

October 23, 2023

The City Council of the City of Rocky Mount met this day in a regular session scheduled for 4:00 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: Keith Rogers Jr., City Manager; Kim Batts, City Clerk; Elton Daniels, Assistant City Manager; Brad Kerr, Public Works Director; Emilie Pinkston, Director of the Department of Development Services; JoSeth Bocook, Deputy Director of the Department of Development Services; Joel Dunn, Parks and Recreation Director; Archie Jones, Director of Human Relations; Brenton Bent, Water Resources Director; Gregory Cotten, Chief Technology Officer; Latasha Hall, Director of Business and Collections Services; Darvin Moore, Fire Chief; Michael Roupp, Assistant Chief of Operations; Jamey Cooke, Assistant Chief of Operations; Robert Hassell, Police Chief; Abdul Baloch, Chief Internal Auditor; Mark Adcox, Video Production Specialist; Robin Cox, Communications Specialist; Kirk Brown, Communications and Marketing Director; Cornelia McGee, Community and Business Development Director; Kena Cofield-Jones, Director of Human Resources; Tim Farmer, Operations Manager, Todd Gardner, Transit Director; 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 4:00 p.m. and requested all in attendance to stand for a moment of silent prayer.

APPROVAL OF MINUTES

Motion was made by Councilmember Joyner, seconded by Councilmember Jabaris Walker, and unanimously carried that the minutes of the Regular Scheduled City Council meeting held June 12, 2023, be approved as submitted to the City Council prior to the meeting.

APPROVAL OF ADDITIONS/DELETIONS TO AGENDA

Mayor Roberson stated a request was made to add the following items to the agenda:

- Request from Representative Shelly Willingham to give a short presentation
- Consideration of a 6% COLA (Cost of Living Adjustment) for City of Rocky Mount employees who did not receive at least a 5% increase after the pay study implementations
- Consideration of a 15% increase for sanitation workers

Mayor Roberson asked the will of the Council on voting on the items. By consensus it was decided the items be voted on separately.

Motion to add a short presentation by Representative Shelly Willingham was made by Councilmember Joyner and seconded by Councilmember Daughtride and unanimously carried that the agenda be amended as requested to add the presentation.

Motion to table the consideration of a 6% COLA (Cost of Living Adjustment) for City of Rocky Mount employees who did not receive at least a 5% increase after the pay study implementations was made by Councilmember Daughtride, seconded by Councilmember Harris. The motion to amend the agenda as requested failed by a vote of 3-4 (Councilmembers Knight, Blackwell, Joyner ayes; Councilmembers T.J. Walker, Daughtride, Harris and Jabaris Walker nays)

Motion to table the consideration of a 15% increase for sanitation workers was made by Councilmember Daughtride, seconded by Councilmember Harris. The motion to amend the agenda as requested failed by a vote of 3-4 (Councilmembers Knight, Blackwell, Joyner ayes; Councilmembers T.J. Walker, Daughtride, Harris and Jabaris Walker nays)

COMMUNITY UPDATE BY CITY MANAGER

City Manager Keith Rogers Jr. provided the following community update. The City Manager reported that:

- Stated tomorrow at the Rocky Mount Event Center, there will be a Community Playmaker Summit where you can join speakers and other local government leaders from across the state to share and connect on topics centered around economic development and tourism
- Stated you can visit communityplaymaker.com for more information; this event will begin at 9:00 a.m. and go through 3:00 p.m.
- Stated on Wednesday the Senior Center Fall Festival will be held from 11:00 a.m. to 1:30 p.m. on the lawn of the historic Helen P. Gay train station
- Stated this event will feature a D.J., food trucks, and have health wellness vendors who offer services aimed at the senior population
- Stated Saturday November 11th is America Recycles Day from 10:00 a.m. to 1:00 p.m. in the Golden East Crossing Mall parking lot; there will be opportunity to recycle confidential documents, donate electronics, and dispose of prescription medications, household hazardous waste and more.
- Stated for more information on this event, you can visit rockymountnc.gov/keep-america-beautiful

Councilmember Knight asked the City Manager when he plans to introduce the new positions that have been created outside of the compensation and pay study to Council and the citizens. He stated that it is his understanding that there are new employees, some of which are making six figures. He additionally stated he had consulted with the City Attorney and according to Rocky Mount City Code - Chapter 16; Division 2 - Classification Plan; Section 16-48 -

the authority to establish new classification of position is vested in the City Council, the City Council would consider recommendation of the City Manager and determine the need of new classification of position. He stated there are several positions that have been created that were not in the budget and the individuals that have been hired have not introduced to the Council as a whole or the citizens.

