



ROCKY MOUNT  
OFFICE OF THE CITY COUNCIL  
THE CENTER OF IT ALL

<b>A</b>	=	<b>APPROVAL</b>	<b>C</b>	=	<b>REFERRED TO COMMITTEE</b>
<b>AD</b>	=	<b>APPROVAL DENIED</b>	<b>T</b>	=	<b>TABLED</b>
<b>NA</b>	=	<b>NO ACTION</b>	<b>RA</b>	=	<b>REMOVED FROM AGENDA</b>
<b>D</b>	=	<b>DEFERRED</b>	<b>I</b>	=	<b>INTRODUCED</b>
<b>R</b>	=	<b>REFERRED</b>	<b>RW</b>	=	<b>REQUEST WITHDRAWN</b>
			<b>O</b>	=	<b>OTHER</b>

**ACTION AGENDA FOR A REGULAR SCHEDULED MEETING OF THE CITY COUNCIL OF THE CITY OF ROCKY MOUNT HELD MONDAY, SEPTEMBER 26, 2022, AT 4:00 P.M. IN THE GEORGE W. DUDLEY CITY COUNCIL CHAMBER OF THE FREDERICK E. TURNAGE MUNICIPAL BUILDING**

1. Meeting Called to Order by the Mayor
2. Prayer
3. Roll Call by the City Clerk
4. Consideration of the Minutes of a Regular Scheduled City Council Meeting held July 11, 2022

A~ Recommended Action: Approve Minutes

5. Consideration of additions or deletions to the agenda
6. Community Update - Interim City Manager Peter F. Varney
7. Presentations and Recognitions:
  - Presentation of 2021 North Carolina Public Power Award of Excellence and the 2021 Certificate of Excellence in Reliability to Chris Beschler, Director of Energy Resources, by Roy Jones, CEO of ElectriCities of North Carolina
  - Presentation of Proclamation Proclaiming the Week of October 2-8, 2022 as Public Power and Public Natural Gas Week in the City of Rocky Mount to Chris Beschler, Director of Energy Resources, and Energy Resources Staff
8. Petitions to be Received from the Public

***Note: Please complete Citizen Sign-In Sheet and provide to Security Officer prior to speaking. Please limit presentations to three (3) minutes. Time will be monitored.***

***The following individuals spoke (more details to be included in minutes):***

- ***Pete Armstrong***
- ***Dr. Kim Koo***

9. **CONSENT AGENDA:**

- A. Consideration of the Following Tax Releases and/or Refunds:
  - Schedule A - Report of taxes under \$100 approved for release and/or refund by the City Manager; and
  - Schedule B - Report of taxes over \$100 recommended for release and/or refund by the City Council
- B. Consideration of Recommendation for Approval of Award of Duty Badge and Sidearm to Police Lieutenant Thomas Seighman for 30 Years of Dedicated Service
- C. Consideration of Request from the Public Works Department of an Ordinance Approving a Temporary Street Closing for the Third Annual Downtown Halloween Bar Crawl and Block Party (ordinance adoption requirement of NCDOT standards):
 

The Temporary Closure is along Tarboro Street between Main Street and Washington Street, from 3:00 p.m. on Saturday, October 29, 2022, until 12:00 a.m. on Sunday, October 30, 2022 (*traffic will be detoured onto NE Main Street, West on East Thomas Street, North on Falls Road and East onto Goldleaf Street*)
- D. Consideration of FY 2022-2023 Budget Amendment Appropriating Funds in the General Fund for the City's Youth Baseball Program (\$3,000) Relative to City's Receipt of grant from the Dick's Sporting Goods Foundation. No additional City funds are required

**A~** Recommended Action: Approve Consent Agenda (inclusive of approval of tax releases, approval of award of duty badge and sidearm and adoption of Ordinances)

- 10. A. Consideration of the Following Rezoning Request Denied by the Planning Board:
  - Request by Anthony Ray Richardson to rezone ±7.84 acres at 7137 Hunter Hill Road from R-6CD to O-12
  - *Request denied by Planning Board on the basis that the Land Development Code does not list Hunter Hill as one of the corridors intended for O-12 mixed-use development and the proposed rezoning of the subject site will have a density of use impact on the area and does not comply with the Together Tomorrow: Tier I Smart Growth Comprehensive Plan*

