ROCKY MOUNT, NC
THE CENTER OF IT ALL

ROCKY MOUNT CITY COUNCIL

COMMITTEE OF THE WHOLE MEETING

MONDAY, JUNE 13, 2022

CITY COUNCIL
COMMITTEE OF THE WHOLE

MONDAY, JUNE 13, 2022
5:00 PM

AGENDA

1.	Bars, Taverns, Nightclub Ordinance	Peter Varney
2.	Outer Loop: Southeast Connector	Brad Kerr
3.	Falls Road & Depot Park Conceptual Design Preview	Brad Kerr
4.	Energy Assistance Rebate and Loan Policy	Peter Varney
5.	RMPD June Report	Robert Hassell

MEMORANDUM

ROCKY MOUNT
CITY MANAGER'S OFFICE
THE CENTER OF IT ALL

To: Mayor and City Council

From: Peter Varney, Interim City Manager

Date: 6/3/2022

Re: Bars, Taverns, and Nightclubs (BTN)

On March 14, 2011, the City Council adopted an ordinance to regulate bars, taverns, and nightclubs. This was done in response to a series of incidents at various BTN establishments that occurred between October 2010 and February 2011. The incidents included shootings, fights, assaults, and disorderly conduct.

The BTN ordinance requires:

- a license from the City, annual renewal, nontransferable
- License is revocable upon 1 or more "serious public safety events" in a 12-month period
- License holder or on-site manager must be on site
- Background information on owners and on-site managers
- Security plan
- Noise control plan
- Floor plan
- Certificate of occupancy
- Zoning certificate
- ABC permit
- Annual class in RMPD nuisance and violence reduction guidelines

The City currently has 8 establishments that are subject to compliance with the BTN ordinance:

- Koi Pond
- Goat Island Bottle Co.
- Da Boat Ryde
- Sharks and Shooters
- Good Tymes
- Hop Fly Taproom
- Blue Rose Cocktail and Lounge
- Aroma Lounge

Each of these businesses is incompliance with the ordinance.

We believe the ordinance has been effective in substantially reducing the number and severity of incidents at bars, taverns, and nightclubs in Rocky Mount.

Operationally, once a business submits an application and receives its first license all that is required to maintain the license and obtain renewal is to update information on on-site managers, take the RMPD class on nuisance and violence reduction guidelines and pay the annual renewal fee.

We have received feedback from BTN owners that the background information and City approval requirement for on-site managers is burdensome especially when there is turnover.

In response to this concern, we have reviewed the ordinance and we are recommending revisions that remove the requirements for City approval if on-site managers and background information and criminal history checks for on-site managers. The proposed revisions are shown in yellow highlighting in the attached ordinance.

It is recommended that the City Council adopt the revised ordinance following a public hearing.

ARTICLE VIII. - BARS, TAVERNS, AND NIGHTCLUBS

Sec. 13-300. - Purpose.

The purpose of this article is to set forth the regulatory and licensing requirements for bars, taverns, and nightclubs located within the City of Rocky Mount. Bars, taverns, and nightclubs in Rocky Mount have demonstrated that they can create serious public safety issues and have objectionable operational characteristics. The city council finds that regulation of these uses is necessary to protect the public health, safety, and welfare and the peace and dignity of the City of Rocky Mount. Regulation to achieve these purposes can best be accomplished by the licensing procedures and other regulations set forth hereinafter. The authority for these regulations is G.S. §§ 160A-174, 160A-194, and 160A-181.

(Ord. No. O-2011-21, 3-14-11)

Sec. 13-301. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

Bar, tavern, or nightclub means any establishment that has been issued a permit to sell or possess any alcoholic beverages by the North Carolina Alcoholic Beverage Control Commission and which has available for its patrons amusements or entertainment such as, by way of illustration and not limitation, live or recorded music, dancing, table games, pinball or video machines, or television and which has gross receipts from the sale of alcoholic beverages that exceed its gross receipts from the sale of food. An establishment regulated as a sexually oriented business under article VII of chapter 13 of the Code of Ordinances of the City of Rocky Mount is not a bar, tavern, or nightclub and is not regulated under this article VIII. Any establishment located on real property excluded from the tax base under G.S. §§ 105-275(17), (18), or (19) and used for one (1) or more of the purposes specified in such subsections of G.S. § 105-275 is not a bar, tavern, or nightclub and is not regulated under this article VIII.

Bars, taverns, and nightclubs nuisance and violence reduction program means a set of guidelines prepared and published by the Rocky Mount Police Department for the safe operation of bars, taverns, and nightclubs, including guidance for appropriate response to criminal activity, violence, or disruptive behavior observed in a bar, tavern, or nightclub, and including appropriate training for bar, tavern, or nightclub owners, operators, managers, and employees.

Chief of police means Chief of Police of the City of Rocky Mount, or his or her designee.

City means the City of Rocky Mount, North Carolina.

City manager means the City Manager of the City of Rocky Mount, or his or her designee.

On-site manager means the person principally in charge of the bar, tavern, or nightclub when the licensee of the establishment is not on site and who is listed ~~with and approved by the city~~ as an on-site manager of the bar, tavern, or nightclub.

Owner means the legal owner of a bar, tavern, or nightclub and includes the following:

(1) The owner of a sole proprietorship; or

(2) Each member of a firm, association, limited liability company, or general partnership; or

(3) Each general partner in an limited partnership; or

(4) Each officer, director, and owner of twenty-five (25) percent or more of the stock of a corporation.

Patron means any person who is (a) allowed to enter a bar, tavern, or nightclub business in return for the payment of an admission fee or any other form or consideration or gratuity; or (b) enters a bar, tavern, or nightclub and purchases an alcoholic beverage, otherwise partakes of an alcoholic beverage, or partakes of any other drink, food, merchandise, goods, entertainment, or other services offered therein; or (c) is a member of or guest of a member and on the premises of a bar, tavern, or nightclub operating as a private club.

Person means an individual, proprietorship, partnership, corporation, limited liability company, association or other legal entity.

Police department means the Police Department of the City of Rocky Mount.

Serious public safety incident means one (1) or more acts of violence resulting in serious physical injury or one (1) or more arrests for illegal drug activity within a bar, tavern, or nightclub, outside such establishment on property or parking areas owned, leased, or operated by such establishment, or on a street immediately adjacent thereto.

(Ord. No. O-2011-21, 3-14-11)

Sec. 13-302. - Application for license.

(a) *Bars, taverns, and nightclubs license.*

(1) It shall be unlawful for any person to operate or maintain a bar, tavern, or nightclub in the City of Rocky Mount unless the owner or operator thereof has obtained a bar, tavern, or nightclub license from the city. It shall also be unlawful for any person to operate such business after such license has been revoked or suspended by the city or after such license has expired.

(2) It shall be unlawful for any person to operate or maintain a bar, tavern, or nightclub in the City of Rocky Mount unless the person holding the license for such establishment is physically present on the premises or an on-site manager designated by the licensee ~~and approved by the city~~ is physically present on the premises.

(3) It shall be prima facie evidence that any bar, tavern, or nightclub that fails to have a bar, tavern, or nightclub license issued by the city posted in a conspicuous place in the establishment has not obtained such license.

(4) All persons lawfully operating or maintaining a bar, tavern, or nightclub and possessing ABC permits and privilege licenses for the same on the effective date of this article shall have until June 30, 2011, to secure a bar, tavern, and nightclub license. It shall be unlawful for such person to operate or maintain a bar, tavern, and nightclub business without the required license after June 30, 2011.

(b) *License classification and fees.*

(1) All licenses shall be issued for a specific location, establishment name, and person, and shall be nontransferable.

(2) The license fees shall be as set by the city council in this article.

(c) *Expiration of license.*

(1) Each license shall expire June 30 of each year and may be renewed by making application, as provided in

section 13-303, and paying the license fees, as required in section 13-309. Application for renewal shall be made in a timely manner prior to the expiration date. The chief of police shall act to approve or deny a complete application for renewal within thirty (30) business days from receipt.

(2) When the chief of police denies renewal of a license, the applicant shall not be issued a license under this article for twelve (12) months from the date of denial, but the applicant shall have the right of appeal provided by section 13-307. In addition, if, subsequent to the denial, the chief of police determines that the basis of the denial has been corrected, the applicant shall be granted a license.

(Ord. No. O-2011-21, 3-14-11)

Sec. 13-303. - Application procedures.

(a) *Bars, taverns, and nightclubs license.* All persons desiring to secure a license to operate or maintain a bar, tavern, or nightclub under the provisions of this article shall submit a verified application to the chief of police along with a receipt or other notation from the city showing payment of the required license fee. All applications shall be submitted in the name of the person proposing to operate or maintain the bar, tavern, or nightclub on a form supplied by the chief of police and shall provide the following information:

(1) The applicant's full name and any aliases or other names by which the applicant is known or which the applicant has used at any time, the residence addresses for the past five (5) years, the business and home telephone numbers, places of employment for the last five (5) years, date and place of birth, driver's license number, fingerprints, and Social Security Number of the applicant.

