

January 28, 2019

The City Council of the City of Rocky Mount met this day in regular session at 4:00 p.m. in the George W. Dudley City Council Chamber of the Frederick E. Turnage Municipal Building with Mayor David W. Combs presiding.

Councilmembers present: André D. Knight, Reuben C. Blackwell, IV, Richard Joyner, E. Lois Watkins, Tom Rogers, W. B. Bullock and Christine Carroll Miller.

Staff Present: Rochelle D. Small-Toney, City Manager; Pamela O. Casey, City Clerk; Chris Beschler and Natasha Hampton-Clayton, Assistant City Managers; Tameka Kenan-Norman, Chief Communications and Marketing Officer; Archie Jones, Director of Human Relations; Elayne Henderson, Director of Human Resources; Amy Staton, Director of Finance; Mark Adcox, Video Production Specialist; Nicki Gurganus, Accounting Manager; Lori Cairo, Chief Internal Auditor; Robin Cox, Communications Specialist; Jonathan Boone, Director of Public Works and Water Resources; Paula Carbone, Accountant; Senior Internal Auditor; Ken Hunter, Budget and Evaluation Manager; Kim Batts, Deputy City Clerk; Rusty Owens (part-time) and Richard J. Rose, City Attorney.

Security Officer: Police Sergeant William Mayfield.

The Mayor opened the meeting and called on Councilmember Reuben C. Blackwell, IV to offer prayer.

WELCOME

Mayor Combs welcomed citizens and directed them to copies of the agenda near the entrance of the City Council Chamber.

APPROVAL OF MINUTES

The minutes of a regular scheduled meeting of the City Council held January 14, 2019 were approved as submitted to the City Council prior to the meeting.

STATEMENT - MAYOR DAVID W. COMBS

Mayor David W. Combs read the following prepared statement:

“Thank you all for being here this afternoon. At our called meeting last week, I know some of you were disappointed that I did not comment. Since the Council and I were dealing with a personnel issue and no action was taken, I was advised by the City Attorney not to make any comments. However, as your Mayor, I feel a need to make some comments today before we move to our next agenda item.

I have gotten numerous calls from people that feel like as Mayor I can just make the decision to hire or fire the City Manager, so I want to take a moment to explain how the City operates. First, everyone needs to understand that the City Council does not run the City on a day-to-day basis. The City Council sets policy and approves the annual budget. In addition, the City Council may approve or disapprove of agenda items that come before them at a City Council meeting. When it comes to personnel, the City Council is involved only in the hiring or firing of the City Manager, the City Clerk and the City Attorney. The final action with respect to other hiring and firing decisions rests with the City Manager. As Mayor and Council, we explicitly are not allowed to be involved in Human Resources decisions. We operate this way as part of our City policy and City charter.

As Mayor, most of you know that I preside at City Council meetings, but I do not have the right to vote unless required to break a tie. In my 11 years as your Mayor, I cannot recall voting on a single matter. It is also true that any motion made by a Councilmember requires a second and needs at least four votes to pass. However, I will tell you that probably 98 percent of the items that have been brought before this Council for approval in my 11 years have been approved by a unanimous vote. We are a diverse City, and our Councilmembers represent this diversity. While Councilmembers represent the wards that elected them, they also make decisions that are in the best interest of the entire City.

I know that all the City Councilmembers, as well as myself, have been listening to citizens' concerns over the last two weeks. Citizen input is extremely important to all of us. Please be aware that any decision made in regard to the City Manager will not be made because of newspaper articles or social media posts but will be based on facts.

Our City Manager, Rochelle Small-Toney, was the former City Manager of Savannah. Some have questioned issues surrounding her former employment. The Council was aware of these issues. Before hiring Mrs. Small-Toney, an investigation of these issues occurred. The Council sent a retired police chief to Savannah to conduct an in-depth investigation. His findings indicated that any accusations were not substantiated. His investigation concluded that the issues were political in nature and not due to any real wrong doings.

When Mrs. Small-Toney was hired, she was the first City Manager in at least 50 years who was not hired from within the City. At the time the Manager's position was posted, we did not have any internal candidates. Her selection by the Council was based on many factors, including her 35 years of local government experience with hopes that she could bring new ideas and proven management practices to our City.

As far as some of the issues that the newspaper has highlighted, most of them are well within the scope of her job, such as:

The Police Chief Search - we have used the same method in the past. The final decision has always been made by the City Manager. The process does not call for the assessment team to make recommendations. Team members score each candidate on different exercises that the candidate must complete. At the end of this process, each candidate has a final score. At no time in the process is there a final recommendation given by the assessment team.

The next one ... Hiring City Employees -While everyone might not agree with some of the City Manager's decisions on the people she has hired for her team, these decisions are well within the scope of her role as City Manager. When former City Managers Steve Raper and Charles Penny were here, they both made hiring decisions about Assistant City Managers and department heads without consulting the City Council.

The supposed Discrimination Law Suit - There was never a lawsuit as the newspaper's headline alleged - the City did work out a settlement agreement with an employee, John Jesso, but there was not a lawsuit.

The Renovations - The Council approved a budget this year that included some renovations to City Hall. There has been a lot of deferred maintenance on City Hall over the past years, especially during the recession, and there were repairs that needed to be done. Some of those repairs were needed in the City Manager's office and Assistant Manager's offices. However, again the Council does not make those decisions but would have approved overall renovations to City Hall in their 2019 Budget.

With all that said, as your Mayor, I have two major concerns.

City Employees and Morale - First, I want to assure our City employees that we expect our Manager to create an employment atmosphere of collaboration and not intimidation. Each and every employee needs an opportunity for professional growth and a pathway to promotion. I am concerned that we have lost a number of employees with years of experience over the last year. Has too much damage been done? I am not sure any City Manager could be effective after this relentless media pressure. I believe that having the public's trust is critical in managing the

operations of the City and, when that trust is lost by employees and the public, it would be almost impossible to recover.

