

January 8, 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, T.J. Walker, Jr., Lige Daughtride and Jabarlis Walker.

Councilmember joined remotely: Tom Harris.

Staff present: Keith Rogers Jr., City Manager; Kim Batts, City Clerk; Elton Daniels, Assistant City Manager; Nyki Hill, Assistant City Manager; Brad Kerr, Public Works Director; Emilie Pinkston, 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; Darwin Moore, Fire Chief; Robert Hassell, Police Chief; Abdul Baloch, Chief Internal Auditor; Mark Adcox, Video Production Specialist; Robin Cox, Communications Specialist; Grant Roberson, Communications and Marketing Manager; Kena Cofield-Jones, Director of Human Resources; Kream Mosley, Deputy City Clerk; Monica Brantley, Deputy City Clerk and Richard J. Rose, City Attorney.

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

The Mayor called the meeting to order at 7:00 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 Jabarlis Walker, and unanimously carried that the minutes of the Regular Scheduled City Council meeting held August 28, 2023 be approved as submitted to the City Council prior to the meeting.

APPROVAL OF ADDITIONS/DELETIONS TO AGENDA

Mayor Roberson stated he had received a request to amend the agenda to:

- Add a closed session relative to Personnel

Motion was made by Councilmember Blackwell, seconded by Councilmember Joyner, and unanimously carried that the agenda be amended, as requested.

COMMUNITY UPDATE BY CITY MANAGER

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

- Congratulated the winners of the 36th annual Reverend Dr. Martin Luther King's Oratorical Competition grades 6 through 8, the first-place winner was Joy Branch

- Stated grades 9 through 12 the first-place winner was Austin Burton
- Stated the first-place winners will deliver their speeches at the unity breakfast coming up on the MLK holiday
- Stated the unity breakfast on MLK will start at 7:00 a.m. and the program will begin at 8:00 a.m.
- Stated the guest speaker will be Ms. Jane Withers, the Director of the Division of Services for Deaf and Hard of Hearing, North Carolina Department of Health and Human Services
- Stated the City of Rocky Mount's first 5k Run & Walk to help raise funds for our Winter Assistance for Rocky Mount program will be held on January 20th at the Rocky Mount Sports Complex, registration is \$45

Mayor Roberson stated that Councilmember Knight had requested to address City Council. Councilmember Knight made the following comments:

- Stated he is dressed in the honor of Arnie Jones, the sanitation worker who has been vocal about a livable wage and has put in almost 20 years for this City and who was terminated on December 21, 2023
- Stated that it was a big disappointment for the entire City
- Stated in Mr. Jones' younger years he could run 2 routes and fill in when they did not have help, he would hustle when there were not enough trucks to pick up the trash but he hung in there
- Stated that he, along with some of his colleagues, honor Mr. Jones for speaking out for his coworkers and the employees of the City of Rocky Mount
- Stated a few months ago Councilmember Blackwell asked the City Manager and this Council if they would hold true to their own policy of non-retaliation and he believes that Mr. Jones was retaliated upon
- Stated that Mr. Jones was encouraged to go to the Human Relations department and the advice given to leadership was not to dismiss Mr. Jones
- Stated the Human Relations Commission has the job to investigate complaints from our employees and if employees cannot go to the Human Relations Commission, Human Resources, management or Council then who can they go to
- Stated it is sad when you look at the history of Rocky Mount, which is known for human rights, civil rights, and worker's rights since it was right here that Dr. King did his first "I Have a Dream" speech
- Stated as Dr. King is being honored here in the City of Rocky Mount and all across this country, Council should ask what they can do to help this employee
- Stated he feels as he and the Council are responsible for this happening to Mr. Jones

RESOLUTION RECOGNIZING AND CONGRATULATING THE ROCKY MOUNT MIDDLE SCHOOL FOOTBALL TEAM ON THEIR OUTSTANDING SEASON

The Mayor welcomed and congratulated the Rocky Mount Middle School Football Team on their outstanding season.

Motion was made by Councilmember Joyner, seconded by all Councilmembers and unanimously carried that the following **Resolution R-2024-1** entitled **RESOLUTION RECOGNIZING AND CONGRATULATING THE ROCKY MOUNT MIDDLE SCHOOL FOOTBALL TEAM ON THEIR OUTSTANDING SEASON** be adopted:

**RESOLUTION RECOGNIZING AND CONGRATULATING
THE ROCKY MOUNT MIDDLE SCHOOL FOOTBALL TEAM
ON THEIR OUTSTANDING SEASON**

WHEREAS, the Rocky Mount Middle School Football team finished their season with a 6-0 record in conference play; claiming the title Nash County Middle School Champions; and

WHEREAS, the Ravens finished off their season with a record of 7-0 and the Rocky Mount Middle School Ravens were declared the 2023-2024 Tri-County Champions; and