(2) The name of the bar, tavern, or nightclub, the name and address of the owner of the premises and rental agent where the bar, tavern, or nightclub is or will be located, and the street address thereof.

(3) The full names and any aliases or other names by which the applicants are known or which the applicants have used at any time, the residence addresses for the past five (5) years, the business and home telephone numbers, places of employment for the last five (5) years, dates and places of birth, drivers' license numbers, fingerprints, and Social Security Numbers of all partners, if the applicant is a partnership; and if the applicant is a corporation, the same information for all corporate officers and directors.

(4) ~~For each on-site manager, the person's full name and any aliases or other names by which such person is known or which he or she has used at any time, the residence addresses for the past five (5) years, the business and home telephone numbers, places of employment for the last five (5) years, date and place of birth, driver's license number, fingerprints and Social Security Number.~~

(5) A statement from the applicant, ~~each on-site manager~~, and from each partner, or from each corporate officer and director, indicating whether such person has been arrested for, convicted of, released from confinement for conviction of, or diverted from prosecution on:

a. A felony criminal act within five (5) years immediately preceding the application, or

b. A misdemeanor criminal act involving moral turpitude within two (2) years immediately preceding the application,

c. An alcoholic beverage offense within two (2) years, or

d. A misdemeanor controlled substance offense within two (2) years, or

e. Whether such felony or misdemeanor criminal act involved alcohol or the operation of a bar, tavern, or r the laws of North Carolina or any other comparable violation of the laws of this state or the laws of any (municipality or county related thereto.

(6) If the application is a corporation or a limited liability company, a current certificate of existence issued by the North Carolina Secretary of State.

(7) A statement signed under oath and penalty of perjury that the applicant or other person providing information has personal knowledge of the information contained in the application and that the information contained therein is true and correct and that the applicant has read the provisions of this article regulating bars, taverns, and nightclubs.

(8) A statement signed that the applicant consents to investigation of his/her background by the city.

(9) The proposed days and hours of operation of the bar, tavern, or nightclub.

(10) A security plan indicating whether the applicant will employ security personnel, how many, and how they will be utilized. The security plan shall set forth how the applicant will handle: control and clearance of the parking lot during hours of operation and at closing time, unruly patrons, patrons who are intoxicated, patrons presenting false identification, control and supervision of underage patrons, the circumstances under which the police department will be called, and how physical disturbances including fights will be handled.

(11) A noise control plan stating how the applicant intends to meet the requirement of the city noise ordinance (section 10-151 et seq. of the City Code).

(12) A sketch or diagram showing the configuration of the premises where the bar, tavern, or nightclub is or will be located, including a site plan drawn in not less than one-eighth-inch scale showing lot size and dimensions, all structures with building dimensions, building exit locations, existing parking spaces, and location and height of walls or fences; and a floor plan drawn in not less than one-eighth-inch scale showing dimensions, square footage, and use of all rooms; occupant loads for egress, plumbing fixtures, location and type of exit signs and illumination, seating plan for food service areas, type of locking device on all exit doors, and direction of swing on exit doors.

(13) A certificate of occupancy showing the maximum occupancy allowed and the minimum number of plumbing fixtures required by the North Carolina State Building Code.

(14) For any renewal, the licensee ~~and any on-site managers~~ shall submit a certified statement from the chief of police verifying compliance with the bars, taverns, and nightclubs nuisance and violence reduction program.

(15) A certificate from the zoning inspector certifying that the proposed place of business is located in an appropriate zoning district.

(16) A copy of a valid ABC permit for the bar, tavern, or nightclub.

Failure to provide the information and documentation required by this subsection shall constitute an incomplete application and it shall not be processed until complete. In addition, a licensee or an applicant for a license shall have a continuing duty to promptly supplement application information required by this section in

the event that said information changes in any way from what is stated on the application. The licensee or applicant shall supplement the application on file with the police department within fifteen (15) days from the date of such change.

(b) *Issuance of bar, tavern, and nightclub license.* The chief of police shall issue a license for a bar, tavern and nightclub if all requirements for such license described in this article are met unless he finds in writing that:

(1) The correct permit or license fee has not been tendered to the city, and, in the case of a check, or bank draft, not honored with payment upon presentation; or

(2) That the operation of the bar, tavern, or nightclub as proposed by the applicant, if permitted, would not comply with all applicable laws, including, but not limited to, the city's building, zoning, and health regulations; or

(3) Any applicant has failed to answer or falsely answered a question(s) or request for information on the application form provided.

(4) Any applicant~~, including any proposed on-site manager,~~ has been convicted of a crime:

a. Involving:

1. Any felony;

2. A misdemeanor offense of assault, battery, bribery, obstructing justice, carrying a deadly weapon, hand gun violations, controlled dangerous substances, gaming violations, nudity/sexual display/obscene matter violations, pandering, sexual offenses, theft; or

3. A violation of any ordinance regulating bars, taverns, or nightclubs of any city, county, or state; and

b. For which:

1. Less than two (2) years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the conviction is of a misdemeanor offense;

2. Less than five (5) years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, if the conviction is of a felony offense; or

3. Less than five (5) years have elapsed since the date of the last conviction or the date of release from confinement for last conviction, whichever is the later date, if the convictions are of two (2) or more misdemeanor offenses or combination of misdemeanor offenses occurring within any two-year period.

(5) The applicant, if an individual, or any of the officers and directors, if the application is a corporation; or any of the partners, including limited partners, if the applicant is a partnership; or the on-site manager is not over the age of twenty-one (21) years.

(6) The security plan will more likely than not be insufficient to prevent injury to patrons of this bar, tavern, or nightclub, including a statement of the reasons for this finding.

(7) It is more likely than not that the plan for control of noise emanating from the building or parking lot will not be sufficient to prevent a violation of the noise ordinance, including a statement of the reasons for

this finding.

(c) *Approval or denial of application.* The chief of police shall act to approve or deny a complete application for a license under this article as soon as reasonably possible and in any event shall approve or deny said license thirty (30) days from the date that said application was accepted. Upon the expiration of the thirty (30) days, unless the applicant consents to an extension of time, the applicant shall be permitted to begin operating the bar, tavern, or nightclub for which the license is sought, unless and until the chief of police notifies the applicant of a denial and states the reason(s) for denial. Any applicant, including an applicant for a renewal license, whose application for a license is denied shall have the right to appeal such denial by giving written notice to the city manager within fifteen (15) days from the date of denial. In the case of an appeal, due process shall be accorded the applicant pursuant to section 13-307 of this article and such applicant shall have all of the rights of a person whose license has been revoked or suspended. The appeal hearing before the city manager provided by section 13-307 shall be held within ten (10) days of the date notice of appeal is received.

(Ord. No. O-2011-21, 3-14-11)

Sec. 13-304. - On-site manager.

~~It shall be unlawful for any person to act or serve as on-site manager of a bar, tavern, or nightclub unless the licensee has submitted the information required by section 13-303 to the chief of police and the chief of police has approved the person as an on-site manager. The chief of police shall have fifteen (15) days after submission to approve the on-site manager.~~

~~The applicant or licensee shall submit the information required by section 13-303 for at least two (2) on-site managers so that one (1) will be available at all times to manage and supervise the establishment.~~

(Ord. No. O-2011-21, 3-14-11)

Sec. 13-305. - Control of premises.

It shall be unlawful for any licensee to relinquish control of a bar, tavern, or nightclub to any other person except an on-site manager. The licensee or an on-site manager must remain on and in control of the premises during all events, including private parties.

(Ord. No. O-2011-21, 3-14-11)

Sec. 13-306. - Revocation or suspension of bars, taverns, and nightclubs license.

Any license issued for a bar, tavern, or nightclub may be revoked or suspended after notice and a hearing, where it appears that the licensee has violated any of the provisions of this article, or where the on-site manager or any employee of the licensee, has engaged in any conduct at the bar, tavern, or nightclub which violates any law or ordinance relating to the operation of the business and of which the licensee has actual or constructive knowledge, or in the exercise of reasonable diligence should have had actual or constructive knowledge, or the occurrence of two (2) or more serious public safety incidents within any twelve-month period unless reasonable measures have been take to prevent a re-occurrence. taken

(Ord. No. O-2011-21, 3-14-11)

Sec. 13-307. - Revocation or suspension proceedings.

Upon the determination of a violation of this article or the existence of any other condition which is grounds for revocation or suspension of a license pursuant to section 13-306 of this article, the chief of police shall serve written notice upon the person whose license has been determined to be subject to revocation or suspension. The notice shall state (a) the specific grounds which make the license subject to revocation or suspension, and (b) the opportunity for a hearing before the city manager, provided written notice requesting a hearing is received by the city manager within fifteen (15) days of service of the notice of revocation or suspension. The city manager or his designee shall conduct the hearing and within ten (10) days shall render his decision in writing either revoking the license, suspending the license for a period of time not to exceed ninety (90) days, or finding that insufficient grounds for revocation or suspension exist and that the person should retain his or her license. In the case of a revocation or suspension, the decision shall state the reasons for the action taken.