My last remark has to do with all of the positive things that are happening in our community. The City, along with other economic partners, has worked hard to bring new economic development and businesses to our area. Over the last year, I have gotten many unsolicited comments from people about how positive they feel about Rocky Mount and its future - better than they have felt in many years.

Unfortunately, 16 straight days of negative press and an untold number of negative social media posts cannot be good for our City. Please, for the sake of our collective growth and prosperity press the pause button. Take a deep breath before you speak or write. Posting negative comments about your City is NOT going to help resolve this personnel issue. But, I can predict what it WILL DO. It will make it more difficult to retain and to recruit business and families to our community.

I know these are real concerns. I am not discounting any of them or your valuable input. Know this. I am equally concerned. But going forward as your Mayor and Council, we have to be careful that any decisions we now make or any actions we take in regard to this matter WILL NOT put our City, your City, at risk.

I thank you for your continued support and your active interest in this current process, and I hope that everyone will be patient and allow us to work through this difficult issue. "

STATEMENT – MAYOR PRO TEM TOM ROGERS

Mayor Pro Tem Tom Rogers read the following prepared statement:

“The City Council has authorized an independent, in-depth review into matters that it has identified relative to the activities of the City Manager and leadership of our City, including employee morale, employee turnover, compensation practices, hiring practices, financial management – including HUD’s relationship with Rocky Mount – and any other items that may be identified. This review will begin immediately and proceed with speed, thoroughness and objectivity. The final report will be utilized by the City Council to determine fair and appropriate steps in this matter.

To employees: We deeply value your commitment and service to the citizens of Rocky Mount. We know this is a time of uncertainty, and we pledge to do all we can to stabilize your work environment.

To the citizens of Rocky Mount: We know that you have questions, and we feel your concern. We take all matters of this City – especially the current situation – with the utmost seriousness. We commit to take the necessary steps to resolve this matter expeditiously and in a way that continues the forward momentum and excitement that is underway in Rocky Mount. We remain supportive of an equitable, inclusive and supporting environment for everyone. "

PETITIONS FROM THE PUBLIC

The Mayor opened the meeting for petitions from the public and recognized the following individuals who made the following comments/statements:

Susan Perry Cole:

- Associated herself with the group “Women for Growth”;
- Expressed her continued support and faith in the integrity, maturity and professionalism of members of the City Council in the midst of this difficult controversy; she stated she believes the Council, not the local newspaper and not an enraged mob of local citizens with a predetermined outcome in mind, is fully competent to address any performance matters at issue relative to the City Manager;
- Encouraged the Council to operate in a transparent manner to reinforce the notions of even-handed conduct in personnel deliberations so that residents, especial African-American women residents, can maintain trust and confidence in the Council’s oversight role;
- She expressed her strong support for the continued employment of the City Manager;

- Stated that as a resident of an underserved neighborhood she has found the Manager and her Executive Staff to be activity open to listening to neighborhood residents about our serious fair and affordable housing concerns; and
- Said we should get back to the agenda of building an inclusive and shared prosperity for all Rocky Mount residents and conclude this unfortunate episode focused on the journalist lynching of the City Manager

The Mayor outlined the guidelines for Petitions from the public continued this portion of the meeting calling on the following:

Lige Daughtridge:

- Stated he is a life-long resident of Rocky Mount and loves this City;
- Said if you can find a positive somewhere, the one thing that has come from “all of this” is there has been more interest in the City and the things going on;
- Said the *Telegram* has exposed many issues relative to the Manager; it appears her track record from other communities is repeating itself in Rocky Mount;
- Stated Ms. Small-Toney has dismantled the Downtown Development Department and questioned how this will impact investors in the Downtown, not to mention that tons of tax payer money has been invested in the Downtown;
- Said while it is natural that the Manager would bring in her own folks, questioned how can they be paid 30% more than the maximum pay rate of previous employees;
- Stated we finally have an economic momentum and this unwanted attention is making investors think twice about our community and this cannot happen;
- Said there is indisputable evidence that cronyism and mismanagement in her administration has cost this City money and the loss of qualified, capable employees;
- Said Council should let their legacy be that they were above personal agendas and acted in good faith for the City they represent and asked that they vote to relieve Rochelle Small-Toney of her position as City Manager; and
- Stated he mentioned in the last Council meeting that though Council does not have direct reports from City employees, the Council is ultimately responsible for City employees and their well-being and if one employee has had an issue that led to settlement will Council look into the possibility that other employees have had issues but chose not to come forward out of fear for their careers. He questioned what Council is doing to make other employees feel they can speak out without fear of retaliation and what they are doing to ensure City staff morale is in good shape, so they are in the position to do their jobs and provide quality service to the citizens of Rocky Mount; and repeated that Council has ultimate responsibility to the employees of Rocky Mount

Nathlyn Ohree:

- Said it is with pleasure that she represents the NAACP (the National Association for the Advancement of Colored People); and they have confidence in the Rocky Mount City Council and the City Manager Rochelle Small-Tony;
- Added the mission of the NAACP is to ensure the political, educational, social and economic equality and rights of all persons and to eliminate race-based discrimination;
- Stated the manner in which our City Manager has been smeared across the headlines of the local newspaper has been disruptive to the tranquility of our local community and there appears to be some discriminatory and derogatory undertones surrounding several issues involving our City Manager;
- Said it is concerning that some misinformation has been blown out of proportion and presented to the public as factual with no regard publicly demonstrated for the attention the City Manager has devoted to not only pursuing a higher level of advancement and development of our City but also the transparency with which she has maintained since coming to our City;
- Said the local newspaper has acted as an accuser, a judge and the jury and has levied heavy accusations that have troubled our community at a level that seems hostile;
- Stated the citizens of Rocky Mount deserve respect, positive sensitivity in this current climate of political unrest and it is apparent that the local newspaper does not respect the City Manager, the City Council or the citizens of this fine City as demonstrated by the depth and breadth of the negative slant it has reported;

- Apologized to Mrs. Rochelle Small-Toney for the distasteful treatment she and her family has had to endure and commended her for her humility, grace, confidence and faith in God maintained as she pursues personal and professional excellence. She said she has fired up the City of Rocky Mount and has improved safety patterns, new street lights and other community improvements; and
- Said the community is looking to the Mayor and the City Council to clarify the issues and help the community move in more united unity.