WHEREAS, a successful season such as this brought pride not only to the Rocky Mount Middle School Ravens themselves, but also to their families, their school and their community; and

WHEREAS, while there were outstanding individual players on this Championship team, the success is credited to a total team effort from the following team members: Lynwood Silver, Kyler Towah, Kamari Boulware, Jamari Knight, Delonte Smith, Semaj Parker, Kenneth Ewell, Kendall McCoy, Ayden Banks, Antonio Lawrence, Tarrell Powell, Chase Reeves, DeSean Donelson, James Parker, Isaiah Moore, Kemaury Parker, Marquis Scott, Jaden Green, Jordan Lucas, Denzel Namata Elangwe, Zach Martin, Kayden Durham, Braylen Fox, Rodrickus Conyers, Jermaine Lynch, Sequan Crandel, Pricelen Odom, Elijah Gamble, Andrew Battle, Jeremiah Taylor, Charles Opoka, Ny'Quevius Hart, and Laquan Williams; and

WHEREAS, contributing to the team's success was their head coach, Martelus Hart; assistant coaches, Willie Kearney, Brian Hopkins, and Austin Curtis; their school administration; parents and families who provided unwavering support.

NOW, THEREFORE, BE IT RESOLVED that Mayor C. Saunders Roberson, Jr. and the Rocky Mount City Council hereby congratulate the Rocky Mount Middle School Ravens Football team and its coaches for their outstanding regular season, and Tri-County Championship; and

BE IT FURTHER RESOLVED that this resolution shall be spread upon the pages of the minutes of this proceeding and a copy shall be presented to each team member, the coaches and staff and others who were instrumental in the success of their season.

**RESOLUTION RECOGNIZING AND CONGRATULATING ROCKY MOUNT ACADEMY'S
FOOTBALL TEAM ON WINNING THE 2023 NCISAA 8-MAN STATE FOOTBALL
CHAMPIONSHIP**

The Mayor welcomed and congratulated the Rocky Mount Academy's Football Team on winning the 2023 NCISAA 8-Man State Football Championship.

Motion was made by Councilmember Daughtridge, seconded by all Councilmembers and unanimously carried that the following **Resolution R-2024-2** entitled **RESOLUTION RECOGNIZING AND CONGRATULATING ROCKY MOUNT ACADEMY'S FOOTBALL TEAM ON WINNING THE 2023 NCISAA 8-MAN STATE FOOTBALL CHAMPIONSHIP** be adopted:

**RESOLUTION RECOGNIZING AND CONGRATULATING
ROCKY MOUNT ACADEMY'S FOOTBALL TEAM
ON WINNING THE 2023 NCISAA 8-MAN STATE FOOTBALL CHAMPIONSHIP**

WHEREAS, on Friday, November 17, 2023, the Rocky Mount Academy Eagles completed an 11-2 season with its 11th straight victory, a 38-32 win over Wayne Christian to become the 2023 NCISAA 8-Man State Football Champions; and

WHEREAS, this win gave Rocky Mount Academy its fourth state championship since 2013; and

WHEREAS, the State championship was won by players who were very aware that championships are not won by individual players, but by teams; and

WHEREAS, in winning the 2023 NCISAA 8-Man State Football Championship, the Rocky Mount Academy Eagles distinguished themselves individually and collectively as a team and brought credit not only to themselves, but to their families, their school and their community; and

WHEREAS, while there were outstanding individual players in the tournament, winning the championship was a total team effort from the following team members: Cam Dawkins, Owen Lewis, Gehrig Miller, Jordan Wright, Isaac Calhoun, Cooper Epps, Ben Pitt, Marti McKnight, Tripp Evans, Cameron Johnson, Wyatt Wells, Judah Calhoun, Kaiden Pulley, Micah Boseman, Ayden Lovely, Parker Sherrod, Liam Long, John Bennet Godwin, Riley Proctor, Carter Smith, and Tae Crowder; and

WHEREAS, contributing to the team's success were key individuals including Head Coach, Nick Hahula; assistant coaches, Cody Barry, Greg Brown, Manuel Davis, Terrell Hudgins, Mo Jones, Tim Murphy, and Saylor Newton; Beth Murphy, Head of School; Katherine Bryant, Athletic Director; and their parents and families who provided unwavering support.

NOW, THEREFORE, BE IT RESOLVED that Mayor C. Saunders Roberson, Jr. and the Rocky Mount City Council hereby congratulate Rocky Mount Academy's Football Team and its coaches and staff for the great accomplishment and honor of winning the 2023 NCISAA 8-Man State Football Championship; and

BE IT FURTHER RESOLVED that this resolution shall be spread upon the pages of the minutes of this proceeding and a copy shall be presented to each team member, the coaches and staff and others who were instrumental in the success of their season.