The decision of the city manager shall be subject to review in the Superior Court of Nash or Edgecombe County by proceedings in the nature of certiorari, but, unless a court of competent jurisdiction otherwise provides, said appeal shall not stay any action taken with regard to the license. Any petition for writ of certiorari for review shall be filed with the clerk of superior court within thirty (30) days after notice of the decision has been received by the licensee.

(1) Unless good cause exists to contest a petition for a writ of certiorari, the city shall stipulate to certiorari no later than ten (10) business days after the petitioner requests such a stipulation.

(2) The city shall transmit the record to the court no later than five (5) business days after receiving the order allowing certiorari.

(3) Notwithstanding the provisions of any local rule of the reviewing court which allows for a longer time period, the city shall file its brief within fifteen (15) days after it is served with the petitioner's brief.

An appeal by an applicant or licensee from the superior court shall be governed by the North Carolina Rules of Appellate Procedure, but, unless a court of competent jurisdiction otherwise provides, said appeal shall not stay any action taken with regard to the license.

(Ord. No. O-2011-21, 3-14-11)

Sec. 13-308. - Bars, taverns, and nightclubs nuisance and violence reduction program.

Licensees and on-site managers of bars, taverns, and nightclubs must attend the police department's bars, taverns, and nightclubs nuisance and violence reduction program at least once each calendar year.

(Ord. No. O-2011-21, 3-14-11)

Sec. 13-309. - License fee schedule.

It has been determined, based on estimates from the chief of police and the finance director as well as the experience of other cities, that the cost and expense incurred by the city in implementing the licensing procedures regarding bars, taverns, and nightclubs will be at least two hundred fifty dollars ($250.00) per license. Accordingly, the

fee for a bar, tavern, and nightclub license is established at two hundred fifty dollars ($250.00). The license fee shall be paid when the application is submitted and shall be nonrefundable. There shall be no prorating of the license fee, except that in the case of an original application made after December 31, one-half of the license fee shall be due.

(Ord. No. O-2011-21, 3-14-11)

Sec. 13-310. - Criminal penalty.

Any person who violates any provision of this article shall be guilty of a class 3 misdemeanor as provided in G.S. § 14-4 and, upon conviction, shall be subject to a maximum fine of five hundred dollars ($500.00), or imprisonment, or both. Each violation shall be considered a separate and distinct offense, and each day of continued violation shall be considered as a separate offense. The issuance of a notice of violation or a suspension or revocation of a bar, tavern, or nightclub license shall not prohibit the imposition of a criminal penalty and the imposition of a criminal penalty shall not prevent the issuance of a notice of violation or a suspension or revocation of the license.

(Ord. No. O-2011-21, 3-14-11)

Sec. 13-311. - Civil injunction.

In addition to the issuance of a notice of violation, the suspension or revocation of a bar, tavern, or nightclub license, or a prosecution for criminal violations, any person who violates this article may be subject to all civil and equitable remedies set out in G.S. § 160A-175.

(Ord. No. O-2011-21, 3-14-11)

Sec. 13-312. - Severability.

In the event that any provision of this article, or any part thereof, or any application thereof to any person or circumstance, is for any reason held to be unconstitutional or otherwise invalid or ineffective by any court of competent jurisdiction on its face, or as applied, such holding shall not affect the validity or effectiveness of any of the remaining provisions of this article, or any part thereof, or any application thereof to any person or circumstance or of said provision as applied to any other person or circumstance. It is hereby declared to be the legislative intent of the city council that this article would have been adopted had such unconstitutional, invalid, or ineffective provisions not been included herein.

(Ord. No. O-2011-21, 3-14-11)

ROCKY MOUNT, NC
THE CENTER OF IT ALL

Southeast Connector

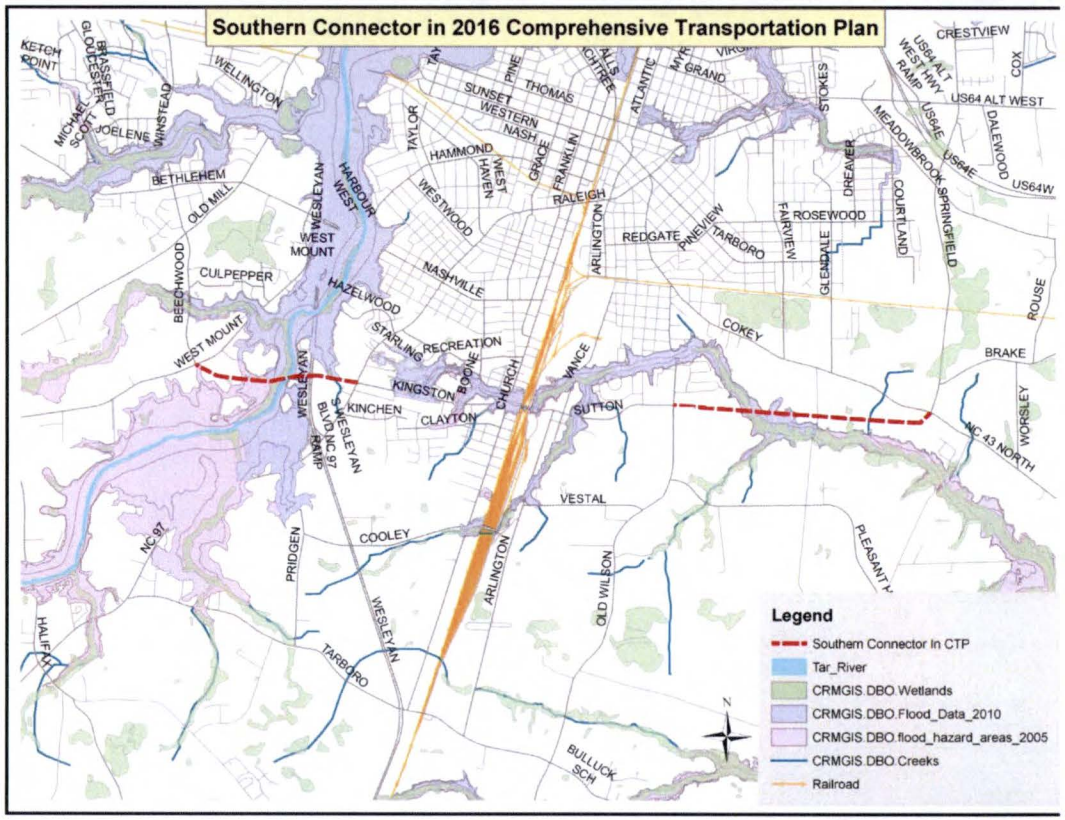
Exploring a connector route for southeast Rocky Mount

June 13, Brad Kerr – Director of Public Works

ROCKY MOUNT, NC
THE CENTER OF IT ALL

The 2016 Rocky Mount Comprehensive Transportation Plan (CTP)

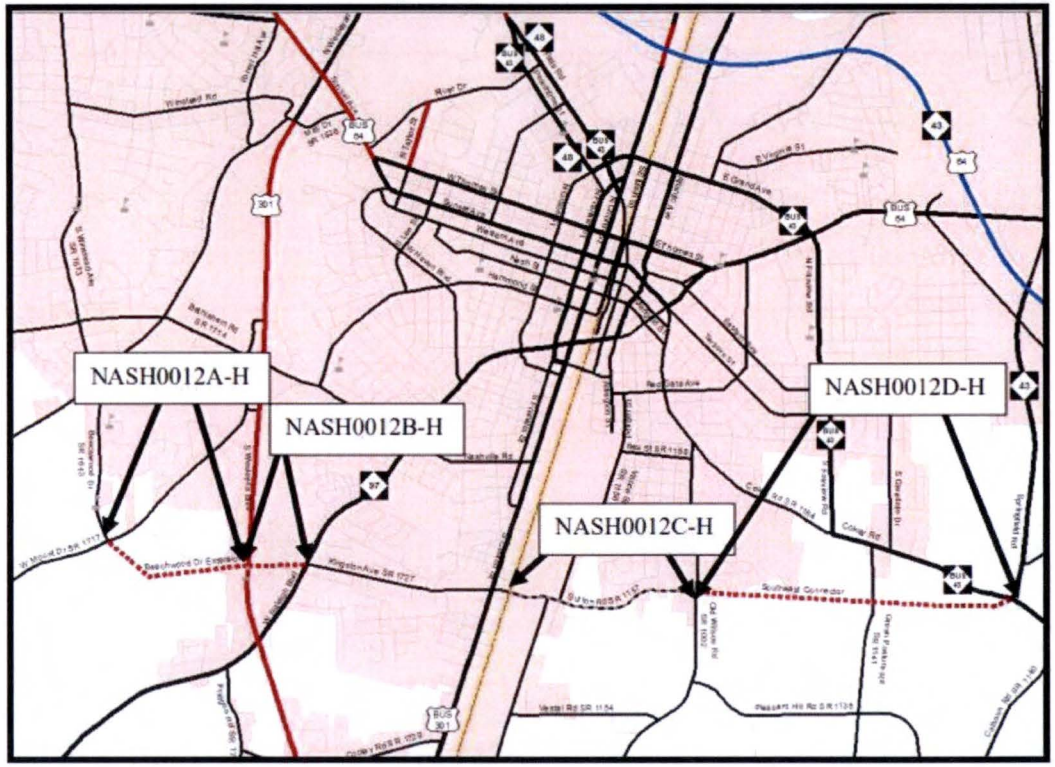
- Plans for a "Southern Connector" route can be traced back to at least the 1985 Rocky Mount Thoroughfare Plan.
- The 2016 CTP alignment matches the 1985 plan
  - Beechwood Drive Extension to Kingston Ave, crossing Wesleyan Blvd (US 301)
  - Upgrading Sutton Road to a three-lane facility with a two way left turn lane
  - New facility connecting Sutton Rd to Springfield Rd from Old Wilson Rd to Cokey Rd/NC-43
- A grade separation bridge or tunnel is not called out in the CTP due to feasibility limitations.



