

February 11, 2019

The City Council of the City of Rocky Mount met this day in regular session at 7:00 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, 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, Assistant City Managers; Tameka Kenan-Norman, Chief Communications and Marketing Officer; Rich Worsinger, Director of Energy Resources; Ken Hunter, Budget and Evaluation Manager; Elayne Henderson, Director of Human Resources; Nicki Gurganus, Accounting Manager; Kevin Harris, Business Development Manager; Todd Gardner, Transit System Manager; Archie Jones, Director of Human Relations; Will Deaton, Director of Department of Development Services; Brad Kerr, Director of Engineering; Mark Adcox, Video Production Specialist; Kim Batts, Deputy City Clerk; and Richard J. Rose, City Attorney.

Security Officer: Police Sergeant L. S. Parker, Jr.

The Mayor opened the meeting and called on Councilmember Andre Knight to offer prayer.

#### **WELCOME**

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

Mayor Combs said that a number of those present tonight may have been present at the meeting two weeks ago when an announcement was made that Council planned to take action on some issues that have arisen. He said he has received calls and emails from people suggesting that the SBI be contacted and, as a result, he made a call to the Nash County Sheriff and has learned that only a judge, the chief of police, a sheriff or the district attorney can request an SBI investigation. He said Sheriff Stone said he had looked into the matter and spoken with the district attorney and neither of them felt anything illegal was being done in the City. He said the sheriff told him his concentration was on guns, drugs and gangs and he does not plan to change his focus and that neither he nor the SBI will get involved in an investigation at this time. The Mayor added that Sheriff Stone stated if anyone has any evidence of illegal action they can bring that information to him and he may reconsider his position.

The Mayor reported that Council has made the following decisions:

- 1) Council has identified three (3) companies and received a proposal for an internal review. He said they have decided to engage the firm Nexen Pruet, a law firm in the state, to perform an

investigation which is expected to take from four (4) to six (6) weeks;

- 2) Secondly, Council plans to set up a 1-800 number for employees to call anonymously. He added that the City has a whistle blower and non-retaliation policy and employees should feel free to call; and
- 3) Council has plans to assign the City's Internal Auditor to assist the law firm in the review and she will report to the Council instead of reporting to the City Manager.

Mayor Combs said once the investigation is concluded those things that can be released to the public will be, but some things may be personnel issues and will remain private. He said the review is not limited to the Manager's Office but may include other departments within the City and the Council plans to follow the process. He said they would receive information and make a decision as to what kind of action they may take or not take.

Councilmember Rogers stated the Council has decided to choose an outside firm, familiar with such matters, and thinks they can get it operationally established every quickly and feels having this matter handled by a third-party will give employees a safe place to call and give Council unfiltered feedback from employees.

The Mayor added that employees will be able to provide information both online and via the telephone.

#### **APPROVAL OF MINUTES**

The minutes of a regular scheduled meeting of the City Council held January 28, 2019 were approved as submitted to the City Council prior to the meeting.

#### **COUNCILMEMBER STATEMENTS:**

***Councilmember Blackwell*** stated that:

- he cannot address all of the inaccuracies in the recent *Telegram* articles and cannot and will not do so because that is protected by the press; however, he believes the constitutional privileges come with responsibilities and as to the last article in particular. . . it is a total and complete lie;
- he has never submitted a list targeting employees of the City for dismissal or retaliation and has been very pointed, vocal and public relative to any concern he has ever had;
- he has been concerned for fifteen (15) years about equity and inclusion through the entire City and believes the City's leaders are good, skillful people and know their business;
- There is a culture in City Hall that has not always been great for everyone and he has said that openly and publicly and has also worked hand in hand with every leader along with the rest of these good folks around this table to make the City better and in so doing no one has ever been targeted;

- Council has never taken recourse against Department leaders when things were found that needed to be corrected and it is interesting how this manufactured outrage has brought together a different kind of fusion. He said this kind of fusion was seen in 1898. He said he does not have a problem speaking and is not afraid because he speaks the truth;
- If we love the City like we say we do, we are supposed to love it for everybody and questioned where the outrage was when nooses were hung from the Public Works Department and when there were inequities in the Fire Department;
- His commitment is to the people who elected him and the people he works with to create the best Rocky Mount they can for all;
- The City should work for everyone;
- Equity, inclusion and shared prosperity should be in place for every community and all should benefit from their taxes;
- Every community should be able to say they have safe neighborhoods, thriving businesses and homes that are affordable and decent and that they are happy to live in them;
- Everyone from Downtown to Winstead Avenue should have an opportunity to do business;
- Council wants to create a City that is welcoming to everybody and we must first be welcoming. . . and it starts in the heart. . . if we don't want to repeat history we cannot run the same old programs we have run;
- Council works together, but does not always agree about everything;
- He has been a minority on Council and a majority as far as ethnicity is concerned but what ties Council together is concern for the City and people they serve, especially the children we are raising;
- If the efforts of those present are making this City a better place they should keep doing them; and, not everyone around the world can speak and that is what makes America great. Citizens have the right to enjoy life, liberty and the pursuit of happiness;
- There is no way he is trying to oust Department Heads that were named on a list contrived and created by someone in order to divide the City;
- A house divided cannot stand but a 3-fold cord is not easily broken;
- All should link up together to fix whatever needs fixing and if those present love the City and want to see prosperity, the way to get it done is to work together;

- He has never targeted and will never target Department Heads and everything he has to say he will say to their face because that is the kind of person he is; and
- He is not easily intimidated and loves them all

**Councilmember Watkins** stated that:

- The *Telegram* article referred to suggested a Councilmember shared the information relative to a target list and she stated for the record that she is not that Councilmember, nor does she believe any other Councilmember shared such information

**Councilmember Miller** stated that:

- The quote in the newspaper that has Councilmembers concerned is relative to a list given to the Manager of employees targeted for termination; and
- She has never seen such a list and cannot confirm something rumored

