

January 9, 2023

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; Elton Daniels, Assistant City Manager; Brad Kerr, Public Works Director; Will Deaton, Director of the Department 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; Abdul Baloch, Chief Internal Auditor; Kevin Harris, Downtown Development Manager; Mark Adcox, Video Production Specialist; Robin Cox, Communications Specialist; Cornelia McGee, Interim Community and Business Development Director; Kena Cofield-Jones, Director of Human Resources; Kream Mosley, Deputy City Clerk; Monica Brantley, Deputy City Clerk and Richard J. Rose, City Attorney.

Security Officers: Corporal Clay Wilder, Sergeant Chris Williams, and Senior Police Officer Shawn Battle.

The Mayor called the meeting to order at 7:06 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 Daughtridge, and unanimously carried the minutes of Regular Scheduled City Council meeting held on October 12, 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 add Resolutions in support of naming a bridge and an interchange
- request to remove item 9J from the Agenda;
- request to remove item 9H from the Consent Agenda for consideration

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner, 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 that there have been changes made to the Council Chambers over the holidays and there has been some added technology such as cameras, screens and microphones in the Committee room and a screen in the lobby on the first floor
- Stated that over the holidays there were some power outages one of them took place on December 23 when a tree fell onto a powerline which put 2,700 customers out of service for about an hour or so, another even took place on January 4 on Kingston Ave due to wind cracking utility poles which put 1,200 customers out of service for about an hour
- Stated that the city receives an award every 3 years from the American Public Power Association called the Reliable Public Power Award, the City of Rocky Mount has been receiving this award for the past 20 years because the city is able to respond to the outages so quickly
- Stated that leaf collection is behind in all neighborhoods because of staffing issues, there are about 15 vacancies today in the streets division
- Stated that there is also a piece of equipment that has been out of service for about 3 weeks and back in service today, so collection will start catching up but it will take a bit
- Stated that at the last city council meeting there were 10 houses on the demolition list and owners from 4017 Gloucester Road and 319 Marigold have been asked to be removed from the list
- Stated that Gloucester Road was damaged by fire a few years ago and the owner has come forward with a cashier's check and detailed schedule for the renovations that will be done to this property
- Stated 319 Marigold owner has promised to bring forth a cashier check and detailed renovation schedule
- Stated that the Martin Luther King Jr. Unity celebration is scheduled for January 16, 2023 with breakfast at 7 a.m. and the program starting at 8 a.m. at the Rocky Mount Event Center
- Stated that Congressman G.K. Butterfield will be the speaker for this free event
- Stated that for the past 15 months Cornella McGee has been serving as the Interim Director of the Department of Community Development and serving as Community Development Administrator so as of today she is the permanent Director of Community Development for the City
- Stated that Keith Rogers, the new City Manager is scheduled to start on March 6
- Stated that Parks and Recreation will be taking signups for people that want to take the Master Gardening Class and Bee Keeping Class

RESOLUTION RECOGNIZING AND CONGRATULATING ROCKY MOUNT PARKS AND RECREATION DEPARTMENT'S LITTLE GRYPHONS ON WINNING THE INDEPENDENT YOUTH FOOTBALL LEAGUE 8U (ROOKIE) CHAMPIONSHIP

The Mayor welcomed and congratulated the Rocky Mount Parks and Recreation Department's Little Gryphons on winning the Independent Youth Football League 8u (Rookie) Championship.

Motion was made by Councilmember Joyner, seconded by Councilmember Knight and unanimously carried that the following **Resolution R-2023-1** entitled **RESOLUTION RECOGNIZING AND CONGRATULATING ROCKY MOUNT PARKS AND RECREATION DEPARTMENT'S LITTLE GRYPHONS ON WINNING THE INDEPENDENT YOUTH FOOTBALL LEAGUE 8U (ROOKIE) CHAMPIONSHIP** be adopted:

RESOLUTION RECOGNIZING AND CONGRATULATING ROCKY MOUNT PARKS AND RECREATION DEPARTMENT'S LITTLE GRYPHONS ON WINNING THE INDEPENDENT YOUTH FOOTBALL LEAGUE 8U (ROOKIE) CHAMPIONSHIP

WHEREAS, the Independent Youth Football League is made up of teams in Nash, Wayne, Wilson, Greene and Edgecombe counties: C.B. Aycock, Eastern Wayne, Mount Olive, Goldsboro Boys & Girls Club, SouthWest Edgecombe, Rocky Mount, Tarboro, Wilson Spot and Greene County; and

WHEREAS, this was the City of Rocky Mount's first season in the league; and

WHEREAS, the Rocky Mount Little Gryphons edged out SouthWest Edgecombe's Cougar Cubs 14-7 to claim the championship title; and

WHEREAS, the Rocky Mount Little Gryphons 8U team is comprised of the following team members: Jordan Bell, Kadien Bridgers, Mi'Keal Brown, Joshua Bryant, Ahzir Clark-Graham, Peter Coates, Zyaire Collins, Elijah Davis, Neal Dickens, Kadian Dickens, JaDerion Downey, Brody Fox, Ameir Hardy, Caleb Hardy, Jeremiah Harper, Tristan Harvey, Faraj Hatu, Isaiah Isler, Micheal Jackson, Titus Jackson, Amare Jones, Amari Kee, Bryson Lawrence, Jonah Moore, Jaqwon Morris, Carter Parker, Chase Parker, Joshua Powell-Outlaw, Da'marrion Richardson, Isaiah Scott, Kaecyn Staten, Avery Tucker, Delonte Washington, Landon Williams and Kashif Wynn; and

WHEREAS, the youth athletes performed in a manner that distinguished them as a formidable team and brought credit not only to themselves, but to their families, their city, and their community; and

WHEREAS, also contributing to the team's success were their coaches, Jermaine Fields, Head Coach, Montez Fields, Darryl Williams, Clarence Ford, Hasheem Hatu, Assistant Coaches; and the team parents who provided unwavering support.

