

December 12, 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; 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 7:02 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 September 26, 2022, be approved as submitted to the City Council prior to the meeting.

APPROVAL OF ADDITIONS/DELETIONS TO AGENDA

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

- request to remove item 9I from the Consent Agenda;
- request to add appointment of Keith C. Rogers, Jr. as City Manager

Motion was made by Councilmember Joyner, seconded by Councilmember Harris, 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:

- Stated City entered into an agreement with NC DOT and CSX railroad about rail cross closings
- Stated that the rail crossing on Pitt Steet will be closed and the work on that will start on December 19
- Stated we had a major water line break on Sunset Ave near Patterson Drive - the water line was under high pressure but it has all been restored now and the street has been repaired
- Stated there will be no City Council meeting on December 26, so this will be the last Council meeting in 2022

CELEBRATION OF 100TH BIRTHDAY

Mayor C. Saunders Roberson, Jr. wished Ms. Ruth Anderson Smith a very happy birthday and presented her with a framed certificate recognizing this milestone birthday. Councilmember Knight shared comments about Ms. Smith and the Mayor, City Council and Ms. Smith's family joined her for a photograph.

RESOLUTION EXPRESSING APPRECIATION TO CLARA KNIGHT FOR DEDICATED SERVICE TO THE CITY OF ROCKY MOUNT

Mayor Sandy Roberson thanked Clara Knight on behalf of the City Council for her service to the City of Rocky Mount and presented the City Council with the following resolution honoring her for her years of dedicated service:

WHEREAS, Clara Knight served the citizens of Rocky Mount as a member of the Rocky Mount Board of Adjustment from January 2006 until November 2011, and

WHEREAS, Clara Knight continued to serve the citizens of Rocky Mount as a member of the Rocky Mount Planning Board from November 2011 until July 2022, and

WHEREAS, the Rocky Mount City Council appointed Clara Knight three times as a member of the Rocky Mount Board of Adjustment and five times as a member of the Rocky Mount Planning Board, thereby, showing the confidence they placed in her to help decide appeals related to the enforcement of the City's Land Development Code and to conduct a comprehensive and continuing program to direct the community's growth and establish principles and policies for guiding development in the City of Rocky Mount.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Rocky Mount, on behalf of the citizens of Rocky Mount, hereby express their appreciation of Clara Knight for her 17 years of dedicated service as a member of the City of Rocky Mount Boards, Commissions and Committees.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Harris and unanimously carried **that Resolution R-2022-74** entitled **RESOLUTION EXPRESSING APPRECIATION TO CLARA KNIGHT FOR DEDICATED SERVICE TO THE CITY OF ROCKY MOUNT** be adopted.

Mayor Roberson presented Ernest Taylor with a framed copy of the resolution on behalf of Ms. Clara Knight.

RESOLUTION EXPRESSING APPRECIATION TO JOHN MEBANE FOR DEDICATED SERVICE TO THE CITY OF ROCKY MOUNT

Mayor Sandy Roberson thanked John Mebane 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 service:

WHEREAS, John Mebane has served the citizens of Rocky Mount as a member of the Rocky Mount Historic Preservation Commission since the inception of the board in 1997, and

WHEREAS, John Mebane served many roles during his time on the commission including vice-chairperson, chairperson and chairing the Rules of Procedure subcommittee, and

WHEREAS, the Rocky Mount City Council appointed John Mebane six times to four-year terms as a member of the Rocky Mount Historic Preservation Commission, thereby, showing the confidence they placed in him to help safeguard the heritage of the City of Rocky Mount by preserving and regulating historic landmarks and districts.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Rocky Mount, on behalf of the citizens of Rocky Mount, hereby express their appreciation of John Mebane for his 25 years of dedicated service as member of the Rocky Mount Historic Preservation Commission.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner and unanimously carried **that Resolution R-2022-75** entitled **RESOLUTION EXPRESSING APPRECIATION TO JOHN MEBANE FOR DEDICATED SERVICE TO THE CITY OF ROCKY MOUNT** be adopted.

Mayor Roberson presented John Mebane with a framed copy of the resolution.

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:

Gertrude Whitaker -

- Stated that she was from GKW Foundation for Kids, a nonprofit organization
- Stated that they were trying to obtain a GKW Home for kids
- Stated that they do events for kids in low-income neighborhoods, and bring the events to kids whose parents work and can't get them to the events.
- Stated that they want to have a home with a library and rooms for the children to sleep
- Stated that the funding plan is to build a kid restaurant because currently the only kid restaurant is Golden Corral

Nathlyn Ohree -

- Stated that she is requesting more support for United Christian Ministries; she heard rumors it was closing, and she sees it is on the agenda tonight for a \$30,000 contribution from the city
- Stated she is concerned about the new 20-million-dollar judicial center and as a citizen she needs more transparency about the funding of the judicial center.

