

November 14, 2022

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, Jr., Lige Daughtridge, Tom Harris and Jabaris Walker.

Staff present: Peter F. Varney, Interim City Manager; Kim Batts, City Clerk; Brad Kerr, Public Works Director; Will Deaton, Director of Development Services; Archie Jones, Director of Human Relations; Brenton Bent, Water Resources Director; Gregory Cotten, Chief Technology Officer; Latasha Hall, Director of Business and Collections Services; Tracey Drewery, Assistant Chief of Administration & Planning (Fire Department); Corey Mercer, Fire Chief; Michael Roupp, Assistant Chief of Operations; Darvin Moore, Division Chief; Ken Hunter, Assistant to the City Manager for Budget and Evaluation; Robert Hassell, Police Chief; Kevin Harris, Downtown Development Manager; Kirk Brown, Director of Communications and Marketing; Alex Langley, Athletics Supervisor; Kena Cofield-Jones, Director of Human Resources; Kream Mosley, Deputy City Clerk; and Richard J. Rose, City Attorney.

Security Officers: Police Sergeant Stephen Walker and Senior Police Officer Shawn Battle.

The Mayor called the meeting to order at 7:05 p.m. and requested all to stand for a moment of silent prayer.

APPROVAL OF MINUTES

Motion was made by Councilmember Joyner, seconded by Councilmember T.J. Walker, and unanimously carried the minutes of Regular Scheduled City Council meeting held on July 25, 2022, be approved as submitted to the City Council prior to the meeting.

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

Mayor Roberson stated he had received the following requests to amend the agenda:

- request to remove item 9L from the Consent Agenda;
- request to modify the closed session to reflect personnel and remove the property acquisition discussion

Motion was made by Councilmember Joyner, seconded by Councilmember T.J. Walker, and unanimously carried that the agenda be amended as requested.

COMMUNITY UPDATE BY INTERIM CITY MANAGER

Interim City Manager Peter F. Varney provided the following community update. The Interim City Manager:

- Referenced the visual aids that have been added to show details of the updates
- Stated that the city acquired two sanitation trucks, one has already been placed in service and the other will be soon
- Stated lose leaf collection started the first week of November (photo on how to properly place lose leaves by curbs)
- Showed map of northern & southern half stated that pickup is alternated one week it will be completed in northern half
- Stated that Dr. Martin Luther King Jr. I Have a Dream speech commemoration event coming up on Monday November 28 at 10 a.m. at Booker T Washington Community Center Gymnasium
- Confirmed that Congressman Butterfield will be the speaker at the upcoming MLK Unity breakfast
- Stated that the City is considering switching from a fixed route public transportation to a micro transit system like some other cities are using - this would be more of an on demand transportation system like Uber and Lyft where riders request rides in the service area through an app on their phones or calling into a call center (photo of the City of Wilson's vehicles that they use for this same type of transportation system)
- Stated a feasibility study for this type of transportation program is underway; next phase would be to conduct a survey of riders and non-riders to establish what the needs of public transportation are
- Stated Amtrack is requesting the City cut off 2 feet of the track side of the 800 feet long train station canopy (photo of the current and what it will look like after cutting off 200 feet); he is meeting with Amtrack to see if there is any other way they can meet their ADA requirements without making changes to the canopy
- Stated on November 16 & 17 Rocky Mount will be hosting an MWBE event at the Rocky Mount Event Center - the 36th Annual Professional Development - Hidden Figures Shining a Light on the Entrepreneurs of the East

RETIREMENT CERTIFICATE CONGRATULATING THE HONORABLE QUENTIN SUMNER

Mayor C. Saunders Roberson, Jr. presented the Honorable Quentin Sumner with a framed certificate congratulating him on his retirement as the Senior Resident Superior Court Judge for the Seventh Judicial District.