NOW, THEREFORE, BE IT RESOLVED that I, C. Saunders Roberson, Jr., and the Rocky Mount City Council hereby congratulate the Rocky Mount Parks and Recreation Department's Little Gryphons on Winning the Independent Youth Football League 8u (Rookie) Championship; and

BE IT FURTHER RESOLVED that the Mayor and City Council, individually and collectively thank the members of the team, the coaches, staff, and parents for the honor the championship has brought to the team and to the City of Rocky Mount; and

BE IT FURTHER RESOLVED that this resolution shall be spread upon the pages of the minutes of this proceeding and a copy shall be presented to each team member, and their coaches.

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:

Felix Morton

- Stated that he was concerned about a shooting that occurred Friday night on his block in front of his house
- Stated that his car was shot, and his neighbor's house was shot into
- Stated that if there was better lighting in the area then the altercation wouldn't have taken place, the only lighting is in the parking lot, there is none in the back of the building
- Stated that Parks and Rec owns the building and they are charging for use of the building so there should be better lighting and outside cameras
- Stated that he understands shootings can take place anywhere, but he has been in the neighborhood for over 30 years and nothing like this has ever happened.
- Stated that he is a retired educator, his wife was upset, and he is asking for the city to do whatever they can do to make the neighborhood safe
- Stated that more police patrolling at night may help decrease things like this happening

Dr. Lisa Nelson

- Stated her speaking is regarding the proposal on tax foreclosures
- Stated that she urges the council to reject the proposal until there is further consideration regarding community concerns
- Stated that if this proposal is passed then it will allow developers to develop property for pennies on the dollar with zero consideration to the outcome of the community
- Stated that community engagement is needed to discuss the impact that this will have on the already under resourced communities that this would effect
- Stated that there are young people who can't afford to live in a house and there are people that can't afford to buy a house
- Stated that community development should be done in way that won't displace people that have been living in these areas for decades

Susan Perry Cole

- Stated she is speaking about the opposition of tax foreclosure agreement
- Stated that she has been in her neighborhood for over 35 years, and it has well documented history of poor investment quality for adjacent neighborhoods
- Stated that her neighborhood is mod by entrenched poverty, extensive vacancy, & abandoned property & the city hasn't effectively addressed these conditions
- Stated to transform communities as such it takes transparency and a genuine commitment to deeply engage and involve resident stakeholders in decisions likely to impact a neighborhood's future
- Stated that no process of dialogue has occurred to help deepen the awareness of city officials working with the community partners most vulnerable and most likely to be affected by the implementation of foreclosure agreement
- Stated that the public deserves to know more about the scope , scale, and contributing factors of vacancy abandonment prior to the approval of a tax foreclosure agreement
- Stated that there should be city forums held to discuss processes of foreclosure

Dr. Kim Koo

- Stated that the impacted communities should be involved in the decision-making
- Stated that the housing crisis is most acute in the Edgecombe side of Rocky Mount which is majority black
- Stated that years of disinvestment has made this side of Rocky Mount poorer than the Nash side
- Stated the pandemic has made everything worse
- Stated foreclosures will make housing crisis worse
- Stated that many cities have cleared out the black population living there and have embarked on redecorating the areas and brought in new businesses
- Stated that this is called gentrification and this will cause an increase in tent neighborhoods for the people that were forced out of their neighborhoods
- Stated that multiple meetings should be set up to discuss this

John Cheatham

- Stated he opposes the annexation of 9121, 9041, and 9053 West Mount Drive
- Stated he is an adjoining property owner and he and his neighbors have a strong desire to see their neighborhood remain residential and agricultural in nature
- Stated that this area hasn't been found to be suitable for outside parks, ball fields, senior apartments, etc. and the applicant has publicly stated that they want to use area for such use
- Stated that it would be more beneficial to use land inside the city limits to reap the full city benefits such as public transportation, sidewalks, lower speed limits, these

changes will not be able to be made without changing the current neighborhoods existing character

- Stated that these uses are incompatible with the land that surrounds the site
- Stated that some residents of the neighborhood still hunt, target shoot, and skeet shoot, this will not be possible if ball fields, apartments, etc. are brought into the neighborhood. How will the city address these issues
- Stated that this will bring on issues that the city will not be able to resolve

Gwendolyn Rigsby

- Stated that she opposes the annexation of 9121, 9041, and 9053 West Mount Drive
- Stated that the city needs to look at the return on investment as she has mentioned in previous meetings, the application that many city services will not be needed, even if an agreement is signed that the applicant will not request services, the agreement would not be binding on future owners so cost for all city services would have to be calculated
- Stated that since most of the properties are tax exempt the city lacks the ability to recoup for the cost of services such as fire, police, water, sewer, etc. even for applicants not requesting services
- Stated that typical church properties probably use little of these services would that be the same for the new apartments, venues, sports complexes, etc. that they are proposing to build
- Stated that she wondered if building new venues or sports complexes with this annex would cause a negative impact on the sports complex Rocky Mount already has
- Stated that since the city should remember that the properties would be exempt from taxes and they would be producing limited income
- Stated that the benefits of this would be low but the cost would be high