Al Bullard -

- Stated there was a car in the Christmas Parade that had horrible language coming from it
- Stated line 22 states you are supposed to play all Christmas music, however this wasn't Christmas music
- Stated he has a recording and will be happy to make copies for anyone on the panel that wants one
- Stated that the parade was most successful when held on Saturdays
- Stated that he has attended multiple parades since he is retired and this didn't take place at any of those

Nehemiah Smith -

- Thanked the City of Rocky Mount for their support of the third annual Feed the City, it was a great success and served 300 people
- Stated Councilmembers Daughtridge, Harris, and the Mayor were there volunteering
- Thanked all the Councilmembers
- Stated that the Chief of Police and Fire Chief are great Chiefs because their men were out there serving people for the community to see and it showed the community that people were working with them
- Stated that Chief Hassell passed out toys to the kids.
- Stated that this event helped the citizens see who our city's leaders are

Stephany Houghtlin -

- Stated that she writes the blog Mainstream Rocky Mount
- Stated that there are a lot of positive things happening right now on Main Street
- Shared a story of when Mr. Varney took her to the train station - stated everyone spoke to him and when she asked a lady there about him, she said, "he is the best"
- Stated that she hopes the new City Manager is a man with a moral compass like Mr. Varney, and who is always on top of what might be best for the citizens and what might be best for the community

Bronson Williams -

- Stated that he watched the Committee of the Whole meeting today and the city is doing and working towards some great things to make Rocky Mount a better place
- Stated that he visited Baskerville Elementary School and saw our chief of police and many officers with the department helping young men tie ties
- Stated that the police department bridging relationships is very important because of what happens nationally in police departments
- Thanked the City Council for making necessary investments and Rocky Mount is a place that has no time for crime
- Stated that he hopes in the up coming months that we really take a look at what a plan is so that people that are not from Rocky Mount can look at our website and say that they want to invest in Rocky Mount
- Stated that it is important for everyone to be able to see the good things that are going on so they can see the full potential and a plan to buy into

CONSENT AGENDA**A. AD VALOREM TAX RELEASES: (recommended for approval)**

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

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

<u>YEAR</u>	<u>BILL NO.</u>	<u>NAME/ADDRESS</u>	<u>TAX</u>	<u>COMMENT</u>
<u>EDGECOMBE COUNTY</u>				
2022	1001678	JOPLIN, KARI YVONNE 1625 BEVERLY RD ROCKY MOUNT NC 27801	71.46	CITY OUTSIDE CITY LIMITS
		TOTAL RELEASE:	71.46	
2022	1001703	JOPLIN, KARI YVONNE 1625 BEVERLY RD ROCKY MOUNT NC 27801	50.43	CITY OUTSIDE CITY LIMITS
		TOTAL RELEASE:	50.43	
2022	1001721	RICKS, ROBERT JR 511 ROSE ST ROCKY MOUNT NC 27801-5472	13.67	CITY DUPLICATE BILL
		TOTAL RELEASE:	13.67	
2022	21660	SMITH, JAMES R 116 WASHINGTON PL ROCKY MOUNT NC 27801	2.93	CITY ELDERLY/DISABLED EXEMPTION
		TOTAL RELEASE:	2.93	

NASH COUNTY

2022	2099	ROCKY MOUNT MOTORS P O BOX 97 BATTLEBORO, NC 27809	11.49 1.15	CITY VALUATION PEN CORRECTION
		TOTAL RELEASE:	12.64	

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

<u>YEAR</u>	<u>BILL NO.</u>	<u>NAME/ADDRESS</u>	<u>TAX</u>	<u>COMMENT</u>
<u>EDGECOMBE COUNTY</u>				
2022	1001904	LANDRY, WAYNE GEORGE 407 ALBEMARLE AVE ROCKY MOUNT NC 27801	282.11	CITY OUTSIDE CITY LIMITS
		TOTAL RELEASE:	282.11	
<u>NASH COUNTY</u>				
2022	1000162	PENSKE TRUCK LEASING CO LLP PO BOX 1321 READING PA 19603	1,702.03	CITY VALUATION CORRECTION
		TOTAL RELEASE:	1,702.03	
2022	2322	RYDER TRUCK RENTAL INC 0642 ATTN: PROPERTY TAX DEPT PO BOX 025719 MIAMI FL 33102	11,533.50	CITY VALUATION CORRECTION
		TOTAL RELEASE:	11,533.50	

The recommended action is to approve the tax releases.

B. AWARD OF DUTY BADGE/SIDEARM (recommended for approval):

The City Council received a recommendation to award the Duty Badge and Sidearm to Police Captain Charles Williams for 30 Years of Credible Service.

The recommended action is to approve award.

C. MEMORANDUM OF AGREEMENT/CAROLINA STRIVE [FORMERLY CAROLINA STALLIONS] FOR YOUTH SERVICES

The City Council was provided with a Memorandum of Agreement with Carolina Strive [formerly Carolina Stallions] for Youth Services. It was noted that during the past twenty years hundreds of student athletes have taken advantage of the numerous community service opportunities, rehabilitative programs, athletic scholarships, and job opportunities provided through the partnerships developed by the Carolina Stallions, now Carolina Strive. City Council was advised that Carolina Strive will use the City Funds in the amount of \$15,000 to provide programs for the community that:

- Create well rounded individuals
- Build a sense of pride in the community
- Prepare and help provide students for collegiate experience
- Reduce adolescent and teen crime by combating idleness
- Provide athletic/academic opportunities for youth and teens

The recommendation action is that the Memorandum of Agreement with Carolina Strive [formerly Carolina Stallions] **(C-2022-62)** be approved and the Mayor be authorized to execute the agreement on behalf of the City.

PROPERTY ACQUISITION - 808 SOUTH GRACE STREET

The City Council considered a request to acquire the property located at 808 South Grace Street. City Council was advised that in connection with the project to rebuild Fire Station #2, the City has considered neighborhood redevelopment work in the block in which the fire station is located. The City Council was also provided with the following information:

- Property valued at \$11,000 for tax valuation purposes
- Property owner is willing to accept \$20,000 for the property

The recommended action is to authorize the acquisition of 808 South Grace Street for \$20,000 and authorize the Mayor or the City Manager to execute any documents necessary for the acquisition.

