

July 26, 2021

The City Council of the City of Rocky Mount met this day in a regular session scheduled for 4:00 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.

*NOTE: Participation limited due to Governor Roy Cooper's Executive Order relative to the Coronavirus pandemic (COVID-19)*

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

Staff present: Rochelle D. Small-Toney, City Manager; Pamela O. Casey, City Clerk; Elton Daniels, Assistant City Manager; Dorothy Brown Smith, Communications and Marketing Consultant; Jessie Nunery, Interim Director of Communications and Marketing; Mark Adcox, Video Production Specialist; Robin Cox, Communications Specialist; Latasha Hall, Director of Business and Collections Services; Abdul Baloch, Chief Internal Auditor; Chris Beschler, Director of Energy Resources; Ken Hunter, Assistant to the City Manager for Budget and Evaluation; Kena Cofield-Jones, Human Resources Director; Archie Jones, Director of Human Relations; Robert Hassell, Police Chief; Brad Kerr, Public Works Director; Chase Norwood and Keyana Walston, Management Analysts; Brenton Bent, Water Resources Director; Gregory Cotten, Chief Technology Officer; Jayson Dawkins, Policy Analyst; Corey Mercer, Fire Chief; Kevin Harris, Business Development Manager; Will Deaton, Development Services; Nicki Gurganus, Accounting Manager; Heather Daniel, Accountant; Chalita Evans, Accounting Specialist; Melanie Manning, Accountant; David Griffin, Community Services Superintendent; Michael Roupp, Assistant Chief of Operations; Peter F. Varney, Interim Community & Business Development Director; Tariq Al-Harbi, Budget & Evaluation Summer Intern; Leon Glaster, Financial Advisor and Richard J. Rose, City Attorney.

The Mayor called the meeting to order at 4:02 p.m. and requested a moment of silence for individual prayer.

**APPROVAL OF MINUTES**

Motion was made by Councilmember Joyner, seconded by Councilmember Daughtridge and unanimously carried that the minutes of a regular scheduled meeting of the City Council held June 14, 2021, be approved as submitted to the City Council prior to the meeting.

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

Mayor Roberson inquired if there were any changes, additions or deletions to the agenda adding there has been a request to remove Item 16 as the matter is now moot.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Miller and unanimously carried that Item 16 (consideration of removal of Ward 7 Board Member) be removed from the agenda.

**COMMUNITY UPDATE BY CITY MANAGER**

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

- Began her report by reminding the community that the third installment of the #RockyMount4All Virtual Town Hall Series will be held Tuesday, July 27 at 7 p.m. The session will focus on Affordable Housing. She said she will be joined by Development Services Director Will Deaton and Community Development Administrator Cornelia McGee, as well Robin Joyner, who will represent the Berkshire Community. She said most importantly, the community is invited to participate. She invited all to visit the City of Rocky Mount's Facebook page for the information to join the virtual session, which will be broadcast live on the City's Facebook and YouTube channels. For more information or to share information, email the City at [outreach@rockymountnc.gov](mailto:outreach@rockymountnc.gov).
- Invited the public to attend a pair of speaking programs that are an extension of Navigating Jim Crow: The Green Book and Oasis Spaces in North Carolina exhibit at the Imperial Centre for the Arts and Sciences. The exhibit features a number of Rocky Mount Green Book locations, which served as safe havens for African American travelers during the Jim Crow Era. Tonight, at 6:30 p.m., Mrs. Vannette Pittman Woods will share her memories as a youth growing up in her family's business, the Lincoln Park Motel and Restaurant. On Wednesday, July 28 at 1 p.m., Mrs. Pittman Woods and Angela Bryant will lead a discussion geared towards youth after reading from, "Ruth and the Green Book." Bryant will return at 6:30 p.m. on Thursday, July 29 and will share memories from her family's business, the Wright's Motel and Chick Shack. She encouraged those who cannot attend any of those programs to stop by the Imperial Centre and visit the exhibit as well as others that currently are on display. The Navigating Jim Crow exhibit will be housed at the Imperial Centre until August 16.
- Stated that the Spring and Summer is also bringing the return of the Summer Night Lights Series. The Series continues this Friday, July 30 at Buck Leonard Park and will be held every Friday from 6-8 p.m. at various City parks through the month of August. The event is free and offers field games, family fun, music and hot dog snack packs. In addition, some of these events will feature an opportunity to meet and speak with the new Chief of Police, Robert Hassell. For more information, contact the City's Parks and Recreation Department at 252-467-4902.
- Noted that the Rocky Mount Business and Collections Services Department is utilizing the Community Development Block Grant CARES Act funding to assist utility customers within the city limits who meet income requirements. The program is designed to assist with payment of delinquent utility bills for low-to-moderate income households impacted by the loss of income due to the COVID-19 pandemic. Households that became delinquent after March 31, 2020, and in which income was affected by COVID-19 may receive up to six months of utilities assistance via this program. For more information on eligibility requirements, visit [rockymountnc.gov](http://rockymountnc.gov) or contact the City's Business Services Center at 972-1250.