Clark Covolo:

- Said a couple weeks ago he helped put together a bi-partisan team to hold Rocky Mount and its management accountable for fiscal mismanagement and a failure to maintain a viable and sustainable working environment and has received praise from citizens and City employees and told the team resembles a lynch mob;
- He said he does not blame anyone for that accusation and white people have been intimidated by black public officials since well before the Wilmington insurrection of 1898, a violent overthrow of the fairly-elected black government that happened in our own backyard. He said he sees the blood from that conflict among others on the leaves, but that being said will forever maintain that his issue with Ms. Small-Toney is not of race, not of gender but confidence in her ability to help our City grow and keep the best talent; a confidence that was fine in 2017 but has dwindled to nothing;
- He said his confidence in the Manager's ability to lead the City was compromised by the following questions to himself:
 - Why is Elton Daniels getting a 35.4% raise from his last job as Selma's town Manager;
 - Why would Small-Toney hire Dr. Faulcon again after all the criticism they received in Savannah;
 - Why did Dr. Faulcon drop the ball on \$182,000 in federal funding for a housing project last year (that is irresponsible and consistent with a pattern of hiccups seen from Faulcon in Norfolk, VA where the City didn't maintain adequate control over its HUD funds);
 - Why was there such a significant drop in building permits in the past couple years; and
 - Why did a former black female City employee say this about Dr. Faulcon: "the new director's poor management style has affected those in the department, employees through the organization, and community partners as well establishing a reputation of bullying and disrespect" and this claim is supported by other claims.
- Stated if the Council decides to keep Ms. Small-Toney it will be signing itself up for more resignations, more media scrutiny, less grant funding and less business Downtown; and
- Asked, as someone who has lived here his entire life, that she be given the opportunity to resign so that she and the City both have a future to look forward to.

Jerome Brown

- Stated he has a solution and thinks the Manager as well as the Council has come up with the solution a shake-up of the status quo and the only people unhappy about that are those who are a part of the status quo;
- Said in his opinion if Ms. Rochelle Small-Toney were a white woman or a white male this would not be happening;
- Said he believes the Council is smarter than this and that Ms. Small-Toney is doing the job she came here and is being paid to do; and
- Stated the newspaper should be ashamed of itself and questioned what facts have been used to add up to her being guilty of anything and stated a bunch of accusations have been used to drag her through the mud; and the onslaught of newspaper articles are ridiculous and unsupported.

Debrah Parker:

- Said she and her husband moved here five years ago with plans to retire in Rocky Mount because of what the City had to offer;
- Said they saw the potential the City had, but is so disappointed;
- Said this has nothing to do with race or gender; but has to do with integrity, professionalism and doing what is right as a leader;

- Said she managed large groups of people and worked as hard as they did and being respectful and understanding of people and moving forward is what is needed;
- Stated her family looks like the United Nations and this has nothing to do with race or gender but with competency; and
- Said she is sorry the Manager is going through this but thanked the *Telegram* for having the nerve to report what is true and good

Thomas L. Walker:

- Said the original sin of America is racism;
- Stated he has lived in and pastored this community for almost 50 years and is proud of what Rocky Mount is;
- Said there is an attempt to keep African-Americans from rising up and being respected;
- Referred to an event in 1978 in the City wherein a black sanitation worker with a reputation in the community for being benevolent was picking up garbage and picked up some clothes. The owner of the property came to the City and reported it and he was ultimately charged;
- Said we have to stop playing games; there is a conspiracy in Rocky Mount and all over American; and
- Said he heard a group of people were going to make red hats to wear today that said make Rocky Mount great again and that is the kind of spirit we are dealing with.

Robert Warren Daughtridge, Jr.:

- Said he represents the 6th generation of his family in Rocky Mount and he is blessed to have his mother and his wife's mother living here in Ms. Watkins's ward and Mr. Bullock's ward;
- Said he, his wife, his father and his children all graduated from the Rocky Mount school system and upon graduating from Rocky Mount Senior High he joined the Navy and traveled the world while serving his country;
- Said he and his wife married and lived in Virginia, returning to Rocky Mount in 1993 choosing to make it their forever home;
- Stated this City on the Rise has taken many hard blows from storms like Fran and Floyd; seen the exodus of the tobacco and textile industries; seen unabated flight to the country just outside the City limits and somehow the City has remained resilient and we are just beginning to see the glimmer the City had when he was a child;
- Fears this glimmer may be fading if something isn't done to bring world-class leadership to this town;
- Said it is his opinion that hiring a person to lead the City with so much smoke trailing behind them and no true track record of success in running a City of this size is just asking for trouble;
- Asked that the Council do what it just reported it would do and thoroughly, swiftly and independently investigate this matter and get it behind us and come together as a community and truly make Rocky Mount the center of it all and fulfill our long-time commitment to be the City on the Rise;
- Committed that he and his wife will get involved and stay involved and he canceled an important business trip to Charlotte today to be here and be an example for his children and other Rocky Mount citizens;
- Said he recently participated in a mutual service with Word Tabernacle and committed to continuing outreach with them and uniting fellowships;
- Said we all have too much to lose and too much to gain to sit idly by;
- Said he and his wife have a choice and can live anywhere and they choose Rocky Mount and want to live in a world-class community;
- Asked the Council to help them get there and find common ground so we can work together for the betterment of our community and said it will be hard work but let's get it done.

John Jordan:

- Said he would like the Council as a whole to consider setting term limits for Council;
- Expressed his support and wish that the City get past this issue with the Manager; it affects the City; said the Manager hasn't been charged with anything so he wished her well in moving the City forward and expressed his faith following after a wonderful Manager (Charles Penny) and hope that she does well with what she has to work with and expressed his confidence.