Jack Tyson

- Stated that he owns a property on West Mount Drive and his mother also lives on West Mount Drive
- Stated that both of these properties are across the street from the properties that will be included in the annex
- Stated the city needs to evaluate the 10% rule in general statute 168-58.1 section 5
- Stated that the 10% rule is a valuable resource that they city is allowing it to annex a non-contiguous property, revenue generating property into the city. Once that resource is used up the city isn't allowed to annex anymore non-contiguous property
- Stated that this annexation would be approximately the same land mass as the Gold Rock Satellite annexation was
- Stated that the sewage system installation will be very expensive ranging from 1.6 to 2.3 million dollars
- Stated that there may be other system upgrades required that will add to the expenses
- Stated that cost comparison for sewage could be compared to item D in the agenda showing that it cost about \$350 per linear feet

Deleon Parker

- Stated that he opposes the annexation of the property, he doesn't see where the city will benefit
- Stated that it is largely non-taxable and would generate low revenue for the city
- Stated there would be potential expenses for sewage outlays
- Stated other systems would need additional upgrades to account for the proposed properties that would be built also costing money
- Stated that it seems like the purpose of this is to escape county zoning regulations
- Stated the city would have to pay some attention to the county zoning listed in the zoning laws from the School of Government if the zoning moves forward

- Stated that this rezone would be an incompatible change to the property and to the surrounding properties
- Stated that this will cause an increase in traffic in a historically residential area

Morrie Minges

- Stated that there is only one recycling bin by the Food Lion on Gold Rock Road
- Stated that there are a lot of people that live in her neighborhood so there should be more than one bin
- Stated that police need to be more present because people are dumping trash out over there where they shouldn't.
- Stated that the building Ebony and Ivory on North Church Street looks a mess

CONSENT AGENDA

A. CHAPTER 6 ENTITLED "CEMETERIES"/CODE AMENDMENT

The Interim City Manager provided the City Council with an amendment to Chapter 6 of the City Code entitled "Cemeteries", adds the following:

- Section 6.12 Cremations - adds that four (4) members of the same family may be buried on a single plot (Two cremations at the head and two cremations at the foot)
- Section 6.20 Grave Markers - a family marker shall be permitted on two (2) adjacent graves located side by side and shall be placed along the baseline of the grave spaces and centered between three (3) feet by three (3) feet in size
- Seasonal wreaths and flowers are permitted if attached to a headstone. Several wreaths, flowers and decorations are not permitted on foot markers

The recommended action is that **Ordinance No. O-2023-1** entitled **ORDINANCE AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF ROCKY MOUNT ENTITLED "CEMETERIES"** be adopted.

B. GRANT PROJECT ORDINANCE CLOSEOUTS: (recommended for adoption)

- 1) **Ordinance No. O-2023-2** entitled **FINAL GRANT PROJECT ORDINANCE/2018 BULLET PROOF VEST PARTNERSHIP;**
- 2) **Ordinance No. O-2023-3** entitled **FINAL GRANT PROJECT ORDINANCE/2019 BULLET PROOF VEST PARTNERSHIP;**
- 3) **Ordinance No. O-2023-4** entitled **FINAL GRANT PROJECT ORDINANCE/2020 BULLET PROOF VEST PARTNERSHIP;**
- 4) **Ordinance No. O-2023-5** entitled **FINAL GRANT PROJECT ORDINANCE/2018 EDWARD BYRNE MEMORIAL JUSTICE GRANT;**
- 5) **Ordinance No. O-2023-6** entitled **FINAL GRANT PROJECT ORDINANCE/2019 EDWARD BYRNE MEMORIAL JUSTICE GRANT;**
- 6) **Ordinance No. O-2023-7** entitled **FINAL GRANT PROJECT ORDINANCE/ECONOMIC DEVELOPMENT PROJECT TIRE;**
- 7) **Ordinance No. O-2023-8** entitled **FINAL GRANT PROJECT ORDINANCE/ECONOMIC DEVELOPMENT PROJECT XRAY;**
- 8) **Ordinance No. O-2023-9** entitled **FINAL GRANT PROJECT ORDINANCE/ECONOMIC DEVELOPMENT PROJECT JAY GROUP;**
- 9) **Ordinance No. O-2023-10** entitled **FINAL GRANT PROJECT ORDINANCE/HOLLY STREET PARK REDEVELOPMENT;**
- 10) **NASH COUNTY FOUNDATION TO REDUCE DRUGS:**
 - a. **Ordinance No. O-2023-11** entitled **FINAL GRANT PROJECT ORDINANCE/2016 GANG INVOLVEMENT PREVENTION GRANT;**