\*Councilmember Blackwell arrived

- Reminded all that the Tar River Transit service has extended its offering of free rides to COVID-19 vaccination sites for 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. All appointments need to be scheduled the day before the trip. Free rides will be available until at least August 31. Visit [tarrivertransit.org](http://tarrivertransit.org) regarding more information.
- Stated that Rocky Mount believes in transparency and utilizes a variety of platforms to stay connected with citizens and visitors. The City has more than 14,500 followers on its Facebook page, and YouTube subscribers has more than doubled over the last few months as the page has become the home to the livestreaming of Rocky Mount City Council meetings as well as City Beat TV weekly programming. The first two #RockyMount4All

Virtual Town Hall sessions reached more than 11,300 people between Facebook and YouTube platforms, including viewers from nine different states. The City has more than 2,700 followers on Twitter and almost 1,200 followers on LinkedIn, where visitors can stay abreast of the latest employment opportunities with the City. The Communications, Marketing and Public Relations Department also utilizes Instagram, Nextdoor, text messaging and strategically placed signage to keep the community informed about the City's latest events. She said she noticed today signage featuring the Police and Fire Chiefs recruiting community members to join the Police and Fire Departments.

- Said she is excited to announce this week the City will launch the revamp of the rockymountnc.gov website. Members of each City department formed a steering committee to assess the design, functionality and information of the current site. As a result of those meetings and assessments, the City is pleased to show some of what staff feels is a vibrant, engaging and informative website that will serve citizens, employees and visitors in an efficient manner.

The City Manager called on Communications and Marketing Consultant Dorothy Brown Smith to provide the City Council with a preview of the City's new revamped website. Ms. Smith responded to comments from Councilmembers and the City Council expressed appreciation for the update to the website.

\*Councilmember Walker arrived

#### **STORMWATER AWARENESS WEEK**

Mayor C. Saunders Roberson, Jr. read a proclamation proclaiming the week of August 15-21, 2021, as "Stormwater Awareness Week" in the City of Rocky Mount and presented the proclamation to Public Works Director Brad Kerr. The Mayor, City Manager and Assistant City Manager Elton Daniels joined Mr. Kerr for a photograph.

#### **SPECIAL RECOGNITION/GOVERNMENT FINANCE OFFICERS ASSOCIATION AWARD**

The Mayor announced that for the 27<sup>th</sup> consecutive year the City has been recognized by the Government Finance Officers Association for Excellence in Financial Reporting for the Comprehensive Annual Financial Report for the fiscal year ending June 30, 2020. It was noted that the certificate of achievement is the highest form of recognition in governmental accounting and financial reporting and represents a significant accomplishment by a government and its management.

The Mayor presented the certificate and plaque to Nicki Gurganus, Accounting Manager; Heather Daniel, Accountant; and Chalita Evans, Accounting Specialist and he and the City Manager joined the members of the Accounting Department for a photograph.

