

1. Agenda

Documents:

[2024-09-09 - SHORT AGENDA WITH LINKS \(PDF\).PDF](#)

[2024-09-09 - ACTION AGENDA \(PDF\).PDF](#)

CITY COUNCIL AGENDA SEPTEMBER 9, 2024

North Carolina
First Responder's Day
September 11, 2024



*honoring those brave men and women who
suit up each day to protect and serve our community*

[View Main Agenda](#)



ROCKY MOUNT CITY COUNCIL VISION STATEMENT

Rocky Mount is a City composed of people of diverse backgrounds, heritages, and interests with a shared sense of values, stewardship and community.

It is a City where all citizens have the opportunity to realize their full potential through individual initiative and community support.

Its citizens enjoy and value the benefits of efficient, cost-effective and responsive public services, a strong and diversified economy, and superior cultural and educational resources.

Rocky Mount recognizes and appreciates its history while responding to the challenges and opportunities of regional and global change in a proactive and realistic manner.





W E L C O M E !

We are pleased you are attending a Rocky Mount City Council meeting. You are now participating in the process of representative government. We appreciate your interest and hope you and your fellow citizens will attend often. Democracy cannot endure without an informed electorate.

Rocky Mount has the Council-Manager form of local government. Policy is set by the Mayor and Council, who are elected by the people. The policy is implemented by the City Manager, who is appointed by the Council. The Council decides what is to be done. The City Manager, operating through the entire City staff, does it. This separation of policy-making and policy administration is considered the most economical and efficient form of City government.

COUNCIL MEETINGS

The City Council meets in regular session twice each month in the George W. Dudley City Council Chamber of the Frederick E. Turnage Municipal Building. These meetings are open to the public and are held on the following schedule:

2nd Monday - 7:00 p.m.

4th Monday - 4:00 p.m.

At these meetings, the City's business is conducted and ordinances and resolutions, the laws of Rocky Mount, are enacted. Ordinances take effect upon their adoption when approved by a majority of the Council. All ordinances must be in writing. They are introduced at one meeting and adopted at a subsequent meeting. The Council may, however, by an affirmative vote of five (5) members, adopt an ordinance at the same meeting it is introduced. The Council frequently uses this procedure.

Councilmembers receive the agenda for a Council meeting, together with detailed background material, on the Thursday prior to each regular meeting. This gives them the opportunity to study each item on the agenda prior to the meeting and consult with the City Manager or City staff members. If no additional pertinent facts are presented at the meeting, items are often acted upon without further discussion, particularly in routine matters. This procedure helps Council meetings to move more expeditiously.

INFORMAL WORK SESSIONS OR COMMITTEE MEETINGS

The Council generally conducts a work session or COMMITTEE OF THE WHOLE meeting at 5:00 p.m. prior to the first regular monthly meeting. The COMMITTEE OF THE WHOLE is the entire City Council meeting as a committee to discuss matters requiring more in-depth explanation, study or discussion. The Committee frequently makes recommendations to the City Council, however, no recommendations made by the COMMITTEE OF THE WHOLE are final until accepted by the Council in a regular meeting.

These meetings are open to the public.





HOW A CITIZEN CAN BE HEARD

Citizens may appear before the Council to be heard on any subject related to City government, or any individual matter which may involve City government. A provision is made on each City Council agenda for **PETITIONS TO BE RECEIVED FROM THE PUBLIC**. At this time, citizens are encouraged to bring to the Council's attention matters that are not otherwise specifically listed on the agenda. If the matter you are interested in is specifically listed on the agenda, you are asked to address that issue when it is being considered. If you desire to be heard, you are asked to advise the Mayor in which item you are interested at the time it appears on the agenda. You will be requested to use the speakers stand, give your name and address and identify any group which you represent. Citizens addressing the Council on any matter shall not abuse their privilege and shall confine themselves to the question under debate, and avoid all personal or indecorous language. The City Clerk prepares the minutes of the meetings. After approval by the Council, these become the official record of the proceedings. The entire meeting is tape recorded for accuracy in preparing the minutes.