ROCKY MOUNT, NC
THE CENTER OF IT ALL

The 2016 Rocky Mount Comprehensive Transportation Plan (CTP)

- 2016 Comprehensive Transportation Plan (CTP)
  - The Rocky Mount MPO and the NCDOT developed the comprehensive transportation plan.
  - Findings in this study were based on an analysis of the transportation system, environmental screening and public input.
  - The figure on screen is the proposed alignment for the "Southern Connector" in the 2016 CTP

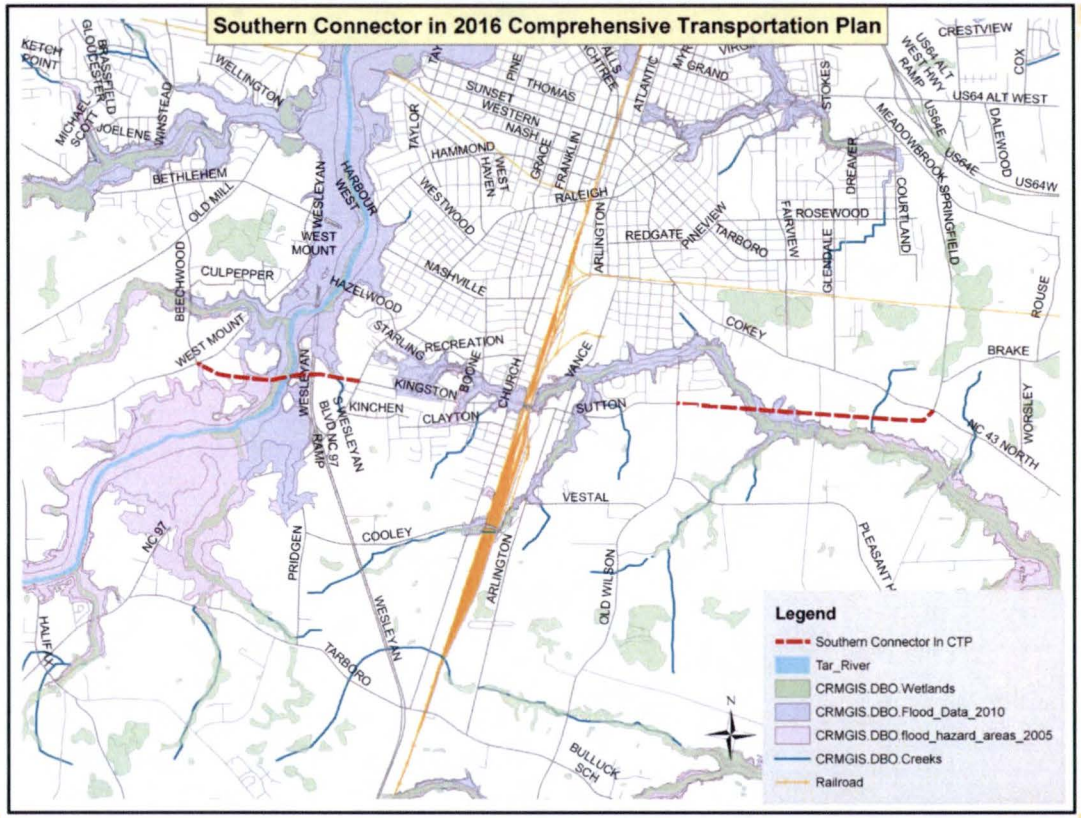


ROCKY MOUNT, NC
THE CENTER OF IT ALL

Project Challenges

Roadway Feasibility Challenges

- Tar River crossing
- Significant environmental impacts

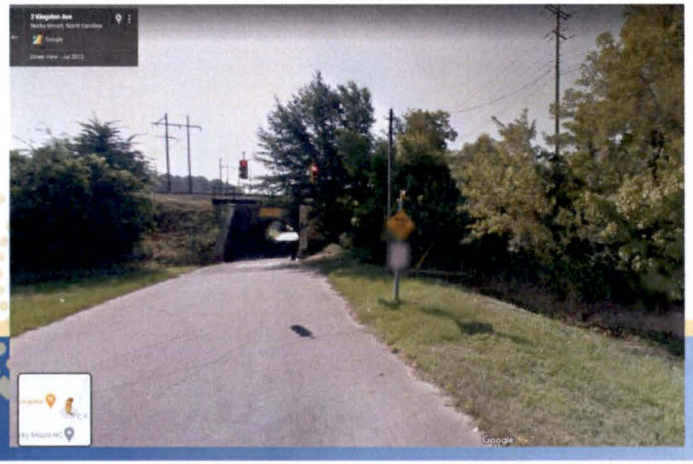


ROCKY MOUNT, NC
THE CENTER OF IT ALL

Project Challenges

Railroad Grade Separation Challenges

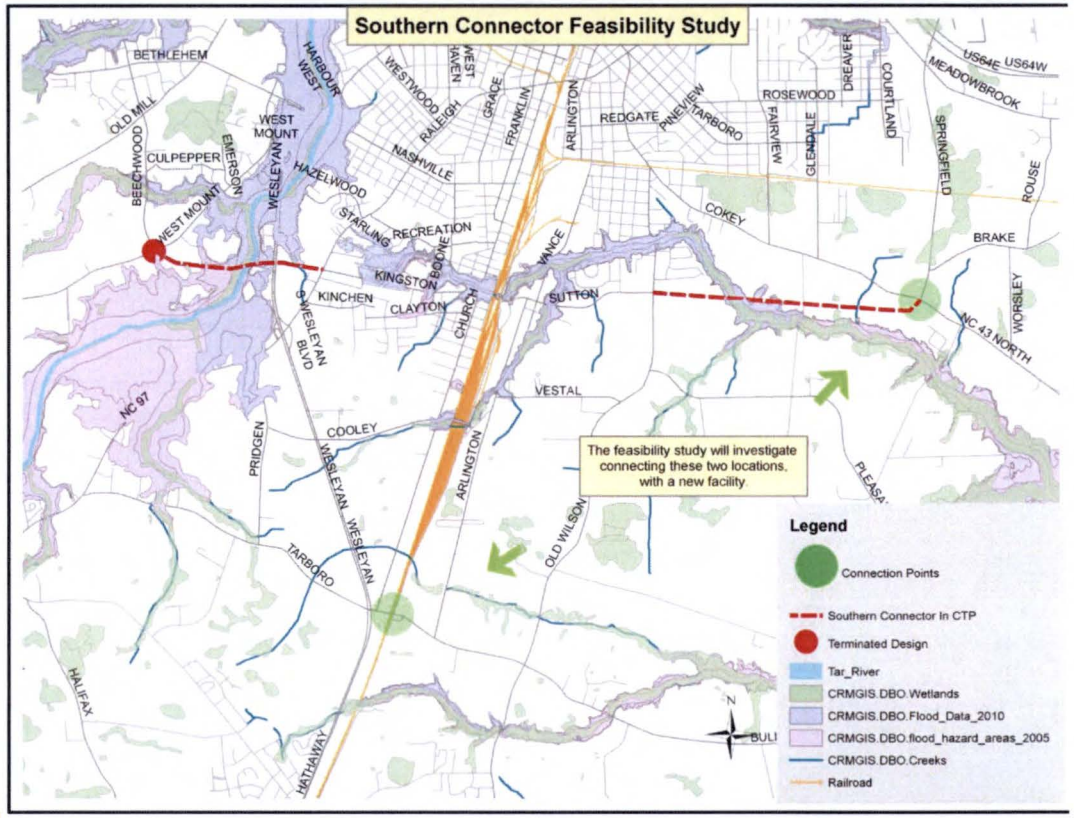
- Railroad elevation above Kingston Ave
- Width of railroad ROW
- Conflicts with the electric substation on Sutton Road
- Impacts on existing structures
- Roadbed at existing tunnel is in the floodway