- b. Ordinance No. O-2023-12 entitled FINAL GRANT PROJECT ORDINANCE/2018 GANG INVOLVEMENT PREVENTION GRANT;
- c. Ordinance No. O-2023-13 entitled FINAL GRANT PROJECT ORDINANCE/2019 DRUG INVOLVEMENT PREVENTION GRANT;
- 11) Ordinance No. O-2023-14 entitled FINAL GRANT PROJECT ORDINANCE/ BARBEQUE PARK CONSTRUCTION AND IMPROVEMENT PROJECT;
- 12) Ordinance No. O-2023-15 entitled FINAL GRANT PROJECT ORDINANCE/GOLDEN LEAF RESTORATION OF SUNSET AND BATTLE PARK;
- 13) Ordinance No. O-2023-16 entitled FINAL GRANT PROJECT ORDINANCE/FY 2016 DOWNTOWN REVITALIZATION GRANT;
- 14) Ordinance No. O-2023-17 entitled FINAL GRANT PROJECT ORDINANCE/FY 2017 DOWNTOWN DEVELOPMENT GRANT PROJECT;
- 15) TRANSIT GRANT CLOSEOUTS - multiple years:
 - a. Ordinance No. O-2023-18 entitled FINAL GRANT PROJECT ORDINANCE/FOR PURCHASE OF SIX REPLACEMENT BUSES;
 - b. Ordinance No. O-2023-19 entitled FINAL GRANT PROJECT ORDINANCE/FOR PURCHASE OF ADDITIONAL 30 FOOT LOW FLOOR BUS;
 - c. Ordinance No. O-2023-20 entitled FINAL GRANT PROJECT ORDINANCE/TRANSFER STATION IMPROVEMENTS;
 - d. Ordinance No. O-2023-21 entitled FINAL GRANT PROJECT ORDINANCE/2018 URBAN TRANSIT OPERATING PROJECT
 - e. Ordinance No. O-2023-22 entitled FINAL GRANT PROJECT ORDINANCE/2018 URBAN TRANSIT CAPITAL PROJECT
 - f. Ordinance No. O-2023-23 entitled FINAL GRANT PROJECT ORDINANCE/2018 RURAL TRANSIT OPERATING PROJECT
 - g. Ordinance No. O-2023-24 entitled FINAL GRANT PROJECT ORDINANCE/2018 5339 STATEWIDE BUS AND BUS FACILITY GRANT
 - h. Ordinance No. O-2023-25 entitled FINAL GRANT PROJECT ORDINANCE/2018 TRANSIT SYSTEM PLANNING PROJECT
 - i. Ordinance No. O-2023-26 entitled FINAL GRANT PROJECT ORDINANCE/2018 RURAL TRANSIT SYSTEM FEEDER PROJECT
 - j. Ordinance No. O-2023-27 entitled FINAL GRANT PROJECT ORDINANCE/2019 URBAN TRANSIT OPERATING PROJECT
 - k. Ordinance No. O-2023-28 entitled FINAL GRANT PROJECT ORDINANCE/2019 URBAN TRANSIT CAPITAL PROJECT
 - l. Ordinance No. O-2023-29 entitled FINAL GRANT PROJECT ORDINANCE/2019 RURAL TRANSIT OPERATING PROJECT
 - m. Ordinance No. O-2023-30 entitled FINAL GRANT PROJECT ORDINANCE/2019 5339 STATEWIDE BUS AND BUS FACILITY GRANT
 - n. Ordinance No. O-2023-31 entitled FINAL GRANT PROJECT ORDINANCE/2019 ELDERLY & DISABLED OPERATING
 - o. Ordinance No. O-2023-32 entitled FINAL GRANT PROJECT ORDINANCE/2019 METROPOLITAN PLANNING ORGANIZATION
 - p. Ordinance No. O-2023-33 entitled FINAL GRANT PROJECT ORDINANCE/2019 RURAL OPERATING DEMONSTRATION GRANT
 - q. Ordinance No. O-2023-34 entitled FINAL GRANT PROJECT ORDINANCE/2019 SECTION 5317 NEW FREEDOM PROGRAM GRANT

The recommended action is to adopt the Grant Project Ordinance Closeouts.

C. FIRST AMENDMENT TO LEASE AGREEMENT/250 ATLANTIC AVENUE

The City Council was provided with a first amendment to the lease agreement with St. John AME Zion Church. The amendment to the lease extends the term of the lease from January 21, 2023 until March 31, 2023.

The recommended action is that the first amendment to the lease agreement for 250 Atlantic Avenue with St. John AME Zion Church be approved and that the Mayor be authorized to execute the amendment on behalf of the City. The amendment will be on file with **(C-2022-31)** in the City Clerk's Office.

D. MUNICIPAL AGREEMENT/COKEY ROAD AND REX STREET SIDEWALKS

The City Council was provided with a municipal agreement with the North Carolina Department of Transportation (NCDOT) for installation of 400 feet of (8) inch sewer bypass line at a cost of \$140,249.29 as part of the Sunset Avenue/I-95 Interchange project. It was noted that a previous agreement for water and sewer improvements associated with this project had been approved, but additional work is necessitated by a change in conditions that required replacement of an existing sewer line to accommodate the placement of an earth fill embankment above the line. The City requested the installation of a bypass pumping line through the embankment to provide means for servicing the sewer line in the future. NCDOT will cover the cost of the sewer line replacement.

The recommended action is that the municipal agreement (**C-2023-1**) with the North Carolina Department of Transportation (NCDOT) (TIP#: U-5026/WBS Elements: 44033.3.3) be approved and that the Mayor and Finance Director be authorized to execute the agreement on behalf of the City.

9E1. CDBG AGREEMENT DOWN PAYMENT ASSISTANCE/ROCKY MOUNT HOUSING AUTHORITY

The City Council received a request to consider a Community Development Block Grant (CDBG) Agreement with the Rocky Mount Housing Authority for a Down Payment Assistance Program. City Council was informed the funding for the Down Payment Assistance Program would come from U.S. Department of Housing and Urban Development (HUD) CDBG funds. City Council was advised the Department of Community Development would allocate \$100,000 in CDBG funding for the Down Payment Assistance Program in an effort to assist low-to-moderate income families gain access to homeownership opportunities. City Council was also advised that the partnership is anticipated to provide up to \$25,000 in down payment assistance for qualifying individuals or families and the Rocky Mount Housing Authority would be responsible for administering the Down Payment Assistance Program in a manner consistent with the City's program and HUD regulatory requirements.