PUBLIC HEARINGS

Prior to the enactment of some ordinances or resolutions, the law requires that the City Council conduct a public hearing in order that the public may have an opportunity to be heard. The most common of these are zoning ordinance changes, the ordering of public improvements and determination of assessments. Most public hearings are conducted in the general course of a regular meeting and are usually scheduled for the evening meeting of the City Council on the second Monday of each month to afford more citizens an opportunity to attend.

MAYOR

C. SAUNDERS ROBERSON, JR.

CITY COUNCIL

LIGE DAUGHTRIDGE, MAYOR PRO TEM
(WARD 5)

ANDRÉ D. KNIGHT (WARD 1)

REUBEN C. BLACKWELL, IV (WARD 2)

RICHARD E. JOYNER (WARD 3)

T. J. WALKER, JR (WARD 4)

TOM HARRIS (WARD 6)

JABARIS D. WALKER (WARD 7)

CITY STAFF

PETER F. VARNEY, *INTERIM CITY MANAGER*

KIM BATTIS, *CITY CLERK*

ELTON DANIELS, *ASSISTANT CITY MANAGER*

NYKI HILL, *ASSISTANT CITY MANAGER*

COLIN McGRATH, *CITY ATTORNEY (INTERIM)*





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PUBLIC PETITIONS

The Public Petitions portion of the City Council meeting is an opportunity for public comment; and the City Council appreciates your attendance and values all citizen input.

This is an opportunity to express views and concerns about the City of Rocky Mount to the Council; however, in most cases Councilmembers will not respond to public comments but may refer a matter to the City Manager or staff for follow up.

Time will be monitored in order to give everyone an opportunity to speak and speakers will have three minutes.

Please be aware that sign-in sheets must be presented to the Security Officer prior to the opening of the City Council meeting.

If an organized group is present to speak on a common issue, please designate one person to present the group's comments.

If your comments are in regard to an item that is the subject of a public hearing, please wait until that item is introduced to speak. Time will also be monitored.

If your comments are in regard to an evidentiary hearing additional time may be granted.

The City Council requests that you **PLEASE ADHERE TO THE FOLLOWING GUIDELINES:**

- **Complete a sign-in sheet;**
- **Address comments to the Council as a whole and not to individual Councilmembers or City staff;**
- **Speak from the podium in a civil, non-argumentative and respectful manner;**
- **Personal attacks which have the potential to disrupt the meeting will not be tolerated and you will be asked to sit down or be removed from the meeting;**
- **Keep comments to three minutes**

Thank you!





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AGENDA FOR A REGULAR SCHEDULED MEETING OF THE CITY COUNCIL OF THE CITY OF ROCKY MOUNT TO BE HELD MONDAY, SEPTEMBER 9, 2024 AT 7:00 P.M. IN THE GEORGE W. DUDLEY CITY COUNCIL CHAMBER OF THE FREDERICK E. TURNAGE MUNICIPAL BUILDING.

The City will be using YouTube to livestream the City Council meeting. To view the meeting click here:

<https://www.youtube.com/user/CITYTV19>

1. Meeting Called to Order by the Mayor
2. Prayer
3. Roll Call by the City Clerk
4. Consideration of the Minutes of the Regular Scheduled City Council meeting held June 24, 2024
[View](#)
Recommended Action: Approve Minutes
5. Consideration of additions or deletions to the agenda
6. Community Update – Interim City Manager Peter F. Varney
7. Presentations and Recognitions: [View](#)
 - Consideration of Resolution Recognizing and Congratulating the Rocky Mount Parks and Recreation Department’s (NCRPA) Statewide Athletics Committee (SWAC) 2024 10U All Star Boys Basketball Team on Winning the 2024 NCRPA SWAC State Basketball Tournament; and
 - Consideration of Resolution Recognizing and Congratulating the Rocky Mount Parks and Recreation Department’s (NCRPA) Statewide Athletics Committee (SWAC) 2024 12U All Star Girls Basketball Team on winning the 2024 NCRPA SWAC State Basketball Tournament; and
 - Consideration of Resolution Recognizing and Congratulating the Rocky Mount Parks and Recreation Department’s (NCRPA) Statewide Athletics Committee (SWAC) 2024 12U All Star Boys Basketball Team on winning the 2024 NCRPA SWAC State Basketball Tournament; and
 - Consideration of Resolution Recognizing and Congratulating the Rocky Mount Parks and Recreation Department’s (NCRPA) Statewide Athletics Committee (SWAC) 2024 14U All Star Basketball Team on winning the 2024 NCRPA SWAC State Basketball Tournament