ROCKY MOUNT, NC
THE CENTER OF IT ALL

Southeast Connector Feasibility Study

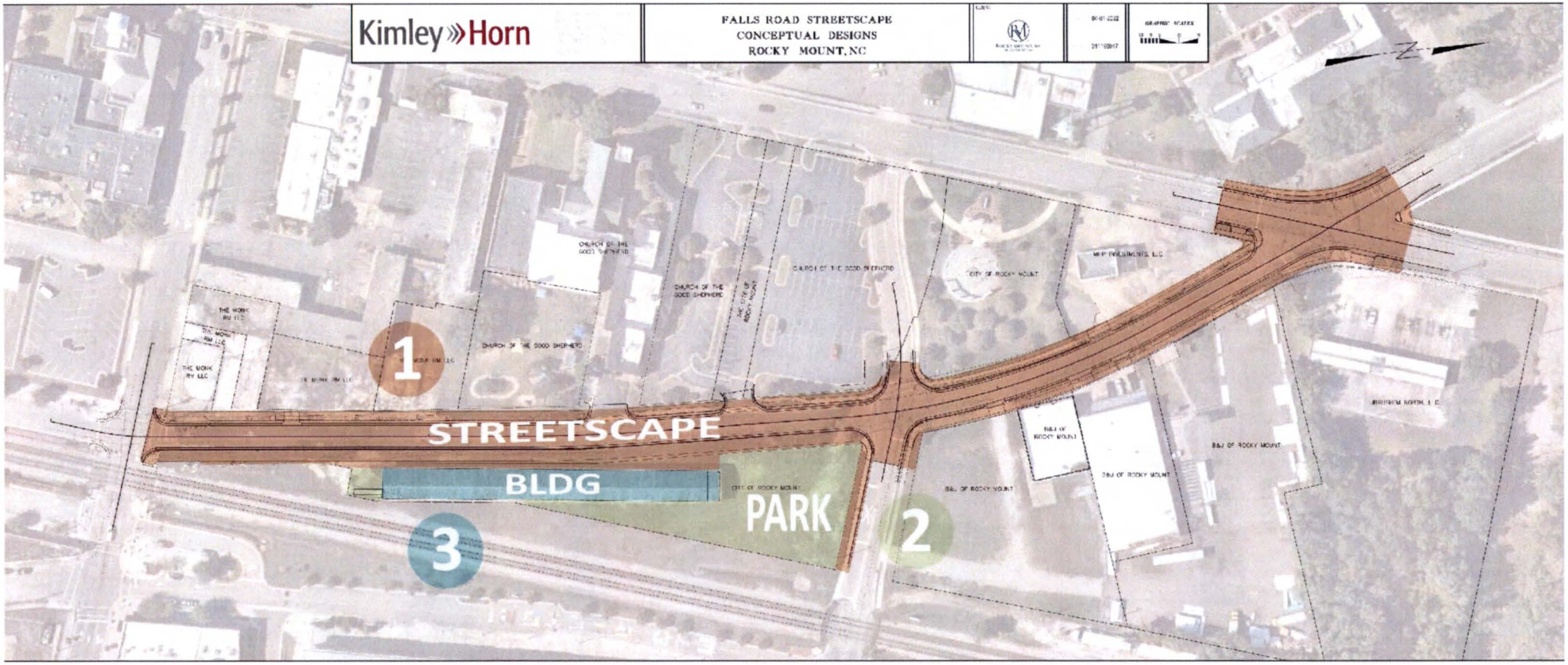
- **Objectives of the Feasibility Study**
  - Identify a feasible southern location for a railroad flyover
  - Connect US-301 to Springfield Road at NC43 (subsequently the CCX Intermodal Terminal)
  - Open territory in the Southeast Quadrant of the city for industrial recruitment.
  - New route is not intended to replace a future extension of Sutton Rd
- **Staff is prepared to proceed with contract award of feasibility study upon Council concurrence**



ROCKY MOUNT, NC
THE CENTER OF IT ALL

Falls Rd/Depot Park Conceptual Design

June 13, 2022, Brad Kerr, Director of Public Works


Kimley»Horn
FALLS ROAD STREETSCAPE
CONCEPTUAL DESIGNS
ROCKY MOUNT, NC
STREETSCAPE
BLDG
PARK
1
2
3

What principles do you perceive to be the most important consideration as Falls Road is reimagined, and a new park is created?

A. Incorporating landscaping and green space **#4**

B. Adding opportunities for gathering spaces **#3**

C. Designing flexible spaces for pedestrian activity #1

D. Enhancing pedestrian safety **#5**

E. Integrating art and cultural elements #2

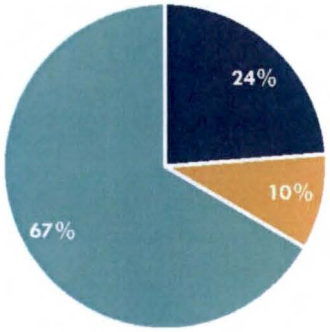
What would you like to see included in the Falls Road Streetscape?

Select all that apply

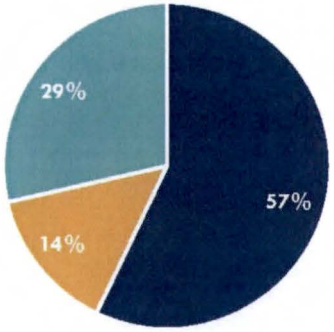
- Wider Sidewalks #7
- **Enhanced Lighting #1**
- **Seating #2**
- Trees #4
- Ornamental Plantings #8
- **Public Art #3**
- Wayfinding Signage #9
- Trash Receptacles #5
- Gateway Feature #10
- Food Trucks #6

How important are the following potential uses of the renovated loading dock?

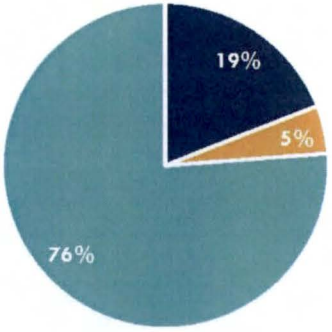
Event or Entertainment Space



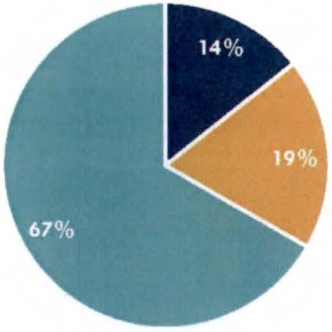
Museum or Historical Context



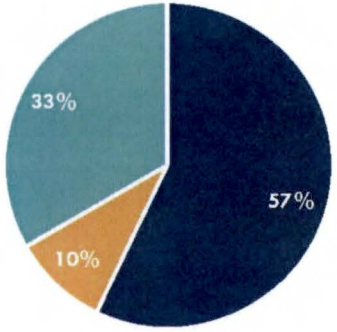
Passive Seating or Dining Areas



Public Restrooms



Vendor Booths



Very Important | Neutral | Not Important

ROCKY MOUNT, NC
THE CENTER OF IT ALL

Top Ranked Precedent Images

ROCKY MOUNT, NC
THE CENTER OF IT ALL

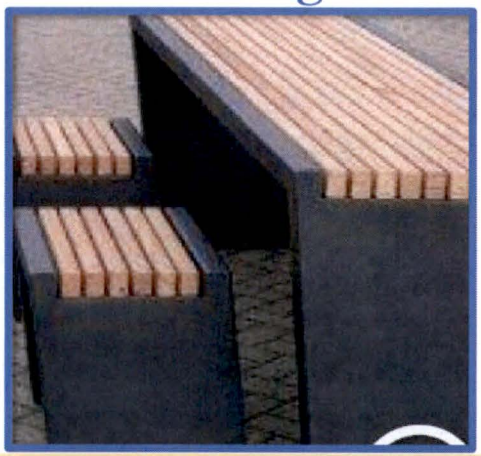
Top Ranked Precedent Images

Food Trucks

Activities

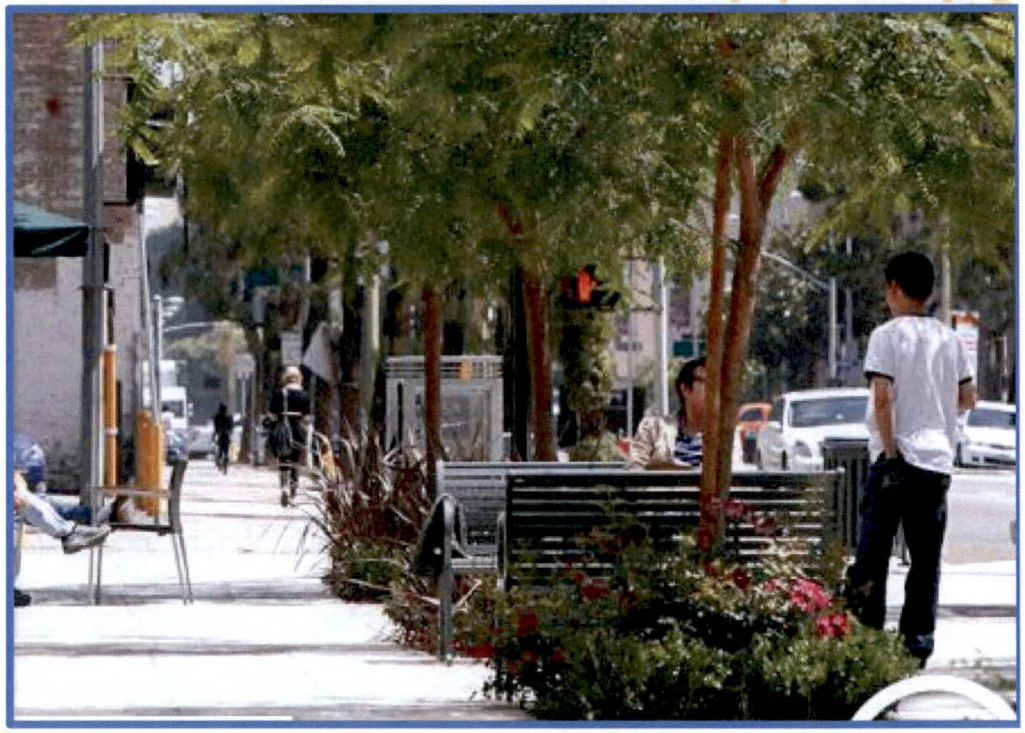
Public Art

Seating



ROCKY MOUNT, NC
THE CENTER OF IT ALL

Top Ranked Precedent Images



Preliminary Concepts – Depot Park

Next Steps

Phase 1 Structure Repair

- Receive Bids June 17
- Work includes:
  - New roof, structural repairs, clean and paint