RESOLUTION RECOGNIZING COACH SAM TOLER FOR 45 YEARS OF VOLUNTEERING AS A LITTLE LEAGUE COACH FOR THE CITY OF ROCKY MOUNT

Mayor Sandy Roberson thanked Coach Sam Toler on behalf of the City Council for his service to the City of Rocky Mount and presented the City Council with the following resolution honoring him for his years of dedicated volunteer service:

WHEREAS, Coach Sam Toler began volunteering his time as a little league coach for the City of Rocky Mount in 1977; and

WHEREAS, Coach Toler coached many little league teams to championships during the last 45 years; and

WHEREAS, Coach Toler has touched the lives of more than 500 young athletes during his many years of coaching; and

WHEREAS, in 2018, Coach Toler was inducted into the Twin Counties Hall of Fame; recognizing and honoring him for his role in the community as a coach and mentor; and

WHEREAS, Coach Toler ensured he coached in a manner that helped his players gain confidence and believe in themselves.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Rocky Mount hereby recognize Coach Sam Toler for 45

years of volunteering with the City of Rocky Mount as a little league coach.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Harris and unanimously carried **that Resolution R-2022-61** entitled **RESOLUTION RECOGNIZING COACH SAM TOLER FOR 45 YEARS OF VOLUNTEERING AS A LITTLE LEAGUE COACH FOR THE CITY OF ROCKY MOUNT** be adopted.

Mayor Roberson presented Coach Toler with a framed copy of the resolution.

Small Business Saturday

Mayor Roberson read a proclamation proclaiming November 26, 2022 as Small Business Saturday in the City of Rocky Mount.

PETITIONS FROM THE PUBLIC

The Mayor opened the meeting for petitions from the public and outlined guidelines for public petitions. He informed citizens if they listed on their sign in sheet, they were there for a public hearing that he would wait until the public hearing to recognize them. He called on the following individuals for public comment and a summary of comments is outlined below:

Brian Burnett

- Stated in late April 2022 he requested that the property he acquired at 319 Marigold Street be removed from the demolition list & it was approved to be removed
- Stated that on April 29, 2022, he received an email stating that the building permit had been approved.
- Stated that he received an email from Adrian Copeland Sunday evening requesting permission to “harvest or take things” from 319 Marigold Street and from 427 Arlington Street.
- Stated that after taking possession of Marigold Street he realized it takes a lot of leg work to get contractors to come out and perform work.
- Stated after he was granted permission to remove 319 Marigold Street from the demo list they got to work on renovations
- Showed two photos, one from before any work had been completed and one after some work had been complete (this was done within 60 days part time
- Stated he had all of the exterior panting taken care of, did some lawn work, rewired some inside electrical, updated junction boxes and cables
- Stated that he was requesting once again that the house be removed from the demolition list, had it not been for Mrs. Copeland he wouldn’t have known that the property had been put back on the list and he is making changes/renovations that can be seen to the property
- Stated that for 421 Arlington Street he was asking to have until the end of Q1 to take care of it or to cut ties with it because he realizes the city is trying to move to the next level
- Stated that work has been done to the house that hasn’t been verified yet estimated amount \$15,000 in repairs
- Stated that owners should be told when their properties are put on these types of lists
- Stated that he would prioritize Marigold Street and would probably have to classify Arlington as a lost cause

Interim City Manager Varney stated:

- 11 houses on the demolition list for bids and confirmed the 2 that Mr. Burnette mentioned are on the list

- pre bid conference was held this morning, the bid opening would be held as scheduled for November 28
- one permit was issued April 29, as Mr. Burnette had said, but no others have been issued
- stated it sounds like there may have been some electrical work done, according to Mr. Burnette, but apparently with no permits issued

Interim City Manager Varney responded to questions from City Council relative to inspections at the property and the work that would still need to be completed. Interim Manager Varney stated that while some work has been completed on the outside, very little work has been complete on the inside. Interim Manager Varney stated he would provide an update for City Council after talking further with Mr. Burnette.