ANNEXATION AND WATER SERVICE AGREEMENT

The City Council received an Annexation and Utility (Water) Service Agreement (including an Irrevocable Petition for Annexation of Property and Hold Harmless Agreement) for water service outside the City limits to 4290 S. Church Street. Council was advised that the property owner has paid the standard annexation petition fees

and has agreed to be bound by all provisions of the Irrevocable Annexation Petitions; however, the property is not a good candidate for annexation at this time.

The recommendation is to receive the Annexation Petition, postpone the annexation, approve, subject to payment of required privilege and connection fees, the Annexation and Utility (Water) Service Agreement for 4290 S. Church Street and authorize the City Manager to execute the agreement **(C-2022-63)** with Benjamin Martinez Gonzales on behalf of the City.

PROFESSIONAL SERVICE AGREEMENT - WITHERSRAVENEL

The City Council was provided a professional service agreement with WithersRavenel to develop a sewer model for the City's sewer collection service. City Council was informed that On August 17, 2022, the City of Rocky Mount was awarded a grant for \$400,000 to develop a citywide sewer model. The grant was received from the Division of Water Infrastructure through the Asset Inventory and Assessment (AJA) Grant program and the State Water Infrastructure Authority (SWIA) and does not require a match. The City Council was advised that on August 25, 2022, the City advertised for Professional Engineering Services via Request for Qualification #320-220822RP with a response deadline to the Purchasing Division by October 6, 2022.

WithersRavenel was the successful and qualified respondent with a proposal including a scope of service as follows:

- Project management
- Review of GIS data and existing information
- GPS data collection, attributed population, and connectivity
- Pump station Evaluation
- Flow Monitoring
- System Modeling
- Development of Asset Management Plan (AMP)
- Training

The recommended action is to approve the professional service agreement with WithersRavenel **(C-2022-64)** to develop a sewer model for the City's sewer collection service @ a total cost of \$400,000 and authorize the City Manager to execute the agreement on behalf of the City.

G. AMENDED ELECTRIC SERVICE AGREEMENT/TIDAL DATA SYSTEMS, LLC

The City Council received an amended and restated electric service agreement with Tidal Data Systems, LLC that outlines the terms and conditions for the purchase of electric power for their facility at 50 Merchant Court. The City Council was advised that the contract increases the demand from 3,200 kilowatts to 4,800 kilowatts and will be billed on the City's Electric Rate Schedule - Industrial Service.

The recommended action is to approve the amended and restated contract with Tidal Data Systems, LLC and that the Mayor and City Clerk be authorized to execute the same on behalf of the City. The contract will be on file in the City Clerk's office with **(C-2022-60)**.

H. LEASE AGREEMENT - 152 EAST THOMAS STREET (MANHATTAN BUILDING)

Consideration was given to a lease agreement with Stephanie Mitchell for City-Owned Property at 152 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 = \$6,600 annually;
- term November 23, 2022 - November 22, 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-2022-76** entitled **RESOLUTION AUTHORIZING THE LEASE OF CERTAIN PROPERTY** be adopted.

The resolution authorizes the Mayor and City Clerk to execute the Lease Agreement with Stephanie Mitchell **(C-2022-65)** on behalf of the City.

I. PROCUREMENT AND MAINTENANCE MANAGEMENT/ENTERPRISE FLEET MANAGEMENT

Item was removed from the Consent Agenda for consideration.

J. LEASE AGREEMENT - ROCKY MOUNT AREA CHAMBER OF COMMERCE

Consideration was given to a lease agreement with the Rocky Mount Area Chamber of Commerce for City-Owned Property at 101 Coastline Street - 4,800 square feet on the Second Floor and 400 square feet on the Third Floor of the Helen P. Gay Historic Train Station. The main terms of the lease were outlined as follows:

- 3-year lease; rent = \$13,200 annually;
- term January 1, 2023 - December 31, 2026

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-2022-77** entitled **RESOLUTION AUTHORIZING THE LEASE OF CERTAIN PROPERTY** be adopted.

The resolution authorizes the Mayor and City Clerk to execute the Lease Agreement with the Rocky Mount Area Chamber of Commerce **(C-2022-66)** on behalf of the City.

K. BUDGET ORDINANCE AMENDMENT/SENIOR CENTER GRANT

Consideration was given to a budget ordinance amendment to appropriate grant funds received from the Upper Coastal Plain Area Agency on Aging - Senior Center General Purpose Grant (\$10,901) to the General Fund to be used for support and development of

programming, general operation, and facility improvements at the Rocky Mount Senior Center.

The recommended action is that **Ordinance No. O-2022-80** entitled **ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR 22-23/SENIOR CENTER GENERAL PURPOSE GRANT** be adopted.

L. GRANT PROJECT ORDINANCE/URGENT REPAIR PROGRAM

The City Council received a request to allocate an additional \$350,000 from the General Fund Balance for the Urgent Repair Program. City Council was advised that the Urgent Repair Program eligibility is as follows:

- applicant must own and occupy the home
- household income cannot exceed 50% of area median household income
- applicant must be current on payment of property taxes to the City
- applicant must meet at least one of the following criteria:
 - o elderly (≥ 62 years old)
 - o disabled
 - o single parent with at least one dependent child at home
 - o large household (5 or more in the home)
 - o military veteran

It was noted that the maximum grant award is \$15,000.