*\*\*Note - Public Hearing held September 12, 2022; Deferred until September 26, 2022 City Council meeting*

**\*R~** Recommended Action: 1) Receive Public Comment; and  
2) Deny the Request

*\*Referred back to the Planning Board; joint meeting with the Planning Board and City Council will be scheduled*

- B. Consideration of the Following Rezoning Request Recommended for Approval and Found in Compliance with the Comprehensive Plan by the Planning Board:
  - Amend the Land Development Code (LDC) to expand the provisions for required individual mailed notice

*\*\*Note - Public Hearing held September 12, 2022; Tabled until September 26, 2022 City Council meeting*

- A~ Recommended Action: 1) Receive Public Comment; and  
2) Adopt Ordinance
11. Consideration of Lease Agreement with Sandra Taybron for City-Owned Property at the Helen P. Gay Train Station – Room 324 (2-year lease; annual rent = \$3,900; term August 1, 2022 – July 31, 2024; lease advertised pursuant to G.S. 160A-272)
- A~ Recommended Action: Adopt Resolution Authorizing Lease Agreement (authorizes the Mayor and City Clerk to Execute the Agreement on Behalf of the City)
12. Consideration of Electric Service Agreement with Frozen Foods Express for Service at 3051 North Church Street (outlines terms for service – estimated revenues of \$142,731.00 annually)
- A~ Recommended Action: Approve Electric Service Agreement and Authorize the Mayor and City Clerk to Execute the Same on Behalf of the City
13. Consideration of Ordinance Amending Part II, Chapter 10, Article V of the City Code (Illicit Discharges into the Stormwater System)
- A~ Recommended Action: Schedule Public Hearing
14. Consideration of Resolution Declaring the City’s Official Intent to Reimburse Expenditures made for the Replacement of Equipment (One [1] Front Loader; Two [2] Rear Loaders; Three [3] Side Loaders; required in connection with FY 2023 Installment Financing - \$1,719,000)
- A~ Recommended Action: Adopt Resolution
15. Consideration of Amending Resolution R-2021-58 - Resolution Declaring Official Intent of the City of Rocky Mount to Reimburse Expenditures Made for the Replacement of Equipment (allows for replacement of four (4) Peterson Loaders with four (4) Pac-Mac Loaders due to location of vendor able to provide equipment at an earlier date)
- A~ Recommended Action: Approve Amendment to R-2021-58
16. Consideration of Certified Statement and Letter from the City Manager to North Carolina Department of Transportation Certifying FY 2022 Funds (\$0) were Expensed by Fiscal Year End (6/20/2021) due to utilization of CARES ACT funds allocated in FY2022 and that FY 2023 Funds (\$346,112) will be spent by the End of FY 2023 (requirement of State Maintenance Assistance Program [SMAP] funding application for Transit)
- A~ Recommended Action: 1) Authorize the Mayor and City Clerk to Execute the Required Certification on Behalf of the City; and  
2) Authorize the City Manager to Execute Letter of Intent
17. Consideration of Down East HOME Consortium (DEHC) Program Year 2021 Consolidated Annual Performance and Evaluation and Report (CAPER)
- A~ Recommended Action: Approve Report and Authorize Submission to HUD

18. Consideration of Grant Application to the Upper Coastal Plain Area Agency on Aging for FY 2022-2023 Senior Center General Purpose Funding (total = \$14,535; grant funds = \$10,901; 25% local match required = \$3,634)

A~ Recommended Action: 1) Approve Grant Application and Authorize Submission by Staff; and  
2) Authorize the Mayor and Appropriate City Staff to Execute Required Documentation and Certifications, including Subsequent Grant Agreement

19. Consideration of Resolution Designating City Manager, the Assistant City Managers and the Finance Director as the City's Officials to Make Recommendations to the North Carolina Alcoholic Beverage Control Commission on ABC Permit Applications.

