

March 8, 2021

The City Council of the City of Rocky Mount met this day in a regular session scheduled for 7:00 p.m. in the George W. Dudley City Council Chamber of the Frederick E. Turnage Municipal Building with Mayor C. Saunders "Sandy" Roberson, Jr. presiding.

Councilmembers present: André D. Knight, Reuben C. Blackwell, IV, Richard Joyner, T.J. Walker, Lige Daughtridge, W.B. Bullock and Christine Carroll Miller\*\*.

*\*\*joining remotely*

Staff present: Rochelle Small-Toney, City Manager; Pamela O. Casey, City Clerk; Dorothy Brown Smith, Chief Communications and Marketing Consultant; Robin Cox, Communications Specialist; Mark Adcox, Video Production Specialist; Kenneth Hunter, Assistant to the City Manager for Budget and Evaluation; Chris Beschler, Director of Energy Resources\*\*\*; Tim Farmer, Public Works Department, Operations Manager\*\*\*; George Robinson, Interim Police Chief\*\*\*; Corey Mercer, Fire Chief\*\*\* and Richard J. Rose, City Attorney.

*\*\*\*present as required*

Security Officer: Police Sergeant Stephen Walker.

The Mayor called the meeting to order at 7:01 p.m. and requested a moment of mediation and individual silent prayer.

#### **APPROVAL OF MINUTES**

Motion was made by Councilmember Joyner, seconded by Councilmember Daughtridge and unanimously carried by roll call vote (7 ayes/0 nays) that the minutes of a regular scheduled meeting of the City Council held February 22, 2021 be approved as submitted to the City Council prior to the meeting.

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

City Manager Rochelle D. Small-Toney provided the following community update. The Manager:

- Announced the opening of some City facilities on a reduced-capacity basis. As a result of Governor Roy Cooper's Executive Order No. 195 the Rocky Mount Sports Complex will open on Saturday, March 13. The South Rocky Mount and Booker T. Washington Community Centers, Rocky Mount Senior Center and Imperial Centre for the Arts and Sciences will begin operating on Monday, March 15. These facilities will each follow COVID-19 guidelines. She encouraged all to visit rockymountnc.gov for more specific information on these openings as well as adhere to the signage that will be posted at each facility. Information regarding events at the Rocky Mount Event Center should be directed to the Event Center staff.
- Reported that the City's Parks and Recreation Department has begun the forestry management stage of its renovation of Battle Park. This process will be in compliance with state and federal regulatory requirements to increase the environmental sustainability of the park, and when completed, will increase sightlines and create more public access to the Tar River. She said much of the park will remain open as much as possible throughout the renovation and asked visitors to note that portions of the park will be closed during the renovation. For more information about the Battle Park Master Plan, visit the Parks and Recreation page at rockymountnc.gov.

- Encouraged citizens to sign up for the upcoming Citizen’s Police Academy that will be held Tuesdays from 7-9 p.m. from April 5-May 25. The Academy is free and will take place at City Hall. Citizens will be able to provide feedback and suggestions to members of the Police Department while also learning more about law enforcement policies and building a stronger relationship with the Police force. The class size will be limited to nine participants, who will be required to wear face coverings and practice social distancing. Registration is required by April 1. Visit [rockymountnc.gov](http://rockymountnc.gov) to apply or call 972-1436.
- Advised that to assist with COVID-19 vaccination opportunities, the City’s Tar River Transit Service is offering free rides to those with scheduled appointments to “drive-up” sites. Transportation is available from 8 a.m.-5 p.m. Monday-Saturday to vaccination sites located in Nash and Edgecombe Counties. Citizens who are interested in transportation to and from vaccination sites may call Tar River Transit at 252-972-1174, 252-972-1514, 252-972-1515, 252-972-1516 or 252-972-1517. All appointments need to be scheduled the day before the trip. Healthcare facilities may also call and schedule transportation on behalf of their patients. Free rides will be available until at least June 30, 2021. Visit [tarrivertransit.org](http://tarrivertransit.org) regarding more information about general routes and services.
- The City of Rocky Mount’s Business and Collections Services Department will utilize the Community Development Block Grant CARES Act to assist utilities customers within the city limits who meet income requirements. The program is designed for low-to-moderate income households impacted by the loss of income due to the COVID-19 pandemic. Eligible households may receive up to \$500 toward delinquent City of Rocky Mount utility bills that became due after March 31, 2020 and remain unpaid. For more information on eligibility requirements, visit [rockymountnc.gov](http://rockymountnc.gov) or contact the Business Services Center at 972-1250.
- Encouraged all to continue to follow CDC guidelines during the COVID-19 pandemic. She said the City will continue to assist community partners during vaccine administration and COVID-19 testing events and share collaborative efforts via the City’s website, [rockymountnc.gov](http://rockymountnc.gov), as well as its social media platforms.