City Council was informed that 77 applications were received for the urgent repair program and current funding allows for 28 to be funded with the other 28 placed on a wait list. City Council was provided the following to show current funding for the program:

General Fund	\$150,000
American Rescue Plan	\$ 50,000
NC Housing Finance Agency	\$132,000

City Council was also informed the Fund Balance was sufficient to support the request.

The recommended action is that **Ordinance No. O-2022-81** entitled **2022-2023 URGENT REPAIR PROJECT** be adopted.

M. BID/ONE (1) STERTIL-KONI HEAVY DUTY FLUSH MOUNTED SKYLIFT

The City Council received a recommendation to purchase one (1) Stertil-Koni Heavy Duty Flush Mounted Skylift in accordance with Statewide Vehicle Contract and State of North Carolina Term Contract [NCGS 143-129(e) (9)] which allows purchasing against the Statewide Vehicle Contract and State of North Carolina Term Contract without seeking competitive bids.

The total cost of the vehicle is \$187,893 and the vehicle is being purchased against Statewide Term Contract# 070D - Vehicles, Lifts and Garage Associated Equipment, pursuant to NCGS 143-129(e) (9).

The recommended action is to award the bid to Piedmont Trucks @ a total cost of \$187,893 and authorize the Purchasing Division to issue a purchase order for the vehicle in accordance with the

Council’s award. The bid documentation for this purchase is on file in the office of the City Clerk as **BD-2022-45**.

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 approval of tax releases; approval of award of duty badge and sidearm; authorization for the Mayor, City Clerk or Interim City Manager to execute any required documentation for the above referenced contracts, agreements and leases; receive annexation petition/postpone annexation; award bid as recommended and adoption of Ordinances and Resolutions.

PROCUREMENT AND MAINTENANCE MANAGEMENT/ENTERPRISE FLEET MANAGEMENT

City Council considered a proposal for a partnership with Enterprise Fleet Management (EFM) for securing lease procurement of light-duty vehicles, managed and outsourced maintenance of light-duty vehicles, and online software management of all City vehicles. City Council was informed the following actions would be needed to move forward with the process:

1. Approval and execution of the Master Equity Lease Agreement; Full Maintenance Agreement; and Master Management and Fleet Rental Agreement;
2. Adopt Resolution approving Administrative Policy No. III.22, that provides:
 - a. Establishment of Council-approved maximum limits, set forth in the annual operating budget, for leasing of City vehicles; and
 - b. Authorization for City Manager to approve individual vehicle leases; and
3. Adoption of Resolution approving an amendment to staffing reassigning current, funded, and vacant positions as follows:

Current Department/Division	Current Position	Current Range	Reclassified Department/Division	Reclassified Position	Reclassified Range	No. Positions
Public Works/ Fleet Maintenance	Equipment Mechanic I	10	Public Works/Fleet	Procurement Specialist Technician III	12	1
Public Works/ Fleet Maintenance	Equipment Mechanic I	10	Finance/ Accounting	Accountant I	17	1

City Council Comments

- Councilmember Blackwell
 - Stated he feels a \$2 million dollar transaction that changes the way the vehicles are purchased or leased by the City deserves time and attention
 - Stated several questions were raised during the one presentation about the matter
 - Concerned about the long-term implications of moving a public function into a private sector

- State he is not saying it is wrong or illegal, but he does have concerns
- Councilmember Knight
 - Stated he felt there were concerns when the presentation was given and he is not sure the questions were answered in a manner to gain a clear understanding
 - Stated he still has some concerns
 - Councilmember Joyner
 - Asked if the Interim City Manager could give some history

Interim City Manager Varney stated the City has always purchased vehicles pursuant to state contracts but the replacement has not occurred on a frequent schedule. He stated this has caused many of the vehicles to be 10 years increasing the chance of mechanical issues. He stated the agreement with Enterprise Fleet Management would allow the City to attempt catch the fleet numbers up with less funds since the vehicles would be leased instead of purchased. Mr. Varney stated he feels there would be control in the replacement process because the City Manager, Assistant City Manager and the Finance Director would be approving each of the leases. He stated the contract could be terminated at any time if it was decided that the process was not working.

Councilmember Blackwell stated he is still concerned since it shifts into a business model that we have not engaged in before and he would have liked to have more conversation before making the shift. He also stated he hopes it does not bleed into other departments and philosophies about privatizing public business.

Motion was made by Councilmember T.J. Walker, seconded by Councilmember Harris and carried by a vote of 5-2 (Councilmembers Knight and Blackwell opposed) that **Resolution No. R-2022-78** entitled **RESOLUTION ADOPTING ADMINISTRATIVE POLICY NO.III.22 LEASED VEHICLE PROCUREMENT POLICY; Resolution No. R-2022-79** entitled **RESOLUTION APPROVING AMENDMENTS TO POSITION CLASSIFICATION AND PAY PLAN** be adopted; and the Mayor and City Clerk be authorized to execute the Master Equity Lease Agreement; Full Maintenance Agreement; and Master Management and Fleet Rental Agreement with Enterprise Fleet Management (**C-2022-67**) on behalf of the City.

ANNEXATION NO. 328 - 9121 WEST MOUNT DRIVE

The Mayor recognized Development Services Director, Will Deaton to explain the feasibility study prepared in connection with the annexation by the Department of Planning and Development. Mr. Deaton explained the report and stated that water service is available at the site, but sewer is not available. He also stated that environmental services would not be provided. Mr. Deaton stated the property would become a part of Ward 4 if the annexation is approved. A copy of the report is on file in Annexation No. 328 in the office of the City Clerk.