#### **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:

- ***Dr. Kim E. Koo:***
  - Spoke in opposition to SB 473 stating it is hypocritical and malevolent;
  - Said in 2019, North Carolina was rocked with one of the most sensational bribery and corruption cases involving millions of dollars, and those involved were part of bribery and corruption of state republican officials; said it was revealed that an extremely wealthy businessman, Gary Lindberg, attempted to bribe the State Insurance

Commissioner, Mike Causey, with more than \$1M in political contributions for regulatory help so Mr. Lindbergh's businesses would not be given a hard time for not meeting state regulations; however, Mr. Causey turned Mr. Lindbergh over to the FBI for investigation. She said subsequent reports show how the chain of corruption went up the republican party ladder and involved Robin Hayes, the state GOP Chairman, who was the business partner of Mr. Lindbergh. She added it had been reported that republican congressman, Mark Walker, had received \$150,000 in Lindbergh campaign donation money in February of 2018. She said she thought North Carolina capped individual donations at \$4,500. Dr. Koo said Lieutenant Governor Dan Forest received over \$2M spread over the political committees he was part of. She added that the North Carolina republican Council of State committees, which Dan Forest chaired received \$1.4M and another \$1M went to Truth and Prosperity, a pact with the party. She said when everything was added together it totaled a whopping \$3M. She reported in 2018, L. McCrae Dowless, Jr. was indicted for messing around with absentee ballots for House Republican Representative Mark Harris and these activities prompted a New York Times article to say this of North Carolina “bribery, election fraud, witness tampering and lying to the FBI”. Dr. Koo said on July 23, 2021, an editorial on WRAL.com was titled “gut and replace tactic hides legislators’ accountability to voters” and recounted how Phil Berger, Republican leader, took a bill that had already been passed, deleted the content and replaced it with what he wanted. She questioned where Lisa Barnes was when this was happening and why she wasn’t working to clean her own house, which is extremely dirty. Dr. Koo said Senator Barnes is pointing fingers at others with the malevolent attempt to dismantle what little gains Black people here are making in the city of vast divisions and monumental inequality and is cheered on by a vocal group of racists and white supremacists.

○ ***Samuel Battle:***

- Said he didn’t come to talk about SB 473 but when he hears about it and how it hurts Black people he goes back to the crime bill and said democrats caused that bill which resulted in the massive incarceration of African Americans within the Black community who were locked up for drugs; said cocaine is a nonviolent offense that should have a punishment of 5 years in prison but people were given 45 years in jail for it; said people are now coming home after many years in prison; and the primary concern seems to be to say that HB 473 is racist;
- Said since 1994, Black people have been getting slaughtered by the prison system;
- Said thanks to Presidents Obama and Trump people are being released from prison;
- Said he doesn’t look at a Black or White or democratic or republican issues but wants what is best for the people;
- Said there continues to be talk about SB 473 but people should do right by God, and they won’t have to worry about the bill;
- Said when you get your hand caught in the cookie jar you have a problem, and it is like telling our kids to go to the store to steal and thinking it ain’t no crime until you get caught; said it is a crime regardless;
- Spoke in support of SB 473 saying it needs to pass for the Black community because they aren’t getting any money;
- Said there are 382 churches in Rocky Mount, and he doesn’t see church members in the community; said Jesus was saving lost souls and was walking the streets and it was the synagogue and the people of the church who convicted him

○ ***Nehemiah Smith, Jr.:***

- Said at the beginning of this meeting, the Mayor asked for a moment of silence; said moments of silence are telling;
- Said SB 473 is toxic to nonprofits, intimidates duly elected officials and is a deterrent to those who may seek elected office in the future, especially Blacks and other minorities; said it is poorly defined and ultimately, intrinsically flawed;