Muntaz Shaik

- Asked if they were aware of the 20-million-dollar Judicial Center building built to replace the old one on Cokey Road
- feels lack of space in the building isn't a good reason to spend 20 million dollars to inflict further pain on taxpayers as we already face inflation and are in a recession
- Stated the people should push for their right to vote on this 20 million dollar project
- Stated that people should demand the money be used for affordable housing, training for teachers and nurses, plumbers, electricians, truck drivers, all professions that we are short staffed in at this time
- Stated that people need to demand that elected officials practice fiscal responsibility and transparency, no more hidden agendas.
- Stated that the old building should be fixed instead of spending 20 million to build a new building

Interim City Manager Varney gave a brief history of the current Judicial Center. He reviewed some of the steps involved in financing and stated decisions related to a project that size would be brought before the public at the City Council meetings.

The Mayor stated that the City was looking at alternate ways to finance a project like the Judicial Center.

Councilmember Blackwell stated he feels like a project such as the Judicial Center should have the costs shared by the counties also involved so the Rocky Mount citizens are not burdened with the entire costs.

Adrienne Copland

- Stated she wasn't planning on discussing the demolitions but since they were brought up she thinks some things needed to be clarified
- Feels the City has violated state and local laws by publishing request for quotes for residential demolition because 4 of the properties in that RFQ haven't had an ordinance from City Code ordering the community code inspector to proceed with the enforcement of those laws
- Stated the 4 properties that don't have ordinances are 427 Arlington, 319 Marigold, 327 South Discovery, 4017 Gloucester Road
- Stated she feels the NC General Statutes that are being violated are Ch. 160D section 406 (1119, 1121-1127, 1203, 1206, and 1208)
- Stated what she was planning on discussing was Façade Grants and instances where policies are not being enforced
- Stated that her "harvesting materials" was for Preservation Rocky Mount

Councilmember Blackwell asked Ms. Copland if she could clarify about "harvesting material".

Ms. Copland stated she had an agreement with the previous Community Code Supervisor to salvage some of the items from structures that were to be demolished such as doors,

windows and trim. She stated the items were able to be sold at the non-profit, Preservation Rocky Mount

Councilmember Blackwell asked Interim Manager Varney if there was a policy that addressed the information that Ms. Copland had relayed.

Interim Manager Varney stated he was not aware of any common agreement or arrangement. Interim Manager Varney did confirm that the current ordinance stated the City could take possession of items of value from a house to be demolished.

Councilmember Knight stated if there was no agreement then the harvesting of materials needed to be stopped immediately.

CONSENT AGENDA

A. TEMPORARY STREET CLOSING

- Request from Brad Kerr, Director of Public Works, for permission to close the following streets for the Annual Christmas Parade on Sunday, December 4, 2022, from 1:00 p.m. to 4:30 p.m. (*ordinance adoption requirement of NCDOT standards*):
 - Along the east side of Main Street from Marigold Street to E. Thomas Street, Thomas Street (US 64 Business West) from NE Main Street to N. Church Street and Church Street (US 301 Business) from W. Thomas Street to Bassett Street

The recommended action is to adopt **Ordinance No. O-2022-71**

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKY MOUNT DECLARING A TEMPORARY ROAD CLOSURE FOR THE ANNUAL CHRISTMAS PARADE.

B. NOTIFICATION TO COUNCIL OF INTENT AND AUTHORIZATION TO APPLY FOR A GRANT FROM THE AKC REUNITE ADOPT A K-9 COP GRANT

The City Council was advised that staff wishes to apply for a \$7,500 grant through the AKC Reunite Adopt A K-9 Cop Grant to be used to assist with funding the cost to replace a retiring police canine. The Police Department recently lost one of its canines to cancer. Council was advised that the cost to replace a canine is approximately \$10,000. It was noted that, if received, the grant requires a local match and funding in the amount of \$2,500 and is available for the match.

The recommended action is to authorize submission of the grant application and authorize the Mayor and City Clerk to execute subsequent grant agreement, certifications and assurances on behalf of the City.