Bronson Williams:

- Said there comes a time when silence is betrayal and our lives begin to end the day we become silent about things that matter; in that end, we remember not the words of our enemies but the silence of our friends and only in darkness can you see the stars;
- Stated he cannot speak to an issue without being totally informed; we live in a country where we are innocent until proven guilty;
- Said the Bible tells us how many times we should be forgivenas many times as necessary;
- In our own lives we may find there are things that should have kept us back but by grace and mercy we are still here standing today; someone gave us an opportunity to do something better;
- Said as one group wants to do this and another do that....what is best for Rocky Mount; how do we continued the economic development that is going on in our City; how do we unite the City;
- Stated one person said many years ago “this is a teachable moment”;
- Said we need to look at the auditor position; that person should report to a 6-person panel that includes 3 members of the City Council and 3 members of the public; the chief auditor should not operate under the threat of being terminated by the Manager exclusively; that the Manager must make a recommendation to the committee before that person is terminated so that person has true rank to investigate what’s happening within the City;
- Said he hopes as a community we will look at this teachable moment and see how we move Rocky Mount forward; oftentimes termination is not the answer, but the answer is working together for one common goal

Robert Davis:

- Said he has heard several people talking about truth and we are at a time in American where we accept a lie quicker than the truth;
- Said Council said the investigation made in Savannah revealed nothing and now people are saying the Manager is guilty of this and that; he says people are taking lies and making them truths and there is nothing that can be done to satisfy those with hidden agendas; and
- Said Council needs to take care of this instead of the community; they are being paid to do a job.

Kelly Kennedy (reporter with CBS17):

- Said she has requested interviews with the Council members, the Mayor and the Manager which have been denied. She stated she wants to put some questions on the record and hopefully get a response back at some point;
- Asked the following questions:
 - 1) Do City staff believe the reason City staff have left is because of Manager Small-Toney’s management style?
 - 2) Does Dr. Landis Faulcon still live in Virginia?
- Said she would like to hear Ms. Small-Toney’s side of things when she is ready to speak to them.

Jacqueline Barnes:

- Said she has been an employee of the City since 1999; she said it is important to note that many employees wanted to come speak today but changed their minds out of fear of how they will be treated in the future if Ms. Small-Toney loses here today;
- Said table talk initiated by the Manager and held for months gives employees an opportunity to speak with the Manager and share their concerns about anything work-related without the fear of retaliation; this is one resource many lower-level employees feel have given them a true voice;
- Said in March 2018 she attended H.E.A.R.T. training and the next day she told her director, several co-workers and later the HR Director for the first time in 11 years she felt inspired, elated and yearned to do more as a City employee; she said she no long felt complacent and wanted to grow in the organization; she said she felt like a flame had been lit inside her and the workshop was very personable and she could not remember the last workshop she had attended;

- Said Ms. Small-Toney has been in government for over 35 years; she was a budget and management analyst, a personnel analyst, an assistant City Manager; she did not accomplish all of those by being incompetent and the question is how did we get here and said it truly depends on whom you ask – some say race, some say relational, some say her past
- Said one thing no one can debate is her actions aren't illegal and it is not criminal; no doubt there is much work to be done in Rocky Mount and it is not beneficial for employees or residents to drive a wedge in our leadership;
- Asked for unity and acceptance internally and externally for whatever decision is made here today

Mark Russell:

- Said in his occupation he has attended approximately 300 town and Council meetings in the last few years relative to various matters and often members recuse themselves (approximately 50% of the time due to conflicts of interest);
- Said that does not appear to be the situation this board has;
- Said he have reviewed the statutes and the guidance from the UNC-SOG and it appears there are some members of this board who have potential for direct benefit that don't recuse themselves and the City needs to take a hard look at conflicts of interest in future contracts;
- Requested that the City Attorney look at some of the contracts and votes concerning the Event Center and OIC; he said it appears there is a serious conflict pursuant to the General Statutes

Nehemiah Smith:

- Said Rocky Mount has sundry issues and City Manager Rochelle Small-Toney is not one of them; this highly qualified woman has the requisite knowledge, education and experience to move our City forward and upward and yet there seems a sinister undertaking by disgruntled elements in our City to under mind a vision that he and many others believe is progressive and socio-economically avant-garde;
- Said sabot is a type of wooden shoe that French peasants wore and used to throw into the machines to stop production, thus we get the word sabotage. New Manager, new ideas, new structure – they run contrary to the status quo and there are those who were just fine with what was going on – disparity in pay, a lack of diversity in the ranks of the fire department, a deficit of accountability in promotions in certain City departments, City workers using City equipment and inventory to build pig cookers and deer stands and subsequently selling them online, wooded land owned by the City stripped of that timber and sold without the City's knowledge; and the list of improprieties goes on;
- Said Manager Small-Toney was not here when these things began or were exposed but he has every confidence that under her leadership they can and will be prevented from happening in the future so remodeling an office suite that speaks 1980's when you walk in; hiring people who are competent and loyal to her vision of what Rocky Mount can be; unsubstantiated allegations from potentially disgruntled employees and portions of a now 7-year old reprimand letter from a Mayor in Georgia....these and other trivial dalliances are what Manager Small-Toney is being castigated in the press and in the public about?
- Asked what about an employee talk, the new Department of Community and Business Development and the employees feeling more comfortable in bringing their issues to the City?
- Said Duke, Minges, Turnage, Batchelor, Raper, Varney..when you leave this chamber today take a look at the walls and recognize that they represent a standard that was never questioned and should have been. You will find that the cry for what was best for the City was an exclusive and not inclusive statement so to hell with Savannah, Georgia, this is Rocky Mount, North Carolina;
- Said to Manager Small-Toney...."I have been trying to figure out what it is. Why is this attempt to sabotage afoot? I have wracked my brain trying to figure it out and the only conclusion that I could reach is that the room got dark and when the room got dark there are those amongst us who got scared. We found out that even today there are those who are afraid of the dark."