**Councilmember Rogers** stated that:

- He has not seen such a list and has not given one to the press;
- At the risk of sounding patronizing, this is a tough moment for all and all are struggling and Council is trying to do what it thinks is right;
- Those he grew up with and respected taught him to do things in an honorable way and that is what Council is trying to do and the community needs to figure out how to rise above the acrimony and distrust of this moment;
- He agrees with Councilmember Blackwell relative to what ties this City together and that we must have dignity and respect for each other and remember those things taught to us by our parents that will help guide us to the next step;
- He wants us to get to a smoother patch in the road; does not have all the answers but knows he has not slept well since January and cannot begin to feel the emotion felt by employees of the City and what he feels doesn't matter compared to how they feel;
- He is also concerned with how the public feels;
- He is asking the public for their trust and support and for a little room to get through this so that we can all get to the place we want to be

**Councilmember Joyner** stated that:

- He appreciates the public's presence;
- The Council, Mayor and Manager are taking this matter seriously and have worked long, hard and countless hours to make sure they are giving due process as they go forward;

- He is grateful for the public's consideration and thankful people is not always identified by what they look like, but what one looks like in the greatest of times is what they look like in the worst of times and how we unite in and make the worst of times the best of times;
- Not destructive but constructive communication is important and that is why Council is putting dues process in place so that as we move forward all look at how Rocky Mount is moving forward and will see that the City exercises due process; and
- He asks for time and prayer and added that all will see the Council will build the best City the world has ever seen

**Councilmember Knight** stated that:

- All members of Council have stated that no one on Council has condoned a list to target employees, whether black or white, and they want this City to be great again;
- Council has never condoned such a list and it was a lie;
- Someone lied relative to the *Telegram* article and it was not Council;
- In 2003 there were only two (2) African-American Department Heads and Council has worked for equity and justice from the street department, water and sewer, energy resources and sanitation asking for inclusion, equity and diversity and now the City has more African-Americans and people of color as Department Heads and that is great looking at where the City has come from 1867 to now, almost 150 years;
- He is a man of faith and history and if you do not know your history you will repeat it;
- People who leave a job leave on three conditions: 1) because of a better job or better salary; 2) because of poor working conditions (and we know what poor working conditions are); but we are people of faith and African-Americans have dealt with that and been able to sustain that; and 3) the truth in most southern cities is that people who don't look like me don't want to be supervised by people who look like me so we have to be honest with ourselves;
- This Council has invested more in the last fifteen (15) years in the Downtown than any other Council with the Douglas Block, the Imperial Centre; the streetscape and the Downtown Community Center and, hopefully, tonight we will hear of another or maybe two other economic development projects;
- Council is committed to all of Rocky Mount from the underserved to the areas that have prospered and want all to prosper;

- Council loves the City and is going to fight for it to be the best City it can be in the United States

#### PETITIONS FROM THE PUBLIC

The Mayor outlined the guidelines for petitions from the public noting this portion of the meeting will be limited to one hour.

Mayor Combs opened the meeting for petitions from the public and recognized the following:

- **Jackie King stated:**
  - She is here to talk about the Workforce Housing Commission;
  - There has been talk with the Councilmembers and City staff about the Commission with the purpose being to form a partnership with the City and bring forth a group of citizens for joint decision-making regarding the creation of safe, fair and affordable housing conditions to promote social equity justice as well as shared prosperity Citywide;
  - We believe we are a stronger City when we work together to solve shared problems and bring about positive social change
- **Troy Davis stated:**
  - In 2013 Starling Way Apartments appears in a video that received almost 100,000 views on YouTube for the blight;
  - With all the current racial divide happening in our City, he is proud that this Council came together, white and black, to help change the community;
  - He would like to especially thank Councilmembers Watkins, Knight and Rogers for coming out to the apartment complex;
  - The apartments on Starling Way sat as an eyesore and home to criminal activity and ruin for years and today are an excellent example of how community collaboration and people with vision can transform a community;
  - If we are able to duplicate this effort throughout the City of the other properties in that 2013 video “A City Left to Rot” it would be a distant memory and we could turn properties of tremendous blight into quality housing development that people could be proud to live in and Starling Way is an example;
  - All are invited to ride by 717, 716 and 720 Starling Way
- **Dorothy Tucker stated:**
  - Citizens are not periodic voters; they are the stewards of our community and a significant force for change;
  - We recognize we need change to improve the condition in our underserved neighborhoods
- **Mark Russell:**
  - Thanked the Council for allowing him to speak;
  - Said last time he spoke he talked about a conflict of interest and was speaking to every City Council member;
  - Asked how it is determined whether a Councilmember will receive a direct benefit (from a vote);
  - Asked if all Councilmembers are up to date on their ethics training (both City and North Carolina, especially 14-234 and said he would appreciate a response to this question); said it appears there have been several votes from several Councilmembers in the past that appear to have gone against this statute;
  - Asked who determines when a Councilmember should recuse himself/herself (and he was told it was the City Attorney);
  - Stated he has been to 300 or 400 Council meetings in smaller jurisdictions and people recuse themselves regularly and there seems to be an issue here as to whether Councilmembers directly benefit from their vote
- **Dr. Kim Koo:**
  - Said she is here primarily to support efforts of community members against gentrification and trying to have a voice in the redevelopment and revitalization;