The recommended action is for the Community Development Block Grant (CDBG) Down Payment Assistance Program Agreement (**C-2023-2**) with the Rocky Mount Housing Authority be approved and the Mayor and City Clerk be authorized to execute the agreement on behalf of the City.

9E2. ADMINISTRATIVE POLICY/DOWN PAYMENT ASSISTANCE PROGRAM POLICY (CDBG)

The City Council was provided with a resolution establishing Administrative Policy No. II.47(a) Entitled, "Down Payment Assistance Program Policy (CDBG)". It was explained that the policy would provide residents of the City of Rocky Mount and those who desire to become residents of Rocky Mount with affordable homeownership financing opportunities to improve their quality of life. The policy outlines the following:

- eligible applicants may receive 0% interest, 10-year deferred payment loan of up to \$25,000 to help cover down payments, closing costs, upfront mortgage premium insurance costs, or gaps in financing
- Eligibility requirements are:
 - gross income at or below 80% of the Area Median Income
 - being a first-time homebuyer, meaning that the buyer may not have purchased a home within the past three (3) years
 - obtaining a mortgage loan with an eligible lending institution for the maximum affordable amount; and
 - participating in at least one HUD approved homebuyer education 8-hour course conducted by a HUD certified approved counseling agency

The recommended action is that **Resolution No. R-2023-2** entitled **RESOLUTION APPROVING POLICY NO. II.47(a) ENTITLED "DOWN PAYMENT ASSISTANCE PROGRAM POLICY"** be adopted.

9F. HOME PROGRAM COMMITMENT AGREEMENT/SOUTH EASTERN NORTH CAROLINA COMMUNITY DEVELOPMENT CORPORATION (SENCCDC)/THIRD AMENDMENT

The City Council was advised that the Three-Year Consolidated Plan provides that the City partner with the South Eastern North Carolina Community Development Corporation (SENCCDC), a local certified Community Housing Development Organization (CHDO), for the construction of eight (8) single-family homes for low-income residents in Rocky Mount. Council was further advised that due to the rise in construction cost and materials, the City negotiated a first amendment to the agreement between the City and SENCCDC which authorized additional funding in the amount of \$129,000 to support the construction of eight (8) single-family homes in the 1900 block of Vance Street.

It was also explained that a second amendment was negotiated due to the rise in construction cost and materials which authorizes additional CHDO funding in the amount of \$12,000 to support the water tap fees (\$1,500 per unit) for eight (8) single-family homes in the 1900 block of Vance Street. It was noted that three (3) of the HOME assisted units would be funded in the amount of \$379,000 through CHDO funds.

It was further explained that a third amendment has been negotiated due to the delays in obtaining materials necessary to complete the installation of the sewer line extension which states the construction is now expected to be completed by April 30, 2023; Certificate of Occupancy issued by May 31, 2023; be fully leased by June 30, 2023 and SENCCDC to submit quarterly reports to the City. It is also noted that under the terms of the Agreement Regarding Subordinate Loan, the primary loans will require 1st and 2nd position for subordination. The Vance Street Homes Project funding sources subordination is as follows:

FUNDING SOURCE	AMOUNT	Order of Importance
State Employee Credit Union Foundation	\$ 600,000	1 st Position
Federal Home Loan Bank	\$ 747,000	2 nd Position
Down East HOME Consortium CHDO	\$ 391,000	3 rd Position
Rocky Mount Housing Authority	\$ 565,087	4 th Position
City of Rocky Mount Housing Incentive	\$ 150,000	
SENCCDC	\$ 74,000	
Edgecombe County Land Donation	\$ 38,000	
TOTAL	\$2,565,087	

The recommended action is that the Third Amendment to the Home Program Commitment Agreement with South Eastern North Carolina Community Development Corporation (SENCCDC) be approved and that the Mayor, City Clerk and Finance Director be authorized to execute the same on behalf of the City. The amendment shall be filed with the original Agreement, first and second amendment identified as **(C-2021-13)** in the Office of the City Clerk.

9G. CONVEYANCE OF CITY-OWNED PROPERTY/AFFORDABLE HOUSING

Interim City Manager Peter Varney informed the City Council that Self Help Credit Union has requested the City donate the vacant parcel located at 416 Goldleaf Street to them as part of an affordable housing project they are working on. Interim City Manager Varney advised the City Council that NCGS 160D-1316 grants the City authority to “convey property by private sale to any public or private entity that provides affordable housing to persons of low or moderate income under procedures”.

The recommended action is that **Resolution No. R-2023-3** entitled **RESOLUTION AUTHORIZING THE CONVEYANCE OF 416 GOLD LEAF STREET TO SELF-HELP COMMUNITY DEVELOPMENT CORPORATION TO PROVIDE AFFORDABLE HOUSING** be adopted. This Resolution approves donation of the property listed above and authorizes the Mayor and City Clerk to execute the deed(s) transferring the property to Self Help Credit Union on behalf of the City, subject to legal review and publication of the required public notice.

9H. ADMINISTRATIVE POLICY AMENDMENTS

Item was removed from the Consent Agenda for consideration.