C. RESOLUTION COMMEMORATING AND CELEBRATING THE 60TH ANNIVERSARY OF DR. MARTIN LUTHER KING JR.'S SPEECH AT BOOKER T. WASHINGTON HIGH SCHOOL GYMNASIUM

The City Council was provided with the following resolution commemorating and celebrating the 60th anniversary of Dr. Martin Luther King Jr.'s speech at Booker T. Washington High School Gymnasium:

WHEREAS, on Tuesday, November 27, 1962, Dr. Martin Luther King, Jr. delivered a speech to the residents of Rocky Mount and Eastern North Carolina at the Booker T. Washington High School Gymnasium; and

WHEREAS, at the time of his speech, Dr. Martin Luther King, Jr. was a nationally recognized civil rights leader whose work and accomplishments already consisted of the following:

- Delivering his first public speech in 1944 in Dublin, Georgia, at the age of 15
- Earning a bachelor's degree from Morehouse College in 1948 at the age of 19
- Earning a Bachelor of Divinity from Crozer Theological Summary in 1951
- Joining the Alpha Phi Alpha Fraternity's Boston Sigma Chapter in 1952
- Becoming Pastor of Dexter Avenue Baptist Church in Montgomery, Alabama in 1954, Earning a Ph.D. in Theology from Boston University in 1955
- Serving as a spokesman of the 1955-1956 Montgomery Bus Boycott, which led to the desegregation of local public transportation.
- Co-founding and becoming President of the Southern Christian Leadership Conference in 1957, a position he would hold until his death, and through which he implemented numerous campaigns of civil disobedience to bring national attention to and abolish practices of racial segregation, which he outlined in his 1958 book, *Stride Toward Freedom*
- Becoming Co-Pastor with his father at Ebenezer Baptist Church in Atlanta, Georgia in 1960
- Participating in the 1960 sit-in campaign to end racial segregation in Atlanta, Georgia businesses, for which he was sentenced to State Prison; and

WHEREAS, Dr. Martin Luther King was invited as early, as 1958 by Pastor George Dudley of Rocky Mount's Mount Zion First Baptist Church, to visit and speak to the residents of Rocky Mount; and

WHEREAS, Dr. Martin Luther King gave a speech titled "Facing the Challenge of a New Age" to an audience of approximately 1,800 on Tuesday, November 27, 1962, at the Booker T. Washington High School Gymnasium in Rocky Mount; and

WHEREAS, in the conclusion of his 55-minute speech, Dr. Martin Luther King spoke the following words:

"And so, my friends of Rocky Mount, I have a dream tonight. It is a dream rooted deeply in the American dream..."

WHEREAS, Dr. Martin Luther King closed with the following pronouncement,

"We will be standing here; we will be able to sing with new meaning

*My Country, tis of thee,
Sweet land of liberty,
Of the I sing
Land where my fathers died,
Land of the pilgrims' pride,
May every mountain side,
Let freedom ring.*

That must become true all over American if this is to be a great nation.

*Yes, Let it ring from the prodigious hilltops of New Hampshire,
Let it ring from the mighty mountains of New York,
Let it ring from the heightening Alleghenies of Pennsylvania,
Let it ring from the snowcapped Rockies of Colorado,
Let it ring from the curvaceous slopes of California.*

But not only that, from every mountain side let freedom ring.

*So let it ring from Stone Mountain in Georgia,
Let it ring from Lookout Mountain in Tennessee.
Let it ring from every hill and molehill of Mississippi.
Let it ring from every mountain of North Carolina,
From every mountain side, let freedom ring.*

And when this happens all of God's children, black men and white men, Jews and gentiles, protestants, and Catholics, "will be able to join hands and sing in the words of the old negro spiritual . . . free at last, free at last, thank God almighty we are free at last!"

