent grant agreement on behalf of the City.

SURPLUS PERSONAL PROPERTY/FIRE DEPARTMENT

The City Council received a request that the following personal property be declared surplus to the City's needs and authorized for private sale to Red Oak Volunteer Fire Department at \$200 per unit for a total cost of \$1,000:

- Five (5) AP-50 Self Contained Breathing Apparatus

The information relative to disposal of these items shall be placed on file as **BD-2021-46**.

Motion was made by Councilmember Daughtridg, seconded by Councilmember Miller, and unanimously carried that **Resolution No. R-2021-67** entitled **RESOLUTION AUTHORIZING THE DISPOSITION OF CERTAIN PERSONAL PROPERTY BY PRIVATE SALE** be adopted (resolution authorizes the City Clerk to publish notice of the resolution in accordance with G.S. 160A-267).

WATER ASSESSMENT CONTRACT

The City Council received a water assessment contract with James Hamilton Wood, Jr. and Carol Sue Wood for water service to 1601 Deerwalk Drive (PIN #383109079079). Council was advised that the connection fees for this property are \$4,265, that the customer has prepaid \$265, and the contract requires the remaining fees of \$4,000 to be assessed against the property.

Motion was made by Councilmember Joyner, seconded by Councilmember Daughtridg, and unanimously carried that the assessment contract with James Hamilton Wood, Jr. and Carol Sue Wood for water service to 1601 Deerwalk Drive (**C-2021-40**) be approved and that the Mayor and City Clerk be authorized to execute the same on behalf of the City.

WATER ASSESSMENT CONTRACT

The City Council received a water assessment contract with Autrey Thomas Nichols and Marian A. Nichols for water service to 130

Cooley Road (PIN #375809162565). Council was advised that the connection fees for this property are \$4,265, that the customer has prepaid \$3,300 and the contract requires the remaining fees of \$965 to be assessed against the property.

Motion was made by Councilmember Joyner, seconded by Councilmember Daughtridge, and unanimously carried that the assessment contract with Autrey Thomas Nichols and Marian A. Nichols for water service to 130 Cooley Road **(C-2021-41)** be approved and that the Mayor and City Clerk be authorized to execute the same on behalf of the City.

HOME REPLACEMENT AGREEMENT - 623 BRANCH STREET

The City Council received a Neighborhood Revitalization Program Home Replacement Agreement with Ethel Harper for replacement of a home at 623 Branch Street. The Council was advised that the agreement outlines the terms and conditions for demolition, design, and construction to replace the existing home with a new home of comparable size and layout at a total cost of \$161,500 and the City would have an architect prepare plans and specifications for the construction of the new home. It was recommended that the City Council authorize the Mayor and City Clerk to execute the Agreement.

Cornelia McGee, Community Development Administrator, explained the terms of the Agreement in detail, responded to questions and concerns from Councilmembers and extensive discussion was held.

Motion was made by Councilmember Joyner, seconded by Councilmember Walker, and carried by a vote of 6-1 (Councilmember Knight opposed) that the Home Replacement Agreement be approved, and that the Mayor be authorized to execute same **(C-2021-42)** on behalf of the City. Councilmember Knight clarified that his opposition is due to the process adding that it is the duty of the City to better vet such projects before bringing them into the public square.

MAYOR PRO TEMPORE

Mayor Roberson called for nominations for the office of Mayor Pro Tempore.

Councilmember Daughtridge nominated Councilmember T.J. Walker for Mayor Pro Tempore for a one-year term to expire December 2022. The nomination was seconded by Councilmember Joyner and Councilmember Walker was unanimously appointed Mayor Pro Tempore.

CITY TREASURER

Mayor Roberson called for nominations for the office of City Treasurer.

Councilmember Miller nominated Councilmember Lige Daughtridge for City Treasurer for a two-year term to expire December 2023. The nomination was seconded by Councilmember Walker and Councilmember Daughtridge was unanimously elected City Treasurer.

APPOINTMENTS

Mayor Roberson appointed Tarrick Pittman to the Housing authority for an unexpired term to expire on June 30, 2026, and said appointment was approved without objection.

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

OPTION TO PURCHASE UNIMPROVED REAL ESTATE ADDENDUM - DEVELOPMENT FINANCE INITIATIVE (DFI)/TARBORO STREET REDEVELOPMENT

The City Council was provided with an Option to Purchase Unimproved Real Estate Addendum with Five Points Crossing Limited Partnership (WODA Cooper Communities II, LLC). It was explained that the City has been in partnership for the redevelopment of the Five Points/Tarboro Street site for affordable workforce housing. The Council was advised that Denis Blackburne, Senior Vice President for Development of the WODA Companies, Inc. is requesting to extend the closing date for the purchase of the land at Five Point until no later than March 31, 2022. The City Manager called on Mr. Blackburne who was attending remotely for comment. Mr. Blackburne explained that tax credits have been allocated. He added that a HUD environmental process is necessary and expected to be completed in February 2022 and that is the reason for the requested extension.

Motion was made by Councilmember Blackwell, seconded by Councilmember Knight, and unanimously carried the Option to Purchase Unimproved Real Estate Addendum be approved, and that the Mayor be authorized to execute the same on behalf of the City. The addendum will be filed with the original Memorandum of Understanding (C-2020-20) in the office of the City Clerk.

CITY-WIDE LIGHTING STUDY (ADDED IN OPEN MEETING)

Councilmember Miller suggested that lighting studies be conducted of all areas considered for annexation.

Motion was made by Councilmember Joyner, seconded by Councilmember Blackwell, and unanimously carried that a City-Wide Lighting Study be conducted. It was clarified that the study will be conducted internally, and the City Manager suggested that Councilmembers make her aware of areas of concern within their respective wards as a starting point.

COVID PREMIUM PAY FOR RETIREES (ADDED IN OPEN MEETING)

Councilmember Knight stated that Council had previously requested information relative to COVID premium pay for retirees who worked during the COVID-19 shutdown and thereafter retired.

City Manager Rochelle D. Small-Toney called on Human Resources Director Kena Cofield-Jones to provide an update.

Ms. Cofield-Jones stated that approximately thirty-three (33) retirees worked during the COVID-19 lockdown with some working full-time and others working on a rotational basis.

Motion was made by Councilmember Knight, seconded by Councilmember Blackwell, and unanimously carried that the thirty-three (33) employees working during the COVID shutdown and now retired receive the COVID Premium Pay, as appropriate, and that funding for same be allocated from the General Fund.

Councilmember Daughtridge estimated the amount could be up to \$40,000.

CLOSED SESSION (PERSONNEL MATTER ADDED IN OPEN MEETING)

Motion was made by Councilmember Knight, seconded by Councilmember Daughtridge, and unanimously carried that the City Council enter into Closed Session at 9:20 p.m. for discussion relative to matters concerning attorney-client privilege and personnel (added in open session). The minutes of the Closed Session shall be filed as a part of ESM-594 at the end of Minute Book No. 37 upon approval for release by the City Attorney.

REGULAR SESSION

The Mayor convened the meeting in regular session at 9:55 p.m. and there being no further business, the Council meeting was adjourned.


Pamela O. Casey
City Clerk