

August 5, 2024

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, Lige Daughtridge, Tom Harris and Jabaris Walker.

Staff present: Peter Varney, Interim City Manager; Kim Batts, City Clerk; Elton Daniels, Assistant City Manager; Nyki Hill, Assistant City Manager; Ken Hunter, Assistant to the City Manager for Budget Evaluation and Development; Emilie Pinkston, Director of the Department of Development Services; Robert Hassell, Police Chief; Darvin Moore, Fire Chief; Grant Roberson, Communications Manager; Mark Adcox, Video Production Specialist; Monica Brantley, Deputy City Clerk and Allen Buansi, Interim City Attorney.

Security Officers: Sergeant Chris Williams, and Senior Police Officers Shawn Battle and Tony Taylor.

The Mayor called the meeting to order at 7:03 p.m. and made the following announcements:

- Welcomed Attorney Allen Buansi with Poyner and Spruill
- Stated Ms. Loretta Braswell, who has conducted our Citizen's Academy for 15 years, this is her final year and they will be taking applications downstairs
- The Governor has declared a State of Emergency and he asks that everyone exercises caution as they go through the week

The Mayor 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 April 22, 2024 be approved.

#### **APPROVAL OF ADDITIONS/DELETIONS TO AGENDA**

None

#### **COMMUNITY UPDATE BY CITY MANAGER**

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

- Stated on August 15, the Rocky Mount Police Department will be hosting a back to school backpack giveaway, which was originally scheduled for this Thursday but has been rescheduled to August 15 at 6 p.m. at the Rocky Mount Sports Complex
- Stated tomorrow night, weather permitting, is National Night Out and they are asking everyone to join our public safety officials at the Helen P. Gay Train Station beginning at 5:30 p.m.

Councilmember Blackwell inquired about if the event will be moved inside or rescheduled if the weather does not permit.

City Manager Rogers responded the challenge with it being National Night Out is it being national, so often there is no rain date but looking at the weather, the police department will be prepared to at least have something inside the train station for anybody that comes out. As far as the weather is concerned, he would like the Council and community to know that the emergency response team is monitoring the current weather conditions related to any impact that may occur from the impending tropical storm. He stated that tomorrow they will convene the larger executive group and plan to put out any information that they have not already shared with the community. He explained that they are currently looking at the saturation that is already on the ground in many of the communities, the dam and water levels at the river and any other typical impacts that occur when they are saturated with heavy downpours in a succinct period of time. He stated they are looking to convene and look at the latest forecast tomorrow then they will put out a comprehensive update to Council as well as the community.

Councilmember Knight asked City Manager Rogers to address the recent sewer spillage that occurred.

City Manager Rogers responded that is one of the things that can also happen when there are high incidents of rain. He explained in regards to the recent spillage that occurred, the crews conducted a cleanup and the location that frequently has the spillage in the community where they often see the impacts, these incidents are likely to continue to occur until the sewer system is upgraded. He further explained that they are actively working on upgrades now and the Water Resources department has an active project where they are going through and realigning water pipes throughout our system. He stated the City has a specific grant from DEQ as well that will conduct an assessment to allow them to pinpoint the weak spots in the system that often result in the spillage and once the assessment is complete, they will bring it to Council for recommendation on repairs. He expressed that he would like the community to know that even though this is an incident that happens with some occurrence, they are actively working on it.

Councilmember T.J. Walker stated there has been a lot of conversation in the community about the Down East Viking Classic, but it is happening, the date is set and the press conference will be tomorrow at 12:00 p.m. here in the Council Chamber.

Mayor Roberson stated that he would like to make a clarification that Attorney Buansi is no longer with the City Council, but actually a member of the North Carolina House of Representatives.

**RECOGNITION/MOTHER ESSIE DANCY - 100TH BIRTHDAY**

Mother Dancy was unable to attend.