WHEREAS, Dr. Martin Luther King would use these same words and pronouncements in the conclusion of his speech entitled "I Have a Dream" delivered at the March on Washington for Jobs and Freedom on August 28, 1963, at the National Mall in Washington, DC; and

WHEREAS, these words represent the mandate we have as Americans and human beings to refuse to accept or allow segregation and advocate and implement civil rights, equality, and freedom for all; and

WHEREAS, Dr. Martin Luther King's delivery of these words for the first time in Rocky Mount, North Carolina, at Booker T. Washington High School Gymnasium on November 27, 1962, will always remain a prominent moment in the history of our city.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ROCKY MOUNT, NORTH CAROLINA, that we commemorate and celebrate the 60th anniversary of Dr. Martin Luther King's speech at Booker T. Washington High School in Rocky Mount, North Carolina, on November 27, 1962.

BE IT FURTHER RESOLVED that the Mayor and City Council encourage all residents and individuals to read, listen, and study the speech delivered by Dr. Martin Luther King in Rocky Mount and do their best to embody and advocate its message.

AND BE IT FURTHER RESOLVED that the City of Rocky Mount should continue to take appropriate actions to commemorate and promote this historic event and its enduring, timeless message, including the preservation of its location, Booker T. Washington High School Gymnasium.

The recommended action is to adopt **Resolution No. R-2022-62 RESOLUTION COMMEMORATING AND CELEBRATING THE 60TH ANNIVERSARY OF DR. MARTIN LUTHER KING JR.'S SPEECH AT BOOKER T. WASHINGTON HIGH SCHOOL GYMNASIUM**

D. FY 2023 INSTALLMENT FINANCING/REIMBURSEMENT RESOLUTION - EQUIPMENT

The City Council was provided with a reimbursement resolution declaring the City's official intent to reimburse expenditures incurred in connection with the replacement of equipment to be included in FY 2023 installment financing as follows:

Replacement of Equipment - (a Leaf Collection Machine, ROW Mowing Tractor, Sign Service Truck Utility Body, Backhoe, Tractor Mower, (4) Dump Body Crew Cabs, Point of Delivery Transformer and Substation 1 Equipment, Camera Van, and a Backhoe - \$3,409,000)

The Council was advised that it is customary for the City to purchase items to be financed in advance and subsequently reimburse the expenditures with financing and the U. S. Treasury requires that a resolution declaring the City's intent to reimburse expenditures be adopted in advance.

The recommended action is to adopt **Resolution No. R-2022-63** entitled **RESOLUTION DECLARING OFFICIAL INTENT OF THE CITY OF ROCKY MOUNT TO REIMBURSE EXPENDITURES MADE FOR THE REPLACEMENT OF EQUIPMENT.**

E. WATER ASSESSMENT CONTRACT

The City Council received a water assessment contract with Susan Janell Lee Baker for water service to 851 Goldrock Road. Council was advised that the contract provides for connection fees in the amount of \$4,265 to be assessed against the property.

The recommended action is to approve the assessment contract with Susan Janell Lee Baker for water service to 851 Goldrock Road (**C-2022-55**) be approved and that the Mayor and City Clerk be authorized to execute the same on behalf of the City.

F. MEMORANDUM OF UNDERSTANDING WITH NORTH CAROLINA ADMINISTRATIVE OFFICE OF THE COURTS

The City Council received a Memorandum of Understanding with the NC Administrative Office of the Courts (AOC). City Council was informed that AOC is upgrading the technology in courtrooms all across the State to allow for teleconferencing and video recording of court proceedings. The AOC is covering the cost of the audio-visual (AV) equipment and installation costs; and are requiring the jurisdictions who provide facilities for the courts to install the cabling that is needed to operate the AV equipment. The Memorandum of Agreement (MOA) between the City and the AOC provides that the City will reimburse the cost of the cable installation, which is estimated at \$8,613.

City Council was also advised that AOC was allowing the City to reimburse the cost of the cable installation in the next fiscal year due to the expense not being anticipated in this fiscal year.