9I. ADMINISTRATIVE POLICY/DOWNTOWN MAJOR INVESTMENT INCENTIVE PROGRAM

The City Council was provided with a resolution establishing Administrative Policy No. II.24 Entitled, “Downtown Major Investment Incentive Program”. It was explained that the intent is to encourage investment in major building renovation projects. The main features of the program are summarized as follows:

- Grant Amount: Up to \$500,000
- Minimum Investment: \$1,000,000
- 20% Limit: Grant amount cannot exceed 20% of project cost
- Projects: Must rehabilitate at least 5,000 square feet and create at least ten (10) units for occupancy
- Downtown Area: Only projects within defined downtown area are eligible

- Public Hearing: Public hearing is required

The recommended action is that **Resolution No. R-2023-4** entitled **RESOLUTION APPROVING POLICY NO. II.24 ENTITLED "DOWNTOWN MAJOR INVESTMENT INCENTIVE PROGRAM"** be adopted.

9J. TAX FORECLOSURE AGREEMENT/EDGECOMBE COUNTY

Item was removed from the agenda.

9K. FY 2022-2023 BUDGET ORDINANCE AMENDMENT

The City Council was provided with an Ordinance amending the FY 2022-2023 Budget to appropriate \$250,000 in the General Fund for a claims settlement. It was noted that the fund balance was sufficient for the request.

The recommended action is that **Ordinance NO. O-2023-35** entitled **ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR 22-23/FOR SETTLEMENT CLAIMS** be adopted.

9L. PRINCEVILLE'S FOUNDER'S DAY

The City Council was provided with a resolution joining the Mayor and Town Council of Princeville in celebration of Princeville's 138th Founder's Day.

The recommended action is that the following **Resolution R-2023-5** entitled **RESOLUTION CELEBRATING THE TOWN OF PRINCEVILLE'S 138TH FOUNDERS DAY** be adopted:

**RESOLUTION CELEBRATING
THE TOWN OF PRINCEVILLE'S 138TH FOUNDERS DAY**

WHEREAS, at the end of the Civil War in 1865, following the reading of the Emancipation Proclamation by Union Soldiers, recently freed men and women decided to remain in Edgecombe County on the southern banks of the Tar River and settled in a floodplain area adjacent to the Tar River that they called Freedom Hill and, in some instances, Liberty Hill; and

WHEREAS, the citizens of Freedom Hill recognized the advantages of incorporating their Town as independent, and petitioned the legislature in 1885 to rename the Town of Princeville, after Richard Turner Prince, who had been born a slave in North Carolina in 1843 and was one of Freedom Hill's earliest residents, a carpenter, political leader and a family man; and

WHEREAS, Freedom Hill was incorporated as the Town of Princeville on February 20, 1885; and

WHEREAS, Princeville holds the historic distinction of being the oldest black town in the United States incorporated by Blacks. Despite economic, political, social and environmental hardships; the citizens of Princeville have remained loyal to the legacy of their ancestors; and

WHEREAS, the Town of Princeville will celebrate its 138th Founder's Day with events and activities scheduled to take place February 11th-20th, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Rocky Mount City Council join Princeville's Mayor and Town Council in celebrating the Town of Princeville's 138th Founders Day.

Adopted this the 9th day of January 2023.

9M. PERSONNEL/CODE AMENDMENT

The City Council was provided with an amendment to Chapter 16 of the City Code entitled "Personnel", Article II. entitled "Personnel Plan of the City of Rocky Mount", Sec. 16-132. Holidays be rewritten to formally include Juneteenth and Veteran's Day as paid holidays.

The recommended action is that Ordinance No. **O-2023-36** entitled **ORDINANCE AMENDING CHAPTER 16 OF THE CODE OF THE CITY OF ROCKY MOUNT ENTITLED "PERSONNEL", ARTICLE II. PERSONNEL PLAN OF THE CITY OF ROCKY MOUNT**, be adopted.

9N. CITY COUNCIL MEETING SCHEDULES (REGULAR AND COMMITTEE OF THE WHOLE)

Consideration was given by the City Council of 2023 City Council and Committee of the Whole (COW) meeting schedules.

The recommended action is that the 2023 meeting schedules be approved.

90. a. BID/POWER AUTOTRANSFORMER FOR 230 KV SOUTH POD SUBSTATION OLD MILL ROAD

The City Council received the tabulation of bids received on a bid for a Power Autotransformer for 230 kV South Pod Substation Old Mill Road. Bids were received and opened September, 2022 after all necessary legal requirements had been implemented and the bid tabulation is on file in the office of the City Clerk as **BD-2023-1**. The solicitation was posted on the City's purchasing webpage, the HUB website, and the North Carolina Interactive Purchasing System website.

The recommended action is that the bid be awarded to Virginia Transformer @ a total cost of \$1,990,860 and authorize the Purchasing Division to issue a purchase order in accordance with the Council's award.

b. SOLE-SOURCE PURCHASE/CIRCUIT SWITCHER

The City Council received a request for approval for a sole source waiver of competition to purchase a circuit switcher to upgrade the South POD substation. The Purchasing Division recommends the waiver of competition in accordance with the "sole-source" purchase pursuant to G.S. 143-129(e) (6) based on standardization or compatibility. The information furnished by the Purchasing Division supporting the recommendation will be placed on file in the office of the City Clerk as **BD-2023-2**.

The recommended action is that the "sole-source" purchase for the circuit switcher to upgrade the South POD substation from S&C Electric Company at a total cost of \$132,457.17 be approved and authorize the Purchasing Division to issue a purchase order in accordance with the Council's award.