- Said this run-on legislation cloaked in transparency and accountability which will be used by republicans and democrats as a way to fool the public into believing they are addressing issues that the North Carolina General Statutes already cover;
  - Said people want to talk about misdeeds and have yet to show any misdeeds by any member of this Council; said there is a political bloodlust for individuals, not because they've done anything wrong, but because they've done too much to even the playing field for all people;
  - Said transparency and accountability are the currency of leadership but they must never be used to shield personal agendas because in the end, we will find that hypocrisy is a detriment to progress;
  - Said his dear elder brother said these words, “our lives begin to end the day we become silent about the things that matter” adding that SB 473 matters because the bill is not just going to affect Rocky Mount, it will affect the entire state and nonprofits will suffer because somebody wanted to get at one person or two people;
  - Said this Council should not remain silent about it and if members are for it they should say they are for it because it's about Rocky Mount; said it members are against it they should say that but not just sit around and say nothing because what that means is when these nonprofits start to go under and cannot get the funding, those who said nothing are complicit
- **Sharon Evans:**
- Said she is from the Hillsdale community;
  - Thanked the Council for the work they have done in Rocky Mount;
  - Said she left Rocky Mount in 1979 and came back in 1999 and the City still had the same Mayor, but a lot had changed;
  - Said citizens want to see the change in Rocky Mount and thank God for that;
  - Encouraged Council to stay focused as Nehemiah was when he was in the process of rebuilding the city and had a lot of obstacles;
  - Thanked Councilmember Knight, Elton Daniels, Kevin Harris, Archie Jones, Joel Dunn and Peter Varney for the work in the Hillsdale community;
  - Said Hillsdale is going to have a ribbon cutting for Lancaster Park on Saturday from 3 to 5 p.m. and invited all to attend;
  - Said in regard to SB 473, it is amazing that the City has been recognized for 27 consecutive years for financial reporting but we allowed the auditor to come in and go back 20 years to say that something was wrong with the reporting in this area; said it is sad that we even allow that person to have that much authority asking if the money spent for the audit is questioned; said people need to stand up and asked if Council is for or against the bill;
  - Said at the last meeting it was suggested that Council put something in writing against the bill and questioned the status of that;
  - Said the citizens appreciate what has been done but more needs to be done;
  - Said she hopes some of the CARES money will be put into the communities and said it needs to be a bottom to top process and not top to bottom because the community needs to be able to have some input as far as what needs to be done with the money
- **Brenda Cooper:**
- Said she is from the South Rocky Mount community and usually talks about South Rocky Mount;
  - Said she works in the community and has lived in the community for a long time and has a real concern, which is not just in South Rocky Mount but in other places, regarding the blight that is left by landlords and tenants that don't care about where they live; said landlords must be held accountable for how their properties are looking;
  - Said she has lived in one place for over 30 years and has a property she has to look at every day and no one seems to care enough to insist that these code violations be addressed like cars left abandoned and trash;

- Said the owner doesn't care and rides by, picks up the rent and keeps on rolling; said we must hold landlords who do not care about our community accountable, and they need to keep the properties up or leave them but the issue has to be dealt with and it is time to deal with it because it has been going on for quite some time

The Mayor closed the public petitions portion of the meeting and recognized Councilmember Knight for comment.

Councilmember Knight addressed City Manager Rochelle D. Small-Toney and said two weeks ago the Manager mentioned that once she was able to determine the requirements for the use of the federal funding the City will receive, she would provide an update to the Council and the community and questioned if she was able to provide the update at this time.

The City Manager responded that the plan is to have a more robust discussion at the next Committee of the Whole meeting and staff continues to participate in webinars and investigating the requirements for use of the funding and the information seems to be changing. She says some of categories for use of the funds is known and that is why she recommended early on that Council reserve \$3M specifically for housing because the legislation was very clear about that use. She added she hopes to bring a recommended plan for the use of the remaining funds to Council soon and there is a specific timeline in which the funds can be committed by 2024 and then actually spent by 2026. Ms. Small-Toney reported that the City has received the first drawdown of one-half of the total expected funding of \$11.7M.

Councilmember Knight appreciated Reverend Cutler, Sharon Evans, the Hillside Community and staff for the work on Lancaster Park and invited all to the grand opening scheduled for Saturday.

Mr. Knight reiterated his opposition to SB 473.

Councilmember Joyner thanked Ms. Brenda Cooper for her comments and said Council wants to look at stronger enforcement of code violations, especially for rental property with garbage and cars left at the properties when renters move out.

Councilmember Blackwell stated that Council has been discussing SB 473 and there has been conversation relative to preparing a resolution in opposition. He questioned if such a resolution has been drafted and if there is a will among the Council to discuss and vote on adoption of a resolution in opposition to SB 473. Councilmember Joyner stated that the resolution has been prepared and sent to Council for review. He suggested that Councilmembers review the resolution and provide response.

Councilmember Knight suggested that consideration of the resolution is time sensitive and requested that it be read aloud during this meeting to allow for Council discussion and consideration. He said whether or not the Council supports the resolution, he wants his constituents to know he is opposed to the bill and thinks the Council should be proactive in opposing SB 473, if all agree.

Councilmember Blackwell questioned if the resolution is expected to be on an agenda in two weeks. Following discussion, the Mayor stated if the Council desires consideration of the resolution to be added to today's agenda they will need to vote to add it to the agenda. Councilmember Blackwell recommended the draft of the resolution be read aloud. Mayor Roberson stated he will read the draft of the resolution aloud just prior to the City Council going into a closed session today.