The recommended action is to approve the Memorandum of Understanding with the NC Administrative Office of the Courts

(AOC) (C-2022-56) and authorize the Mayor to execute on behalf of the City.

G. PROPERTY ACQUISITION/DOWNTOWN DRAINAGE IMPROVEMENT PROJECT

Interim City Manager Peter Varney advised the City Council that the properties located at 217 S. Church St., 128 Nash St. and 225 S. Church St. need to be acquired to complete the Downtown Drainage Improvement Project. The City Council was also advised that an offer for the (3) three parcels was made to The BTW Alumni Association in the amount of \$70,000 and they have accepted the offer.

The recommended action is to approve the acquisition of the properties located at 217 S. Church St., 128 Nash St. and 225 S. Church St. @ a total cost of \$70,000.

H. ANNEXATION NO. 328 - 9121 WEST MOUNT DRIVE

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.

The recommended action is to adopt the following resolutions and that the Department of Development Services be instructed to prepare a feasibility study in connection with the annexation:

- a. **Resolution No. R-2021-64** 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. 328 - 9121 WEST MOUNT DRIVE; and**
- b. **Resolution No. R-2022-65** 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. 328 - 9121 WEST MOUNT DRIVE** (schedules public hearing for November 28, 2022).

ANNEXATION NO. 329 - 9041 and 9053 West Mount Drive (PIN 3738 0099 1544); PIN 3739 2090 8350; PIN 3739 2080 9143; PIN 3738 0090 6177

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.

The recommended action is to adopt the following resolutions and that the Department of Development Services be instructed to prepare a feasibility study in connection with the annexation:

- b. **Resolution No. R-2022-66** 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. 329 - 9041 and 9053 West Mount Drive (PIN 3738 0099 1544); PIN 3739 2090 8350; PIN 3739 2080 9143; PIN 3738 0090 6177; and**
- c. **Resolution No. R-2022-67** 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. 329 - 9041 and 9053 West Mount Drive (PIN 3738 0099 1544); PIN 3739 2090 8350; PIN 3739 2080 9143; PIN 3738 0090 6177** (schedules public hearing for November 28, 2022).

I. BUILDING REUSE GRANT/PROJECT BLUES

The City Council was provided with a resolution authorizing submission of the grant application for Project Blues to the North Carolina Department of Commerce for funding (\$300,000) through the Rural Building Reuse Program. The Council was advised that a company, based in Fruitland, Idaho, had announced plans to acquire a long time manufacturer of doors, moldings and windows in Rocky Mount. They were further advised that the company:

- Has been in business for 68-years
- has more than 30 manufacturing and warehouse facilities in the United States and South America
- plans to expand the operation with the addition of 42 new positions
- plans to retain the existing full-time workforce of 64 employees;
- Plans to spend approximately \$2,000,000 for real property and to upfit the space

It was noted that the Carolinas Gateway Partnership will arrange for a local cash match of 5% of the grant amount (\$15,000) to be used for planning and grant administration.

The recommended action is that **Resolution No. R-2022-68** entitled **AUTHORIZING RESOLUTION BY THE CITY OF ROCKY MOUNT FOR THE NORTH CAROLINA DEPARTMENT OF COMMERCE BUILDING REUSE PROGRAM - "PROJECT BLUES"** be adopted. This resolution provides that the City has substantially complied or will substantially comply with all State and local laws, rules, regulations and ordinances applicable to the project and to the grants pertaining thereto and that Peter F. Varney, Interim City Manager, is authorized to execute any additional documents pertaining to the grant application as requested.

J. LEASE AGREEMENT - 150 EAST THOMAS STREET (MANHATTAN BUILDING)

Consideration was given to a lease agreement with Joshua Robinson for City-Owned Property at 150 East Thomas Street in the Manhattan Building on the Douglas Block. The main terms of the lease were outlined as follows:

- 3-year lease; rent = \$15,492 annually;
- term November 8, 2022 - October 31, 2025

The Council was advised that the Notice of Intent to Lease Property has been advertised as required by the General Statutes.