Public Engagement Next Steps

- June 18: Booth at Juneteenth Event
- June 30:
  - Second Round of Stakeholder Meetings
  - Booth at Downtown Live

MEMORANDUM

ROCKY MOUNT
CITY MANAGER'S OFFICE
THE CENTER OF IT ALL

To: Mayor and City Council

From: Peter Varney, Interim City Manager

Date: 6/8/2022

Re: Utility Assistance Program

In a discussion about revising the energy charges for customers using solar panels for supplemental energy requirements, the Council asked for a policy that offered a loan program for customers who wanted to participate in the City's Energy Share program but lacked sufficient funding to cover the up-front costs. The City has been operating an Energy Share program for a number of years which rebates up to $1000 for HVAC system replacements, 500 for attic weatherization, and $250 for duct work replacements. The program requires customers to pay for all improvements up front and then receive the reimbursement amounts. This program has operated without a written policy for years.

We have drafted a policy which sets out in writing the terms and conditions for the Energy Share Rebate Program as it has been managed through the years.

We have included in the proposed policy a provision that offers loans up to $7,500 for HVAC, ductwork, and attic weatherization improvements and solar panel installation. Rebates do not apply to solar panel installation. The loan term is 5 years (60 months) with a monthly payment of $125 to be included in the monthly utility bill. Interest accrues at the rate of 6% on unpaid balances. Applicants must be customers of the City of Rocky Mount in good standing.

It is recommended that the City Council adopt the Utility Assistance Program Energy Efficiency which provides for rebates and loans.

It is further recommended that the City Council adopt the net billing method for billing electric customers who have solar panels producing energy for sale to the City.

City of Rocky Mount Administrative Policy
Policy: Utility Assistance Program – Energy Efficiency (UAP_EE)

Section:	**Administrative**	**Policy No. II.48**
Prepared By:	**Latasha Hall, Director of Business & Collections Services**	
Approved By:	**City Council**	
Effective Date:	**05/20/2022**	**Page 1 of 5**
Supersedes:	**N/A**	

SECTION 1. OVERVIEW

The Utility Assistance Program - Energy Efficiency is the parent program for both Energy Share and the Energy Efficiency Loan program. The UAP-EE utilizes enterprise funds to provide rebates and loans for expenditures that improve energy efficiency. The funds are allocated, and the application period opens in July and closes when the funds for that year are exhausted.

SECTION 2. PURPOSE

The purpose of the UAP-EE program is to improve the energy efficiency of the City of Rocky Mount's electricity and gas utility systems by providing rebates to aid and encourage City residential utility customers to undertake attic weatherization, replacement of HVAC systems, and/or ductwork upgrades, and loans to replace inefficient HVAC systems. By reducing the energy consumption of its customers, the City and its taxpayers will benefit by reducing the maintenance, repair, and replacement cost the City will be required to expend on its utility distribution systems, facilities, and equipment

SECTION 3. REBATE PROGRAM

This program provides rebates to homeowners who engage a contractor to make energy efficiency improvements at their expense. Rebates are subject to approval from the City upon receipt of the completed application, energy audit, and original receipt of proof of payment is received and verified.

A. Program Aid- Rebate
    1. Energy Share provides rebates for attic installation, HVAC replacement, or ductwork projects for qualified applicants
    2. The Energy Share program rebate amounts are:
        a. Ductwork rebates up to $250
        b. Attic weatherization rebates up to $500
        c. HVAC replacement system rebates up to $1,000

B. Eligibility and Requirements – Rebate
    1. Applicant Eligibility
        a. Applicants must be the homeowner; however, owner occupancy is not required
        b. Applicants must be City of Rocky Mount residents with active City electric utilities
        c. Applicants must be willing to complete the Energy Share class online or in person; as available
    2. Property Eligibility

a. The subject property must be a single-family residence or duplex
b. An energy audit by City personnel must be completed on the subject property
c. The overall condition of the subject property must be considered energy efficient
d. Installation of load management switches (LMS) on all subject property appliances, including water heater and heat strips is required.

3. Program Eligibility
   a. Improvements eligible for rebate must be paid with check(s), credit cards, or money orders
   b. New and replacement HVAC units must have a minimum efficiency rating of 15 SEER
   c. Attic weatherization projects must meet a minimum R38 value
   d. The executed application indemnifies and holds harmless the City of Rocky Mount from all losses, liability claims, or expenses (full details listed in the program's Terms and Conditions)

C. Application Availability – UAP EE (see Section 5)

D. Application Review and Processing -Rebate
   1. Upon receipt of the application and proof of completed energy audit the appointed personnel will complete the following tasks within 14 business days of receipt.
      a. Verify the applicant, property, and program eligibility
      b. Confirm availability of sufficient program funds to process the rebate within the current application year
         1. If a complete application is received and subsequently the funds are determined to be exhausted the customer will be notified via phone and or letter that the application will be held until the start of the next application year
            a. If funds are available, will receive a preapproval program participant letter including
               i. Name of applicant, the property, and anticipated scope of work
               ii. The date the completed package must be returned to be eligible for the rebate (See Section 3.D.2. for components of a complete package)
      c. Confirm the method customer will utilize to complete the Energy Share class
   2. The customer must remit applicable documents for the completed package by the date established in the preapproval letter to continue in the process
      a. The completed package includes the following
         1. Executed application
         2. Copy of the completed audit report
         3. Photo ID
         4. Most recent utility billing statement
         5. Confirmation for completion of the Energy Share class
            a. Email for classes completed online
            b. Signed attendance sheet for an in-person class
         6. Copy of the itemized receipts for goods and services purchased on the contractor's letterhead

7. Inspection reports indicating approved work from City of Rocky Mount inspectors for any work requiring city inspection permits
8. Verification that there are no past due City of Rocky Mount utility bills or city taxes for the applicant or subject property

b. Failure to remit by the established due date will result in application processing and funding delays.

3. Upon verification of the complete package the appointed personnel will notify the customer and start the rebate process

E. Fund Disbursement - Rebate

1. Appointed personnel will prepare the Payment Request package for submission to the Finance Department which will include the following items
   a. An executed Payment Request form
   b. Preapproval participant letter
   c. Itemized statement of work/invoice

SECTION 4. LOAN PROGRAM

This program provides interest-free loan for $7,500 to homeowners for HVAC system replacements (including duct work). Default of loan will accrue interest at a rate of 6% of total balance per annum.

A. Program Aid -Loan

1. Total loan amount of $7,500
2. The loan term is 5 years (60-month) with an estimated monthly payment of $125
   i. If amount differs, the amount of loan will be divided over the term of the loan.
3. Monthly amount due will be included in the utility bills

B. Eligibility and Requirements – Loan

1. Applicant Eligibility
   a. Eligibilities is as stated in Section 3.B.1
   b. Applicant shall not have declared bankruptcy or been discharged in a bankruptcy proceeding or had property foreclosed upon with the last 2 years
2. Property Eligibility
   a. Eligibilities is as stated in Section 3.B.2
   b. The subject property cannot have a federal tax lien
3. Program Eligibility
   a. Applicant's utility account must be current and in good standing for the last consecutive 12 months prior to the application submission
      i. Good standing is defined as having no service disconnections and/or no more than 2 late payments
      ii. Credit score of 520 or better
      iii. Currently in force homeowners' insurance policy
      iv. No delinquent taxes or other outstanding debts owed to the city
   b. Loans are available for solar panel installation in addition to HVAC replacement, duct replacement, and attic weatherization. Rebates do not apply to solar panel installation.
      i. New and replacement HVAC units must have a minimum efficiency rating of 15 SEER

ii. Eligible applicants seeking loan assistance for solar panels would refer to the City's Renewable Energy Policy VI.11 for additional requirements.

c. Applicants cannot have more than one UAP-EE funded project active and in repayment status at any one time

C. Application Availability – UAP-EE (see Section 5)

D. Application Review and Processing -Loan

1. Upon receipt of the completed application the appointed personnel will complete the following tasks
   a. Verify applicant and property eligibility
   b. Schedule a visit for the initial assessment of the subject property to determine the need for the requested project
2. The appointment personnel will prepare a letter of approval or denial.