MEDAL OF VALOR/SGT. CAMERON JOYNER AND CPL. VICKY HUSSEY

Chief Hassell recognized Sgt. Cameron Joyner and Cpl. Vicky Hussey for being recipients of the Medal of Valor. He explained that the Medal of Valor stands as the Department's highest award for an officer. He continued stating that is reserved for instances where the employee has clearly surpassed the Call of Duty and exhibited exceptional courage regarding personal safety in attempting to save and protect the lives of others. It was noted that on February 9th an incident occurred and these two officers displayed unwavering courage while doing their sworn duty to protect and serve. Chief Hassell presented Sgt. Joyner and Cpl. Hussey each with a Medal of Valor.

Mayor Roberson thanked them for all they do to protect the residents in the City of Rocky Mount. He presented Sgt. Joyner and Cpl. Hussey each with an Esteemed Officer Award for demonstration of excellent moral character as public servants and bringing pride to the City of Rocky Mount. The officers and Chief Hassell joined the Mayor 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:

Curmilus Dancy

- Stated that people need to understand that the Rocky Mount Human Relations Commission is not just for City employees but for anyone who works in Rocky Mount
- Stated he supports Arnie Jones and he can relate to him speaking out and being targeted
- Stated it is time for everyone to come together and hold people accountable

Nathlyn Ohree

- Stated she hopes that we will embrace and practice the core values of our City including respect from the least to the greatest
- Stated she would like the dumpster removed with the name Top Dog sitting outside the City building because it represents a conflict of interest with the City of Rocky Mount who has employees to collect garbage
- Stated she wants the dumpster removed
- Stated she is concerned about the firing of the long term sanitation worker Arnie Jones who has been coming to the Council just asking for a fair wage increase not just for himself but for everyone
- Stated she is embracing this new year with new expectations for Council to embrace the core values of the City including mutual respect

Richard Petway

- Stated there are people trying to get rid of employees just because they speak out, when the 2nd amendment says that people can speak out without being retaliated against
- Stated Arnie Jones has been retaliated against
- Stated the City workers are so afraid to speak out they will not even come to the meetings because they are afraid of getting fired
- Stated you have a City Manager that can ask for a \$75,000 raise and get it, but the City workers cannot even ask for 25 cents and get it
- Stated Arnie Jones deserves to be back employed with the City with no retaliation
- Stated it is up to the citizens to demand that the pay increase is put back on the agenda for discussion

Cooper Blackwell

- Stated Arnie Jones is a dedicated sanitation worker who has been advocating for fair pay and equitable treatment under penalty at this point
- Stated the firing of Mr. Jones not only undermines his dignity but it also undermines the collective moral of those in the City who work daily to keep our City going
- Stated let's not commemorate Dr. King by merely reflecting on the past but making a movement for justice today
- Stated let's embody the principles that Dr. King stood for by reinstating Mr. Jones and reaffirming the commitment to all workers of Rocky Mount and let us strive to be a City that embodies equity, dignity, and fair payment for all

Mumtaz Shaik

- Stated a call for unity by a petitioner and many others last year rang hollow and meaningless
- Asked if this call for unity was an easy way out to bury this contentious acrimonious wage issue/class struggle and move on into oblivion

- Stated the interest of the working class are dramatically opposed to the interest and greed of the super rich
- Stated if you desire to be loyal to a big corporation, you will inevitably have to sell out the workers and for many selling out is an easy pipeline to instant prosperity
- Stated unity is achieved through hard work, organizing and mobilizing citizens in peril
- State Martin Luther King won the trust of the people he stood for and with, his message of unity was succinct and unwavering until his life was snuffed out by power just as Arnie Jones economic independence was snuffed out by power/City for standing tall with his coworkers
- Stated next time you come to the Council and call for unity please come with a blueprint for unity

Theresa Alston Stokes

- Stated there is a lot of talk about housing and it is great to see the enthusiasm
- Stated she wants to draw attention to Five Points Crossing as it is an affordable housing project that began in 2019 under the administration of the former City Manager Rochelle Small-Toney
- Stated we were one of two cities in the state that was awarded the funds from the North Carolina Office of Recovery and Resiliency to utilize the state and federal funding and developer tax credits to provide affordable housing in areas significantly impacted by Hurricane Matthew
- Stated the City's participation in the project was the contribution of city-owned land at the Five Points area, monetary funding came from state and federal grants and tax credits
- Stated the former City Manager Rochelle Small-Toney selected Five Points over two other sites because of the Council's directives to revitalize downtown and we need more of those projects in our downtown area
- Stated the Five Points Crossing project ensures that affordable housing will be available in our downtown
- Stated as you remember Five Points, remember Rochelle Small-Toney, and Arnie Jones

Morrie Minges

- Stated the Old Ebony and Ivory building she has been complaining about for the past 5 years, nothing is happening
- Stated there are a couple of other places around the City that are in bad shape down 301 and some land near where the old Wooten Marina was
- Inquired if the beggars on the street need a permit or need permission because she would like them to stop
- Asked who do you have to speak with if you want to put a trailer or smaller house on your lot if you have more than 20 acres

Councilmember Blackwell confirmed that Ms. Minges can follow up with the Planning Department for that information.