Recommended Action: Adopt Resolutions





8. Petitions to be Received from the Public

Note: Please complete Citizen Sign-In Sheet and provide to Security Officer prior to opening of meeting. Please limit presentations to three (3) minutes. Time will be monitored.

9. **CONSENT AGENDA:**

A. Consideration of Tax Releases and/or Refunds: [View](#)

- Schedule A – taxes under \$100 approved for release and/or refund by the City Manager; and
- Schedule B – taxes over \$100 recommended for release and/or refund by the City Council

City Manager Recommendation: Approve Tax Releases

B. Consideration of Project Ordinance appropriating \$450,000 to the Economic Development Fund as awarded from the North Carolina Department of Commerce’s Building Fund Reuse Grant Program for Project “Smart” [View](#)

City Manager Recommendation: Adopt Ordinance

C. Consideration of Petition for Annexation No. 336 – Property on Morning Star Church Road [PIN 386395264600] (contiguous) [View](#)

*City Manager Recommendation: 1) Acknowledge Receipt of Petition; and
2) Adopt Resolution Ordering City Clerk to Investigate Sufficiency of Petition*

D. Consideration of RFP 320-09093AG Re-Bid - Old Mill Road Pump Station – award to Dellinger, Inc. at a total cost of \$5,617,689 plus a 3.43% contingency in the amount of \$192,861 [View](#)

*City Manager Recommendation: 1) Award Bid as Recommended; and
2) Authorize the Mayor and City Clerk to Execute the Bid Contract on behalf of the City*

E. Consideration of One Year Lease Renewals for the following Commercial Douglas Block Tenants: [View](#)

1. NABS (213-219 NE Main Street)
2. Best, Lawrence Law, PA (184 & 188 E. Thomas Street)
3. Wee Care Pediatrics, PLLC (200-210 E. Thomas Street)

*City Manager Recommendation: 1) Adopt Resolutions Authorizing Leases of Certain Properties; and
2) Authorize Mayor and City Clerk to Execute Leases on behalf of the City*





F. Consideration of Acquisition of property located at 325-329 NE Main Street for Economic Development [View](#)

*City Manager Recommendation: 1) Authorize Property Acquisition; and
2) Authorize Interim City Manager and City Clerk to Execute all closing documents for acquisition*

G. Consideration of Acquisition of property located at 346 Albemarle Avenue for Economic Development [View](#)

*City Manager Recommendation: 1) Authorize Property Acquisition; and
2) Authorize Interim City Manager and City Clerk to Execute all closing documents for acquisition*

Recommended Action: Approve Consent Agenda inclusive of:

- 1) Approve Tax Releases; and
- 2) Adopt Ordinance and Resolutions; and
- 3) Acknowledge Receipt of Petition; and
- 4) Authorize the Mayor and City Clerk to Execute the Bid Contract on behalf of the City; and
- 5) Authorize Mayor and City Clerk to Execute Leases; and
- 6) Authorize Interim City Manager and City Clerk to Execute all closing documents for acquisitions

10. Consideration of the Recommendations from a Planning Board Meeting held on July 9, 2024 and Acknowledge Receipt of Planning Board Minutes: [View](#)

**Overview of request(s) and recommendation(s) by the Director of Development Services or her designee*

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: [View](#)

- Request by Barbara Haddon Nuckols, to rezone property having an area of ± 5.28 acres at 2915 N. Wesleyan Blvd. [PIN 386213233993] from R-10 (Low-Density Residential District) to B-5CD (Conditional Commercial Services District) – *prohibited uses listed in Ordinance*

Recommended Action: 1) Receive Public Comment; and
2) Adopt Ordinance





B. 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:

[View](#)

- Request by Adrienne Copland [Hola Aloha Group, LLC], to rezone property having an area of ± 0.24 acres at 1131 S. Church Street, from R-6MFA (Medium Density Multifamily Residential District) to B-5CD (Conditional Commercial Services District)

Conditions: The following uses shall be prohibited

- Kennel
- Crematorium
- Nightclub, bar or tavern

Hours of operation of a non-residential use will be limited to 7:00 am to 10:00 pm.