E. Fund Disbursement -Loan

The details below outline the process executed by the appointed personnel to verify project completion, the establishment of the repayment schedule, remittance of request for contractor payment, and administration established repayment account

1. Verified project completion components
   a. Itemized statement of work/invoice on the contractor's letterhead for the approved project
   b. Copies of the following executed documents
      i. UAP-EE application and eligibility verification
      ii. Energy Audit
      iii. Approval letter
      iv. Final inspection of the project as applicable
2. The appointed personnel will establish the repayment schedule in the utility billing system loan module
3. The Payment Request package for submission to the Finance Department will include the following items
   a. An executed Payment Request form
   b. Letter of approval
   c. Itemized statement of work/invoice

F. Loan Default

1. Default of a loan is considered a month or more without payment. This can result in utilities disconnection, small claims court proceedings, and/or judgment against the applicant.
2. Interest will begin at 6% on the outstanding balance for each year the loan is in default
3. Delinquent accounts will be reported to 3rd party collections (credit bureau reporting)

SECTION 5. APPLICATION AVAILABILITY AND PROCESSING

Here is how to obtain and submit a UAP-EE application

A. Application Availability

- Applications are available online and can be submitted electronically in person or by mail. All completed applications can be returned via mail to:

City of Rocky Mount
Business Services Center

PO Box 1180
Rocky Mount, NC 27804

SECTION 6. MARKETING OF PROGRAM

The Business and Collections Services Department will market the UAP-EE program with assistance from the City of Rocky Mount Communication, Marketing, & Public Relations Department.

A. The UAP-EE program may be marketed using the following methods: this list is not all-inclusive, and items may be removed or added at the discretion of the cooperating departments identified above.
    1. Local newspapers
    2. City's social media outlets, cable channel, and web page
    3. City of Rocky Mount billing statements
B. Efforts shall be undertaken to attract applicant(s) from all segments of the eligible population regardless of race, color, creed, religion, sex, national origin, disability, age, or social-economic status.

SECTION 7. OTHER UAP-EE TERMS AND CONDITIONS

These items address any program areas not suitable to be categorized in the prior Sections

A. All personal and business financial information will be kept confidential to the extent permitted by law.
B. This program will be implemented to remain consistent with the City's commitment to all applicable laws and requirements.
C. These guidelines, policies, and procedures may be amended by the Director of Business and Collections Services Department for reasons of operational efficiency or unforeseen circumstances that may arise or conflict with appliable Federal, State, or City regulations affecting the administration of this program.
D. In accordance with 24 CFR 570.611 - Conflict of Interest, no member of the governing body nor any official employee or agent of the City, nor any other person, either for themselves or those with whom they have business or immediate family ties, who exercises policy or decision-making responsibilities shall financially benefit from this program.

MEMORANDUM

ROCKY MOUNT
POLICE
THE CENTER OF IT ALL

To: Peter Varney, City Manager

Cc:

From: Robert Hassell, Police Chief

Date: 06/01/2022

Re: Presentation of Crime Statistics

Purpose

The purpose of this memo is to present a summary of the city-wide crime numbers to the Committee of the Whole during the June 13, 2022 meeting.

Discussion

The presentation covers the crime incidents throughout the city currently and compares them to last year during the same time period. The crimes tracked in this presentation are crimes labeled as part 1 crimes in the National Incident Based Reporting System (NIBRS) by the federal government. These crime numbers are tracked by the FBI and shared with the Bureau of Justice Statistics for tracking purposes.

The presentation includes investigation outcomes for the violent crimes and the related arrests. It also includes maps depicting the areas of shots fired, incidences of aggravated assault and murder. The presentation also highlights the efforts and successes of the police department to combat the violent crime occurring in the city.

Requested Action

None

ROCKY MOUNT
POLICE
THE CENTER OF IT ALL

June 2022 Crime Report

May 2022 Data

June 13, 2022
Robert Hassell, Chief of Police

ROCKY MOUNT POLICE
THE CENTER OF IT ALL

June 2022 Crime Report

Part 1 Crimes Comparison Chart

The table is a comparison of crime numbers by month and year to date compared to the same time periods last year.

CRIMES	May 2021	May 2022	+/-	YTD 2021	YTD 2022	+/-
Murder	0	2	2	4	9	5
Rape	2	0	-2	5	2	-3
Com Robbery	2	2	0	11	13	2
Ind Robbery	3	11	8	10	24	14
Agg Assault	47	26	-21	167	128	-39
Violent	**54**	**41**	**-13**	**197**	**176**	**-21**
Commercial B&E	16	4	-12	55	30	-25
Residential B&E	14	25	11	76	75	-1
Non Residential B&E	1	2	1	13	15	2
Larceny	78	84	6	346	455	109
MV Theft	1	13	12	28	48	20
Arson	3	0	-3	5	4	-1
Property	**113**	**128**	**15**	**523**	**627**	**104**
****Total****	**167**	**169**	**2**	**720**	**803**	**83**

Part 1 Crimes Comparison Chart

	Jan	Feb	Mar	Apr	May
2021	39	28	16	22	31
2022	23	18	26	22	36

	Jan	Feb	Mar	Apr	May
2021	117	86	116	101	114
2022	127	124	141	118	129

Aggravated Assault Cases and Investigations

Aggravated Assault Cases	20
Aggravated Assault Victims	27
Numbers Cases with Multiple victims	5
Aggravated Assault Arrests	3
Aggravated Assault Cases Cleared	4

Case Dispositions

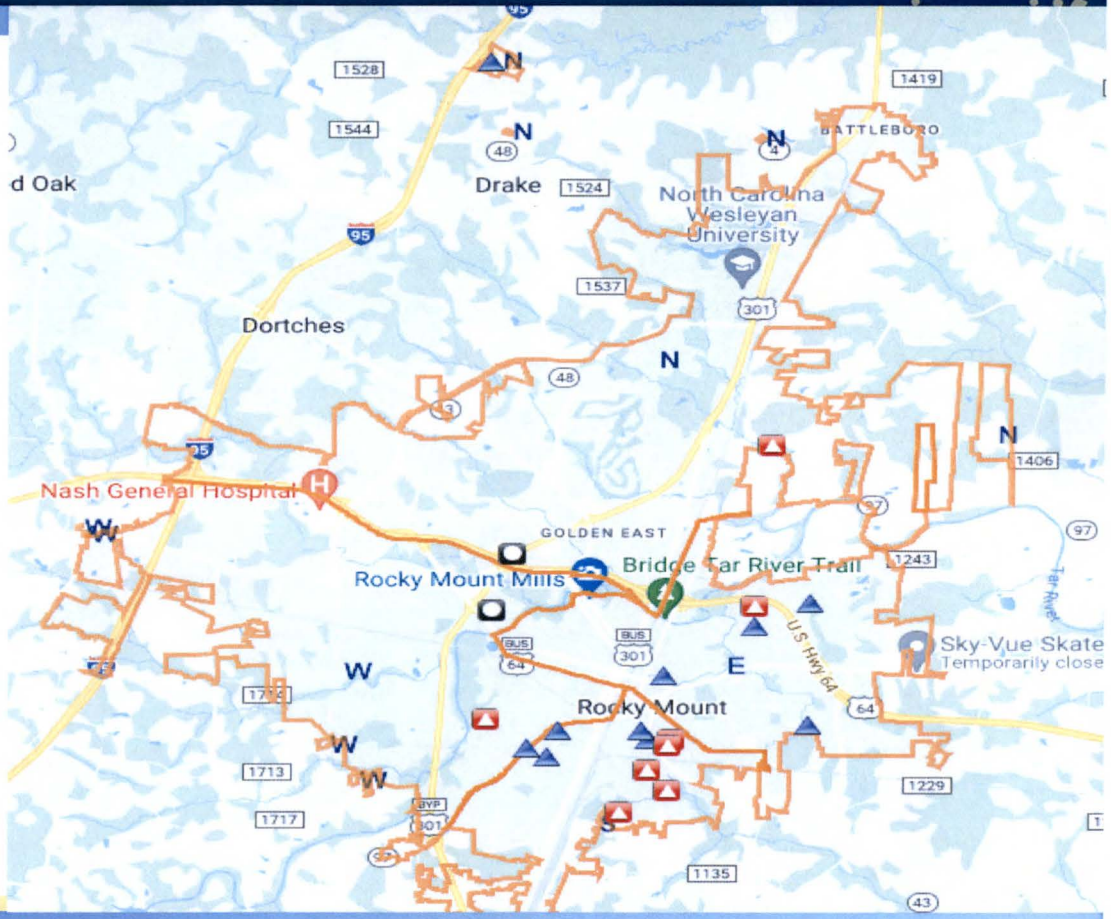
Cases Cleared by Arrest	4
Inactive Cases	1
Open Cases	15
Grand Total of Incidents	**20**