The recommended action is that **Resolution No. R-2022-69** entitled **RESOLUTION AUTHORIZING THE LEASE OF CERTAIN PROPERTY** be adopted.

The resolution authorizes the Mayor and City Clerk to execute the Lease Agreement with Joshua Robinson (**C-2022-57**) on behalf of the City.

K. LEASE AGREEMENT - 207-211 East Thomas Street

Consideration was given to a lease agreement with D' Chill

Spot, LLC for City-Owned Property at 207-211 East Thomas Street. The main terms of the lease were outlined as follows:

- 2-year lease; rent = \$41,800 annually;
- term August 1, 2022 - July 31, 2024

The Council was advised that the Notice of Intent to Lease Property has been advertised as required by the General Statutes.

The recommended action is that **Resolution No. R-2022-70** entitled **RESOLUTION AUTHORIZING THE LEASE OF CERTAIN PROPERTY** be adopted.

The resolution authorizes the Mayor and City Clerk to execute the Lease Agreement with D' Chill Spot, LLC (**C-2022-58**) on behalf of the City.

L. REZONING - 7137 HUNTER HILL ROAD

City Council removed this item from the consent agenda for consideration.

M. CITY COUNCIL MEETING/CANCELLATION

Consideration was given by the City Council of canceling the second regular Council meeting scheduled for December 26, 2022.

Motion was made by Councilmember Joyner, seconded by Councilmember T.J. Walker and unanimously carried that the recommendation of the Consent Agenda be approved inclusive of the adoption of ordinances and resolutions; authorization for staff to submit grant application; for the Mayor, City Clerk and/or appropriate staff to execute required documentation, including final application and subsequent grant agreement certifications and assurances on behalf of the City; authorization for the Mayor, City Clerk or Interim City Manager to execute any required documentation for the above referenced contracts, agreements, property acquisition and leases; and approval of cancelation of December 26, 2022 City Council Meeting.

REZONING REQUEST

The Mayor stated this item was removed from the consent agenda for consideration.

- **Request by Anthony Ray Richardson to rezone ±7.84 acres at 7137 Hunter Hill Road from R-6CD to O-12**

The following information was outlined to City Council regarding the action taken to date on the rezoning request:

- August 9, 2022 - request considered by Planning Board and recommended for denial;
- September 12, 2022 - Public Hearing held; rezoning deferred until September 26, 2022 City Council Meeting
- September 26, 2022 - recommendation considered by the City Council and request referred to joint meeting with the Planning Board;
- October 11, 2022 - joint meeting held; discussion was held between the Planning Board and the City Council
- October 11, 2022 - the Planning Board made the following recommendation:

- o to forward the request to the Rocky Mount City Council recommending approval on the basis that the Together Tomorrow: Tier 1 Smart Growth Comprehensive Plan as currently adopted which was started in 1999 and approved in 2003 does not take into account today's zoning environment and use environment on the Hunter Hill Corridor Area and therefore a shift away from the use for this particular application is so justified by the fact that it's not inappropriate for the area in general to have small scaled commercial enterprises along Hunter Hill Road and does not significantly increase the zoning usage in this particular area.

Councilmember Harris stated he had concerns about approving this item because he felt it could cause others to look for exceptions and because if the property owner were to sell the property, the new owners may use the rezoning in a way that would not be acceptable to the surrounding property owners.

Councilmember Knight stated that this is not the first time there has been justification presented for an exception.

Motion was made by Councilmember Blackwell, seconded by Councilmember Knight and carried by a vote of 6-1 (Councilmember Harris opposed) that that **Ordinance No. O-2022-72** entitled **ORDINANCE AMENDING THE LAND DEVELOPMENT CODE AND MAP OF THE CITY OF ROCKY MOUNT** be adopted.