City Manager responded that no new positions have been created, and that all the positions that are in the organization are included in the City's Classification and Compensation Plan that was approved in July.

Councilmember Knight asked for confirmation that the only new positions requested during the discussions were (2) two positions in the Human Resources department.

City Manager Rogers stated the positions for Human Resources were not new positions; they were additional positions. He stated again that all the positions of the City are in the classification and compensation plan that was approved by Council.

Councilmember Knight requested the City Clerk pull the minutes in which it was stated the only positions being requested were in Human Resources. He stated he is still trying to get information regarding how many vacancies are in the police department. He stated he has asked several department heads and the City Manager, but still has not received the information after 2 months. He asked City Attorney Rose what could be done if a Councilmember cannot get information from the Public Relations Director, Human Resource Director or the City Manager.

City Attorney Rose stated that information is to be requested from the City Manager.

Councilmember Knight asked if a citizen makes a public record request and does not get it, what can the citizen do.

City Attorney Rose responded that if the City refuses a public record request, the citizen can take the City to court.

Councilmember Daughtridge stated the packet for the Committee of the Whole that will be held today contains the information Councilmember Knight is requesting.

Councilmember Harris stated Councilmember Daughtridge covered what he was going to say and the information being requested is in the packet that will be discussed at the Committee of the Whole today.

Councilmember Blackwell stated they have had many conversations about transparency over the last six or seven years and things have really changed since the perspective in leadership of this Council has changed. He asked what the expectations of City Councilmembers and the public were when they ask questions as well as what the

public can know about the business that is funded by the public. He stated he would like to know what the standard is and what is acceptable and unacceptable.

Mayor Roberson responded that he does not get to set those policies, but his expectation would be that it should be public information.

City Manager Rogers responded that he reaches out to every Councilmember before every Council meeting and has one on one meetings with every Councilmember so in his opinion there is no issue with Councilmembers receiving information, therefore he is not understanding tonight's question.

Councilmember Knight stated that he wanted to make it clear that he understood the information was in the Committee of the Whole packet on Friday, but he wanted it on record that it had been 2 months since he made the request for the information.

COMMENTS FROM REPRESENTATIVE SHELLY WILLINGHAM (added in open meeting)

Representative Shelly Willingham made the following comments:

- Stated he has been getting calls from his constituents in Edgecombe County
- Stated this is in regard to the \$8.5 million that the City is receiving from the General Assembly and this allotment is through the 23rd district which he represents
- Stated he was asked why he had nothing to do with this money coming to Rocky Mount, but wanted to clarify he is the one who advocated for this money and he is the one responsible for this money coming to the City
- Stated there was no allocation on the part of any Nash County Delegate to receive this money
- Stated the leadership at the time said they did not like the concept of the City being responsible for the judicial center
- Stated his advocacy was for money for the City on the Edgecombe side and really for affordable housing as he is a big proponent for that
- Stated that he suggested that \$4.5 million go to affordable housing and the other \$4 million would go towards the judicial center
- Stated he wants to make sure the public knows and especially people in his district that this money was advocated on their behalf to have affordable housing in Edgecombe County
- Stated he is sure everyone is aware but when money is allocated, it can only be spent for that purpose and if it is not spent for that purpose then it is called misappropriation of state funds and that is against the law
- Stated he just wanted to make it clear he is working every day for the people in Edgecombe County and the City of Rocky Mount

Mayor Roberson thanked Representative Willingham for advocating on behalf of the City and for clearing up this particular issue. He explained that even in his own mind there was some confusion about it and if he has done anything to misrepresent, it was not his intent. He stated that Representative Willingham has been a strong advocate for the City of Rocky Mount through the years and he knows he will continue to be. He stated he feels Representative Willingham has done a good job for the City and he is appreciative of all his

hard work. Mayor Roberson stated he would like him to please accept this as mea culpa if he has had anything to do with any confusion.