**BUDGET ORDINANCE/ROLLOUT CART REPLACEMENT**

The City Council was advised that the FY 2020-2021 annual operating budget included funding for the replacement of all remaining old rollout cars with new models; however, due to supply and logistic limitations during the COVID-19 Pandemic, the process could not be arranged before the end of FY 2021. The City Council was provided with a budget amendment appropriating \$318,000, derived from unspent funds from FY 2020-2021 to the General Fund for the current budget year for purchase of replacement solid waste rollout carts.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner and unanimously carried that **Ordinance No. O-2021-63** entitled **ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR 2021-2022 FOR ROLLOUT CART REPLACEMENT** be adopted.

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

The City Council was advised that the Three-Year Consolidated Plan provides that the City partner with the 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 Rocky Mount. Council was further advised that due to the rise in construction cost and materials, the City has negotiated an amendment to the agreement between the City and SENCCDC which authorizes additional funding in the amount of \$129,000 to support the construction of eight (8) single-family homes in the 1900 block of Vance Street. It was explained that three (3) of the HOME-assisted units will be funded through CHDO funds. Funding sources for the Vance Street Homes Project were identified as:

<b>FUNDING SOURCE</b>	<b>AMOUNT</b>
NC Housing Finance Agency	\$ 600,000
Federal Home Loan Bank	400,000
Down East Home Consortium (CHDO)	379,000 (increase of \$129,000)
SENCCDC Equity	34,450
City of Rocky Mount Housing Incentive	150,000
<b>TOTAL</b>	<b>\$1,023,450</b>

It was noted that under the terms of the agreement, it is expected that construction will be completed by April 2022 and SENCCDC agrees to submit quarterly reports to the City.

Consideration was given to a First Amendment to the Home Program Commitment Agreement with South Eastern North Carolina Community Development Corporation (SENCCDC) for the construction of eight (8)

single-family homes for low-income residents in the 1900 block of Vance Street.

Motion was made by Councilmember Joyner, seconded by Councilmember Knight and unanimously carried that the Amendment to the Home Program Commitment Agreement with South Eastern North Carolina Community Development Corporation (SENCCDC) be approved and that the City Manager, City Clerk and appropriate staff be authorized to execute the same on behalf of the City. The amendment shall be filed with the original Agreement identified as **(C-2021-13)** in the Office of the City Clerk.

**BUILDING REUSE GRANT/SEPRO**

The City Council was provided with a grant application to the North Carolina Department of Commerce for funding (\$190,000) through the Rural Building Reuse Program for the "Project Bulldog Building Reuse Project" (SePro) at 1259 Atlantic Avenue and an authorizing resolution. It was noted that the City and the Carolinas Gateway Partnership will arrange for a local cash match of \$9,500 to be used for the planning administration of the project. The City Council was advised that planned investment for the project is expected to be \$2.5M and will result in twenty (20) new jobs.

Councilmember Joyner requested that the City Manager report what this expansion will mean for the City. Ms. Small-Toney noted that the grant will assist in additional jobs coming into the community and added that the City plays an important role in this type of grant being awarded. She stated the community has seen the Building Reuse Program used before for other expansions and recommended approval. Councilmember Daughtride noted a change needs to be made to paragraph three of the resolution to change "County" to "City". Additional discussion was held.

Motion was made by Councilmember Blackwell, seconded by Councilmember Joyner and unanimously carried that the grant application be approved and that **Resolution No. R-2021-34** entitled **AUTHORIZING RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ROCKY MOUNT FOR THE NORTH CAROLINA DEPARTMENT OF COMMERCE BUILDING REUSE PROGRAM - "PROJECT BULLDOG BUILDING REUSE PROJECT"** be adopted. This resolution authorizes that the City has substantially complied or will substantially comply with all State and local laws, rules, regulations and ordinances applicable to the project and to the grants pertaining thereto and that Rochelle D. Small-Toney, City Manager, is authorized to execute any additional documents pertaining to the grant application as requested.