Jean Kitchin:

- Said she is friends with the majority of the Council and thanked them for their service; she said she called all of them before the meeting last week and having served in the public

service capacity, being elected to the school board, she very much appreciates their service and knows it is not an easy thing to do;

- Thanked Mayor Combs and Mayor Pro Tem Rogers for their statements; she said she really likes that they are taking the public's concerns seriously;
- Said there is very low morale and lack of confidence in City government and it needs to be addressed as quickly as Council can; she said the City does not need to be enduring this right now;
- Said she serves on the hospital board of governance and they are looking at bringing in new healthcare professionals and knows Council is aware of what Norris Tolson and the Carolinas Gateway Partnership are doing to try to attract new people here and a lot of them will not be inclined to come when they see what is going on in this community; we have got to turn the tide and we have got to deal with this quickly;
- Said she owned a building in Downtown Rocky Mount, the old Almand's Drug building, and a few years ago when HBO came here to do a big feature on Rocky Mount about the youth sports and the event center 2 videographers bought the Almand's building and hired an architectural firm to draw renderings, they were going to put three renderings on it. They were going to put 3 loft apartments upstairs and were going to redevelop the downstairs into retail or restaurant and when they have seen that nothing is happening Downtown they decided that it was not worth their investment. They were planning to invest in our town as were many people that she has met through Ben Braddock's wonderful efforts. They were coming because of the excitement and there was a meeting at Almand's Drug Store one day and 90 people came celebrating, wanting to invest in Downtown Rocky Mount but they are not here anymore. She said we have to turn that around and really make a change and made the change quickly;
- Said she is not here to tell Council how to do their job but implored them with haste to do everything possible to restore confidence in City government.

Delane F. Alston:

- Said she hopes the City can come together and make the City better with investors wanting to come to the area and Downtown would be a perfect opportunity;
- Said she works in a location Downtown and when the Event Center has its functions it seems as if the designated parking spaces are now affecting the Douglas Block businesses; she requested the City find a resolution since there are disabled customers and customer who can't walk long distances; and
- Hoped something can be worked out and the City can continue to be the City on the rise.

Stacey Graham:

- Said the last 10 days, almost 2 weeks, have been very emotional. Said she has felt mad, embarrassed, awestruck, ashamed and now just sad. She said she is sad about what is going on here and said that it is going to draw on and take some time;
- Said the Council has heard her issues for over a year; the Council including Ms. Small-Toney have been unresponsive;
- Said when she spoke with Ms. Small-Toney in her dining room she said she was putting forth a process to make building permits easier to find, easier to obtain and track and that system is not in place and it has been a year;
- Said we have talked about needing better animal control and laws and that is a basis of crimes and nothing has happened; talked about being responsive to small business and she is a small business;
- Said she chose to come here and so far, it is not panning out; she said she did her research in 2016 when the City was moving forward and since then it is stagnant; people are pulling out; it is not moving forward;
- Asked that Council please resolve this issue and do it with some dignity

Natarlin Best:

- Said she resides in and is a business owner in the City; she said in 1871 the county line was moved from the Rocky Mount Mills at the Tar River to the railroad tracks and for many years those railroad tracks have divided this City – Edgecombe County side vs. Nash County side, an issue of growth and development for Edgecombe County; limited growth and development for Nash County and those pockets of poverty in Nash County as well;

- Said now is the time to rally behind an innovator, an instrument of growth and development and this is what Ms. Small-Toney is and will be for Rocky Mount;
- Said the City Council must take the lead in not repeating itself because the embarrassment to North Carolina and to this country is the racial divide that those railroad tracks divide this City;
- Said it is time for all citizens to come together and unite as one in a united Rocky Mount regardless of race, creed or color

Kay Kirk:

- Thanked the Council for the opportunity to speak and gave a special thank you to Lindell John Kay, staff writer for the *Rocky Mount Telegram* for exposing the story to the people of Rocky Mount because the residents trust local government to do what is in their best interest;
- Said God only knows the rest of the story, but in light of the alleged mismanagement of Ms. Rochelle Small-Toney it is her opinion that she along with the Councilmembers who voted to hire her knowing her history in previous positions should all submit their resignations in order to wipe the slate clean so the beloved City of Rocky Mount can put this nightmare behind us and moved forward as best we can because in the public sector of the worst workplace Ms. Rochelle would have already been gone and replaced by a qualified person;
- Added it has nothing to do with race and she is sick and tired of the word race and thinks it ought to be removed from the dictionary;
- Said she has been in Rocky Mount for 52 years and when she came to Rocky Mount the Downtown was safe for walking down the streets, people spoke to one another regardless of color and people could go shopping;
- Said the whole thing is a total nightmare;
- Said John T. Minges, Bill Rose, Bill Stancil and other businessmen in the community worked diligently to bring industry to Rocky Mount and that is what brought her family from Denver, CO;
- Said someone who had formerly lived in Rocky Mount for many years recently told her he had to come to Rocky Mount for a visit and when he went Downtown he was appalled that our City fathers over the years had allowed our Downtown area to become in the situation it is in;
- Said she can imagine what Amtrak folks think of the City when they ride through the town; it is a disgrace

Russell Macintyre:

- Said as a resident and property owner he is asking the Mayor and Council to resolve the current turmoil involving the City Manager;
- Said he does not judge the validity of accusations that have been discussed publicly the last few weeks and doubts he even has access to all the information and facts necessary to determine the truth; however, he believes it is the responsibility of our elected representatives to end this matter;
- Said it is a huge distraction, therefore, delaying the progress of our City;
- Questioned how many opportunities for new business and economic investments are we missing by allowing such bad publicity to continue; and how many visitors have come here recently only to be discouraged by our turmoil; what does it do to the morale of our City employees, our business owners and their employees and citizens of Rocky Mount;
- Said he moved here over 41 years ago because of the opportunities available and compared to the City he left it was a boom town;
- Said he married, raised two children and started two successful businesses and worked hard and hired employees and sometimes had to fire employees but it was up to him, but now it is up to you, the Council and the Mayor, to end this turmoil and get us back on track to be a City of opportunity not only for our citizens but to anyone who is looking for a place to live, work and prosper;
- Said it is now your (Council's) opportunity to do their job