**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:

***Belinda Cooper***

- Stated she is a Rocky Mount native and recently she has come back and chosen to create a tiny home village on her inherited land, and she was contacted by a surveyor stating that there were violations
- Stated according to the Rocky Mount standards they were not accurate as there was no written notifications nor was there any additional contact, they just happened to contact her at the site and there was only verbal communication
- Stated she would like some clarification regarding those issues and asked where the professional courtesy is within the City when it comes to dealing with people who are trying to uplift their community such as she is in South Rocky Mount
- Stated that contact could be made to her directly as the owner and given to her in a more respectful way
- Stated this is a big issue for her as it seems to be targeted considering her parents have received similar contact for things that were not valid

Councilmember Joyner stated he knows they have discussed tiny homes, but he is not sure where they are at with the guidelines.

- Stated according to the Rocky Mount homepage, on the FAQ page it states that they are valid as long as they are on private property, not on wheels and a single resident as opposed

***Brenda Cooper***

- Stated she has been in South Rocky Mount for over 40 years and she sees how many areas in the City have been worked on and different things have been done to help them but she feels South Rocky Mount continues to be neglected
- Stated her concern in the City is the lack of balance and fairness in how funds are distributed in communities with low-income residents
- Stated she has presented to Council on several occasions about the negative look of the South Rocky Mount/Church Street corridor
- Stated another problem she is facing is she is being contacted years later about a loan on a property that she feels she has already paid

**CONSENT AGENDA**

Motion was made by Councilmember Joyner, seconded by Councilmember Jabaris Walker, and unanimously carried that the Consent Agenda Items 8(A) through 8(E), be approved as follows and more specifically:

**A. TEMPORARY STREET CLOSURE (*recommended for approval*)**

Request from the Public Works Department for an Ordinance approving a temporary street closing for the American Red Cross 2024 "Touch the Truck" event on Saturday, August 24, 2024 from 8:00 a.m. to 3:00 p.m. (ordinance adoption requirement of NCDOT standards):

- Nash Street between South Church Street and Southwest Main Street

**Ordinance No. O-2024-50** entitled **ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKY MOUNT DECLARING A TEMPORARY ROAD CLOSURE FOR AMERICAN RED CROSS' TOUCH THE TRUCK EVENT** was adopted.

**B. PROJECT ORDINANCE/2023 OJP GRANT**

The City Council was notified that the Rocky Mount Police Department has been awarded a \$250,000 grant from the Office of Justice Programs (OJP) of the U.S. Department of Justice to be used to enact a multidisciplinary approach to address local challenges with crime in marginalized areas. It was noted that funds will be received by the City through the Governor's Crime Commission of the N.C. Department of Public Safety and no local match funds are required.

**Ordinance No. O-2024-51** entitled **GRANT PROJECT ORDINANCE 2023 OJP COMMUNITY BASED VIOLENCE INTERVENTION AND PREVENTION INITIATIVE** appropriating the grant funds was adopted.

**C. GREAT TRAILS STATE PROGRAM (GTSP)**

The City Council was provided with a request from staff to apply for a grant in the amount of \$203,250 (\$162,600 GTSP and \$40,650 city match) through the Great Trails State Program (GTSP) for the design and permitting of eleven of fourteen existing Tar River Paddle Trail Access locations and the creation of a new access location at Bunn Farm Park on Stony Creek. If awarded, there will be a City match of \$40,650 required within 3 years of grant award. It was noted that for each site, the GTSP Design and Permitting will provide: Construction Drawings, No-rise certifications, Wetland determinations and permitting, 404/401 determinations and permitting, Tar-Pam riparian regulation compliance and Opinion of Probable Costs.

The recommended action to authorize the submission of the grant application and authorize the Mayor, City Clerk and City Attorney to execute any required documentation and/or certifications and subsequent grant agreement on behalf of the City was approved.