The Mayor opened a public hearing relative to Annexation No. 328, and the following individuals spoke:

Malcolm Logan

- Stated he is a nine-year a resident and small business owner in Nash County within the City of Rocky Mount
- Stated he is in support of annexation 328 concerning property at 9121 West Mount Drive
- Stated Council should have received a communication from the petitioner, James Galliard stating an appeal in this matter
- Stated the parcel is currently serviced by Rocky Mount electric, water, and gas
- Stated the petitioner seeks voluntary annexation for the privately funded installation Rocky Mount Sewer
- Stated the parcel would be redesignated from R-30 to OI-2
- Stated he respectfully asks for approval of the annexation

John Cheatham

- Stated he opposes the annexation of 9121, 9041, and 9053 West Mount Drive
- Stated he understands that an individual landowner has the right to request voluntary annexation into the city
- Stated he is concerned that the character of the community will change
- Stated the rezoning is inconsistent with the previous or current Nash County Comprehensive Land Use Plan
- Stated that business and commercial areas remain centered at crossroads rather than along residential stretches of West Mount Drive
- Stated that when Word Tabernacle purchased the property, the community understood that it would ultimately be used for a church
- Stated that the possible plan is for restaurants, private campgrounds and RV parks, outdoor amphitheater and event/conference venue
- Stated the proposed uses are drastically different in nature than the current rural residential character
- Stated it would create a different and intensive traffic flow than from residential or conventional church use

Keith Langley

- Stated that he opposes the annexation of 9121, 9041, and 9053 West Mount Drive.
- Asked that as feasibility studies related to the annexation under NCGS 160A-31 are reviewed that the following be considered:
 - The property is located almost a mile away from the current contiguous city limits.
 - The property is only a mile away from the West Mount Fire Department and 3 miles from the closest City Fire Station
 - Street maintenance services will be impacted
 - Greater costs than revenue benefits for environmental services
 - Most of the property is tax exempt
 - Sewer service is necessary
 - Sewer service will require capital improvements and acquisition of easements from community owners
 - The likelihood of future development and annexation would be reduced

Gwendolyn Rigsby

- Stated that she opposes the annexation of 9121, 9041, and 9053 West Mount Drive
- Stated that in reviewing the feasibility study adjoining owners, Grace Druppel, Cody and Ashley Melvin, Shirley Curtis and Bobby Joyner were supposed to be notified
- Stated that return on investment should be considered
- Stated that the proposed annexation will lead to higher taxes or reduced services

- Asked if there is a sufficient revenue stream to pay the cost to provide services
- Stated the property currently does not have key services, like sewer or solid waste pickup
- Stated the cost of all services provided to taxpayers must be factored in
- Stated there will be added costs for police and emergency services, as well as others

Jack Tyson

- Stated that he owns a property on West Mount Drive and his mother also lives on West Mount Drive
- Stated that he opposes the annexation of 9121, 9041, and 9053 West Mount Drive.
- Asked that as the city evaluate NCGS 160A-582A when reviewing the annexation
- Stated that when a city makes satellite annexation in an area covered by a rural fire protection district, the city must annually pay its proportionate share of any payments due on any debt related facilities or equipment of the rural fire department
- Stated that the West Mount Fire Department has outstanding debt and the feasibility study did not address it
- Stated that the city needs to evaluate NCGS 160a-58.1 section 5, given the acreage involved
- Stated that a significant portion of the property is tax exempt
- Stated that the pool of future potential annexations would be reduced
- Stated this seems to be a poor use of satellite annexation potential considering the statutory 10% limit
- Stated a large satellite annexation should be saved for a true revenue producer

Deleon Parker

- Stated that he owns land off West Mount Drive along with his mother, 2 sisters and 2 nephews
- Stated that he opposes the annexation of 9121, 9041, and 9053 West Mount Drive
- Stated that he understands the city's desire to grow and an individual owner's option to petition for annexation
- Stated the following issues for the city:
 - a negative return on investment, given the tax-exempt status of a majority of the property
 - negative impacts to future satellite annexation, given the 10% statutory limitation
 - analysis of West Mount Fire Department's debt and the city's potential statutory obligation
- Stated that opposition comes from the applicant's desire to change the property character from residential and church use to commercial
- Stated that the feasibility study does not address potential cost to the city for sewer.
- Stated he currently has over 127 signatures of residents opposed to the change.
- Asked that the request be tabled or denied
- Asked that Mayor Roberson allow written remarks to a part of the record for the next item annexation 329

The Mayor declared the public hearing closed. The Mayor reminded everyone that the City Council was not scheduled to vote on this matter tonight and was only receiving public comments. The Mayor agreed to allow the written remarks to be submitted for the Public Hearing on Annexation No. 329.

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 Mayor recognized Development Services Director, Will Deaton to explain the feasibility study prepared in connection with the

annexation by the Department of Planning and Development. Mr. Deaton explained the report. A copy of the report is on file in Annexation No. 328 in the office of the City Clerk.

The Mayor opened a public hearing relative to Annexation No. 328, and the following individuals spoke:

Malcolm Logan

- Stated he is rising again in support of Agenda Item 11 Proposed annexation number 329
- Stated that I think it is worth noting that the draft annexation agreement does provide for solid waste collection and sewer to remain private
- Stated that the proposed activity on this site would result in economic investment and would create jobs
- Stated that there is a logging business less than 1/3 of a mile to the east and there is a communication/cable provider about one mile to the east
- Stated he respectfully request your approval of the proposed annexation

Deleon Parker

- Stated the cable TV company Suddenlink, has been there for over 40 years and it is in the current city limits. The logging business that was referenced earlier is termed as agricultural
- Stated in county planning, businesses are basically restricted to intersections, which is a mile either direction, not in the middle of a road

The following individuals submitted written comments in opposition to the annexation. The comments are included below:

My name is John Cheatham. I live at 3551 Wood Duck Lane and adjoin the property.