Councilmember Knight thanked Representative Willingham. He stated something was circulating on social media and he is glad Representative Willingham came and set the record straight. He explained that there was a picture circulating that left Representative Willingham out of a photo relative to the \$8.5 million. He stated he knows the Mayor just apologized but he feels the City Manager should apologize as well. He explained that a letter was sent from Representative Willingham to the City Manager, Mayor, and all 7 Councilmembers stating what was just stated. He stated this is the first time to his knowledge that Edgecombe County has ever received this kind of allocation from the General Assembly.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKY MOUNT
RECOGNIZING AND HONORING THE STREETS AND STORMWATER DIVISION FOR
SAVING THE LIFE OF A FELLOW EMPLOYEE

The Mayor recognized and honored the Streets and Stormwater Division for saving the life of a fellow employee.

Motion was made by Councilmember Knight, seconded by Councilmember Joyner and unanimously carried that the following **Resolution R-2023-61** entitled **RESOLUTION RECOGNIZING AND HONORING THE STREETS AND STORMWATER DIVISION FOR SAVING THE LIFE OF A FELLOW EMPLOYEE** be adopted:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKY MOUNT
RECOGNIZING AND HONORING THE STREETS AND STORMWATER DIVISION
FOR SAVING THE LIFE OF A FELLOW EMPLOYEE

WHEREAS, on Wednesday, the 30th day of August, 2023 an Express Staffing employee, Raeford Odom suffered a medical emergency and collapsed in cardiac arrest while working in a ditch located near Pineview Street; and

WHEREAS, City of Rocky Mount employees, DeWayne Pride, Nathaniel Pittman, and Kenith Winstead and employees of Express Staffing, D'nidric Gary, Melvin Cotton, and Donavon Jones, realizing that Mr. Odom was in extreme distress, leapt into action providing aid to Mr. Odom; and

WHEREAS, the employees cleared the scene and staged an employee and city truck on the street near the work site for emergency personnel to easily locate the site while Mr. Pride called 911; and

WHEREAS, Mr. Pride received CPR instructions from the dispatcher which he called out to Mr. Gary, who began administering CPR, and then the two men worked in unison administering CPR to Mr. Odom until the arrival of emergency personnel; and

WHEREAS, the first responders rendered aid to Mr. Odom for several minutes, reviving him on the scene, then transporting him to Nash General, where he was then airlifted to Duke Medical Center, underwent emergency surgery and is now at home expected to make a full recovery; and

WHEREAS, the heroic action taken by the Streets and Stormwater Employees and Express Staffing Employees when they realized Mr. Odom

was in medical distress and the follow-up actions taken by the Fire Department team saved Mr. Odom's life and the City Council wishes to recognize and honor the City employees who worked together to accomplish this result; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rocky Mount that it recognizes, honors, and expresses heartfelt thanks to DeWayne Pride, Nathaniel Pittman, and Kenith Winstead of the Streets and Stormwater Division and employees of Express Staffing D'nidric Gary, Melvin Cotton, and Donavon Jones for the heroic action they took on the 30th day of August, 2023 to save the life of their fellow employee, Raeford Odom.

**WILSON-ROCKY MOUNT-TARBORO (NC) CHAPTER OF THE LINKS, INCORPORATED
75TH ANNIVERSARY CELEBRATION DAY**

The Mayor read a Proclamation proclaiming October 29, 2023 as Wilson-Rocky Mount-Tarboro (NC) Chapter of the Links, Incorporated 75th Anniversary Celebration Day. The Mayor presented the Proclamation to Ms. Lewis and others who joined the Mayor and Council for a photograph.

DISABILITY EMPLOYMENT AWARENESS MONTH

The Mayor read a Proclamation proclaiming the month of October 2023 as Disability Employment Awareness Month. The Mayor presented the Proclamation to Archie Jones, Director of Human Relations and others who joined the Mayor and Council for a photograph.