Councilmember Knight requested the City Manager to provide an update relative to the City’s policy or the law in regard to a concern he brought to her earlier in the week about individuals who own their own property erecting and living in a tent on the property. The Manager stated she does not have a definitive answer at this time and legal research is being conducted.

**APPROVAL OF/ADDITIONS TO AGENDA (ADDED TO AGENDA IN OPEN MEETING)**

Mayor Roberson stated a motion relative to Unity Cemetery will be added to today’s agenda for consideration.

He questioned if anyone has any other amendments to the agenda, including requests for removal of an item from the Consent Agenda.

Councilmember Daughtridge requested that an item be added to the agenda for consideration of a requirement for all grants and contracts which utilize City funds or funds for which the City is listed as the fiduciary be audited to ensure the City is getting what it paid for. Councilmember Miller voiced support of the request. Councilmember Blackwell questioned if action is requested

relative to the item and the Mayor clarified the request is for discussion only.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Walker and unanimously carried by roll call vote (7 ayes/0 nays) that consideration of the City Manager's recommendation relative to Unity Cemetery (item 15) and discussion relative to a requirement that all City contracts and grants be audited (item 16) be added to today's agenda.

**AWARD PRESENTATION/SPIRIT OF NORTH CAROLINA AWARD**

The Mayor recognized and welcomed Dr. Haywood Parker, Past Chair of the United Way Tar River Region Board of Directors, and Robert Covington, Co-Chair of the United Way Tar River Region Campaign.

Mr. Covington made brief remarks and said the award being presented this evening is the Spirit of North Carolina Campaign Excellence Award and is given annually by the United Way of North Carolina to honor companies and organization that demonstrate excellence in their United Way employee giving campaign and highlights those wielding a community-wide philanthropic culture. He thanked the City for its ongoing support of the United Way and for making support a priority for employees. He thanked the elected officials for giving their time, talent and treasure to the United Way and other non-profits in the area.

Dr. Haywood Parker thanked the City on behalf of the United Way Board for the creative way the City's campaign was managed during this difficult and challenging year to engage all of the City's top leadership and provide education to all employees in order to generate a contribution of \$95,379 to the United Way. He thanked the City Manager for her leadership and campaign leaders, Chris Beschler and Tim Farmer, department heads, public relations staff, finance staff and all City employees who donated to the campaign and presented the City Manager with the 2020 Spirit of North Carolina Campaign Excellence award.

The City Manager, Mayor, Chris Beschler, Tim Farmer, George Robinson and Corey Mercer joined Mr. Covington and Dr. Parker for a photograph.

The City Manager reported that City employees have gradually increased collective participation during the past three campaigns with the largest increase in 2020. She said this speaks to the spirit of employee giving not only to the United Way but also to the WARM Program and the City's internal Christmas Aid program adding the award being presented is for City employees.