Dr. Kim Koo

- Stated next Monday on January 15 many people will be celebrating Martin Luther King's Day
- Stated Dr. King was most famous for standing up for civil rights and was tolerated until he took up 3 important issues of his time which include economic independence, speaking against the American war on Vietnam, and fighting for dignity and fair pay especially for sanitation workers
- Stated those 3 issues challenged the very foundation of the oligarchic rule of this country and for that he was murdered
- Stated after his death wages remain stagnant, people are drowning in debt, infrastructure is breaking down and for the first time in history the life expectancy of our people has gone down

- Stated you are insulting Dr. King by firing the most outspoken sanitation worker Arnie Jones when he stood up for the rest of the City workers for fair pay and dignity

CONSENT AGENDA

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

YEAR	BILL	NAME/ADDRESS	TAX		COMMENT
<i>EDGEcombe COUNTY</i>					
2020	17750	COTTON, THELMA WARNER, AARON BAXTER 342 ATLANTIC AVE ROCKY MOUNT, NC 27801	9.59 2.71	CITY PEN	VALUATION CORRECTION
		TOTAL RELEASE:	12.30		
2021	17755	COTTON, THELMA WARNER, AARON BAXTER 342 ATLANTIC AVE ROCKY MOUNT, NC 27801	9.59 1.85	CITY PEN	VALUATION CORRECTION
		TOTAL RELEASE:	11.44		
2022	17728	COTTON, THELMA WARNER, AARON BAXTER 342 ATLANTIC AVE ROCKY MOUNT, NC 27801	9.59 0.98	CITY PEN	VALUATION CORRECTION
		TOTAL RELEASE:	10.57		
2014	17859	WARNER, NORMA STOKES 342 ATLANTIC AVE ROCKY MOUNT, NC 27801	8.12 6.68	CITY PEN	VALUATION CORRECTION
		TOTAL RELEASE:	14.80		
2015	17817	WARNER, NORMA STOKES 342 ATLANTIC AVE ROCKY MOUNT, NC 27801	8.47 6.20	CITY PEN	VALUATION CORRECTION
		TOTAL RELEASE:	14.67		
2016	17813	WARNER, NORMA STOKES 342 ATLANTIC AVE ROCKY MOUNT, NC 27801	8.47 5.44	CITY PEN	VALUATION CORRECTION
		TOTAL RELEASE:	13.91		
2017	17787	WARNER, NORMA STOKES 342 ATLANTIC AVE ROCKY MOUNT, NC 27801	9.24 5.11	CITY PEN	VALUATION CORRECTION
		TOTAL RELEASE:	14.35		
2018	17772	WARNER, NORMA STOKES 342 ATLANTIC AVE ROCKY MOUNT, NC 27801	9.59 4.44	CITY PEN	VALUATION CORRECTION
		TOTAL RELEASE:	14.03		
2019	17744	WARNER, NORMA STOKES 342 ATLANTIC AVE ROCKY MOUNT, NC 27801	9.59 3.57	CITY PEN	VALUATION CORRECTION
		TOTAL RELEASE:	13.16		

NASH COUNTY

2023	836	RENTZ-EDEN OIL LLC 64 STORE CITGO STUART, VA 24171	16.52	PEN	LATE LIST REMOVAL
		TOTAL RELEASE:	16.52		

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
<u><i>NASH COUNTY</i></u>				
2021	13291	OPPORTUNITIES INDUSTRIALIZATION CENTER INC 2309 SUNSET AVE ROCKY MOUNT, NC 27804	3,096.75	CITY EXEMPT PROPERTY
		TOTAL RELEASE:	3,096.75	

B. AWARD OF DUTY BADGE/SIDEARM

That the award of Duty Badge and Sidearm to Police Lieutenant Michael Whitley for 30 Years of Dedicated Service be approved.

C. AWARD OF DUTY BADGE/SIDEARM

That the award of Duty Badge and Sidearm to Police Sargeant William Motley for 29 1/2 Years of Dedicated Service be approved.

D. SURPLUS PROPERTY DISPOSAL/ELECTRONIC AUCTION

That the list of personal property proposed to be declared surplus and sold at electronic auction be placed on file in the office of the City Clerk as **BD-2024-1** and **Resolution No. R-2024-3** entitled **RESOLUTION AUTHORIZING THE SALE OF CERTAIN PERSONAL PROPERTY AT ELECTRONIC AUCTION** be adopted.