- Said one of the things that has been requested is the Workforce Housing Advisory Committee suggested by Sue Perry Cole and a group she is a part of that would allow members of the community a seat at the table to discuss development concerns;
  - Said the City has been very slow in moving to do that and asked all Councilmembers to reconsider that matter and take quick action;
  - Said she is bothered by reading what she considers nitpicky and small details on supposed malfeasance by Councilmembers and staff and it causes her to ask herself “why now” and “what motivates people to do that”;
  - Said we should be honest and ask ourselves as the City is looking forward to redevelopment and greater wealth who benefits from all the disruption and suggested that everyone think before they jump to conclusions about what is going
- **Stacey Graham:**
    - Read the definition of the law, rules and ethics and said these principles apply to what is going on here;
    - Said ethics apply not only to the City Manager and all of her new hires, but has always applied to the issues at the Animal Shelter and the Police Department;
    - Said she spoke to Interim Police Chief Robinson who in person seemed interested in seeing the evidence of Animal Control missteps but has since ignored her phone calls and emails; added the Interim Chief did have Lieutenant Ballard call her regarding one of the issues which rises to extortion and coercion;
    - Said in her original complaint that she extended an offer to the Police Department to view the evidence of this but was never contacted to review the same evidence that Councilmembers Miller and Joyner have seen; she added that the Lieutenant stated he had no interest in seeing the evidence because the evidence applied to a volunteer at the shelter and not an employee;
    - Questioned if no code of conduct exists for a volunteer liaison who does business for the Animal Shelter;
    - Pointed out that there is no way to attach evidence when filing a complaint online;
    - Said for some reason Animal Control and its supervisors see change as having to admit something is wrong, but change should be viewed as one’s ability to grow;
    - Added her interaction with Police Department Heads both past and current is that credibility is easy to lose but very hard to get back
- **Nehemiah Smith:**
    - Said there is something amiss in the City that has nothing to do with the Manager, the City Council, office renovations, cronyism or conflict of interest;
    - Said it is about the room getting dark and there are those amongst us afraid of the dark so they throw around terms like cronyism, incompetence and unqualified without the benefit of proper definition and use the newspaper as a lexicon;
    - Said the coded language is not so coded and speaks to an unfounded fear of darker hued leadership and more importantly speaks to an unwillingness of a certain segment of our community to relinquish the perceived power of privilege;
    - Said the days of “yassa boss” and capitulation are over...”we’s can read now; not only can we read, we can reason and lead”;
    - Said at the last meeting the Mayor gave some half-hearted support statement of the City Manager; at best is was shameful and at worst dishonorable and he thought there was no way for him to get his honor back then he read the headlines that said he [the Mayor] wouldn’t run again...he got his honor back;
    - Said maybe real conflicts of interest, cronyism, incompetence and lack of qualifications can and will be exposed and we can get to the matter of not making Rocky Mount what is was but making it what it should have always been...a real community for all;
    - Read a quote from Thomas Paine “These are the times that try men’s souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of their country” but we hold this now and he who can get with the conflict can come through it; we are going to be alright; we just have to be able to work together; and we have to get all this other mess out of our way;
    - Said when he came back to Rocky Mount he could get from Point A to Point B; he was not lost but just did not know where he was; said we need to work together so

we can make this an inclusive community and make it best for everyone in this room because that is what we all want

- ***Tosha Aldridge:***
  - Said she is the business owner of Muttley Crew that will be leaving Downtown in about seven (7) months;
  - Said she once read the thing about life is at any given time we can change and make tomorrow better than yesterday; if we want to see change we must become what we want to see and what she sees before us whether at this meeting, in media postings or news articles is a bunch of adults acting like children and that includes Councilmembers, City employees and citizens;
  - Said she sees so much turmoil and hatred that it is ripping the City apart and how can we expect to make tomorrow better when we can't stop living in yesterday;
  - Said for the past couple years many citizens have come to council meetings expressing the need for change in the Animal Control Department and have been made with ridicule, name calling and people in positions that have no business being there;
  - Said there are countless studies that show you can learn a lot about people from the way they treat animals;
  - Said if we cannot get the people before us to help advocate and create change for the state of our animals in the City how is she supposed to have a better impression of what the futures holds;
  - Said she does not know what the future holds and does not know if she will be able to help with change or with creating a better program for care of animals in the City but she and others have gotten nowhere in two and a half (2-1/2) years;
  - Said she has called the State again about the violations that no one is paying attention to and maybe it is time for them to come in
  
- ***Jean Kitchin:***
  - Thanked the Mayor and Council for their service;
  - Stated she has attended recent meetings and appreciates that the City intends to utilize an independent audit committee and understands it may take several weeks (4-6);
  - Challenged the Council to give the community a win by doing something now that is visible;
  - Said she is a member of the CCRP and is sure people have heard from the members recently about the lack of presence and lack of regular support felt by Downtown Merchants and she feels this is something that can be done fairly quickly and citizens can be told what is being done to restore support for the Downtown Merchants;
  - Said over a year ago the community was told a one-stop permitting process was being set up where people could come in and feel supported and welcomed and bring their dollars to invest in the City but that has not been done and she has heard a lot of reasons as to why; however the City needs a win and citizens need to see something quickly and visibly that is being done to let the community know Council is listening to them
  
- ***Bronson Williams:***
  - Said as a business owner he is moving a business to the Downtown;
  - Said as he begins to inspect the current climate he has been told "you do not get what you expect...you get what you inspect";
  - Said this is nothing more than the tired true classic political strategy of divide and conquer and when we sit back and take a moment to breathe there is momentum in the City spearheaded by this Council; there are grants provided to rehab homes; the WARM program; sidewalks in places that were on the back burner and became priority; our Police Department is improving training and there are bold priorities in the Downtown; the streetscape and downtown development is underway and downtown events at the event center and sports complex; the utility department moved to a new and larger location to improve customer service;
  - Said there is still a lot to be proud of and he understands that work is never complete and there is still work to do but construction is still going on and people are still getting hired;

- Urged leadership not to get caught up in distractions that will hinder the continued growth of the community but to continue to focus on improving the lives of all citizens;
  - Said he learned in school a negative plus a negative will always be a negative and in order to reverse a negative there must be some positive conversation and work to get results;
  - Said he has always been an advocate for the live broadcast of City Council meetings on TV 19 and the infrastructure is in place except for one connection;
  - Said he will continue to ask Council to work together for the success of all the City's citizens
- ***Kim Weaver spoke in support of the City's Energy Resources Director, Rich Worsinger, and said:***
    - It was her privilege and honor to have served the citizens of Rocky Mount for over twenty (20) years including over a decade in the Energy Resources Department under the direct leadership of Rich Worsinger;
    - She wanted to take a moment to say she appreciates the comments of all earlier and their reassurance because as a resident of Rocky Mount she was shocked when she read the paper today concerning the firings;
    - As a former City employee her shock turned to utter disbelief when she saw Rich's name on the list;
    - She wants to think it is not true because she cannot imagine how anyone could think our electric and gas systems could be better without Rich at the helm;
    - She would like to take a moment to share with the citizens the value that Rich has brought to the City and continues to bring and how he is helping everyone in our community;
    - When Rich arrived in 2001 the utility system was struggling financially with non-competitive electric rates, aging infrastructure and a poor safety record; today Rocky Mount is recognized as an industry leader in both public natural gas and public power arenas and both are strong financially; the City's rates are competitive and infrastructure modern, safe and reliable and the safety record is excellent (which is Rich's number one priority):
    - Under Rich's leadership there has been a reduction of electric system losses from 8% to 3% yielding annual wholesale purchase power saving of \$4M;
    - The load management program reduces annual wholesale electric purchases by \$6M;
    - He negotiated a restructured gas services agreement with an annual savings of about \$1.25M and a gas supply agreement with an annual savings of \$600,000;
    - He spearheaded a project to increase natural gas sales at 20% annually at \$800,000 for a total of \$12.65M annually that he is saving the City;
    - As her director and mentor, Rich encourages all employees to go beyond what they believe are their limits because he sees so much potential in each of them;
    - He holds himself and his staff to the highest degree of professionalism and service;
    - Rich and his wife, Nancy, choose to make Rocky Mount their home, are involved in the community and take pride in supporting the revitalization of the City;
    - She prays for each Councilmember to provide the leadership this City needs and replicate the faith in Rich that she and his staff have in him to continue to provide excellent public service and excellent customer service; and
    - As the Athenian Oath says "we will transmit this City not less than but greater and more beautiful that it was transmitted to us"
  - ***Thomas Walker said:***
    - After a trip to our nation's capital this week he is a little exhausted but why would he still be here at the meeting;
    - He wants to talk about Rodney King and his experience to say, "why can't we all learn to live together" and if there is anywhere that ought to happen it is Rocky Mount;
    - He could employ the saying that is used in the church after hearing from Councilmember Blackwell and just say "Amen";
    - The Council is doing a great job and he has been attentive to what is going on in the City and is happy with the direction the City is going and the work of the Council and the Manager;