**PETITIONS FROM THE PUBLIC**

The Mayor opened the meeting for petitions from the public and outlined guidelines for public petitions. He recognized the

following individuals for public comment and a summary of comments is outlined below:

- ***Samuel Battle:***
  - Said no one moved any stones during the recent cleanup of Unity Cemetery;
  - Said the code inspector visited the property where a gentleman is living in a tent on his own property adding there is a lot of property within the City needing code enforcement;
  - Said there are additional properties in the City that need code enforcement that are owned by the same person involved in a lawsuit related to a house fire in 2011 in which 8 people died and added there is an issue of code enforcement at Edgecombe Meadows;
  - Said the Vice President of the local NAACP placed information about him on a blog; he called for the Vice President's resignation;
  - Said he filed some paperwork with the Police Department about a month ago related to the incident that occurred recently at the local IHOP and no one has yet contacted him; he said he wants to know if the Officer is still working
  
- ***Troy Davis:***
  - Said the City Council did a good job with their decision relative to Unity Cemetery today and said he hopes they can put the same energy into the Downtown major corridor they are trying to duplicate on Main Street and surrounding blocks on Washington, Howard, Franklin, Arlington up to Atlantic Avenue and into neighborhoods;
  - Said this is the first time he has heard this Council agree and said they need to come together and agree on removing boards from windows, helping the elderly keep their homes, putting roofs on homes, supplying central heating and air, cutting down on slum lords and there is a whole list of items he would like to see this Council enact;
  - Said there is a huge problem in the community because youth have nothing to do adding a plan was proposed for the National Guard Armory building and stakeholders need to be focused;
  - Said he believes this Council can tackle multiple problems at once and suggested youth be paid to pick up trash and that funds be donated to the Boys & Girls Club, United Way and different organizations that can come together once a month to pick up trash;
  - Said one particular Councilmember mentioned not giving repeat grants to grant recipients and suggested some of "his" people step up and do something in the community and not worry about the grants given out because you can see the work being done by the grant recipients adding he gets patted on the back quite often by citizens
  
- ***Nathlyn Ohree:***
  - Said she is a citizen of Rocky Mount;
  - Said she has been attending Council meetings over the past 2 years and looking forward to the day the Council will demonstrate a unified force and uplift the spirit of the City;
  - Was very concerned a couple weeks ago when she watched Channel 5 news and one of the Councilmembers voiced opposition to the Council's decision to go on a retreat;
  - Said the Council deserves a retreat and deserves to get out of the country if they want to but, whenever there is a unified decision, Councilmembers should support each other in the decision;
  - Asked Councilmembers to avoid making tv appearances that negatively impact the City or its employees adding in this time of racial and health crisis all need to lift each other up as much as they can and encouraged Council to do that

regardless of their personal feelings and then they come to the Council meetings and work as a unit

○ ***Bronson Williams:***

- Said Rocky Mount is bringing something from Asheville, North Carolina before even going to right racial wrongs at no fault of Black people;
- Said Asheville was one of the first cities in North Carolina to call for reparations for the shameful injustice that happened to Black people;
- Said Rocky Mount today took a vote to take possession of and provide perpetual care for beloved Black men, women and children (buried in Unity Cemetery) who were not allowed to be buried (elsewhere) simply because of the color of their skin;
- Thanked this elected body for working towards righting a wrong;
- Said he appreciates seeing on today's agenda there are about 8 single family homes being erected on Nash Street and said he is always excited to see new development;
- Said too often people say nothing is happening but he sees great things transpiring;
- Invited Councilmembers to call into his live television show from 7 a.m. - 9 a.m. to respond to questions from citizens;
- Thanked Councilmembers Knight and Blackwell who have called in to right some wrongs when people give misinformation and said he is always about providing accurate, true information in all spaces

○ ***Johnny Cunningham:***

- Thanked the City Manager for the courage she displays in making hard decisions that benefit the entire City and her courageous decision to go to Asheville and bring back good tidings to the City;
- Said all are aware of Willie Lynch and some historians would make you believe it is a hoax but when you see the tactics applied to your City by its leaders (when you have one black developer who had invested millions of dollars in Downtown and have another young, fast speaking, handsome Black developer from Raleigh highlighted over the real investor);
- Said when a government is established outside of the government body and powers and finances utilized to manipulate, control and dictate what should have taken place in closed session but yet take place in other places like the imaginary "other city hall" across the street the Council needs to address the issue because they cannot move forward if the one piloting the plane is in control but his mode is in self-destruction

There being no other speakers, the Mayor closed the public petitions portion of the meeting.