PETITIONS FROM THE PUBLIC

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

Richard Petway

- Stated the plaque that was given to the Public Works employees was well deserved but they also deserve fair pay
- Stated there was nothing done after 90 days, and now it is being tabled
- Stated those that are here to represent the City of Rocky Mount and the constituents who walked out of the last meeting should be ashamed of themselves
- Thanked Councilmembers Blackwell, Knight, and Joyner for being here at the last meeting

Rasheed Muhammad

- Stated he returned to Rocky Mount about 2 years ago and he noticed there is a great improvement in the services
- Asked if there is a tentative plan that has been considered about the workers pay because this is not a new issue
- Asked if the parameters around how the employees would receive merit raises has been disclosed to them so they understand what they need to do
- Stated the value in life in many cases is actually increased by the opportunity for people to gain merit

Dr. Kim Koo

- Stated she is a member of the Rocky Mount Racial Justice Group
- Stated it has come to her attention that the General Assembly has given the City \$8.5 million for housing and a future judicial center
- Stated without public discussion, they were told that \$5 million has already been allocated for the judicial center leaving \$3.5 million for affordable housing
- Asked why this Council is putting useless buildings and structures ahead of the people
- Stated the judicial center is a redundant structure as there are already courthouses in Nash and Edgecombe counties
- Stated all of the \$8.5 million should be used for affordable housing

Sue Perry Cole

- Stated she is speaking on behalf of some Rocky Mount taxpayers to share recommendations regarding how an allocation of \$8.5 million granted to the City from the NC General Assemble should be used
- Stated it is her understanding that the allocation approved by state legislators could be used to help pay for affordable housing and a future judicial center but that matter must go before Council
- Stated she is expressing strong support for use of the entire \$8.5 million state appropriation to further solutions to the housing affordability crisis given these current real estate market conditions

Mumtaz Shaik

- Asked the Council if they were ashamed that they refuse to give a living wage to the sanitation workers

Arnie Jones

- Stated he has a petition that he would like to present to Council with names that back the 15% pay increase for sanitation as well as the 6 percent cost of living increase
- Stated they do a good job everyday and he has been here several times to speak on behalf of his department yet other departments can get an increase just like that
- Stated they do a magnificent job for the City and everyone stands behind them, everyone who spoke tonight spoke up for them and he applauds them for that
- Stated they still have vacancies in his department as well but they get out and do their job everyday

Nathlyn Ohree

- Stated she realizes how important it is to go to work and be on time and when people do not show up there should be some kind of accountability
- Stated she has been coming to Council meetings for quite some time and different Councilmembers have been absent, but the last meeting was shameful
- Stated there should be apologies to the citizens and to the City employees

Clay Turner

- Stated a motion is being tabled to give a fair wage to sanitation workers and to give a cost of living increase to City Workers who didn't receive a substantial raise
- Stated he would like to make a public record request to the City Manager and the City Attorney for everything Councilmember Knight has requested

Sydney Meeks

- Stated she is glad the dais is full today because it was not when she was here previously

- Stated Public Works was presented with a plaque so maybe they were not overlooked for the great work they did in saving a life but they are being overlooked in what is being tabled
- Stated it saddens her that there are elected officials that have said this is a political issue when the fire department came in April and Public Works came and asked for a raise in April so she is not sure how this issue is political
- Stated they are elected officials that the people vote for to do the work in which they are supposed to do and she does not feel like that has been presented in the recent months

Christopher Edwards

- Stated he would like to address the City Councilmembers, Mayor, and City Manager who walked out on the people at the last meeting and he welcomes them back
- Stated he does not think it is right when they take their majority or political pact and suppress issues that really need to be voted on
- Stated it is disrespectful to see them walk out with smiles on their faces then come back today tabling issues

Curmilus Dancy

- Stated as far as the wage increases if you subtract expenses, taxes, and other things from their checks then you will be able to understand that anyone making \$50,000 sounds good but after the deductions there is not enough left to pay their bills
- Stated Councilmembers represent the people so if he goes to them with a question they should be able to give him a response
- Stated he has been to these Council meetings longer than anyone and he has never seen anything like this

CONSENT AGENDA

Motion was made by Councilmember Joyner, seconded by Councilmember Harris, and unanimously carried that the Consent Agenda [Items 9(A) through 9(G), be approved as follows and more specifically:

A. AD VALOREM TAX RELEASES:

That the following tax releases be acknowledged and approved 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:

YEA	BILL	NAME/ADDRESS	TAX	COMMENT
<i>EDGECOMBE COUNTY</i>				
2023	17919	ARRINGTON, WILLIE T 412 ALBEMARLE AVE ROCKY MOUNT, NC 27801	10.00	DOG NO DOG
		TOTAL RELEASE:	10.00	
<i>NASH COUNTY</i>				
2023	1000289	BARBECUE & JAZZ INC DBA PRIME SMOKEHOUSE BARBECUE & BEYOND 1151 FALLS RD STE 1018 ROCKY MOUNT, NC 27804	27.66	PEN LATE LIST REMOVAL
		TOTAL RELEASE:	27.66	
2023	927	BEFCO INC PO BOX 6036 ROCKY MOUNT, NC 27802	73.64	CITY VALUATION CORRECTION
		TOTAL RELEASE:	73.64	

2023	772	PNC BANK NA 300 FIFTH AVE PITTSBURGH, PA 15222 TOTAL RELEASE:	7.08 7.08	CITY	VALUATION CORRECTION
2023	1000473	VIVERETTE, MARVIN W SR VIVERETTES GARAGE 318 COOLEY RD ROCKY MOUNT, NC 27803 TOTAL RELEASE:	30.60 30.60	PEN	LATE LIST REMOVAL
2023	2244	WATERLOGIC USA INC 3175 BASS PRO DRIVE GRAPEVINE, TX 76051 TOTAL RELEASE:	61.18 61.18	CITY	BUSINESS CLOSED

SCHEDULE B - acknowledge receipt of report of the following taxes over \$100 approved for release and/or refund by the City Council:

YEAR	BILL	NAME/ADDRESS	TAX		COMMENT
<i>EDGECOMBE COUNTY</i>					
2023	10002	ADAMS PRODUCTS COMPANY 333 N GREENE ST STE 500 GREENSBORO, NC 27401 TOTAL RELEASE:	488.61 488.61	CITY	PERSONAL LOCATED OUTSIDE CITY LIMITS
2023	8865	HATHAWAY, DONNA 8 BLK B GENESIS ESTATES ROCKY MOUNT, NC 27801 TOTAL RELEASE:	293.67 293.67	CITY	ELDERLY/DISABLED EXEMPTION
2023	5973	HOWIE, ALETHIA LT 1 BLK H ROCKY MOUNT NC 27801 TOTAL RELEASE:	171.25 171.25	CITY	ELDERLY/DISABLED EXEMPTION
2023	17862	JONES, HERMAN THEOPLUS 211 E THOMAS ST ROCKY MOUNT, NC 27801 TOTAL RELEASE:	111.31 111.31	CITY	EXEMPT PROPERTY
<i>NASH COUNTY</i>					
2023	2321	7 ELEVEN INC – STORE# 41939H C/O RYAN LLC PO BOX 4900 SCOTTSDALE, AZ 85261 TOTAL RELEASE:	837.02 837.02	PEN	LATE LIST
2023	2195	AIR METHODS CORPORATION 0088E C/O RYAN LLC 15 W 16 TH ST STE 2400 TULSA, OK 74119 TOTAL RELEASE:	3,425.00 3,425.00	CITY	VALUATION CORRECTION
2023	10039	ROCKY MOUNT RECYCLERS INC BLDG ONLY 816 S HALIFAX RD ROCKY MOUNT, NC 27804 TOTAL RELEASE:	1,304.86 1,304.86	CITY	DENR EXEMPTION
2023	2071	TOYOTA INDUSTRIES COMMERCIAL FINANCE INC PO BOX 80615 INDIANAPOLIS, IN 46280 TOTAL RELEASE:	8,638.12 8,638.12	CITY	VALUATION CORRECTION
2023	2101	US BANK NATIONAL ASSOCIATION 1310 MADRID ST, SUITE 100 MARSHALL, MN 56258 TOTAL RELEASE:	1,918.38 1,918.38	CITY	VALUATION CORRECTION