ROCKY MOUNT
POLICE
THE CENTER OF IT ALL

June 2022 Crime Report

- Murder
- Aggravated Assault
- Shooting Into OCC Build/Vehicle

• Victims with Injuries	14
• Victims Without Injuries	15
Grand Total of Victims	**29**

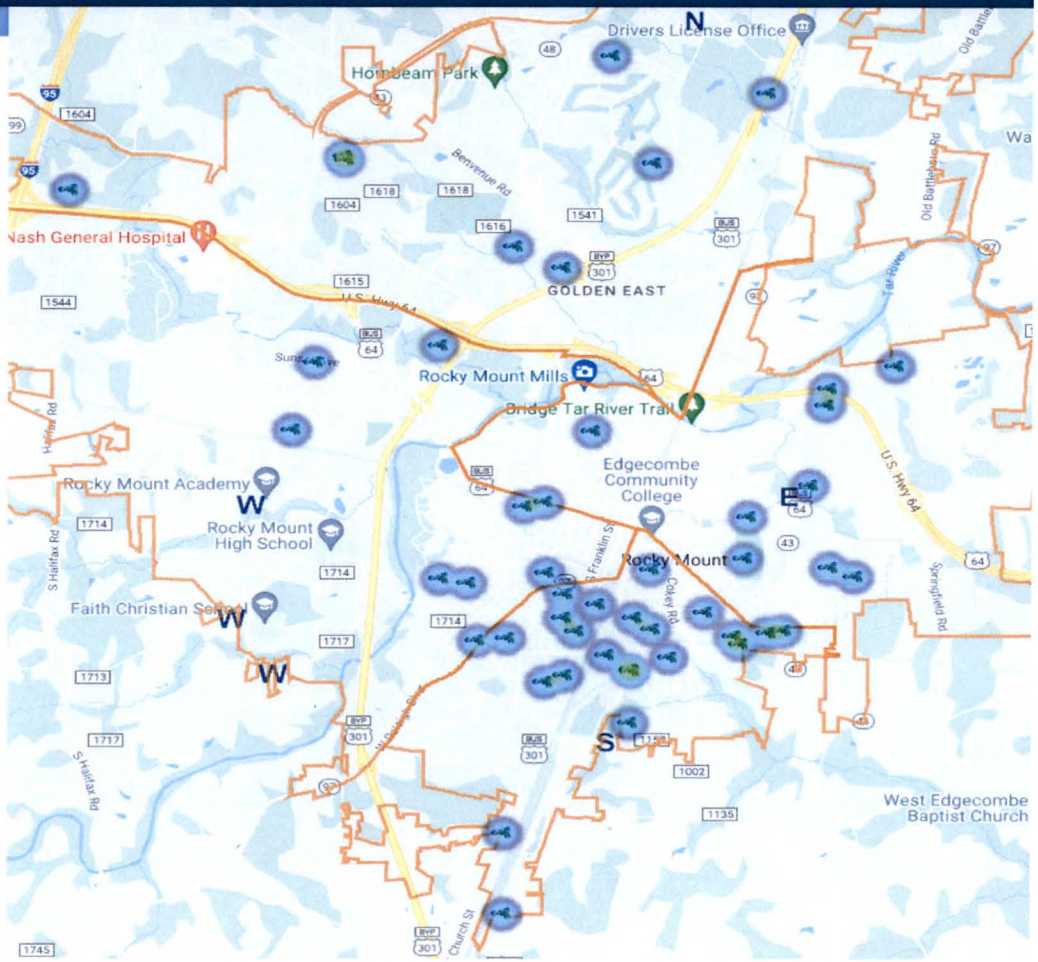


ROCKY MOUNT
POLICE
THE CENTER OF IT ALL

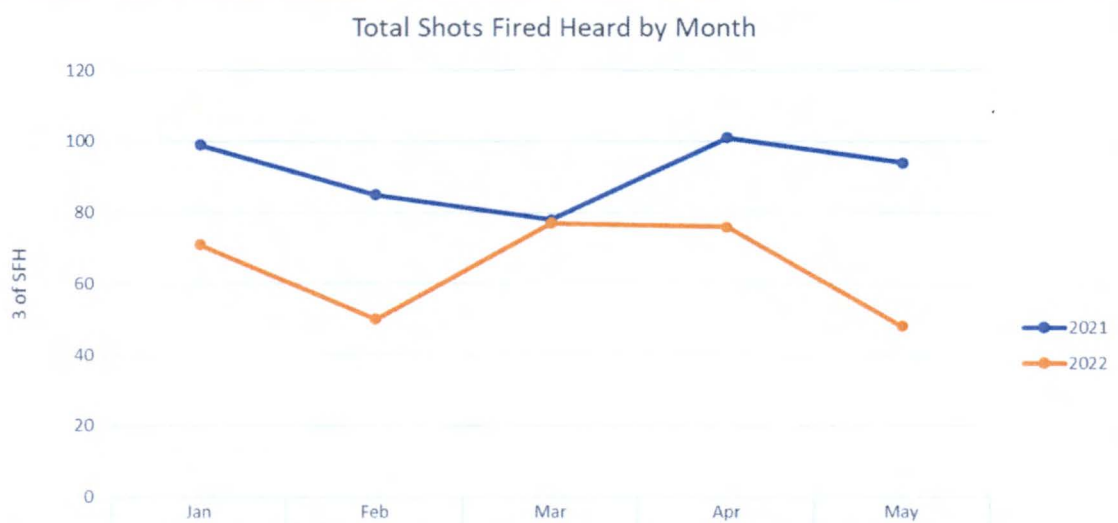
June 2022 Crime Report

ShotSpotter & Citizen Calls Throughout the City

• Shots Fired	48
• Shell Casings were Found	22
• Number Shell Casings Found	154
• Number Shell Casings Found YTD	1300
• Number of Firearms Seized	55
• Number of Firearms Seized YTD	204
• Weapon Violation Arrests	6



Shots Fired Heard Comparison Chart



	Jan	Feb	Mar	Apr	May
2021	99	85	78	101	94
2022	71	50	77	76	48

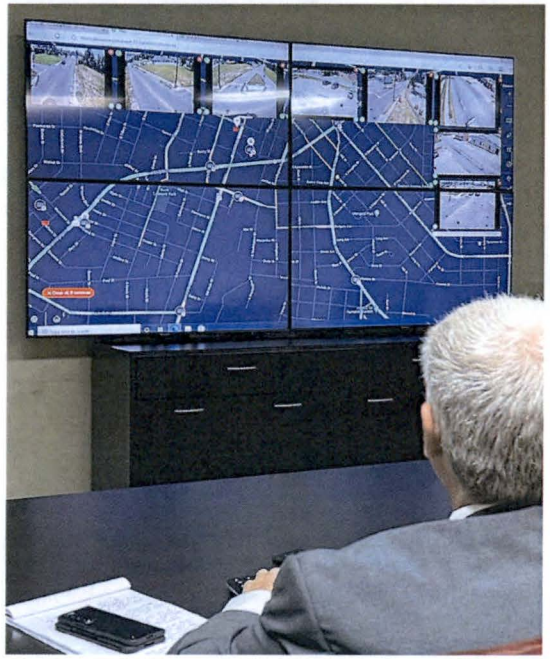
Update on Initiatives & Technology

FUSUS Project Update

- Business Partnership - 5
- Businesses Connections – 3
- Cameras on network
  - Business – 11 cameras
  - Other – 39 Housing
  - Police - 17 cameras (ShotSpotter)
  - City – 38 cameras
- Robbery – Suspect identified & arrested within 5 hours

Next Steps

- Campaign to partner with more businesses
- Completion of dedicated Real Time Intelligence Center
- Integrate 16 Flock license plate readers once installed throughout city



Violent Incident Response Plan

Implemented May 6

- Traffic Check Points: 22
- Warrant Service Attempts: 301
- Warrants Served: 158
- Arrests (individuals): 121
- Traffic Stops: 1056
- Citations: 374
- Warning Tickets: 339
- Field Interviews: 11
- Guns Seized: 19
- Various Narcotics drug amounts
- $11,938 in seized drug funds

ROCKY MOUNT
POLICE
THE CENTER OF IT ALL

Update on Initiatives & Technology

Drone Project

- Drone Unit
- Multiple tools attachments
  - Spotlight
  - PA Speakers
  - Infrared red & night vision camera
  - Release and Drop device
- Assisted in locating person experiencing a mental crisis

Next Steps

- More flight training for police pilots
- Add additional police drone pilots
- Joint training with specialty units and fire department

Community Involvement

- ***Police Athletic/Activity League***: Baseball and softball leagues are still in full swing
- ***Tackle the Tar:*** An obstacle race to raise funds for local students and attending local collages -10 Officers participated
- ***Cookies, Canvas and Cops:*** Children interact with police officers through art and cookies – partners with RM Housing Authority
- ***FUSUS and Business Partnership Campaign***