**D. FY 2025 INSTALLMENT FINANCING/REIMBURSEMENT RESOLUTION - EQUIPMENT**

The City Council was provided with a reimbursement resolution declaring the City's official intent to reimburse expenditures incurred in connection with the replacement of equipment to be included in FY 2025 installment financing as follows:

**Replacement of Equipment** - two (2) Labrie Automizer Sideloaders (Env. Svcs.) and one (1) Raw Water Pump - \$1,199,000

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

**Resolution No. R-2024-29** entitled **RESOLUTION DECLARING OFFICIAL INTENT OF THE CITY OF ROCKY MOUNT TO REIMBURSE EXPENDITURES MADE FOR THE REPLACEMENT OF EQUIPMENT** was adopted.

**E. OPIOID SETTLEMENT**

The City Council was advised that on September 13, 2021, City Council adopted a Resolution approving a Memorandum of Agreement (MOA) with the State of North Carolina and local governments across the state to facilitate distribution of funds from the settlement of litigation against manufacturers of prescription drugs. The City Council was also informed that the City has been requested to enter into a Supplemental Agreement by the North Carolina Department of Justice in coordination with the North Carolina League of Municipalities and North Carolina Association of County Commissioners for the City to participate in an additional settlement. It was noted that participation enables the City to remain eligible to receive potential funds over several years.

**Resolution No. R-2024-30** entitled **RESOLUTION BY CITY OF ROCKY MOUNT AUTHORIZING EXECUTION OF KROGER OPIOID SETTLEMENT AND APPROVING SECOND SUPPLEMENTAL AGREEMENT FOR ADDITIONAL FUNDS** was adopted.

This resolution authorizes the Mayor to execute all documents necessary to enter into the second supplemental agreement on behalf of the City.

**PLANNING BOARD RECOMMENDATIONS**

The City Council received the minutes and recommendations from a Planning Board meeting held July 9, 2024.

The following action was taken upon the recommendations of the Planning Board:

**PUBLIC HEARING/REZONING REQUEST**

The Mayor opened up a public hearing relative to the following land development code amendments recommended for approval and found in compliance with the Comprehensive Plan by the Planning Board:

- Request by Jon W. (Bill) Barrett, IV, to rezone property having an area of + 3.52 acres at 1160 Benvenue Road, from R-10 (Low-Density Residential District) to B-2 (Commercial Corridor District)

Emilie Pinkston, Director of Development Services gave an overview of the request.

The Mayor recognized the following who wished to speak on the item:

***Jimmy Rabil***

- Stated he is from Chambliss & Rabil Commercial Realty, and he represents Billy Barrett
- Stated they would like the property at 1160 Benvenue Road rezoned from Residential to B-2 and he is happy to answer any questions

There being no other members from the public to speak, the Mayor closed the public hearing.

Motion was made by Councilmember Blackwell, seconded by Councilmember Daughtridge and unanimously carried that **Ordinance No O-2024-52** entitled **ORDINANCE AMENDING THE LAND DEVELOPMENT CODE AND MAP OF THE CITY OF ROCKY MOUNT** was approved.

**ANNEXATION NO. 332 - HARPER & WILLIAMS (SUNSET AVENUE, WARD 5)**

A Public hearing was scheduled relative to Annexation No. 332 - Harper & William (Sunset Avenue) and feasibility study.

It was noted that this item was postponed from the January 8, February 12, April 8, May 13, and July 8, 2024 City Council meetings.

The City Council, by consensus, acknowledged and accepted the request made by the applicant to withdraw this application for annexation.

**PUBLIC HEARING/REZONING REQUEST**

A public hearing was scheduled relative to the following rezoning request recommended for approval and found in compliance with the Comprehensive Plan by the Planning Board:

- Request by Thomas White (Axiom Development, LLC) to rezone a +48.9-acre parcel, having a PIN 382008972953U and a +9.45-acre portion of the property having a PIN 382012960747 from I-2 (Heavy Industrial District) and GI (Nash County General Industrial) to R-6MFA (Multifamily Residential district)

It was noted that this item was postponed from the January 8, February 12, April 8, May 13, and July 8, 2024 City Council meetings.

The City Council, by consensus, acknowledged and accepted the request made by the applicant to withdraw the application for rezoning.