2023	10038	WARD GARRY PROPERTIES LLC 816 S HALIFAX RD ROCKY MOUNT, NC 27804 TOTAL RELEASE:	1,686.35	CITY	DENR EXEMPTION
			1,686.35		
2023	10028	WARD GARRY PROPERTIES LLC 4601 COMMUNITY DR ROCKY MOUNT, NC 27804 TOTAL RELEASE:	848.63	CITY	DENR EXEMPTION
			848.63		

B. TEMPORARY STREET CLOSING (recommended for approval):

- Request from the Public Works Department for an Ordinance approving a temporary street closing for the fourth Annual Downtown Rocky Mount Halloween Bash (ordinance adoption requirement of NCDOT standards):
- The Temporary Closure is along Tarboro Street (US 64 Business East) between Main Street and Washington Street;
- Traffic both days will be detoured onto NE Main Street, West on East Thomas Street, North on Falls Road and East onto Goldleaf Street;
- The first closure and detour will be in effect from 3:00 pm on Saturday October 28, 2023 to 12:00 am (midnight) on Sunday October 29, 2023; and
- The second closure and detour will be in effect from 3:00 pm on Tuesday October 31, 2023 to 12:00 am (midnight) on Wednesday, November 1, 2023

Ordinance No. O-2023-109 entitled **ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKY MOUNT DECLARING A ROAD CLOSURE FOR DOWNTOWN HALLOWEEN BASH** was adopted.

C. LEASE AGREEMENT/101 COASTLINE STREET

Consideration was given to a lease agreement with the National Railroad Passenger Corporation (AMTRAK) for City-Owned Property; 101 Coastline Street. The main terms of the lease were outlined as follows:

- Approximately 6,053 square feet of office space on the 1st floor of the Helen P. Gay Train Station
- 10-year lease; monthly rent = \$6,300 (consists of a pro-rata share of the stations operational cost on an annualized basis for the first year) Rent will escalate annually at a rate equal to CPI (Consumer Price Index) for subsequent years

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

Resolution No. R-2023-62 entitled **RESOLUTION AUTHORIZING THE LEASE OF CERTAIN PROPERTY** was adopted. This resolution authorizes the Mayor and City Clerk to execute the License Agreement with the National Railroad Passenger Corporation (AMTRAK) **C-2023-15** on behalf of the City.

D. FY 2023-2024 PROJECT ORDINANCES

1. **Ordinance No. O-2023-110** entitled **GRANT PROJECT ORDINANCE/ EDWARD BYRNE MEMORIAL JUSTICE GRANT** was adopted. Grant Project Ordinance appropriates grant funds from the Edward Byrne Memorial Justice Assistance Program of the U.S. Department of

Justice in the Public Safety Fund (\$46,239; City share = \$32,367.30 [60%] and Nash County share = \$13,871.70 [40%]).

2. **Ordinance No. O-2023-111** entitled **GRANT PROJECT ORDINANCE/ ASSISTANCE FOR FIREFIGHTERS GRANT** was adopted. Grant Project Ordinance appropriates funds to the Public Safety Grants Fund for the 2023 Assistance for Firefighters Grant for the purpose of purchasing replacement self-contained breathing apparatus for the Rocky Mount Fire Department (\$453,925; [\$412,659 awarded to the City by the Federal Emergency Management Agency and \$41,266 - 10% local match requirement]).

E. ANNEXATION NO. 333/CULPEPPER LIMITED PARTNERSHIP (BETHLEHEM ROAD) PROPERTY

That the following resolutions be adopted:

- **Resolution No. R-2023-63** entitled **RESOLUTION OF CERTIFICATION OF RESULTS OF INVESTIGATION OF THE SUFFICIENCY OF PETITION FOR ANNEXATION OF A CONTIGUOUS AREA BY CITY CLERK OF THE CITY OF ROCKY MOUNT ANNEXATION NO. 333 - CULPEPPER LIMITED PARTNERSHIP (BETHLEHEM ROAD) - PIN 373907595080U; and**
- **Resolution No. R-2023-64** entitled **RESOLUTION CALLING A PUBLIC HEARING TO CONSIDER A PROPOSED EXTENSION OF THE CITY LIMITS OF THE CITY OF ROCKY MOUNT TO INCLUDE ANNEXATION OF A CONTIGUOUS AREA ANNEXATION NO. 333 - CULPEPPER LIMITED PARTNERSHIP (BETHLEHEM ROAD) - PIN 373907595080U; (schedules public hearing for November 13, 2023)**

City Council was advised the resolutions certify the sufficiency of the petition pursuant to NCGS 160A-31 and call for a public hearing to be scheduled for the annexation.