PLANNING BOARD RECOMMENDATIONS

The City Council received the minutes and recommendations from a Planning Board meeting held October 11, 2022. 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 George Barnes to rezone a ±1.6-acre portion of a ±6.79-acre parcel [PIN 375985022100] located between Cokey Road, Short Street, Branch Street and the rail line from I-2 to B-2

Will Deaton, Director of Development Services, gave an overview of the request.

The Mayor closed the public hearing.

Interim City Manager Varney stated the property is currently City property (the old Planter's Oil Mill) and there is a purchase agreement pending on the property.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Blackwell, and unanimously carried that **Ordinance No. O-2022-73** entitled **ORDINANCE AMENDING THE LAND DEVELOPMENT CODE AND MAP OF THE CITY OF ROCKY MOUNT** be adopted.

B. 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 Michael Hurt representative of Daughtridge and Hurt, LLC, property owner, for subject site located on Arrow Road [PIN 38212070221, 382120707931, 382120709730 and 382120800263] totaling ±17.44 acres from I-2 to B-1

Will Deaton, Director of Development Services, gave an overview of the request. He informed City Council that due to the size of the property, there were neighborhood meetings held regarding this rezoning.

Mike Tolson with Mack Gay and Associates:

- Stated they facilitated the neighborhood meetings for Daughtridge and Hurt
- Stated the response was overall positive and supportive from the individuals who attended the meetings

The Mayor closed the public hearing.

Motion was made by Councilmember Joyner, seconded by Councilmember Daughtridge, and unanimously carried that **Ordinance No. O-2022-74** entitled **ORDINANCE AMENDING THE LAND DEVELOPMENT CODE AND MAP OF THE CITY OF ROCKY MOUNT** be adopted.

C. 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 Charles Roberson, representative of Legacy Legacy, LLC, property owner, for the subject site located at 221 and 225 Atlantic Avenue totaling ±1.63 acres from R-6MFA to B-5

Will Deaton, Director of Development Services, gave an overview of the request.

Interim City Manager Varney stated the property located at 225 Atlantic Avenue is owned by the City and he is not aware of any agreement for use of the property.

Discussion was held relative to the location and use of the property.

The city attorney, Jep Rose, stated that 225 Atlantic Avenue could be removed from the ordinance since consent from the City would have been required to rezone the City-owned property.

Charles Roberson-

- Stated the 225 Atlantic Avenue was included in the rezoning because he was in the process of starting discussions about using the property
- Stated JoSeth BoCook from Development Services had said it could be included in the rezoning so it would not have to be rezoned at a later date

The public hearing was closed.

Motion was made by Councilmember Joyner, seconded by Councilmember Blackwell, and unanimously carried that **Ordinance No. O-2022-75** entitled **ORDINANCE AMENDING THE LAND DEVELOPMENT CODE AND MAP OF THE**

CITY OF ROCKY MOUNT be adopted with the condition that 225 Atlantic Avenue was removed from the ordinance.

APPOINTMENTS

Councilmember Daughtridge nominated Corey Folta for the Ward 5 vacancy on the Workforce Housing Advisory Commission.

Councilmember Blackwell nominated Apryl Cobb-Davison for the Ward 2 vacancy on the Board of Adjustment.

Councilmember Knight nominated Tonya Parker for the Ward 1 vacancy on the Board of Adjustment.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner, and unanimously carried that the nominations be approved.

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

CLOSED SESSION

Motion was made by Councilmember Joyner, seconded by Councilmember Jabaris Walker that the City Council enter into Closed Session at 8:07 p.m. for discussion relative to Personnel (*added to agenda in open meeting*). The minutes of the Closed Session shall be filed as a part of **ESM-621** at the end of **Minute Book No. 38** upon approval for release by the City Attorney.

REGULAR SESSION

The Mayor convened the meeting in regular session at 8:43 p.m.

ADJOURNMENT

There being no further business, by consensus, the meeting was adjourned at 8:44 p.m.



Kim Batts
City Clerk