**PUBLIC HEARING/LAND DEVELOPMENT CODE AMENDMENTS**

A public hearing was scheduled relative to the following land development code amendments recommended for approval and found in compliance with the Comprehensive Plan by the Planning Board:

- Text amendment - CHAPTER 14, Sec. 1405 Exempt subdivision plats; Sec. 1406 Final plat process - Purpose: to clarify plate requirements and certificates

It was noted that this item was postponed from the June 10, 2024 and July 8, 2024 City Council meetings and the recommended action is to postpone the item to November 11, 2024 City Council meeting.

Motion was made by Councilmember Joyner, seconded by Councilmember Daughtridge and unanimously carried that the item be postponed to November 11, 2024 City Council meeting.

**PUBLIC HEARING/LAND DEVELOPMENT CODE AMENDMENTS**

A public hearing was scheduled relative to the following land development code amendments recommended for approval and found in compliance with the Comprehensive Plan by the Planning Board:

- Text amendment - CHAPTER 1, Sec. 102 Terms and uses defined; CHAPTER 3, Sec. 312. Development review procedures, Table 3-1, Table 3-2; CHAPTER 4, Sec. 404. Zoning upon annexation, sec. 406. Commercial district intent statements; CHAPTER 5, Sec. 503. Zoning use tables, Table 5-1, Table 5-2, Sec. 509. Zoning variance provisions, Sec. 510. Appeal of administrative officer's decisions; CHAPTER 12, Sec. 1205. Remedies and enforcement powers; CHAPTER 13, Sec. 1301 Right-of-way width, street design - Purpose: to align development standards with practices and General Statutes

It was noted that this item was postponed from the June 10, 2024 and July 8, 2024 City Council meetings and the recommended action is to postpone the item to November 11, 2024 City Council meeting.

Motion was made by Councilmember Joyner, seconded by Councilmember Harris and unanimously carried that the item be postponed to November 11, 2024 City Council meeting.

**COUNCIL COMMENTS**

Councilmember T.J. Walker -

- Asked Council to agree to direct the City Manager to provide latitude to staff to bring to Council a plan around the priorities of housing, neighborhood revitalization, equitable code enforcement, infrastructure
- Asked for priority on areas such as Little Raleigh that has City investment in Fire Station 2 and the National Guard Armory
- Stated some of the neighborhoods have never had community development in their area
- Stated that while the comprehensive plan is being worked on, he would like to see a more concrete immediate plan so Council can deliberate on ways to proceed

Mayor Roberson -

- Stated unless a councilmember provides a second, he would propose the request be prepared in written form and circulated through the council in order to ensure the direction is clear and agreed on, then place it on the next agenda

Councilmember Daughtridge -

- Stated he concurs with the Mayor

Councilmember Knight

- Stated that they lost Mr. Robert Davis who was the president of the Meadowbrook Neighborhood Association about 2 weeks ago and he would like to state his appreciation for everything that Mr. Davis did to advocate for all the Meadowbrook residents and for his fight to ensure the improvement of Meadowbrook Park
- Stated his legacy will carry on
- Recognized Ms. Sherry Little who is moving back to Durham, but she was the Vice President of the Edgemont Community Neighborhood Association and was very instrumental in helping get the Sycamore Street Park revitalized
- Stated she also was one of the ones who bought a dilapidated house on Eastern Avenue and was able to redevelop it, bring it back to code and put it back on the tax roll

Councilmember Blackwell -

- Stated they are also still grieving the passing of Ms. Christine Horne who was President of the Mayview Association.

**CLOSED SESSION**

A Closed Session was requested relative to matters concerning personnel.

Motion was made by Councilmember Joyner, seconded by Councilmember Knight and unanimously carried that the City Council enter into Closed Session at 7:32 p.m. The minutes of the Closed Session shall be filed as **ESM-648** at the end of **Minute Book 38** upon approval for release by the City Attorney.

**ADJOURNMENT**

There being no further business, by consensus, the meeting was adjourned at 9:03 p.m.



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Kim Batts  
City Clerk