E. AMERICAN RESCUE PLAN ACT (ARPA) GRANT ACCEPTANCE/EDGEMONT DRAINAGE STUDY

The City Council was notified that the City had been awarded an ARPA grant in the amount of \$400,000 to perform a Drainage Study for the Edgemont Neighborhood. It was noted that the study will include an asset inventory and condition assessment, building a hydraulic model, identification of capital project needs, preparation of project estimates and project prioritization.

Resolution No. R-2024-4 entitled **RESOLUTION ACCEPTING AMERICAN RESCUE PLAN ACT (ARPA) GRANT AWARD IN THE AMOUNT OF \$400,000 TO PERFORM A DRAINAGE STUDY IN THE EDGEMONT NEIGHBORHOOD** was adopted and the City Manager was authorized to execute all required documents on behalf of the City.

Councilmember Blackwell stated that he did not have questions about this item but would like someone to speak to the ARPA grant award in the public venue so the members who live in that community know what the study is for. He stated that it is customary that if Council has questions about actions that are taken there are people here who can speak about those actions. He explained that this is a pretty big deal for inner City Rocky Mount as far as older

communities are concerned as they have had ongoing drainage issues in many communities in Rocky Mount. He continued stating that the Edgemont Community continues to be plagued with issues since it has 100-year-old plus infrastructure. He stated he believes that this grant calls for escalating the study and prioritizing the replacement of drainage supplies and materials, but he would rather the staff speak to it since they are the professionals in this field.

City Manager Rogers stated he is happy to have a report presented or sent but what was before City Council now is accepting the funds.

Councilmember Blackwell stated he understood what the request was, but part of City Council meetings is to inform the public about what is being done and that has been customary for the last 23 years he has been here. He explained that his request is to state for the benefit of the constituents what will be done in the community. He then asked if there was anyone that could provide the information.

City Manager Rogers stated again that he would be happy to provide him a full report later, but tonight the request is only to accept the funds.

Councilmember Blackwell informed the City Manager that he did not need a full report, he only needed a two-minute overview. He explained that he has asked for this from every other City Manager and has never had a problem.

Councilmember Knight stated that Mr. Brad Kerr is present and he is aware of the drainage issues that the Edgemont neighborhood has been experiencing. He reiterated that Councilmember Blackwell was only asking for a brief synopsis of what the money is going to be used for and how it is going to impact the homes in the Edgemont neighborhood.

City Manager Rogers asked Mr. Kerr to give a brief update regarding what the actual study is, and stated a full report would be provided to Council at a later date.

Brad Kerr, Public Works Director, stated the funding is an ARPA grant that has been awarded to the City of Rocky Mount to study the Edgemont drainage basin. He explained that the project involves an inventory of the entire drainage infrastructure within that basin to determine the condition, then a hydraulic study to identify areas where there are issues. He further stated that preliminary designs for the various remedies for the issues would be prepared, cost estimations prepared and then prioritization assigned in order to fund capital improvements at a later time.

Councilmember Blackwell responded that was sufficient and maybe items such as this should be listed as regular items instead of on the consent agenda.

Mayor Roberson stated they can do that if necessary.

Councilmember Daughtridge stated he agrees with Councilmember Blackwell as he thinks they probably should have moved this item off of the consent agenda so they could have detailed discussion. He explained that normally with the consent agenda there is no discussion which may be where the hesitation came in about the discussion. He stated that he agrees that they need to learn more about the infrastructure because it is vitally important to this entire City.

Councilmember Joyner asked about the timeline for the study.

Mr. Kerr responded if he recalls correctly, it takes about 8 to 12 months to get to the end of the planning study so the idea is to look at the CIP next year to be able to program improvements.

Councilmember Knight stated he thinks as a Council if there is something on the regular agenda or the consent agenda and a question is brought forward then there should be a competent staff person to address the question.

F. TEMPORARY EASEMENT/4757 PRIMROSE PLACE

The City Council was notified that North Carolina Department of Transportation (NCDOT) is planning to install a roundabout on N. Old Carriage Road and this project requires a temporary easement across a City-owned parcel located at 4757 Primrose Place in Nash County. It was noted that the easement is a temporary easement that will terminate at the completion of the road construction project. NCDOT offered the City \$700 as compensation for the easement. An Agreement for Entry was requested allowing contractors to have access to the property in order to complete contracted work.

Resolution No. R-2024-5 entitled **RESOLUTION AUTHORIZING CITY MANAGER AND CITY CLERK TO EXECUTE THE TEMPORARY EASEMENT** was adopted.