**CONSENT AGENDA**

**A. RESOLUTION FOR WATER RESOURCES DEVELOPMENT GRANT FOR BATTLE PARK - (recommended for approval)**

The City Council was provided with a Resolution required for the Water Resources Development Grant for Battle Park improvements (\$199,873; 50% local match required and allocated). It was noted that the grant application was approved at the December 9, 2019 meeting however the resolution was not officially adopted by the Council. Formal adoption of the resolution was requested to ensure all grant requirements are met.

**B. FY 2020-2021 ORDINANCE AMENDMENTS: (recommended for approval)**

Consideration was given to the following Ordinance amendments:

- Project Ordinance:

- 1) FY 2020 Edward Byrne Memorial Justice Assistance Program (JAG20) - appropriates funds in the Public Safety Fund: \$35,048; City share = 60% (\$21,029); Nash County share = 40% (\$14,019)

- Budget Ordinance:

- 2) Train Station Repair - appropriates funds in the General Fund for repairs to the Helen P. Gay Historic Train Station = \$59,600

**C. TAXICAB LICENSE**

The City Council received a recommendation from the Interim Chief of Police for the issuance of one new taxi right license to Mable R. Page and denial of a taxi right license to Qamarah Harris, based upon guidelines for owning a taxicab.

Motion was made by Councilmember Miller, seconded by Councilmember Daughtridge and unanimously carried by roll call vote (7 ayes/0 nays) that the following resolution and ordinances be adopted and that the taxi permits be approved/denied, as recommended by the Interim Chief of Police.

- 1) **Resolution No. R-2021-13** entitled **RESOLUTION SUPPORTING WATER RESOURCES DEVELOPMENT GRANT APPLICATION;**
- 2) **Ordinance No. O-2021-11** entitled **GRANT PROJECT ORDINANCE/EDWARD BYRNE MEMORIAL JUSTICE GRANT;** and
- 3) **Ordinance No. O-2021-12** entitled **ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR 2020-2021 FOR TRAIN STATION REPAIR.**

**ANNEXATION NO. 320 - GREEN HILLS ROAD/CONTIGUOUS**

The Mayor opened a public hearing relative to Annexation No. 320 and recognized the City Manager. City Manager Rochelle D. Small-Toney called on staff to explain the feasibility study prepared in connection with the annexation by the Department of Development Services.

JoSeth Bocook, Planning Administrator, explained the report, noting, if approved, the property will become a part of Ward 5 and concluded by recommending approval of the annexation. He noted the annexation request is unique because the property owners have requested the property be zoned Planned Density Residential (PDR) upon annexation pursuant to the Development Plan (Planned Density Residential Zoning Development Plan for Saddlebrook Subdivision). The Council was advised that there are two additional adjacent properties proposed to be rezoned with the same zoning classification and, if

approved, the development plan would allow up to 625 dwelling units to be developed in phases.

Mr. Bocook responded to questions.

A copy of the report is on file in Annexation No. 320 in the office of the City Clerk.

Kevin Varnell, Civil Engineer with Stocks Engineering, P.A., appeared and responded to questions from Councilmembers advising:

- Just over 600 lots are proposed for development in phases to include 30 to 50 lots for each phase to be developed as the market allows;
- It is expected the project will be developed over seven years from start to finish; and
- The project is expected to include a multitude of single-family housing types ranging from the lower end to the upper end (approximately \$200,000 to \$400,000).

No one else appeared and the Mayor declared the public hearing closed and noted written comments will be accepted up to 24 hours after the public hearing in accordance with NCGS 166A-19.24 and such comments can be submitted to the City Clerk.