I believe I represent the West Mount Community when I say that I am opposed to the satellite annexation of 9121, 9041 and 9053 West Mount Drive. West Mount has obvious ties to Rocky Mount in many ways: Many of us work, shop, or have families or friends that are City neighbors. We want to see Rocky Mount prosper. We understand an individual landowner's right to request voluntary annexation into the city, and we also understand that this does not create a future avenue for involuntary annexation of surrounding property.

We are deeply concerned as a community, however, about the change in character that will result. The petition for annexation is just the beginning for this property. The applicant has clearly stated intentions of changing the character of the property to commercial or business use which is inconsistent with the current surrounding residential and agricultural uses. This will require rezoning after annexation. Such rezoning is inconsistent with the previous or current Nash County Comprehensive Land Use Plan. West Mount has retained its rural residential character despite having 4 lanes from Bethlehem Road to Halifax Road for approximately the last 40 years. Business and Commercial areas remain centered at crossroads rather than along the residential stretches of West Mount Drive.

When Word Tabernacle purchased the property, the Community understood that they would ultimately use the property for the church. They have since moved into the Home Depot facility. Now they have indicated possible plans for restaurants, private campgrounds and RV parks, outdoor Amphitheater, and event and conference venue. These uses would require rezoning to classifications that would include a host of other uses that are drastically different in nature than the current rural residential character. They would also create different and more intensive traffic flow than residential or conventional church use. We request that each of these issues be thoughtfully considered before approving the pending satellite annexation request of 9121, 9041 and 9053 West Mount Drive.

My name is Keith Langley. I live at 3409 Cutchin Drive, across the road from the property. I oppose the annexation request of 9121, 9041 and 9053 West Mount Drive. As you review feasibility studies related to this satellite annexation under General Statute 160A-31, I ask that you consider the following:

1. The property is located almost a mile away from the current contiguous city limits
2. The property is only a mile away from West Mount Fire Department for fire and rescue

- services, but 3 miles from the closest City Fire Station on Winstead Avenue
3. First Responders are able to provide a faster response time to this area from the local fire department rather than the City, better serving the property health and safety
 4. If converted to business zoning after annexation, street maintenance services will be impacted
 5. If environmental services are needed in the future, they would likely experience greater costs than revenue benefits for travelling outside the contiguous city limits to service a small number of business and residential points
 6. Most of the property is tax exempt, and as such, is not contributing to ongoing services that will be provided to service the area
 7. The applicant has stated publicly the need for sewer service. The closest city sewer service is approximately a mile away. Even if applicant is able to obtain grants for their needs, it is likely that the city would examine or pursue an oversize sewer plan at the City's expense to accommodate potential future growth. This would likely result in an expense to the city in excess of 1.2 Million.
 8. Sewer service will require significant capital improvements and acquisition of easements from community owners that will likely be hostile to such acquisition and at great cost to the city
 9. Most of the land between current city limits and the proposed site have multi-generational ownership, with younger generation owners continuing to live on family property. This reduces the likelihood of future development and annexation that would otherwise provide long-term benefit from city capital improvement expenditures to this site, reducing improvement Return on Investment.

I ask that you consider the applicant's public statements regarding need for sewer service and the obvious need for rezoning as you evaluate Service Plans and Capital Improvements under General Statute 160A-31, and that you table or deny this annexation request.

My name is Gwendolyn Rigsby. I live at 1623 West Mount Drive between the current city limits and the proposed annexation property. I am a lifelong resident of the West Mount Community.

I also oppose the annexation request of 9121, 9041 and 9053 West Mount Drive. In your consideration, I ask that you review the sufficiency of notice of hearing. It is my understanding that property owners within 250 feet of the subject property were supposed to be notified. I do not have that list, but in reviewing the Feasibility Study, I see a list of adjoining owners. I believe this would include Grace Druppel at 9243 West Mount Drive, Cody and Ashley Melvin at 9257 West Mount Drive, as well as those owners on the other side of the Tar River, including Shirley Curtis at 3506 Shenandoah Drive, and Bobby Joyner at 12010 East NC 97.

Additionally, when looking at annexation of additional property into any town or city there are many things that need to be looked at and considered. One of the most important ones should be Return on Investment. This test is done with every business decision. Elected officials have a very clear charge to look after the purse strings of the public funds as well. This proposed annexation is surely a case that will lead to one of two things: higher taxes on the remaining populous of the city, or possibly reduced services in the balance of the City. Look at this as if you were buying a house. You would always be sure there is a sufficient revenue stream to make the mortgage payment. That logic applies when considering whether to approve a requested annexation. Is there sufficient revenue stream to pay the cost to provide the services that match what the other parts of the City have available? The case here is clearly No.

Annexation is very similar to rezoning. The action taken applies to the land, not the person making the request. Even if the applicant knows the property does not currently have key services like sewer or solid waste pickup does not make those service obligations go away. The cost of all services provided to taxpayers must be factored in when determining cost. With the planned activity stated by the applicant there will certainly be an added costs for police protection and emergency services, as well as many others.

My name is Jack Tyson. I live at 2306 Bunnie Dr, Elm City. I own property at 8214 West Mount Drive, and my mother lives at 9186 West Mount Drive, both across the road from the subject property.