It was noted that the Department of Development Services be instructed to prepare a feasibility study in connection with the annexation.

F. STATE MAINTENANCE ASSISTANCE PROGRAM (SMAP)/TAR RIVER TRANSIT

The City Council was advised that each year the North Carolina Department of Transportation (NCDOT) State Maintenance Assistance Program (SMAP) funds provide operating assistance to eligible small-urban fixed route transit systems and a fully executed "Certified Statement" must be signed by the Mayor in order for the City of Rocky Mount (Tar River Transit) to receive SMAP funds. Additionally, it was explained that a letter addressed to the North Carolina Department of Transportation must be signed by the City Manager. It was noted that the City of Rocky Mount utilized the FY 2023 allocation of \$224,999 by June 30, 2023 and the FY 2024 allocation will be spent per the guidelines of the State Maintenance Assistance Program.

The recommended action to authorize the Mayor to execute the required certification(s) on behalf of the City and authorize the City Manager to execute a letter of intent was approved.

G. AMENDED AND RESTATED FULL REQUIREMENTS POWER SALES AGREEMENT (FRPSA) BETWEEN THE CITY OF ROCKY MOUNT AND THE NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY (NCEMPA)

The City Council was provided the following information:

- the City of Rocky Mount (the "Municipality") and North Carolina Eastern Municipal Power Agency ("Power Agency") entered into a Full Requirements Power Sales Agreement (the "FRPSA"), dated as of the twenty-fourth day of September, 2015, pursuant to which Power Agency sells and each Member purchases its Full Requirements Bulk Power Supply requirements (as that term is defined in the FRPSA)
- the Board of Directors of Power Agency, by motion properly made and approved at its meeting on May 25, 2023, approved and authorized the execution and delivery of Tenth Amended and Restated Full Requirements Power Purchase Agreement (the "FRPPA") between the Power Agency and Duke Energy Progress, LLC (including successors and permitted assigns, "DEP"), pursuant to which Power Agency has agreed to purchase from DEP and DEP has agreed to sell to Power Agency Power Agency's full requirements capacity and energy to serve the load of the electric power customers of Power Agency's members, the electric needs of which the members have undertaken the obligation to meet, and contingent upon a recommendation by the Rate Committee and approval by the Board of Commissioners of Power Agency
- the Rate Committee and the Board of Commissioners, respectively, recommended that staff execute and approve the FRPPA in the name and on behalf of the Power Agency and motions were properly made and approved at their meetings on June 7, 2023 and June 8, 2023
- the Board of Directors of Power Agency adopted Resolution BDR-10-23, on September 22, 2023, which, among other things, (i) ratified the approval and execution of the FRPPA by the Chief Executive Officer in the name and on behalf of Power Agency and (ii) authorized Power Agency to execute and deliver to each Member an Amended and Restated Full Requirements Power Sales Agreement (the "Amended and Restated FRPSA") to give effect to the transactions contemplated by the FRPPA
- the Power Agency has caused to be furnished to the Municipality each of the following: (i) the FRPPA, (ii) Resolution BDR-10-23, and (iii) an executed Amended and Restated FRPSA, dated as of September 22, 2023

The City Council was advised that the North Carolina Eastern Municipal Power Agency ("Power Agency") and Duke Energy Progress ("DEP") entered into and executed the Tenth Amended and Restated Full Requirements Power Purchase Agreement (the "Amended and Restated FRPPA") on June 27, 2023. Included in the Amended and Restated FRPPA are changes to many of the defined terms used therein. The same defined terms are also used in the Full Requirements Power Sales Agreement entered into between Power Agency and the City of Rocky Mount in 2015. On September 23, 2023, the Board of Directors of Power Agency determined it was in the best interests of the Power Agency and its members, in order to maintain consistency, to enter into the Amended and Restated Full Requirements Power Sales Agreement

("Amended and Restated FRPSA") to give effect to the definitions that were changed in the Amended and Restated FRPPA. The Board of Directors recommended that the Amended and Restated FRPSA be approved by Power Agency's members.