Recommended Action: 1) Receive Public Comment; and
2) Adopt Ordinance

11. Consideration of Resolution Authorizing Lease Agreement with Asif Daher, doing business as, Yaba Group, Inc. for City-Owned Property at 207 East Thomas Street (5-year lease with automatic renewal for one (1) successive term of five (5) years; annual rent = \$42,000 - renewed lease will increase rent 5% to \$44,100 annually; initial term August 26, 2024 – August 26, 2029 – renewal term will be August 26, 2029 – August 26, 2034; lease was advertised pursuant to G.S. 160A-272) [View](#)

***Item was postponed from August 26, 2024 City Council Meeting*

Recommended Action: Postpone until September 23, 2024 City Council Meeting

12. Consideration of contract continuation with enhancements and innovations with Axon/FUSUS - total amount of contract extension is \$5,135,523.86 over five (5) years (*enhancements include - additional licenses for sworn and non-sworn officers, tasers, drones and interview rooms to increase the public safety suite of capabilities for carrying out law enforcement*) [View](#)

***Item was postponed from August 26, 2024 City Council Meeting*

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13. Consideration of 1) Resolution Authorizing the Filing of an Application for Approval of an Amendment to an Installment Financing Contract Dated as of February 20, 2024, by and between the City of Rocky Mount and PNC Bank (Project Winner) and Making Certain Findings Required by NCGS 159-151; 2) Authorization to Execute First Amendment to Deed of Trust; 3) Consideration of first Amendment to Installment Financing Contract with PNC Bank (*the final maturity date of the 2024 IFC will be modified from 1/20/2029 to 2/20/2034, and the principal payments will be revised accordingly - All other terms remain unchanged*) [View](#)

Recommended Action: 1) Adopt Resolution; and
2) Authorize Appropriate Staff to Execute Amended Deed of Trust; and
3) Approve Amendment to Installment Financing Contract and Authorize the Mayor, Interim City Manager, Finance Director and City Clerk to Execute the Same





14. Consideration of Loan Subordination Agreement with the NC Housing Finance agency relative to City of Rocky Mount Partnership with Southeastern NC Community Development Corporation on the Vance Street Homes (\$391,000) [View](#)

Recommended Action: Authorize Mayor and City Clerk to Execute Loan Subordinate Agreement

15. Consideration of Memorandum of Understanding between Rocky Mount Police Department and Nash County Public Schools (the MOU includes Eight SRO officers fully funded by Nash County Public Schools for the 2024-2025 and 2025-2026 school years) [View](#)

Recommended Action: Approve Memorandum of Understanding





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A	=	APPROVAL	C	=	REFERRED TO COMMITTEE
AD	=	APPROVAL DENIED	T	=	TABLED
NA	=	NO ACTION	RA	=	REMOVED FROM AGENDA
D	=	DEFERRED	I	=	INTRODUCED
R	=	REFERRED	RW	=	REQUEST WITHDRAWN
O	=	OTHER	RCA	=	REMOVED FROM CONSENT AGENDA

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A~ Recommended Action: Adopt Resolutions

8. Petitions to be Received from the Public

The following individuals spoke (more details to be included in minutes):

- *Curmilus Dancy*
- *Gloria Alston*
- *Dr. Kim Koo*
- *Richard Petway*
- *Mumtaz Shaik*
- *Robbie Davis*
- *Theresa Alston Stokes*
- *Bronson Williams*

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A~ Recommended Action: Approve Memorandum of Understanding

A~ 16. Closed Session – Personnel (*added in open meeting*)

- Consideration of Separation and Independent Contractor Agreement with Keith Rogers Jr. - *added when meeting was reconvened in open session*