- He recognizes undercurrents and has to use the word he has used before about the original sin being racism and said we must remind ourselves that this is Black History Month and if anybody can adjust to all that is happening to them and all that has been geared to us it is amazing we are carrying on;
  - To the Council “keep on keeping on” and we are behind you and Rocky Mount is a good place; he advised Council to try to ignore the conspiracy in the newspaper and WHIG and said he gets up every morning and has to listen to them stir up mess in the City;
  - The Council should keep on doing what they are doing
- ***Morrie Minges stated:***
    - The first thing that worries her is the new utility place near Franklin Street and asked that someone look at that because it is confusing to her when driving;
    - All in Rocky Mount need to be good stewards of City funds and Council needs to make good decisions for the whole of the City not for one section or for themselves;
    - That she questions how she will know Council listens to her because no one calls her back;
    - If people are upset about what the newspaper is printing they can sue them;
    - Said she read that the Council decides the policies and what can be done and the Manager just sees that it gets done and if the policy making and administration is supposed to be the most economical and efficient....what?
- ***Victor Jones said:***
    - He is the owner of Valiant Families Counseling and has been providing mental health and domestic violence services to residents of Rocky Mount for over twenty (20) years;
    - Mental and medical health are among of the reasons immediate approval of the Workforce Housing Advisory Commission Resolution is requested;
    - As the City continues to undergo a rapid change resident stakeholders desire more community engagement and participation;
    - This participation must be meaningful and include community revitalization, planning, policymaking and community redevelopment activities;
    - We are seeing what happens when people who are most affected are not a part of the plan;
    - The issue of redevelopment seldom goes well for the masses of people who are already at a disadvantage; they are subject to displacement and losing their living space as new developments are too expensive for them to remain in their neighborhoods and maintain established social support systems;
    - Said he speaks as a health care provider and domestic violence treatment provider and domestic violence costs North Carolina over \$3M per year;
    - Affordable housing is important for our citizens and numerous health and wellness issues are at stake including the problem of domestic violence;
    - According to the national coalition against domestic violence one in three women and one in five men experience domestic violence and one of the reasons people stay with an abusive partner is the inability to secure affordable housing;
    - Parents seeking to escape domestic abuse situations need affordable housing options for themselves and their children;
    - He is sure we are all aware of the recent tragedy in Wilson and other tragedies that don't make the newspaper; and
    - Affordable housing impacts educational outcomes, crime rates and quality of life and a Workforce Housing Advisory Commission is needed to ensure consideration for development and the well-being of our citizens;
- ***Bill Jones told the Council:***
    - He was born, reared and educated in North Carolina and has worked in the state all of his life;
    - He started coming to Rocky Mount as a child with his mother to shop and knows this City and got his financial start here with the *Evening Telegram* at 10 years old;
    - For those that have asked him to stop living in the past he is living in the future that looks worse than his past so don't tell him to stop living in the past;

- He asks that Council consider having some citizen participation in their review of this matter and says he comes with the experience of checks and balances and knowing right from wrong, and with moral and ethical standards; and
  - They should consider the citizens to be part of that and then citizens will not believe you bought someone to come in and give you the result you wanted
- ***A.B. Whitley said:***
    - He appreciated the Mayor's report on the investigation and that was his main concern;
    - We all need to understand that perception is reality; it may not be factual or the truth but if you perceive you are about to be hurt then that is your reality;
    - If the people who are here did not perceive there is something wrong they would not be here; their feeling and perception is based on events that the Council has created and he hopes all understand that perception does not change until it is proven that the perception is wrong and that will take all of Council to get together and get it done and get this investigation finished
- ***Nathlyn Ohree stated:***
    - She comes before Council as a representation of the NAACP (Rocky Mount Branch) to encourage the Mayor and Council and the City Manager and thanked them for the strength and resilience demonstrated when confronted with elements that seek to disrupt the peace and tranquility of the City;
    - It is not an easy task to navigate a giant ship in rough waters but strong captains stand fast and skillfully maneuver onward and look forward to calmer waters which will facilitate advancement to the culmination of a successful journey;
    - It is said to err is human and to forgive is divine;
    - Your humanity looms before the citizens of this City and is a strong messenger to everyone to search their heart and identify person strengths and weaknesses before they can come to the public microphone to pronounce judgment on anyone else and it is important to demonstrate respect, compassion, intelligence and concern for and towards our leaders;
    - We should let the fire that looms over our great City serve to warm us and continue to stimulate pursuit of improved policies, community development, public safety, affordable housing, quality education and advance the business and industry growth in the City
- ***Susan Perry Cole said:***
    - She resides just a couple blocks from the Event Center and rises to speak to draw the Council's attention to delays in approval of the Workforce Housing Advisory Commission Resolution and said residents are appealing to the Council tonight because they have faith in the Council and believe the Council is interested in concerns about major changes occurring near their homes;
    - Residents came tonight in a spirit of collaboration with a desire to strengthen their partnership with the City;
    - She states her interest and support for increasing meaningful community engagement and citizen participation;
    - The Council unanimously approved the concept of a Workforce Housing Advisory Commission on December 11, 2017 as a component of the City's assessment of fair housing document;
    - Since December 2017 residents have been waiting for Council's action to approve creation of the Workforce Housing Advisory Commission and it is now 2019 and, since the move by the Council on July 9, 2018 to defer consideration of the Workforce Housing Advisory Commission, no further action has been taken and she questioned how long residents must wait without a response;
    - She concludes by pointing out the call to approve the Workforce Housing Advisory Commission in the next thirty (30) days and stated it is really a call for unity and inclusion as the City continues to undergo growth and transformation and the recommendation includes appointment slots for business leaders, developers and the faith community and the purpose is to call people from different backgrounds and sectors to work together to solve a common problem related to affordable housing; and