*NOTE: No public comments were received.*

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner and unanimously carried by roll call vote (7 ayes/0 nays) that **Ordinance No. O-2021-13** entitled **ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF ROCKY MOUNT/ANNEXATION NO. 320 - GREEN HILLS ROAD (PIN NOS. 383100196530; 38210898643 AND PORTION OF 383200003921** be adopted.

#### **PLANNING BOARD RECOMMENDATIONS**

The City Council acknowledged receipt of draft minutes and recommendations from a Planning Board meeting held February 9, 2021. The minutes are on file in the office of the City Clerk.

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

#### **A. PUBLIC HEARING/REZONING REQUEST**

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

- request by Bryan Properties, Inc. to rezone ±31.59 acres located at 4607 and 4680 Green Hills Road from A-1 to PDR

Planning Administrator, JoSeth Bocook, explained that the request approved by the Planning Board is to rezone two parcels from agricultural residential (A-1) to planned density residential (PDR) adding that the two acres are within the City limits. He responded to questions from Councilmembers.

Councilmember Knight questioned if there should be consideration of potential expansion of the City's Extraterritorial Jurisdiction (ETJ) and the City Manager responded in the affirmative.

Kevin Varnell, Civil Engineer with Stocks Engineering, P.A., appeared to respond to questions from Councilmembers and there were no further questions.

No one else appeared and the Mayor declared the public hearing closed and noted written comments will be accepted up to 24 hours after the public hearing in accordance with NCGS 166A-19.24 and such comments can be submitted to the City Clerk.

*NOTE: No public comments were received.*

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner and unanimously carried by roll call vote (7 ayes/0 nays) that **Ordinance No. O-2021-14** entitled **ORDINANCE AMENDING THE LAND DEVELOPMENT CODE AND MAP OF THE CITY OF ROCKY MOUNT** be adopted.

**HOME PROGRAM COMMITMENT AGREEMENT/SOUTH EASTERN NORTH CAROLINA COMMUNITY DEVELOPMENT CORPORATION (SENCCDC)**

Consideration was given to a Home Program Commitment Agreement with South Eastern North Carolina Community Development Corporation (SENCCDC), a local certified Community Housing Development Organization (CHDO), for the construction of eight (8) single-family homes for low-income residents in the 1900 block of Vance Street. Funding for the project was identified as:

FUNDING SOURCE	AMOUNT
NC Housing Finance Agency	\$600,000
Federal Home Loan Bank	400,000
Down East Home Consortium (CHDO)	250,000
SENCCDC Equity	34,450
City of Rocky Mount Housing Incentive	150,000

The City Council was advised that the three-year Consolidated Plan provides that the City would partner with the South Eastern North Carolina Community Development Corporation (SENCCDC); that it is expected that construction will be completed by April 2022; and that the SENCCDC agrees to submit quarterly reports to the City.

Motion was made by Councilmember Joyner, seconded by Councilmember Walker and unanimously carried by roll call vote (7 ayes/0 nays) that the Home Program Commitment Agreement with South Eastern North Carolina Community Development Corporation (SENCCDC) **(C-2021-13)** be approved and that the City Manager, City Clerk and appropriate staff members be authorized to execute the same on behalf of the City.

**ASSESSMENTS/HOUSING CODE ENFORCEMENT**

The City Council received the preliminary assessment roll prepared to recover costs incurred by the City in connection with Housing Code Enforcement on the following properties:

- a. 332 N. Howell Street
- b. 101 Heron Street
- c. 509 N. Vyne Street
- d. 500/502 Clyde Street

Motion was made by Councilmember Walker, seconded by Councilmember Miller and unanimously carried by roll call vote (7 ayes/0 nays) that receipt of the preliminary assessment roll be acknowledged; that **Resolution No. R-2021-14** entitled **RESOLUTION OF DETERMINATION OF COST OF REPAIR/DEMOLITION OF SUBSTANDARD HOUSING AND STRUCTURES** and **Resolution No. R-2021-15** entitled **RESOLUTION OF PRELIMINARY ASSESSMENT ROLL** be adopted; and that a public hearing on the assessments be scheduled for April 12, 2021.