I oppose the annexation request of 9121, 9041 and 9053 West Mount Drive. As the city evaluates this satellite annexation petition, the community asks that you evaluate General Statute 160A-582A. When a city makes satellite annexation in an area covered by a rural fire protection district, the city must annually pay its proportionate share of any payments due on any debt related facilities or equipment of the rural fire department. The West Mount Fire Department currently has an outstanding debt, and the Feasibility Study does not appear to address this. The city needs to evaluate its share of this debt service based on the size of the requested annexation.

Additionally, given the acreage involved, the city needs to evaluate General Statute 160A-58.1 section 5, providing that "The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, may not exceed 10% of the area

within the primary corporate limits of the annexing city."

Given that a significant portion of the property is tax exempt, the city should consider that this satellite annexation reduces the pool of future potential satellite annexations. This analysis could be critical in the future if the city were looking to satellite annex an area for a potential industrial or other high tax and utility revenue generating facility. From a cost benefit analysis, this seems to be a poor use of limited satellite annexation potential considering the statutory 10% limit. Save a large satellite annexation like this for a true revenue producer.

I believe that as the City thoughtfully evaluates this petition, the potential negative return on investment it will generate, and the likely limitation of future satellite expansion for more viable projects, that you hopefully agree this annexation is not a step forward for the city.

My name is Deleon Parker. I live at 4644 South Halifax Road. I also own land off of 1627 West Mount Drive between the current city limits and the proposed site, along with my mother, two sisters, and 2 nephews.

I have lived in the West Mount community my entire life. I practice real estate law at 120 N. Franklin Street just over 2 blocks from here, and I am a board-certified specialist in both residential and commercial real estate.

I also oppose the annexation request of 9121, 9041 and 9053 West Mount Drive. As a community, we understand the city's desire to grow and an individual owner's option to petition for annexation. As each speaker before me has addressed, there are a variety of concerns for both community residents and the City that should be given careful thought and consideration before moving forward.

From the City perspective, this includes issues like negative return on investment given the tax-exempt status of a majority of the property, the negative impacts to future satellite annexation given the 10% statutory limitation that appears unaddressed in the feasibility study, and an analysis of West Mount Fire Department debt and the city's potential statutory obligation. Additionally, the feasibility study assumptions based on present use will not be accurate if the applicant's plans for business development come about.

From a community standpoint, I believe the biggest opposition comes from the applicant's desire to change the property character from residential and church use to commercial. In recent statements on WHIG, the intent is clearly commercial, which will require future rezoning which the community will strongly oppose on multiple fronts. The feasibility study does not address potentially significant costs the city might incur in bringing sewer to the property, or the significant community outcry that will result from an attempt to recharacterize the property.

To date, we have over 127 signatures of community residents opposed to such change and the way the applicant has chosen to bring about that change. To respect this council's time, only a few members of the community have spoken. At this time, I would like to ask everyone here from the community who is opposed to this petition to please stand as a show of silent support against this annexation and change.

We respectfully ask that you either table or deny the present request.

The Mayor declared the public hearing closed.

BID/DEMILOTIONS

The City Council received a bid in the amount of \$66,218 for the demolition of the following properties:

- a. 4017 Gloucester Road
- b. 427 Arlington Street
- c. 721 Gay Street
- d. 413 N. Pine Street
- e. 415 N. Pine Street
- f. 835 W. Thomas Street
- g. 419 NE Main Street
- h. 516 Coleman Street
- i. 327 S. Discovery Street

Motion was made by Councilmember Daughtridge and seconded by Councilmember Jabaris Walker to approve the bid.

Interim City Manager Varney informed City Council that Brian Burnette was supposed to post a cash bond of \$16,500 to guarantee rehabilitation of 319 Marigold Street which has not been received,

therefore, 319 Marigold Street needs to be placed back on the list. He advised City Council the total amount of the bid, including 319 Marigold Street, would be \$81,598 and the recommendation is to award the contract to J and L Land Solutions. City Council was also informed that the City has agreed to delay the demolition of 427 Arlington Street in order to allow Brian Burnette to remove items such as doors, windows, fireplace surrounds, etc. for re-use in other properties.

The original motion was amended by Councilmember Daughtridge, seconded by Councilmember Jabaris Walker and unanimously carried that the bid be awarded to J and L Land Solutions in the amount of \$81,598, including 319 Marigold Street.

Councilmember Joyner asked if Mr. Varney would be willing to meet with Mr. Burnette again and Mr. Varney confirmed he would.

Councilmember Blackwell stated he wanted to support anyone who is helping to revitalize our communities, but he feels deadlines need to be in place.

PUBLIC SERVICE AWARDS/CDBG

The City Council was advised that the City's CDBG public service allocation for FY 2022-2023 is \$69,064. It was explained that four (4) proposals were received seeking \$87,000 in funding.

Council was further advised that:

- The total amount of CDBG funds obligated for public service activities must not exceed 15% of the annual grant allocation;
- A request for proposals was issued to local nonprofit organizations from August 10 to September 11, 2020, a public notice was published in the local newspaper for three (3) weeks and posted on the City's webpage; and
- According to HUD guidelines, all proposals must meet the following primary objective of the CDBG program:
 - o The development of viable urban communities by providing decent housing and a sustainable living environment and expanding economic opportunities for persons of low and moderate income

The City Council was provided with criteria for eligibility along with a list of eligible CDBG activities. The recommendations for FY 2022-2023 Public Service Awards in the amount of \$69,064 were outlined as follows:

- a) Boys and Girls Club of Tar River Region - \$0;
- b) Rocky Mount Edgecombe Community Development Corporation - \$30,000;
- c) United Community Ministries (House the Children/Bassett Center) - \$9,064; and
- d) United Community Ministries (Community Shelter) - \$30,000

Motion was made by Councilmember Joyner, seconded by Councilmember T.J. Walker and unanimously carried that the funding requests be approved, as recommended and that the City Manager and/or Mayor and City Clerk be authorized to execute funding agreements and/or any required documentation **(C-2022-68 - C-2022-70)** on behalf of the City.