Ordinance No. O-2023-112 entitled **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKY MOUNT, NORTH CAROLINA, DETERMINING THAT IN THE BEST INTERESTS OF THE CITY OF ROCKY MOUNT TO APPROVE AND AUTHORIZE THE EXECUTION AND DELIVERY OF THE AMENDED AND RESTATED FULL REQUIREMENTS POWER SALES AGREEMENT BETWEEN THE CITY OF ROCKY MOUNT AND NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY** was adopted authorizing the Mayor and City Clerk to execute the Amended and Restated FRPSA on behalf of the City; directing the City Clerk to furnish a certified copy of the ordinance and executed Amended and Restated FRPSA to Power Agency and directing the City Clerk to file: (i) the FRPPA, (ii) Resolution BDR-10-23, and (iii) the proposed Amended and Restated FRPSA with the minutes of this meeting.

Motion was made by Councilmember Joyner, seconded by Councilmember Harris and unanimously carried that the Consent Agenda be approved inclusive of the tax releases, adoption of **Ordinances O-2023-109** through **O-2023-112** and **Resolutions R-2023-61** through **R-2023-65**; authorization for Mayor to Execute Lease Agreement on behalf of the City; authorization for the Mayor and City Clerk to Execute the Required NCDOT Certification on Behalf of the City; and Authorize the City Manager to Execute Letter of Intent to NCDOT.

FY 2025 SECTION 5310, 5311 AND 5339 COMMUNITY TRANSPORTATION PROGRAM GRANTS/PUBLIC HEARING

The Mayor opened a public hearing relative to FY 2025 Section 5310, 5311 and 5339 Community Transportation Program Grants for funding of \$2,069,182 through the North Carolina Department of Transportation, Public Transportation Program, for a portion of the Tar River Transit administrative, operating and capital expenses. It was explained this grant will require a local match of \$245,433.

The Mayor opened the Public Hearing.

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

Councilmember Blackwell stated he was unsure if this grant involved the Micro-transit strategy to be discussed at the Committee of the Whole meeting, but he wanted to clarify that the Micro-transit strategy is nothing new to the City. He stated have been proposals over the years that had fallen through or not followed up on. He stated that the City had a chance to be the lead in Micro-transit instead of following another City. He stated he thinks he remembers a proposal came from a young black man and hopes that it had nothing to do with race as to why the proposal had not been followed up on. He also stated he recalled never receiving an answer

about the previous proposal and that they were told it required more study. He stated he is thankful that we are looking at other options but disappointed that now they will be hearing a presentation about how it has been done in another City when Rocky Mount could have been the leader.

Mayor Roberson stated that he doesn't believe this grant has anything to do with Micro-transit, but his comments were noted.

Motion was made by Councilmember Joyner, seconded by Councilmember Harris unanimously carried that the Transit Grant application(s) be approved; that **Resolution No. R-2023-65** entitled **PUBLIC TRANSPORTATION PROGRAM RESOLUTION FY 2025** be adopted; and that the Mayor and City Clerk be authorized to execute any required documentation, certifications and delegation of authority, including the subsequent grant agreement(s) on behalf of the City.

APPOINTMENTS

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

Councilmember Knight stated he hopes Council will go back and consider the information that they have heard from the citizens. He stated the holidays are coming up and they are expecting a cold winter so he would like for this Council to at least consider the 6% cost of living adjustment for the City employees who did not receive anything. He stated he realizes that the 15% is a standoff against Councilmembers Blackwell, Joyner and himself, but he would at least like consideration given the employees who did not receive anything from the pay and comp study. He stated it was said that in 2024 employees can receive 2 to 4 percent increase, but that was already in the budget with the merit increases anyway. He stated the 6% cost of living adjustment would be the right thing to do. He also stated that they could come back to the 15% for the sanitation workers later.

ADJOURNMENT

There being no further business, by consensus, the meeting was adjourned at 5:21 p.m.



Kim Batts
City Clerk