Councilmember Knight questioned if there is a list of properties that are under code enforcement and identified as substandard. He suggested that a discussion be held relative the City's housing code and demolition properties.

**FY 2021 FEDERAL TRANSIT ADMINISTRATION'S CERTIFICATIONS AND ASSURANCES/FY 2022 SPECIAL SECTION 5333(B) WARRANTY FOR TRANSIT FUNDING/FY 2021 DELEGATION OF AUTHORITY FORM**

The City Council was provided with FY 2021 Certifications and Assurances for Transit grant funding and advised that the certifications and assurances ensure the City will comply with all regulations for any amount of federal dollars allocated; FY 2022 Special Section 5333(b) Warranty for Transit Grant funding and an update to FY 2021 Delegation of Authority for Transit grants administered by the North Carolina Department of Transportation/Public Transportation Division. It was noted the FY 2021 Delegation of Authority form designates City Manager, Rochelle D. Small-Toney, as the authorized official to submit funding applications and enter into contracts with the North Carolina Department of Transportation and to execute all agreements and contracts with NCDOT's Public Transportation Division. Additionally, the Delegation of Authority form designates the Finance Director as the Primary Designee to submit Reimbursement Requests, Budget Revisions, Budget Amendments and Period of Performance Extensions and names the City's Accounting Manager and Grants Accountant as Alternates for these functions.

Motion was made by Councilmember Miller, seconded by Councilmember Walker and unanimously carried by roll call vote (7 ayes/0 nays) that the Certifications and Assurances, Special Section Warranty and Update to Delegation of Authority be approved and that the City Manager, City Clerk and City Attorney be authorized to execute any required documentation on behalf of the City.

**APPOINTMENTS**

No action was taken to fill the vacancies on the City's Board, Commissions and Committees.

**UNITY CEMETERY (ADDED TO AGENDA IN OPEN MEETING)**

Mayor Sandy Roberson stated discussion was held in the Committee of the Whole relative to the City Manager's

recommendations for restoration, funding and upkeep of Unity Cemetery.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Knight and unanimously carried by roll call vote (7 ayes/0 nays) that the City Manager's recommendations for restoration, funding and upkeep of Unity Cemetery as outlined in the Committee of the Whole be approved.

Councilmember Knight stated that this action by the City Council is historic and it is important that language be included in the minutes to reflect that it has taken over 106 years for Unity Cemetery to receive perpetual care and that the recommendation of the City Manager and her team will begin the process of healing and restoration for those buried in Unity Cemetery and is a move towards starting policies to create unity and right wrongs as an act of reparations to ensure the City is correcting the legacy of Jim Crow.

**AUDIT OF ALL CITY APPROVED CONTRACT AND GRANTS (ADDED TO AGENDA IN OPEN MEETING)**

Mayor Roberson stated that a request was made earlier in today's meeting (by Councilmember Daughtridge) that all contracts and grants issued by the City be audited and the item was added to the agenda for consideration and questioned if there is a second to the Motion.

Objections were raised by Councilmembers Knight and Blackwell who indicated they thought the earlier motion was that discussion relative to the request be held. Councilmember Miller stated she seconded the motion.

Extensive discussion followed with Councilmember Joyner calling for the question.

Mayor Roberson stated the motion on the floor is consideration for all contracts and grants issued by the City to be subject to audit and an affirmative vote is to enact the requirement and a nay vote is to oppose the audit.

A vote held on the request that all contracts and grants issued by the City be subject to audit failed by a vote of 4-2 (Councilmembers Daughtridge and Bullock opposed; no vote was recorded for Councilmember Miller in accordance to NCGS 160A-75).

**ADJOURNMENT**

There being no further business, by consensus, the meeting was adjourned at 8:25 p.m. without objection.

  
Pamela O. Casey  
City Clerk