G. RFP 320-170523AG RE-BID/TUBULAR STEEL POLES

The City Council received quotes for the tubular steel poles. Quotes were received and opened on October 17, 2023 after all necessary legal procedures had been implemented and the bid tabulation is on file in the office of the City Clerk as **BD-2024-2**. The solicitation was also posted on the City's purchasing webpage, the North Carolina Interactive Purchasing System website and the North Carolina Historically Underutilized Business Opportunity webpage.

The bid was awarded to Wesco, the 2nd lowest bidder, @ a total cost of \$609,849 due to the fact that the lead time was 16-18 weeks and less than the lowest bidder. The bid was approved and the Purchasing Division was authorized to issue a purchase order in accordance with the Council's award.

**Councilmember Harris joined the meeting remotely*

Mayor Roberson asked for the City Clerk to call the roll again in order to reflect that Councilmember Tom Harris had joined the meeting remotely.

PUBLIC HEARING/REZONING REQUEST

The Mayor opened a public hearing relative to the following rezoning request recommended for approval and found in compliance with the Comprehensive Plan by the Planning Board:

- Request by Race Trac, Inc to rezone a 7.01-acre site having PIN 386214343819, located on Wesleyan Boulevard, southeast of the junction with Thomas Betts Parkway, from I-2 (heavy Industrial District) to B-5 (Commercial Services District)

It was noted that the item was postponed from November 13, 2023 and December 11, 2023 City Council meetings and the petitioner requested that action be postponed until tonight's meeting.

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

TW King

- Expressed his appreciation for being allowed the extended opportunity to speak again about this matter
- Stated he represents Mr. Barnes and his company Frontier Trailer Associates
- Stated a site plan was presented to the Department of Transportation and an email was sent to Race Trac from Kimberly Moore, District Engineer of Division 4 of District 2 for Nash and Wilson Counties
- Stated in the email it was said that the plan has been reviewed and there are concerns about the current design as there have been numerous accidents at the intersection of US 301 and Thomas A. Betts Parkway; they have taken great steps to mitigate them in the recent past
- Asked the City Council to vote no on the rezoning request

William McKinney

- Stated he is here along with Tommy Pearce from Race Trac to speak in favor of the motion
- Stated he has very much appreciated the professionalism of the planning staff in working with them through this process
- Stated they have endeavored to engage in good faith with Mr. Barnes and his attorney, Mr. King, to find resolutions that might work but they are in opposition
- Stated he believes there are good reasons why the recommendation from City planning staff is sound and they appreciate Council's consideration and supporting the motion to pass
- Stated much of 301 is not currently utilized however the City's comprehensive land use plan anticipates utilization and they think this is a good opportunity for this parcel to be developed to allow for community investment, jobs in the area, provision of gasoline and things that can be purchased in a convenience store
- Presented a site plan which he explained that the plan at present will be subject for later approval from the Planning Commission
- Stated Race Trac is continuing to work with NCDOT on their concerns as this is consistent with what Race Trac does across the region and they anticipate additional traffic studies, research, and engagement about the proper point of entry to the site

- Stated notably, Mr. Barnes did acquire his site from this larger parcel of land about 30 years ago and in that he authorized this parcel to go through and use his property in the deed to access the intersection
- Stated his opposition now indicates that offer would be stymied by an objection, but the right is there and the approval was there
- Stated they certainly welcome continued dialogue with NCDOT, Federal Highway Administration and the City most importantly about the site and its uses
- Stated as Mr. King notes, this issue primarily boils down to safety and the well-being of passengers and customers and he thinks what they simply have is a difference of opinion about whether the road is safe at the location where these accidents are happening

Morrie Minges

- Stated they have plenty of convenience stores and asked if they really need another especially if it will cause trouble with traffic

Councilmember Blackwell asked the developer if they had a chance to review the letter that Mr. King read from and if it has been before the Planning Board in their consideration. He stated that the philosophy that he would agree with is that more development slows down traffic because people have to slow down to turn into that particular location.

Tommy Pearce of Race Trac stated they are very early on in the design and the development process and they currently have a traffic study underway. He explained that is typically the first item that needs to take place before DOT will accept any official applications or thoroughly look into a development. He stated that they have had a few preliminary discussions with them and they are committed to working with both DOT and the City as they move forward. He explained that as they stand today, the site plan that was shown is part of their application and there will still be many hands and opinions that take place on that site plan as they have to go through the City's planning and engineering departments as well as a thorough DOT review. He continued stating that if the project does go through, improvements will be made to that signal at Race Trac's expense, and DOT as well as Race Trac will ensure that as a result of this development the intersection is safe overall.

Councilmember Daughtridge inquired about how much of the concern is applicable to the rezoning piece or is rezoning one issue and the safety concern another issue.