**MUNICIPAL AGREEMENTS/TRAFFIC SIGNAL MAINTENANCE AGREEMENTS**

The City Council received the following updated municipal agreements with the North Carolina Department of Transportation (NCDOT) providing for reimbursement for maintenance and operational costs of state-owned traffic signals within the City (WBS Elements: 4.1064SM):

- Schedule C (traffic control devices/traffic signals agreement - reimbursement schedule) - **(C-2021-26)**; and

- Schedule D - (computer, communications, equipment and system operations for computerized traffic signal system agreement - operational contract and reimbursement rate) - **(C-2021-27)**

It was noted the City will be reimbursed quarterly by the NCDOT based on the rates specified in the appendix up to an annual approved amount or an amount not to exceed \$172,000 for Schedule C and \$90,000 for Schedule D and reimbursement rates specified in the appendix are for FY 2022 and may be increased up to three percent (3%) annually based on inflation and costs increases. The agreements will be effective July 1, 2021, with extensions made in one (1) year increments up to five (5) years expiring June 30, 2027. It was noted that the City owns eleven (11) signals and maintains one hundred thirty-four (134) signals on behalf of NCDOT.

Motion was made by Councilmember Miller, seconded by Councilmember Joyner and unanimously carried that the municipal agreements with the North Carolina Department of Transportation (NCDOT) be approved and that the Mayor, Finance Director and City Clerk be authorized to execute the municipal agreements on behalf of the City.

**PROPERTY DISPOSITION - 811 AND 815-821 HAMMOND STREET**

It was noted at the May 10, 2021, City Council meeting the Council tabled the recommendation to adopt the Resolution Authorizing an Upset Bid Process for the sale of City-owned property at 811 and 815-821 Hammond Street so that the proposed Home Purchase Agreement with Kevin Jones could be modified to reflect the City Council's housing affordability goals.

Council was advised that the Agreement has been modified to require that the deed conveying the lots (2) will require restrictive covenants requiring the houses to be occupied for at least ten (10) years by households whose income is not more than 80% of the Rocky Mount area median income and the revision requires the owner to execute promissory notes secured by deeds of trust in the amount of \$12,110 for 811 Hammond Street and \$9,700 for 815-821 Hammond Street. Council was advised the amounts are the tax valuations of the properties. It was explained that staff will monitor compliance with the provisions at least annually.

Motion was made by Councilmember Joyner, seconded by Councilmember Walker and unanimously carried that the terms of the Home Purchase Agreement with Kevin Jones be approved and that **Resolution No. R-2021-35** entitled **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKY MOUNT AUTHORIZING AN UPSET BID PROCESS FOR PROPERTY OWNED BY THE CITY LOCATED AT 811 AND 815-821 HAMMOND STREET** be adopted. This resolution authorizes the City Clerk to advertise the offer for upset bids pursuant to G.S. 160A-269 until such time as a qualifying higher bid has been received, with no upset bid, and at such time the amount of the final high bid shall be reported to the City Council.

**RESIDENTIAL PRODUCTION GRANT**

The City Council was advised that it has been proven across the country that downtown residential development is a key component and leading strategy for downtown revitalization. Council was provided with a Residential Production Grant (RPG) policy intended to promote downtown living and increase the residential capacity of Downtown Rocky Mount. Council was advised that the policy will encourage property owners to consider reuse of their upper floors for lofts, apartments or condominiums. It was explained that investors will be eligible for a substantial rebate on development costs, equal to \$7,500 per residential unit created with a maximum RPG incentive of \$150,000. Council was advised that applications up to \$80,000 will be reviewed by the Downtown Development Manager and approved by the City Manager and incentives exceeding \$80,000 will be presented to the City Council for approval.

Councilmember Daughtridge stated that he did not see information in the policy relative to the applications for incentives in excess of \$80,000 coming to Council for consideration although the memo provided to Council reflects this. Councilmember Daughtridge requested that this specific language be included in the policy and the City Manager responded it could be added. He asked a number of other questions. Discussion was held and the City Manager stated it is anticipated that the program will be very popular and though it is starting with \$225,000 it is expected staff will come back to Council to request additional funding. Additional discussion was held relative to administration of the grant. Councilmember Daughtridge stated that he has concerns with the proposed policy and some conflict between grants given and recipients. He voiced the opinion that grant recipients should not be behind in taxes and if they become behind after receiving a grant they should be ineligible. He added that City staff and elected officials be excluded from receiving the grants.