Morrie Minges:

- Said she has been in Rocky Mount for 47 years and is an alumni of UNC; a small business person; a retired art teacher and has worked with lots of people and doesn't care what color

a person is she just wants them to do the best for Rocky Mount, not for themselves, not feel like they have power, not to fuss at somebody because they are one color or another;

- Said you have got to do the best for Rocky Mount; taxpayers need someone to keep an eye on the henhouse for the good of all Rocky Mount, not one section or another...all of us, we all pay taxes and to make decisions good for the City;
- Asked if each Councilmember oversees a department;
- Asked how many qualified people wanted to have the job of Rocky Mount City Manager and if being a black woman was the Manager's main qualification for getting the job;
- Said enough if enough and we ought to be good stewards of Rocky Mount funds

The Mayor requested that all speakers be respectful.

Karen Jones:

- Said she is the owner of Cleen Sweep Janitorial Services and has been in business for ten years, but has been an LLC for thirty days;
- Said she has provided services for Rocky Mount, Wilson, Nashville, Tarboro and the surrounding area since 2009 and the reputation of her work, her staff and the service she provides speaks for itself;
- Said she is not related to anyone on the City Council;
- Said she has busted her butt for the business she now has and it has not been handed to her;
- Said she is sorry for what is going on with the City and prays that everything works out and is not making judgments and her reason for speaking is to clear up what she has read on social media and in the newspaper about her company and her bid was awarded fair and square;
- Said she too has a dream; she is living it; will continue to live it and when she passes on her dream will continue to live on because she has beautiful children and grandchildren who will carry it on;
- Asked for respect for her family and business; leave them out of this; and let her continue to do what she has been doing for the past 10 years giving amazing janitorial services for the surrounding area of Rocky Mount

Tosha Aldridge:

- Said she speaks on behalf of her business – Muttley Crew at 301 S. Church Street across the street from City Hall;
- Said she speaks as a citizen and a business owner in Downtown Rocky Mount and is one of the few businesses that opened in 2018 and will be one of the businesses leaving in the next two months; said she will not stay Downtown;
- Said she loved the look of Downtown and she and her husband were excited to be here and a part of what was going to become Downtown; her husband is a City employee and can't speak too much;
- Said within a few months all the talk and hype quickly turned to dismay and for starters the City has a Department of Community and Business Development that she finds as useful as the Animal Control Department;
- Said there is nothing to help new businesses get started; to tell you where to go; what they need or anything in between and John Jesso was only person she had ever seen in her business; she said she is in one ward and across the street from another and lives in a third;
- Said being Downtown has become much like a part of an adult high school; there are groups and cliques and each one promotes what they think is important but it is more like who can help who and what they can do for each other and nobody works together and she does not have time or energy for such childish games; and some of those businesses are the last ones that need to give advice;
- Said over the last year she has formed some great friendships with some great businesses around town; different people and different areas and each has its own clientele and support one another and try to drive people to different areas of town because collectively as a whole we need to focus on the town as a whole and not specific areas;
- Said Downtown is a mess;
- Said for years various people including her have addressed the issues related to animal control ordinances and to date still have not made progress; the Animal Advisory Board is not formed and the City just recently had an animal control employee arrested for domestic

violence strangulation and preventing emergency contact and “if he will do that to a human what do you think he will do to those animals in the shelter”;

- Said that has been a couple years ago and nothing is happening but come April she will move from Downtown

A. B. Whitley:

- Thanked the Council for allowing public comment;
- Said he is sad where we are now but he has to feel in life we are where we put ourselves and we as a City is where our leadership has put us;
- Said he thinks the Council should be ashamed of where we are;
- Commended the Council for the decision to have someone look into the matter and hopes that will be done quickly and interviews of both current and former employees will be held and that Council will come to a quick decision and put this behind us because it will take a long time to get over it and hopefully we will learn and not make the same mistake again that put us in this position;
- Said the facts are we are where we are and as leadership Council should be helping to clear it up and should have prevented it;
- Said he has lived here all his life and this is not about race; said since he was in college he watched Rocky Mount go through a bunch of mess and saw areas of Raleigh burned and he always felt that maybe by the time he was an adult we would be over this racial stuff but there are people in this world who will not let it go; wishes we could take it off all qualifications when you apply for a job, whether you are male or female, black, white or whatever does not need to be considered....this is about people doing their jobs and doing it like it should be done and that is all that we are asking is that Councilmembers do their jobs like they ought to be done and get this behind us

The Mayor thanked the speakers for being respectful and listening to each other. He said this is a difficult issue and Council wants to address it as quickly as they can and hope the action they took today will move us in the right direction. Following the meeting the Mayor received petitions signed by numerous individuals asking the Council to settle the matter today.

RECESS

The Mayor recessed the meeting for two minutes to allow those wishing to leave to exit the Council Chamber. The meeting resumed.