City Attorney Rose stated that DOT will have to approve any entrance or exit off of 301 and Thomas Betts Parkway related to this. He explained that Council is supposed to consider every use that could be made of this parcel not specifically this one so if it gets rezoned they could use it for something else but he does not think it is going to get approved until DOT is satisfied that it is safe.

Councilmember Harris asked how many proposed tractor trailer trucks will be coming into this facility on a daily basis. He stated his concern is safety and inquired about how many islands they will have to service over the road tractor trailers.

Tommy Pearce of Race Trac responded that they are still doing their traffic studies so that number will be based off of the number of tractor trailers that are currently occupying 301. He explained that as a result of their development, it is not likely that the number of tractor trailers on 301 is going to be increased as they will be servicing the traffic that is already present. He stated that right now he believes they are currently proposing three separate fueling stations which is not a very large number like you see at a Pilot or Loves on the interstate, but they will have the availability for them to fuel there.

Councilmember Harris stated he believes at the present time that Mr. Barnes has 20 to 30 tractor trailers in and out of his property on a daily basis and once Race Trac is up and running he believes that number would double or even triple. He explained that he is concerned with the present diagram and how that intersection and stop light is configured that there is going to be a lot more traffic and the possibility of a major catastrophe so he just cannot approve this.

Motion was made by Councilmember Blackwell, seconded by Councilmember Joyner and was approved by a roll call vote (6 ayes, 1 nays - Councilmember Harris opposed). **Ordinance No. O-2024-1** entitled **ORDINANCE AMENDING THE LAND DEVELOPMENT CODE AND MAP OF THE CITY OF ROCKY MOUNT** was approved.

PUBLIC HEARING/REZONING REQUEST

The Mayor opened a public hearing relative to the following rezoning request recommended for approval and found in compliance with the Comprehensive Plan by the Planning Board:

- Request by Thomas Wayne Hopkins to rezone an ±0.856-acre site at 52 Green Pasture Road, from B-5 (Commercial Services District) to A-1 (Agricultural Residential District)

It was noted that the item was postponed from December 11, 2023 City Council Meeting.

Emilie Pinkston, Director of the Department of Development Services gave a brief overview of the request.

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

Motion was made by Councilmember Joyner, seconded by Councilmember Blackwell and unanimously passed by a roll call vote (7 ayes, 0 nays) and **Ordinance No. O-2024-2** entitled **ORDINANCE**

AMENDING THE LAND DEVELOPMENT CODE AND MAP OF THE CITY OF ROCKY MOUNT was approved.

PLANNING BOARD RECOMMENDATIONS

The City Council received the minutes and recommendations from a Planning Board meeting held December 12, 2023.

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

A. PUBLIC HEARING/REZONING REQUEST

The Mayor opened a public hearing relative to the following rezoning request recommended for approval and found in compliance with the Comprehensive Plan by the Planning Board:

- Request by Omar Bayyari Mohammad (A.M.E. Automotive & Services Express) to rezone a 1.44-acre site at 14500 US 64 Alt. West Hwy from B-1 (Neighborhood Commercial District) to B-5CD (Conditional Commercial Services District) - *with a condition that salvage operations and junk yards are prohibited on the subject property*

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

Councilmember Knight stated he received a call from some constituents in that area saying that the intersection is well traveled and is identified as being a pedestrian friendly community. He continued stating that they are concerned that being rezoned with the intent to establish an outside storage warehouse and possibly automotive uses in the future would be an eyesore to the community and travelers who utilize this corridor each day. He inquired if the Planning Board would be involved in approving the site plans as well as development services.

Mrs. Pinkston responded stating that the Planning Board would be involved if the development involved a construction project that was over 10,000 square feet, but given the proposed use and the size of the property it would likely be reviewed administratively by the development review committee.

Councilmember Knight stated the second concern in reviewing the mailings of notice list in the Edgecombe County GIS only 3 of the 11 notifications were sent out to the residential property owners. He explained that 2 of those notifications were in Whatley Cove subdivision which consists of 50 residential property owners. He stated that notifications were sent out to the required properties within 200 feet surrounding the proposed site but you have the majority of the homeowners who are going to be impacted may not have been aware. He continued stating that the rezoning sign posted on the site does not provide specific information pertaining to the rezoning only that the public hearing is being held. He explained

that the main concern is that the development is done correctly and to just make sure that it is not going to be an eyesore on that corner because it is well traveled.

Mrs. Pinkston stated that her office will ensure that all of the regulations within the Land Development Code are complied with and Public Works and other City departments will also be reviewing the site plan as part of the development review committee.