**2021 ANNUAL ACTION PLAN HOME - AMERICAN RESCUE PLAN (HOME-ARP)
SUBSTANTIAL AMENDMENT**

City Council was asked to consider the 2021 Annual Action Plan HOME - American Rescue Plan (HOME-ARP) Substantial Amendment that was presented on November 28, 2022. The City Council was advised that a draft of the Substantial Amendment, which includes the HOME-ARP Allocation Plan, was available for public review and comment beginning November 12, 2022 and ending December 5, 2022. City Council was informed that a Public Hearing was held on November 28, 2022 in the City of Rocky Mount and a Public Hearing was held on December 5, 2022 in Edgecombe County. The City Council was provided the following written comments that were received and incorporated into the plan:

- The North Carolina Coalition to End Homelessness (NCCEH) submitted the following comments and input on December 1, 2022:
 - On page 8: Table 1. Homeless Needs Inventory - update the data for permanent supportive housing and unsheltered homeless.
 - On page 13: Section 3: Current Resources Available to Assist Qualifying Populations - include that the REACH Center provides Rapid Rehousing Services.
 - On page 14: the first paragraph - update the NC Commission of Indian Affairs was allocated 414 Emergency Housing Vouchers.
 - On page 16: Section 5: Identify Gaps Within the Shelter, Housing Inventory, and Service System - Housing Management Information System (HMIS) data indicates that the available emergency shelter has low utilization rates, identifying a need for existing shelters to lower barriers to allow households with high needs to enter shelters appropriately.
 - On page 17: Emergency Shelter - update the utilization rate for all shelter beds.
 - On page 22: Preferences - The NCCEH strongly encourages Rocky Mount to create a preference for categories I and 3 of the qualifying populations to ensure the most vulnerable households are served first by this limited resource.
 - On page 23: Referral Methods - #1. The NCCEH suggests rather than households being accepted in chronological order, there be a system in place to ensure households with the greatest needs have access first. #4. The NCCEH highly suggests that the PJ partners with the coordinated entry system in NC Balance of State R09.
- On December 5, 2022, the United Community Ministries submitted a letter of intent to apply for the HOME-ARP grant to provide essential supportive services and a safe environment for their clients. HUD must approve the City's plan and the city must establish policies and policies before issuing a RFP. The letter of request was included in an appendix but not accepted as comments for the plan.

Motion was made by Councilmember Joyner, seconded by Councilmember Harris, and unanimously carried that the proposed 2021 Annual Action Plan HOME - American Rescue Plan (HOME-ARP) Substantial Amendment be approved and the Mayor and the City Clerk be authorized to execute the required documents on behalf of the City.

MAYOR PRO TEMPORE

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

Councilmember Jabaris Walker nominated Councilmember T.J. Walker; Councilmember André Knight nominated Councilmember Reuben Blackwell, IV. Councilmember Blackwell asked to withdraw his name.

Mayor Roberson asked if all were in favor of the nomination of Councilmember T.J. Walker for Mayor Pro Tempore for a one-year term to expire December 2023. By consensus, Councilmember T.J. Walker was unanimously appointed Mayor Pro Tempore.

Councilmember Joyner asked if the Mayor Pro Tempore position could be discussed at a Committee of the Whole meeting in the future to explain the duties, responsibilities and terms. Mayor Pro Tem Walker stated he would be glad to do that.

CITY MANAGER APPOINTMENT (ADDED IN OPEN MEETING)

Mayor called for a motion to appoint Keith C. Rogers, Jr. as the new City Manager for the City of Rocky Mount.

Motion was made by Councilmember Knight, seconded by Councilmember Joyner, and unanimously carried that Keith C. Rogers, Jr. be appointed as the City Manager of Rocky Mount.

Councilmember Blackwell stated since this was big news he felt the Mayor should read the press release about the new City Manager.

Mayor Roberson read the following press release:

Rocky Mount City Council has appointed Keith C. Rogers as city manager. Rogers is currently the town manager of Dumfries, Virginia. He has been responsible for the leadership and management of daily operations of the town's government since 2019. Dumfries has 30+ employees who serve the town's nearly 6,000 residents.

Among his many accomplishments in Dumfries, Rogers successfully led Town Council and staff through a municipal bond refunding process, resulting in a savings of more than \$640,000.

Rogers previously spent a decade working for the city of Richmond, Virginia, holding various executive roles that included chief of staff and chief administrative officer.

Councilmember Joyner stated he wanted to thank Interim City Manager Varney again for his leadership (Mr. Varney received a standing ovation from the Mayor/Council, staff and citizens).

APPOINTMENTS

Councilmember Daughtridge nominated William Johnson for the Historic Preservation Commission.

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

Councilmember Harris nominated Austin Warren for the Ward 6 vacancy on the Tree Advisory Board.

Motion was made by Councilmember Joyner, seconded by Councilmember T.J. Walker, 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.

ADJOURNMENT

There being no further business, by consensus, the meeting was adjourned at 8:21 p.m.



Kim Batts
City Clerk