- Residents believe the City is stronger when we work together
- **Warren Daughtridge:**
  - Said someone used a quote by Winston Churchill tonight “truly, those who fail to learn from history are condemned to repeat it” but he did not say to stay there and live in it but to learn from it;
  - He gave a history of his leaving Rocky Mount for boot camp, his time in the military (realizing all serving were the same and there for one mission); leaders driving into them that they had to work and be the best and know and assist each other and be a family and brotherhood; he added in the Navy he learned the responsibility of leadership and the captain and his or her senior officers are responsible for the ship and are charged with training, conditioning, proper maintenance and most importantly moral and if something goes wrong and the ship runs aground or hits something no matter who is at the helm the Captain and senior officers take the blame because the greatest responsibility is to ensure they are trained and moral is high;
  - Said sailors who are untrained, beaten down and scared to make recommendations for improvement are ineffective and incapable of handling the commission;
  - Questioned if Council is here for the mission to serve the community; do they go to bed confident they are effectively leading Rocky Mount and part of a brotherhood of leaders bonded together to make positive change; do they know the strengths and weaknesses of their colleagues so they can lift them up when they need it; do they believe department heads and senior Managers do as well; how is the moral in the various departments and does Council believe the history of this City will show they did an outstanding job; how will workers remember them and if they can answer “job well done good” and “faithful servant” to these questions then God bless them and he hopes they stick around and if they can’t then please do us all a favor and get out of the way so someone else can
- **Rosa Brodie stated:**
  - It is good to have a City Council who will listen to the citizenry;
  - As a group of Rocky Mount citizens want she wants Council to know they want to work to help make our City great;
  - Since July 2018 community residents have been patiently seeking information about when the City Council will resume consideration and approval of the resolution for Workforce Housing and do not understand what is holding up progress, though lately, they do have an inkling;
  - Asked Council to consider that the delay and lack of explanation about the Council’s intentions to move forward with something discussed some time ago is creating growing frustration and confusion among residents just because it is keeping citizens from helping to make Council’s work easier and Rocky Mount great;
  - She loves her City and calls it home and asked Council to help citizens help them
- **Anna Lamb said:**
  - It is the first time she has spoken to Council but is here because she supports the efforts of Sue Perry Cole and the work she does and is speaking tonight to bring attention to Council’s delay in approving the resolution to appoint a Workforce Housing Advisory Commission;
  - Residents who will be and are currently affected by new development and revitalization know the issues such as affordable housing better than any outsider and are asking for a say in the future of their community and their collective wisdom is an invaluable resource for designing revitalization solutions and they deserve a seat at the table;
  - She is requesting the City Council take a stand for inclusive participatory community decision-making by voting within the next thirty (30) days to approve the resolution to appoint a Workforce Housing Advisory Commission
- **Samuel Battle said:**
  - He wanted to talk about Raleigh Boulevard near Hardees and McDonald’s and it is so dark over there at night and dark breeds crime; lights are needed along Raleigh

- Boulevard from Meadowbrook to the bridge; the only time there is light is when the police sirens or fire truck comes;
- He hears people saying we need to try to work together and he has been trying to work together since he came home in 2017 but his own people have been turning their backs on him; he said everybody is sitting up there acting like goody two shoes and like they are helping him but nobody is helping him when kids get murdered and he has to go to their families and when he receives calls at 2 a.m. when kids need help;
  - He had a long talk with Marty Clay at the Police Department and he is from Edgecombe County and he said he is not prejudiced and have never been and does not consider himself black or white but considers himself human;
  - We have to wake up with all this beef and turmoil with each other; he remembers when there was mad business in Rocky Mount with textile plants and houses full of families and now it breeds crime because the houses are run down;
  - Ward 1 – I have no beef with you Brother and I will work with you any day; Ward 2 – Brother I have no beef with you, I will work with you any day, but when it comes to these kids, we need to own up to that; we need something to get these kids right; we have already had six (6) and that would average to sixty (60) murders a year; he has people from Detroit calling to say we are worse than Detroit; we need to get this together; he is glad the Mayor is leaving and wished him a safe journey; this problem was caused before the Manager got here and started twenty (20) years ago and was going on when the former Manager was here

The Mayor closed the public petitions portion of the meeting and said staff would follow up on some of these items such as Workforce Housing and the Animal Control.

Councilmember Blackwell stated Council has committed to appoint boards and commissions at the February retreat and will add Workforce Housing to the agenda for consideration and will make appointments before the end of this month. He asked citizens to stay tuned for an announcement that will show why the Workforce Housing Advisory Commission will need to be in business.

**RECESS**

The Mayor announced that Council will take a brief recess before resuming the meeting and will amend the agenda to add two (2) economic development projects.

**LETTER OF INTENT (LOI)/HUNT SERVICES – ECONOMIC DEVELOPMENT PROJECT  
(ADDED TO AGENDA IN OPEN MEETING)**

By consensus, the City Council approved an amendment to the agenda to add two (2) economic development projects. The Mayor called on City Manager Rochelle D. Small-Toney to introduce the items.