Councilmember Blackwell stated he knows they are in the process of doing comprehensive development plan review and one of the conversations that they have had in times past with developers when they are coming into communities that had concerns about the way things looked or how they operated was on voluntary design standards. He explained that there were some communities that did not want to have Mitchell building built up where you see the metal and there is no brick facing. He stated that Leggett Road and Springfield community is a single-family home community that has lots of potential to grow. He inquired if there is some type of opportunity to speak with the developer when they are bringing in a business that seems to be necessary and important to the community that they are also neighborhood sensitive. He stated that he knows that is a money issue, but it is also a neighborhood and a branding issue for community. He stated that perhaps there could be some reassurance given to the people who live in those communities that there would not be a different standard for a development that goes on Springfield Road then they would have for Sunset Avenue.

Mrs. Pinkston responded that the Land Development Code does outline appearance standards along certain arterials within the City but she does not believe that Springfield Road is one of those arterials. She explained that the City could certainly encourage appearance standards or certain materials to be included with the development, but because it is not part of the Land Development Code, administratively, they would not be able to require those types of materials or appearance standards.

Councilmember Blackwell stated he is hoping that as they move forward in a new plan design that they would include corridors with design standards so that it is not acceptable if you live in a certain location with certain people you have great looking buildings and if you are not in that location, the buildings are not so great.

Councilmember Knight inquired since this has not been voted on as far as the building and the site plan, would these things have been discussed if the community came out and asked for those specific things of the developer.

Mrs. Pinkston responded that it is possible that appearance standards can be included as a condition of a rezoning. She explained that at the public hearing for the Planning Board, the architectural discussion or particular design elements were not brought up from the public.

Councilmember Daughtridge stated he felt Council needed clarification before moving forward because when he was on the Planning Board, he recalled certain substrates required of anything facing a street.

Councilmember Knight made a motion to postpone this item until the January 22, 2024 City Council meeting, seconded by Councilmember Jabaris Walker and unanimously carried by a roll call vote (7 ayes/0 nays) that this item be postponed until January 22, 2024.

Omar Bayyari Mohammad

- Stated he is the owner of the land and he has paperwork from where he purchased the building already pre-made
- Stated he can show Council the structure and design and the metal roofing to see if it fits their needs and it is presentable for them

Mayor Roberson stated that Mr. Mohammad has heard the questions that have been raised and anything he can address with the Planning Board would be very helpful toward the consideration to this particular matter. The Mayor explained that he believes that is the will of the Council based on this discussion and if he can do that then they will receive all of the information that they need and they will be happy to bring the item to vote at the next meeting.

ANNEXATION NO. 332 - HARPER & WILLIAMS (SUNSET AVENUE)

The recommended action is to postpone this item to February 12, 2024 City Council meeting. Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner and unanimously carried by a roll call vote (7 ayes/0 nays) that the item be postponed.

PUBLIC HEARING/REZONING REQUEST

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

- Request by 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)

The recommended action is to postpone this item to February 12, 2024 City Council Meeting. Motion was made by Councilmemembr Joyner, seconded by Councilmember Daughtridge and unanimously carried by a

roll call vote (7 ayes/0 nays) that this item be postponed to February 12, 2024.

CLOSED SESSION (added in open session)

A Closed Session was requested relative to matters concerning personnel.

Motion was made by Councilmember Joyner, seconded by Councilmember Jabaris Walker and unanimously carried by a roll call vote (7 ayes/0 nays) that the City Council enter into Closed Session at 8:44 p.m. The minutes of the Closed Session shall be filed as **ESM-639a** at the end of **Minute Book 38** upon approval for release by the City Attorney.

REGULAR SESSION

Mayor C. Saunders Roberson, Jr. convened the City Council meeting in regular session at 9:14 p.m.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner and unanimously carried that the meeting be recessed at 9:15 p.m. to reconvene on Tuesday, January 16, 2024 at 11:00 a.m. for the purpose of entering into a closed session to continue discussion relative to matters concerning personnel.

January 16, 2024

RECONVENED

Mayor C. Saunders "Sandy" Roberson, Jr. reconvened the City Council meeting in session at 11:00 a.m.

Councilmembers present: *André D. Knight, **Reuben C. Blackwell, IV, Richard Joyner, T.J. Walker, Jr., Lige Daughtridge and Tom Harris.

Councilmembers absent: Jabaris Walker

CLOSED SESSION

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner and unanimously carried that the City Council enter into Closed Session at 11:09 a.m. to continue discussion of matters concerning personnel. The minutes of the Closed Session shall be placed on file as **ESM 639b**, at the end of **Minute Book 38**, upon approval for release by the City Attorney.

* Councilmember Knight arrived at 11:10 a.m.

** Councilmember Blackwell joined via phone at 11:36 a.m.

REGULAR SESSION

Mayor C. Saunders Roberson, Jr. convened the City Council meeting in regular session at 12:55 p.m. There being no further business for discussion, the Mayor adjourned the meeting.



Kim Batts
City Clerk