CONSENT AGENDA

A. AD VALOREM TAX RELEASES (recommended for approval):

SCHEDULE A - acknowledge receipt of report of the following taxes under \$100 approved for release and/or refund by the City Manager:

<u>YEAR</u>	<u>BILL NO.</u>	<u>NAME/ADDRESS</u>	<u>TAX</u>	<u>COMMENT</u>
<u>EDGEcombe COUNTY</u>				
2018	59	MILLWOOD, THOMAS GARRISON 1608 SPRINGFIELD RD ROCKY MOUNT, NC 27801	45.62 4.56 1.00	CITY PEN INT
		TOTAL RELEASE:	51.18	
2018	22177	ODEH, SALEH ALI CANOPY ON LEASED LD ROCKY MOUNT, NC 27801	27.62	CITY DUPLICATE BILL
		TOTAL RELEASE:	27.62	

NASH COUNTY

2016	433	COASTAL CAROLINA PRINTING PO BOX 8525 ROCKY MOUNT, NC 27804	3.44 0.69	PEN INT	LATE LIST REMOVAL
		TOTAL RELEASE:	4.13		
2018	2240	ESPINOZA, MAGDALENO 2229 NC 58 S SNOW HILL, NC 28580	21.92 0.44	CITY INT	OUTSIDE CITY LIMITS
		TOTAL RELEASE:	22.36		
2018	4277	LEGGETT, KAY FRANCES WILLOWBY ST ROCKY MOUNT, NC 27803	7.67 0.15	CITY INT	OWNER CORRECTION
		TOTAL RELEASE:	7.82		
2018	2161	SHOEMAKER, JERRY LEE III 4795 LONESOME PINE RD WHITAKERS, NC 27891	9.59 0.96 0.21	CITY PEN INT	OUTSIDE CITY LIMITS
		TOTAL RELEASE:	10.76		

B. FY 2018-2019 BUDGET ORDINANCE AMENDMENT: (recommended for adoption)

- **Ordinance No. O-2019-3** entitled **ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR 2018-2019 FOR CANTEEN ACCOUNT ADJUSTMENTS** (increases appropriations in multiple accounts to accommodate revenues already recognized in the current fiscal year - \$239,880)

Motion was made by Councilmember Bullock, seconded by Councilmember Blackwell and unanimously carried that the recommendations relative to the Consent Agenda items be approved inclusive of approval of the tax releases and adoption of the Budget Ordinance contained therein.

GRANT/FY 2018 BULLETPROOF VEST GRANT

City Manager Rochelle Small-Toney advised the City Council that the Police Department has received the 2018 Bulletproof Vest Grant Award which requires a 50% grant match. She said the Police Department is seeking funding for 42 new bulletproof vests for a total cost of \$27,305 (City match = \$13,652.50). Approval of receipt of the grant funds and matching grant and adoption of a project ordinance appropriating the funds (\$27,305) in the Public Safety fund was requested.

Motion was made by Councilmember Watkins, seconded by Councilmember Miller and unanimously carried that the grant be acknowledged and accepted and that the Mayor and City Clerk be to authorized to execute any required documentation on behalf of the City; that the local match be approved; and that **Ordinance No. O-2019-4** entitled **GRANT PROJECT ORDINANCE BULLETPROOF VEST PARTNERSHIP GRANT** be adopted.

COMMITTEE OF THE WHOLE MINUTES

The City Council received the minutes from a regular scheduled Committee of the Whole Meeting held Monday, January 14, 2019 and a

Special Called Committee of the Whole Meeting held Monday, January 21, 2019 as follows:

MINUTES OF A MEETING OF A REGULAR RESCHEDULED COMMITTEE OF THE WHOLE HELD MONDAY, JANUARY 14, 2019, AT 4:00 P.M. IN THE COMMITTEE ROOM OF THE FREDERICK E. TURNAGE MUNICIPAL BUILDING

MEMBERS PRESENT:

Tom Rogers, Mayor Pro Tem
André D. Knight
Reuben C. Blackwell, IV
Richard Joyner
E. Lois Watkins
W. B. Bullock
Chris Miller
David W. Combs, Mayor

STAFF PRESENT:

Rochelle D. Small-Toney
Pamela O. Casey
Natasha Hampton-Clayton
Chris Beschler
Tameka Kenan-Norman
Landis Faulcon
Lori Cairo
Will Deaton
JoSeth Bocook
Archie Jones
Ken Hunter
Amy Staton
Elayne Henderson
Kim Batts
Richard J. Rose

OTHERS PRESENT:

Dev Pathik, SFM
David Hunt, Hunt Williams Development, LLC
Cedric Johnson, BCW Consulting

OPENING OF MEETING

Mayor Pro Tem Tom Rogers called the meeting to order at 4:07 p.m. and welcomed all present. He explained the guidelines for Committee of the Whole Meetings and made comments.

Mayor Pro Tem Rogers stated that following a conversation with the City Manager there is a desire for an amendment to the Committee of the Whole agenda to allow for the Closed Sessions to be held first.

COMMITTEE RECOMMENDATION. Motion was made by Councilmember Knight, seconded by Councilmember Watkins and unanimously carried that the City Council go into Closed Session at 4:12 p.m. for matters concerning Attorney client privilege; economic development; and personnel.

NOTE: Personnel items will be discussed in closed session following the regular meeting.

The minutes of the Closed Session shall be placed on file as **ESM-513** at the end of **Minute Book 35** upon approval for release by the City Attorney.

REGULAR SESSION. The Mayor Pro Tem convened the Committee in regular session at 7:03 p.m.

COMMITTEE RECOMMENDATION. By consensus, the City Council scheduled an additional Committee of the Whole for Monday, January 28, 2019 at 3 p.m.

ADJOURN.

There being no further business for the Committee of the Whole, by consensus, the meeting adjourned at 7:05 p.m.

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MINUTES OF A MEETING OF A SPECIAL CALLED COMMITTEE OF THE WHOLE HELD MONDAY, JANUARY 21, 2019, AT 3:00 P.M. IN THE COMMITTEE ROOM OF THE FREDERICK E. TURNAGE MUNICIPAL BUILDING (OPENING AND CLOSING OF MEETING IN GEORGE W. DUDLEY COUNCIL CHAMBER)

MEMBERS PRESENT:

Tom Rogers, Mayor Pro Tem
 André D. Knight
 Reuben C. Blackwell, IV
 Richard Joyner
 E. Lois Watkins*
 W. B. Bullock
 Chris Miller
 David W. Combs, Mayor

STAFF PRESENT:

Pamela O. Casey
 Richard J. Rose

OPENING OF MEETING/PRAYER

Mayor David W. Combs opened the meeting and called on Councilmember Richard Joyner to offer prayer.