**Parking Garage/Hotel:**

Ms. Small-Toney stated it is her pleasure to introduce a very industrious team with an adventurous, exciting project for Council's consideration. She said some time ago this Council ventured off into a journey of building a very impressive Event Center here in the Downtown and the purpose was to encourage more downtown development and the project to be presented this evening is a fine example of that. She introduced Cedric Johnson with BWC to describe the project, David Hunt of Hunt Services, Developer for the Project; Amy Staton, Finance Director; and Mary Nash Rusher, Bond Attorney. She noted she will

conclude with the recommendation to the Council to approve the Letter of Intent (LOI) to move the project forward:

Cedric Johnson/BWC:

Mr. Johnson made the following comments:

- He is an associate with BWC Consulting, a minority owned boutique economic finance firm and has been working as an external economic consultant to the City since 2012;
- The firm has done a number of economic development-oriented projects in Eastern North Carolina, particularly, the Edgecombe Community College Biotech Center and is serving as Market Tax Credit Advisor on the Event Center;
- He said the project that will be presented tonight is an extension of the Event Center and will continue the economic development and revitalization of the Downtown;
- He said he has worked with the project developer, David Hunt, on another project and he is a go getter and an entrepreneur at heart and came down and assessed the area and wanted to do a project here. He introduced David Hunt to present his concept and vision for a public/private partnership-oriented economic development project that they feel will be a great addition to building on what is here.

David Hunt, Hunt Services:

- Said he is humbled to be in this wonderful City; he has visited 9 or 10 times to try to discern whether to move forward with partnering with the City and how to move forward to develop a P3 that would work long time;
- Said he read the paper before coming here and listened tonight and said in reference to the gentleman speaking earlier relative to the Navy that he too wore the country's colors and understands the saying that we all are one and he hopes and prays that this project brings the community together and builds on the investment already made in the community by building the Event Center;
- Said he imagines the Event Center was build to bring economic development and wanted to lift up the community and that is why that was his mission and goal when he began coming here to create an economic private investment to go along with the public risk already taken;
- He said his presentation tonight is very simple and lays out building a branded hotel (Hilton/Marriott); said he has won Hilton Developer of the Year twice and has a background of success and believes Downtown Rocky Mount is viable, feasible and can be a platform by which other development is brought, if done correctly;
- He said the development will include multiple layers: investment in the Event Center by the City which as already been done and said

having enough restrooms, particularly women's restrooms is important; ample parking (close; well-lit and convenient) - his plan is to build a 660 up to 1,000 inside garage that will be well-lit, maintained, monitored by cameras and clean;

- He said the next critically important step is to have a branded hotel (107-room branded hotel across the street from the Event Center; he is a Hilton/Marriott developer); at first one hotel and hopefully the other in the next 3-5 years;
- He said retail that is inviting and provides jobs and brings economic development is also needed;
- He said P3 is so important because it is about shared risk between the Developer and the community and the hope is once this is started other private investment will come;
- He said Downtown Rocky Mount needs to be a destination location;
- He said in no way can he fix all problems and he commended the Council for listening to citizens tonight and said this is a great community; he asked the citizens to turn down the friction and realize this is an outstanding community;
- He said he is willing to make the same investment the City is willing to make and asked that we join hands and take the next step because the risk in building the Event Center has already been taken and the next step will create more economic growth and benefits for the entire community;
- He added the last piece is to build condos in the Downtown which is a tremendous risk to his business and family but he believes if done right it will succeed, and they will be affordable and desirable and that those all around will want to be a part of them;
- He explained that the parking garage will be on Atlantic; an additional parking garage on Goldleaf and in front of the parking garage will be about 20,000 square feet of retail that will be leased out with condos on top of the retail (like Charlotte, Memphis and Atlanta); and there will be a branded 107-room hotel with a full pool and other amenities and he will work with the community to take some development space to build a splash park (which will be supervised);
- He added some space will be allotted to show respect to those who have served in uniform for a serenity park;
- He noted the goal is to have people visit who want to come back again

Amy Staton, Finance Director:

City Manager Small-Toney said a major part of the deal is the Letter of Intent (LOI) which eventually leads to a redevelopment agreement between Hunt Services and the City. She said we are at a point now of executing the LOI with consideration of the redevelopment

agreement in several months. She called on Amy Staton, Finance Director, to explain the LOI.

Ms. Staton stated that work has been done since receiving the LOI, work is being done now and there is still work to be done. She said she wanted to speak about the due diligence that is in process. She said she, her staff, Hunt Services, BWC, the City's financial advisor (Davenport & Company); and the bond attorney have worked as a team to look at the proposal and turn that into what the financial impact would be for the City looking at the debt capacity and affordability. She said this took some work but they have figured out a way to make it work, but they are not finished and have also identified there are some next steps and some steps include making sure they will not do anything to jeopardize special obligation bonds and new market tax credits including getting a legal opinion. She said they are moving through the next steps now and they are outlined in the Letter of Intent and other things will need to be done prior to entering into a legally binding agreement. She said they will continue to work on a plan that works for all and will provide an update making sure the due diligence is done. She added soon they will talk with the Local Government Commission. She introduced Mary Nash Rusher to speak about the legal aspects of the LOI.

Mary Nash Rusher, Bond Attorney, Hunton & Williams, LLP :

Ms. Rusher stated the LOI provides the legal framework for the relationship the City is thinking about entering into in developing the parking lot across from the Event Center which will include parking built by Mr. Hunt and then leased to the City under an arrangement intended to duplicate the City's cost for the parking lot if it had built it itself. She said it is important they speak with the Local Government Commission as this is a lease longer than five years and likely twenty years and that will be a significant step. She said the LOI is not binding but sets out the framework and next steps including the due diligence that continues to be done and all this will happen over several months while a more defined development agreement is prepared.

Rochelle Small-Toney, City Manager:

Ms. Small-Toney stated that in sum total the project represents in the neighborhood of \$60-\$70M and, coupled with the Event Center, the City is well over \$100M investment in a short period of time in the Downtown area.

She invited questions from Council and recommended the LOI be approved and that the Mayor and City Clerk be authorized to execute the LOI on behalf of the City.

Motion was made by Councilmember Blackwell and seconded by Councilmember Joyner that the LOI be approved.