Motion was made by Councilmember T.J. Walker, seconded by Councilmember Blackwell and unanimously carried that the recommendation of the Consent Agenda be approved inclusive of the adoption of the ordinances and resolutions; authorization for the Mayor, City Clerk or Interim City Manager to execute any required documentation for the above referenced contracts, agreements and leases; approval of meeting schedules; award bids and authorizing City Clerk to advertise conveyance of 416 Goldleaf Street.

PLANNING BOARD RECOMMENDATIONS

The City Council received the minutes and recommendations from a Planning Board meeting held December 13, 2023. 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 Milan Mehta (MF Triangle, LLC) to rezone the ± 11.98 acre parcel located on Glendale Drive [PIN 376952172600] from A-1 to R-6MFA

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

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

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner, and unanimously carried that **Ordinance No. O-2023-37** 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 Crystal Wimes-Anderson (Unseen Wall, Inc.) to Rezone the parcel located at 131 Pitt Street totaling ± 0.51 acres from I-2 to B-1

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

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

Motion was made by Councilmember Joyner, seconded by Councilmember Blackwell, and unanimously carried that **Ordinance No. O-2023-38** 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 Grey Berry (F & B Development Company) to rezone portions of PIN 373912861673U, 373912769624, 373912766624U and 373911670078U near S. Halifax Road totaling ± 7.08 acres from A-1 and R-6

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

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

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner, and unanimously carried that the recommendation to postpone item until legal description is received be approved.

D. 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 James Leach of Rocky Wesleyan LLC, representative of Thomas Pearsall, Jr, et, al, property owner, to rezone a ± 2.79-acre portion of the ± 39.88-acre parcel at the southeast corner of N. Wesleyan Blvd and Bishop Rd. [PIN 386206484507] from I-2 to B-2

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

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

Motion was made by Councilmember Joyner, seconded by Councilmember Jabaris Walker, and unanimously carried that **Ordinance No. O-2023-39** entitled **ORDINANCE AMENDING THE LAND DEVELOPMENT CODE AND MAP OF THE CITY OF ROCKY MOUNT** be adopted.

RESOLUTION REQUESTING TO NAME THE RALEIGH BOULEVARD OVERHEAD BRIDGE THAT CROSSES THE CITY'S MAIN TRAIN THOROUGHFARE THE REV. THOMAS LORENZO WALKER BRIDGE (added to agenda in open meeting)

The City Council was advised that a request has been received for consideration of a resolution requesting to name the Raleigh Boulevard overhead bridge that crosses the City's Main Train Thoroughfare The Rev. Thomas Lorenzo Walker Bridge in support of a petition to be submitted to the North Carolina Board of Transportation (NCDOT) to name the bridge in honor of Reverend Thomas Lorenza Walker for his many contributions to the Rocky Mount area. Support of the resolution was recommended by staff.

Motion was made by Councilmember T.J. Walker, Jr., seconded by Councilmember Joyner, and unanimously carried that **Resolution No. R-2023-6** entitled **RESOLUTION REQUESTING TO NAME THE RALEIGH BOULEVARD OVERHEAD BRIDGE THAT CROSSES THE CITY'S MAIN TRAIN THOROUGHFARE THE**

REV. THOMAS LORENZO WALKER BRIDGE be adopted. This resolution will be forwarded to the North Carolina Department of Transportation for erection of the proper signage to recognize this honor to Reverend Thomas Lorenza Walker.

RESOLUTION REQUESTING TO NAME THE INTERCHANGE AT ATLANTIC AVENUE AND HIGHWAY 64 THE WILLIE POWELL, JR. INTERCHANGE" (added to agenda in open meeting)

The City Council was advised that a request has been received for consideration of a resolution requesting to name the Interchange at Atlantic Avenue and Highway 64 the Willie Powell, Jr. Interchange in support of a petition to be submitted to the North Carolina Board of Transportation (NCDOT) to name the interchange in honor of

Willie Powell Jr. for his many contributions to the Rocky Mount area. Support of the resolution was recommended by staff.

Motion was made by Councilmember Blackwell, seconded by Councilmember Knight, and unanimously carried that **Resolution No. R-2023-7** entitled "**RESOLUTION REQUESTING TO NAME THE INTERCHANGE AT ATLANTIC AVENUE AND HIGHWAY 64 THE WILLIE POWELL, JR. INTERCHANGE**" be adopted. This resolution will be forwarded to the North Carolina Department of Transportation for erection of the proper signage to recognize this honor to Willie Powell, Jr.

FY 2022-2023 BUDGET ORDINANCE AMENDMENT

The City Council was provided with an Ordinance amending the FY 2022-2023 Budget to increase the appropriation in the Gas Fund (\$6,300,000) for gas purchases due to increases in gas costs and increases in customer demand.

Motion was made by Councilmember Joyner, seconded by Councilmember T.J. Walker and unanimously carried that **Ordinance No. O-2023-40** entitled **ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR 22-23/FOR WHOLESALE GAS PURCHASES** be adopted.

ANNEXATION NO. 328 - 9121 WEST MOUNT DRIVE

The City Council was advised that a public hearing was held on this annexation on December 12, 2022 and public comment was received. Interim City Manager Varney stated the item was on the agenda tonight to receive direction from the City Council on how they would like to proceed.