Mayor Combs stated today's meeting is a special called meeting (work session) for the City Council and is not a public hearing. He said no public comments will be taken. Mayor Combs told the citizens in attendance that the City Council takes all matter seriously and will go into a closed session to discuss a matter concerning personnel.

He added that the Council will come back into open session; however, it could be thirty minutes to three hours and there should be no expectation of action today.

COMMITTEE RECOMMENDATION. Motion was made by Councilmember Rogers, seconded by Councilmember Knight and unanimously carried that the City Council go into Closed Session at 3:03 p.m. to discuss a personnel matter.

*Councilmember Watkins arrived.

The minutes of the Closed Session shall be placed on file as **ESM-515** at the end of **Minute Book 35** upon approval for release by the City Attorney.

REGULAR SESSION/ADJOURN. The Mayor convened the Committee in regular session at 5:27 p.m.

Mayor Combs told the audience there will be no comment at today's meeting and another meeting is scheduled for Monday (January 28, 2019) at 3:00 p.m.

There being no further business for the Committee of the Whole, by consensus, the meeting adjourned at 5:30 p.m.

Motion was made by Councilmember Rogers, seconded by Councilmember Joyner and unanimously carried that Items 1 and 2 from the January 14, 2019 Committee of the Whole be placed on the February 11, 2019 Committee of the Whole agenda.

Motion was made by Councilmember Knight, seconded by Councilmember Blackwell and unanimously carried that the minutes from the January 14 and January 21, 2019 Committee of the Whole meetings be approved.

BUDGET ORDINANCE AMENDMENT/2018-2019 FINANCING ADJUSTMENT TO CAPITAL PROJECTS

The City Council received an ordinance amending the FY 2018-2019 budget to appropriate additional funds in the general fund - \$197,000; the water fund - \$433,00; and the sewer fund - \$199,000 relative to financing adjustments related to lease installment financing for capital projects.

Motion was made by Councilmember Bullock, seconded by Councilmember Joyner and unanimously carried that **Ordinance No. O-2019-5** entitled **ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR 2018-2019 FOR FINANCING ADJUSTMENT TO CAPITAL PROJECTS** be adopted.

BIDS/CUSTODIAL SERVICES

The City Council received the tabulation of bids received for custodial services deferred from the January 14, 2019 meeting. Bids were received and opened on October 18, 2018 after all necessary legal procedures had been implemented and the bid tabulation is on file in the Office of the City Clerk as **BD-2019-1**.

Motion was made by Councilmember Blackwell, seconded by Councilmember Knight and unanimously carried that the bid be awarded to Cleen Sweep at a three-year total cost of \$872,236.44 (includes a per year base bid of \$135,095.64 [three-year total cost of \$405,286.92] and a per year alternate bid cost of \$155,649.84 [three-year total cost of \$466,949.52]) and that the Mayor and City Clerk be authorized to execute the Bid Contract on behalf of the City.

ELECTRICITIES ANNUAL UTILITY POLE COOPERATIVE BID AGREEMENTS AND PURCHASE CONTRACTS

The City Council was provided with the tabulation of bids received by Electricities for the Annual Utility Pole Fixed Price Purchase Contracts for wooden utility poles for thirteen (13) participating municipalities. Council was advised that the City of Rocky Mount will execute the contracts on behalf of the participating municipalities. The information submitted by Electricities supporting award of the bids for purchase of the utility poles will be placed on file in the office of the City Clerk as **BD-2019-2**.

Motion was made by Councilmember Rogers, seconded by Councilmember Miller and unanimously carried that the bids for wooden utility poles be awarded as follows and that the Mayor and City Clerk be authorized to execute the fixed price purchase contracts on behalf of the thirteen (13) participants:

- a) McFarland Cascade - CCA poles - Apex, Drexel, GUC, Lexington, Morganton, Newton, Rocky Mount and Washington;
- b) Koppers - CCA poles - Benson, High Point and Tarboro; and
- c) Koppers - PENTA poles - High Point, Newton, Kings Mountain and Statesville

WATER LINE PURCHASE AGREEMENT

The City Council was provided with a water line purchase agreement relative to the sale of water related assets to Nash County. Council was

advised the transfer of these assets to Nash County will result in a lump sum payment of \$107,500 and a potential increase in water sales up to \$7,100 per month. They were further advised that the water sales will be a function of how much water the county is able to produce from the proposed well heads, development of the water system, the ability of the wells to address the demand and the amount of water purchased from the City. The City Manager recommended approval of the agreement with Nash County.

Motion was made by Councilmember Blackwell, seconded by Councilmember Miller and unanimously carried that the water line purchase agreement (C-2019-1) with Nash County be approved and that the Mayor and City Clerk be authorized to execute the contract on behalf of the City.

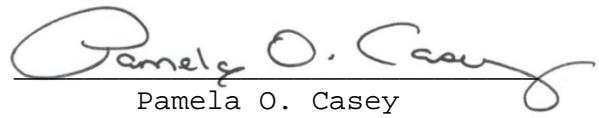
CLOSED SESSION (PERSONNEL; ECONOMIC MATTER FROM COMMITTEE OF THE WHOLE ADDED TO AGENDA IN OPEN MEETING)

The Mayor requested a Closed Session to discuss a matter concerning personnel and an economic development matter moved from the Committee of the Whole.

Motion was made by Councilmember Knight, seconded by Councilmember Joyner and unanimously carried that the City Council go into a Closed Session at 5:37 p.m. The minutes of the Closed Session shall be filed as **ESM-517** at the end of **Minute Book 35** upon approval for release by the City Attorney.

REGULAR SESSION/ADJOURNMENT

The Mayor convened the City Council in regular session at 7:25 p.m. and, there being no further business, the City Council meeting adjourned.



Pamela O. Casey
City Clerk