Councilmember Rogers stated that one cannot help but be impressed by the vision laid out by Mr. Hunt. He noted that a new hotel as was

described along with a parking deck, retail development and residential development is clearly very attractive and that he thinks it is wanted. He said he thinks he understands the legal aspects of the matter, but believes we are in a mode and reacting and have not been as proactive as we should be and he is uncomfortable with the risk. Councilmember Rogers said he believes in the deal that is being looked at today. He added he knows the City will look at it as we go forward further, but thinks the risk is one that puts the City in a position where it might be difficult to borrow money in the future and might lead to a significant deficit. He stated that he does not think we have done enough economic impact study related to the deal and, with great respect to Mr. Hunt and his vision, he opposes entering into the letter of intent.

The Motion carried by a vote of 4-2 (Councilmembers Rogers and Bullock opposed) that the **Letter of Intent (LOI)** with Hunt Services (**C-2019-2**) be approved and that the Mayor and City Clerk be authorized to execute same on behalf of the City.

Mary Nash Rusher noted that the City has commissioned a third party to do an economic study of the Downtown and confirmed that the Letter of Intent (LOI) is not binding and the project will need approval of the Local Government Commission (LGC).

Councilmember Miller stated that she is financially conservative but since the LOI is non-binding she is willing to go forward.

**NORTH CAROLINA DEPARTMENT OF COMMERCE - RURAL ECONOMIC DEVELOPMENT DIVISION - BUILDING REUSE GRANT AGREEMENT/LARGERKO, LLLC - THE MONK HOTEL - ECONOMIC DEVELOPMENT PROJECT (ADDED TO AGENDA IN OPEN MEETING)**

City Manager Rochelle D. Small-Toney told the City Council that in August financial support for the LarGerKo, LLC/Monk Hotel (215 North Church Street) was approved and the pre-application for a grant was submitted to the North Carolina Department of Commerce Building Reuse Program. She stated that once notice of the award was received it included a deed of trust which needed to be approved by the City Council. She recommended approval of the grant agreement and deed of trust.

Mayor Combs noted that he only saw the agreement one month ago and it needed review by the City Attorney and Council approval.

Motion was made by Councilmember Miller, seconded by Councilmember Joyner and unanimously carried that the North Carolina Department of Commerce, Rural Economic Development Loan Agreement and Legally Binding Commitment, Private Owner, Building Reuse Program and Deed of Trust (Grant Number 2019-074-3201-2587) in the sum of \$55,000 (**C-2019-3**) be approved and that the Mayor and City Clerk be authorized to execute the same on behalf of the City.

**RECESS**

The Mayor announced that the City Council would take a brief recess before resuming the meeting and consideration of the regular agenda.

Following the break the meeting resumed.

**CONSENT AGENDA**

**A. AWARD OF DUTY SIDEARMS (recommended for approval):**

The City Council received recommendations for the award of duty sidearms to:

- Sergeant Christopher Moseley who retired from the Rocky Mount Police Department on February 1, 2019 with thirty (30) years of service; and
- Sergeant Edwin Collins who retired from the Rocky Mount Police Department on February 1, 2019 with twenty-eight (28) years of service.

**B. TEMPORARY STREET CLOSING**

The City Council received a request from Anne Craig, Station Square, to close Nash Street between Church and Main Streets from 4 p.m. to 8:00 p.m. on Saturday, April 13, 2019 for the Spring Affair at Station Square.

**C. FY 2018-2019 BUDGET AMENDMENT FOR REIMBURSEMENT OF MUTUAL AID**

The City Council was provided with a budget ordinance amendment amending the FY 2018-2019 Annual Operating Budget by appropriating \$128,585 in the Electric Fund to reimburse costs associated with Mutual Aid provided to other communities for utility restoration following severe tropical storms in the fall of 2018.

Motion was made by Councilmember Rogers, seconded by Councilmember Knight and unanimously carried that the Consent Agenda be approved, inclusive of approval of award of the duty sidearms; approval of the temporary street closing and adoption of the following budget ordinance:

- **Ordinance No. O-2019-6** entitled **ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR 2018-2019 FOR REIMBURSEMENT OF MUTUAL AID (\$128,585)**

**LAND DEVELOPMENT CODE AMENDMENT - PARKING OF OVER-SIZE COMMERCIAL VEHICLES IN RESIDENTIALLY ZONES PROPERTY/PUBLIC HEARING**

The City Council received an Ordinance Amendment relative to parking of oversized commercial vehicles on residentially-zoned property and amending the Ordinance adopted on July 9, 2018 to:

- Allow commercial vehicles and trailers in excess of 25 feet in length, or 10,000 pounds gross weight rating, to park in the rear yard (behind the primary structure) on parcels having an area of one acre or more

Mayor Combs opened the public hearing and no one from the public appeared. The Mayor declared the public hearing closed.

Motion was made by Councilmember Watkins, seconded by Councilmember Blackwell and unanimously carried that **Ordinance No. O-2019-7** entitled **ORDINANCE AMENDING THE LAND DEVELOPMENT CODE AND MAP OF THE CITY OF ROCKY MOUNT** be adopted.

Councilmember Miller noted a concern for damage to commercial streets by vehicles with the weight and length identified.

COMMITTEE OF THE WHOLE MINUTES

The City Council received the minutes from a Rescheduled Special Called Committee of the Whole meeting held January 28, as follows:

**MINUTES OF A MEETING OF A RESCHEDULED SPECIAL CALLED COMMITTEE OF THE WHOLE HELD MONDAY, JANUARY 28, 2019, AT 2:00 P.M. IN THE COMMITTEE ROOM OF THE FREDERICK E. TURNAGE MUNICIPAL BUILDING (OPENING 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:

Rochelle D. Small-Toney  
 Pamela O. Casey  
 Chris Beschler  
 Natasha Hampton-Clayton  
 Tameka Kenan-Norman  
 Elayne Henderson  
 Will Deaton  
 Mark Rogerson  
 Richard J. Rose

Security Officer: William Mayfield

OPENING OF MEETING

Mayor David W. Combs opened the meeting. He stated the City Council will go into a closed session for discussion relative to a personnel matter and a matter concerning economic development.

Mayor Combs stated today's meeting is a special called meeting (work session) for the City Council and is not a public hearing. He reported that the Council will return to the City Council Chamber by 4 p.m. for the regularly rescheduled City Council meeting.