Motion was made by Councilmember Joyner to annex the property. Councilmember T.J. Walker requested the motion be amended to direct staff to prepare an ordinance that would annex the properties on West Mount Drive and to prepare an agreement with both owners that would waive their entitlement to City sanitary sewer service on solid waste service for a period of 25 years; that the owners would retain the right, however, to request those services at any time upon complying with the City's normal policies for extending sewer service or solid waste collection service. Councilmember T.J. Walker

stated it would be the City's intention to have the agreement recorded and have it run with the land overtime.

Councilmember Daughtridge stated he would like information relative to the loss of fire tax revenue for the area that was mentioned, information about the 10 percent rule mentioned and the concern with rezoning appearing to be spot rezoning before the ordinance is considered for adoption.

Councilmember Blackwell stated he would like to know if the agreement would pass down with the property of sold or if the agreement would be end up being null. He also stated he hoped the mention of hunting in the area was just an observation and not any kind of threat for individuals involved.

Councilmember Harris stated he would have liked for the feasibility study to indicate what the costs would be to un a sewer line from where it stops now to the subject property and stated he has concerns that the return on investment would be very minimal for the City of Rocky Mount.

Councilmember Knight stated the question of the costs of the sewer would be muted for the next twenty-five years.

Councilmember Joyner agreed to amend his motion as stated, motion was seconded by Councilmember T.J. Walker and carried by a vote of 6-1 (Councilmember Harris opposed) that staff be directed to prepare an ordinance that would annex the properties on West Mount Drive and to prepare an agreement with both owners that would waive their entitlement to City sanitary sewer service on solid waste service for a period of 25 years; that the owners would retain the right, however, to request those services at any time upon complying with the City's normal policies for extending sewer service or solid waste collection service; that the City's intention would be to have the agreement recorded and have it run with the land overtime.

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 Council was advised that a public hearing was held on this annexation on December 12, 2022 and public comment was received. Interim City Manager Varney stated the item was on the agenda tonight to receive direction from the City Council on how they would like to proceed.

The Mayor stated the motion made for the previous item Annexation No. 328 contained this annexation also, but stated a separate vote would be taken due to there being separate items.

Motion was made by Councilmember Joyner, seconded by Councilmember T.J. Walker and carried by a vote of 6-1 (Councilmember Harris opposed) that staff be directed to prepare an ordinance that would annex the properties on West Mount Drive and to prepare an agreement with both owners that would waive their entitlement to City sanitary sewer service on solid waste service

for a period of 25 years; that the owners would retain the right, however, to request those services at any time upon complying with the City's normal policies for extending sewer service or solid waste collection service; that the City's intention would be to have the agreement recorded and have it run with the land overtime.

APPOINTMENTS

Councilmember Daughtridge nominated Amanda Barrett for the Workforce Housing Advisory Commission but withdrew the nomination to look at other openings on the board, commission and committees.

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

9H. ADMINISTRATIVE POLICY AMENDMENTS (item removed from the consent agenda for consideration)

The City Council was presented with a Resolution approving Amendments to the following Administration Policies:

- Administrative Policy No. II.31 Entitled "Policy: Downtown Rocky Mount Development Incentive Grant"
- Administrative Policy No. II.33 Entitled "Policy: Downtown Building Assistance Program"
- Administrative Policy No. II.42 Entitled "Policy: Accelerated Façade Improvement Grant"
- Administrative Policy No. II.43 Entitled "Policy: Roof Replacement and Repair Grant"
- Administrative Policy No. II.44 Entitled "Policy: Downtown Residential Production Grant"

The policies are amended by replacing the statement of purpose for each policy with the following:

- Purpose: In 1980, over 200 of the commercial buildings in the central city area of the City of Rocky Mount were placed on the National Register of Historic Places. This was done in recognition of the unique character of the downtown area where most of the buildings were constructed in the early 1900's.

Yet, during the 1980's, the downtown area changed when the three major retail stores (Belk-Tyler, J.C. Penney, and Sears) relocated to Wesleyan Boulevard. This resulted in reduced shopping traffic, increasing vacancies, reduced tax valuation for downtown, and a growing perception of a deteriorating downtown.

The City Council established the Central City Revitalization Panel (CCRP) in 2000 for the purpose of initiating plans and programs that would encourage business development downtown and preserve the buildings in the downtown area. Upon the recommendation of the CCRP, the City Council adopted the subject policy, and others, as community development programs of assistance and financing intended to create an incentive for owners to invest in and preserve and restore the existing buildings downtown in order to maintain the unique historic character of the central city and create a vibrant and economically sustainable downtown Rocky Mount.

Interim City Manager Varney stated the purpose is the main change in the policies. He stated there is one other change he would like make would be to remove the sentence under the roles and responsibilities that states "for approval by the community and

business development director" because that department is no longer called the community and business development department.

Councilmember Daughtridge stated he has shared his concerns many times relative to the funding assistance grants. He stated he does not have an issue with the grants, but he feels they lack transparency and do not have a formal process beyond the application. He stated on principle he would be voting "no" on this item.

Councilmember Knight stated he has heard Councilmember Daughtridge's comments, but he feels you can see the investment in Downtown and see the return on the City's investment.

Councilmember Blackwell stated he concurs with Councilmember Knight's comments. He stated he would hope everyone is working for a better tomorrow.

Motion was made by Councilmember Joyner, seconded by Councilmember Knight and carried by a vote of 6-1 (Councilmember Daughtridge opposed) that **Resolution No. R-2023-8** entitled **RESOLUTION APPROVING ADMINISTRATIVE POLICIES AND AMENDMENTS** be adopted.

ADJOURNMENT

There being no further business, by consensus, the meeting was adjourned at 8:34 p.m.



Kim Batts
City Clerk