A~ Recommended Action: Adopt Resolution

20. Consideration of Resolution Adopting the following Administrative Policies Pursuant to the 2021 Coronavirus Local Fiscal Recovery Fund Award (CSLFRF):

- a) No. II.50 A - Entitled "Records Retention Policy";
- b) No. II.50 B - Entitled "Nondiscrimination Policy";
- c) No. II.50 C - Entitled "Eligible Determination Policy";
- d) No. II.50 D - Entitled "Conflict of Interest Policy";
- e) No. II.50 E - Entitled "Management and Internal Controls Policies";
- f) No. II.50 F - Entitled "Premium Pay Policies"; and
- g) No. II.50 G - Entitled "Allowable Costs and Cost Principles"

A~ Recommended Action: Adopt Resolution

21. Consideration of Resolution of Intent to Enter into Lease Agreement with D'Chill Spot, LLC for City-Owned Property at 207-211 East Thomas Street (2-year lease; annual rent = \$41,800; term August 1, 2022 - July 31, 2024; resolution authorizes the Clerk to advertise proposed agreement pursuant to NCGS 160A-272)

A~ Recommended Action: Adopt Resolution

22. Consideration of Resolution of Intent to Enter into a Lease Agreement with Joshua Robinson for City-Owned Property at 105 East Thomas Street (3-year lease; annual rent = \$15,492; term November 11, 2022 – October 31, 2025; resolution authorizes the Clerk to advertise proposed agreement pursuant to NCGS 160A-272)

A~ Recommended Action: Adopt Resolution

23. Consideration of Declaring Certain Personal Property Surplus and Authorizing Disposal by Electronic Auction via GovDeals, Inc.

A~ Recommended Action: Adopt Resolution Declaring Property Surplus and Authorizing Disposal by Electronic Auction

24. Consideration of Bid for Recreation and Playground Equipment for MLK Jr. Park - based on RFP#269-2017-028 awarded by Omnia Partners Group Purchasing Program - award to Kompan, Inc. @ total cost of \$135,069.61 (group purchasing exception)

A~ Recommended Action: 1) Award Bid as Recommended; and  
2) Authorize the Purchasing Division to Issue Purchase Order and Execute Bid Document in Accordance with the Council's Award

\*A~ 25. Appointments:

- Animal Care and Control Advisory Board - four (4) appointments: Wards 1, 2, 3, 7; *\*Robert Burnish appointed for Ward 3*
- Board of Adjustment – four (4) appointments: Wards 1, 2, 4, and (1) Alternate Member;
- Business Development Authority – two (2) appointments (Mayoral appointments); *\*Anthony Cunningham appointed*
- Central City Revitalization Panel - six (6) appointments: one (1) Commercial Builder/Developer; three (3) Members-at-Large; and two (2) Ex-Officios; *\*Cary Cox appointed as Member-at-Large*
- Community Appeals Board – two (2) appointments: Wards 2, and 4;
- Housing Authority – one (1) appointment (Mayoral appointments);
- Martin Luther King, Jr. Commission – one (1) appointment;
- Planning Board – one (1) appointment: Ward 1;
- Redevelopment Commission – two (2) appointments; *\*Lemanuel Williams appointed*
- Tree Advisory Board – three (3) appointments – Wards 1, 2, and 6;
- Utility Service Review Board – three (3) appointments: Wards 1, 4, and 5; and
- Workforce Housing Advisory Commission – three (3) appointments: Wards 5; one (1) Faith-based Community members, one (1) Business Community member
- Upper Coastal Plain Brownfields Coalition Steering Committee - *\*Tom Harris appointed*

26. Consideration of Resolution to Apply for State Grant for Water Main Rehabilitation (\$3,900,000)

A~ Recommended Action: Adopt Resolution

27. Closed Session:

- Attorney Client
- Personnel

A~ 27a. Schedule Special Called Committee of the Whole meeting for September 28, 2022 @ 4:00 p.m. in the Committee Room on the Third Floor of the Frederick E. Turnage Municipal Building – Purpose: CLOSED SESSION to consider Personnel Matter (*added in open session*)