Mayor Combs added that the public petitions portion of the 4 p.m. meeting will be limited to one hour and anyone unable to speak during that time is welcome to provide written comments or come to the next meeting (February 11, 2019 at 7 p.m.). He stated that public comments are always limited to three minutes each.

***COMMITTEE RECOMMENDATION. Motion was made by Councilmember Joyner, seconded by Councilmember Miller and unanimously carried that the City Council go into Closed Session at 2:03 p.m. to discuss matters concerning personnel and economic development.***

\*Councilmember Knight arrived - 2:06 p.m.

\*Councilmember Blackwell arrived - 2:30 p.m.

The minutes of the Closed Session shall be placed on file as **ESM-516** at the end of **Minute Book 35** upon approval for release by the City Attorney.

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**REGULAR SESSION/ADJOURN.** The Mayor convened the Committee in regular session at 3:54 p.m. By consensus the matter concerning Economic Development was moved to the 4 p.m. meeting as a closed session item.

There being no further business for the Committee of the Whole, by consensus, the meeting adjourned at 3:54 p.m.

Motion was made by Councilmember Knight, seconded by Councilmember Joyner and unanimously carried that the minutes and recommendations from the Committee of the Whole meeting be approved.

**AUDIT CONTRACT**

The City Council received a proposal from Martin Starnes & Associates to perform the Fiscal Year 2019 audit at the same cost as the prior year (\$55,000). The City Council was advised that the firm has performed the audit for the past twelve (12) years and has provided excellent service both during the audit engagement and during the year as assistance is required related to financial matters.

Motion was made by Councilmember Miller, seconded by Councilmember Blackwell and unanimously carried that the proposal of Martin Starnes & Associates be accepted and that the Mayor and Director of Finance be authorized to execute the audit contract (C-2019-4) on behalf of the City.

**FY 2018 INDEPENDENT AUDITOR STATEMENT FOR FINANCIAL DATA (IAS-FD)- TAR RIVER TRANSIT**

The City Council was advised that Tar River Transit is required to annually report certain information to the National Transit Database (NTD) and that due to a change in reporting requirements, Tar River Transit is now required to submit an independent auditor statement for financial data (IAS-FD).

The City Council received an engagement letter from Martin Starnes & Associates to provide the independent auditor statement at a cost of \$5,000. Council was advised submission will be required every ten (10) years due to the change in reporting requirements.

Motion was made by Councilmember Joyner, seconded by Councilmember Knight and unanimously carried that the engagement letter from Martin Starnes & Associates be approved and that the Mayor be authorized to execute the same (C-2019-5) on behalf of the City.

**WORKERS' COMPENSATION CLAIMS/THIRD-PARTY ADMINISTRATOR**

The City Council received a recommendation from the Human Resources Department that the contract with Compensation Claims Solutions as the Third-Party Administrator of the City's Workers Compensation Program be renewed for four (4) years at a cost of \$35,000 annually.

Motion was made by Councilmember Bullock, seconded by Councilmember Joyner and unanimously carried that the contract with Compensation Claims Solutions (C-2019-6) be approved and that the Mayor be authorized to execute the renewal contract on behalf of the City.

**SHARED USE PARKING AGREEMENT/EDGECOMBE COMMUNITY COLLEGE**

The City Council was provided with a shared use parking agreement with Edgecombe Community College. The key terms of the agreement were outlined as:

1. The City shall not allow semi-trailer truck or large commercial vehicle parking on the College-owned and/or Jeffreys-owned parcels at any time;
2. The College acknowledges that Special Event parking may be operated under a separate contract with Sports Facilities Management, LLC, the operating entity for the Rocky Mount Event Center, or such other operator as the City may designate;

3. The City shall not charge a fee for parking on any reserved parcel during any Special Event unless the fee and a fee-splitting arrangement has been agreed to in writing and in advance by the College;
4. The City may erect and maintain one or more temporary signs on any reserved parcel indicating that the parcel is available for Special Event parking. Such temporary signage may be in place for no more than one (1) day before and until one (1) day after the Special Event;
5. This Agreement shall commence on the date executed and shall continue in effect until the City or College gives to the other party not less than ninety (90) days' prior written notice of termination; provided, however, if the City gives such notice to the College and the termination date specified in the notice is prior to the end of the College's semester then in effect, then this Agreement shall continue until the end of that semester;
6. Notice of termination given by the College shall terminate this Agreement on the date specified in the notice which shall not be less than ninety (90) days after the date the notice is given.

The Agreement also provided that the City has made or will make at its sole cost certain improvements to the City-owned and College-owned parcels within the Tarboro Street Block and the College-owned and Jeffreys-owned parcels within the Hill Street Block for parking.

Motion was made by Councilmember Watkins, seconded by Councilmember Blackwell and unanimously carried that the Shared Use Parking Agreement with Edgecombe Community College (**C-2019-7**) be approved and that the Mayor and City Clerk be authorized to execute the Agreement on behalf of the City.

#### **BIDS/MULTI-YEAR LUMP SUM TREE TRIMMING**

The City Council received the tabulation of bids received for multi-year lump sum tree trimming. Bids were received and opened on December 6, 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-2019-3**.

Motion was made by Councilmember Joyner, seconded by Councilmember Knight and unanimously carried that the bid be awarded to Xylem Tree Experts at a 3-year cost of \$1,749,740 and that the Mayor and City Clerk be authorized to execute the bid contract on behalf of the City.

#### **CITY COUNCIL RETREAT**

The Mayor announced that the City Council's annual Retreat is planned for February 20-22, 2019 at the Rizzo Center, 150 DuBose Home Lane, Chapel Hill, North Carolina to begin on February 20, 2019 at 8:30 a.m.

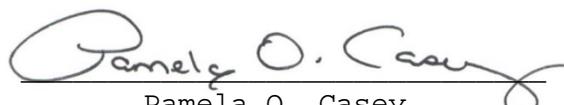
Motion was made by Councilmember Rogers, seconded by Councilmember Joyner and unanimously carried that the retreat be scheduled as recommended.

#### **INTRODUCTION OF NEW STAFF**

City Manager Rochelle D. Small-Toney introduced Will Deaton, Director of the Department of Development Services.

**ADJOURNMENT**

There being no further business, the City Council meeting adjourned  
at 9:02 p.m.



Pamela O. Casey  
City Clerk