Councilmember Joyner suggested that the City Manager meet with Councilmember Daughtridge to address his questions and concerns and that the vote on the policy proceed.

Motion was made by Councilmember Blackwell, seconded by Councilmember Knight and carried by a vote of 6-1 (Councilmember Daughtridge opposed) that **Resolution No. R-2021-36** entitled **RESOLUTION APPROVING ADMINISTRATIVE POLICY NO. II.44 ENTITLED "POLICY: DOWNTOWN RESIDENTIAL PRODUCTION GRANT"** be adopted.

**SOLE-SOURCE PURCHASE/ATLAS ONE MOBILE APPLICATION**

The City Council received a request for approval for a sole source waiver of competition to purchase the Atlas One mobile application. It was noted that MobilePD is the sole distributor for Atlas One. Council was advised that the first-year cost will be \$99,415.96 which includes project commencement, plan stage, design, implementation, testing, deployment and system acceptance and the Purchasing Division recommends

the waiver of competition in accordance with the "sole-source" purchase pursuant to G.S. 143-129(e) (6) based on standardization or compatibility. The information furnished by the Purchasing Division supporting the recommendation will be placed on file in the office of the City Clerk as **BD-2021-13**.

City Attorney Richard J. Rose advised the City Council that the purchase was heavily negotiated, and the contractor accepted most of the City's suggestions and changes; however, one suggestion that was accepted but not included in the final draft is a second year of service at an approximate fixed cost of about \$90,000 and the consumer price index escalation will not "kick in" until the third year of the contract. The Mayor questioned if the recommended action should be amended, and the Attorney advised that the purchase can be approved "as is" and additional information can be inserted.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner and unanimously carried that the "sole-source" purchase for the Atlas One mobile phone application service with Mobile PD be approved, upon the recommendation of the City Attorney, and that the Mayor and City Clerk be authorized to execute the bid contract on behalf of the City.

#### **BIDS/HOURLY TREE TRIMMING**

The City Council was provided with a tabulation of the bids received for hourly tree trimming. Bids were received and opened on April 23, 2021, after all necessary legal procedures had been implemented and the solicitation posted on the City's purchasing webpage, North Carolina Historically Underutilized Business website and the North Carolina Interactive Purchasing System website. The bid tabulation is on file in the office of the City Clerk as **BD-2021-14**.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner and unanimously carried that the bid be awarded to Xylem, Incorporated as the lowest responsive responsible bidder at a cost not to exceed \$200,000 and that the Mayor and City Clerk be authorized to execute the bid contract on behalf of the City. This award is for a 3-year contract. It was noted that Xylem, Incorporated proposes twenty percent (20%) MWBE participation for the contract.

#### **BIDS/LUMP SUM TREE TRIMMING AND MOWING SERVICE**

The City Council received the tabulation of bids for lump sum tree trimming and mowing service. Bids were received and opened on February 18, 2021, after all necessary legal procedures had been implemented and the solicitation posted on the City's purchasing webpage, North Carolina Historically Underutilized Business website and the North Carolina Interactive Purchasing System website. The bid tabulation is on file in the office of the City Clerk as **BD-2021-15**.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner and unanimously carried that the bid be awarded to

Xylem, Incorporated at a 3-year total cost of \$1,581,274.14, including Option 4 for mowing the entire right-of-way for the City's electrical system once each year; and that the Mayor and City Clerk be authorized to execute the bid contract on behalf of the City. It was noted that Xylem, Incorporated proposes twenty percent (20%) MWBE participation for the contract.

#### **BIDS/WATER PURIFICATION CHEMICALS 2021-2021**

The City Council was advised that bids were received and opened on June 8, 2021, for Water Purification Chemicals (2021-2022) after all necessary legal procedures had been implemented and the bid tabulation is on file in the office of the City Clerk as **BD-2021-16**. Bids were evaluated with the Director of Water Resources. No MWBE vendors responded to the bid. Based on the bid evaluation it is recommended that the bid be awarded as recommended.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner and unanimously carried that the bids be awarded to the following vendors, as recommended, for the amounts shown for twelve-month contracts at a cost not to exceed \$1,068,000, with contract options to renew up to two (2) additional one-year terms; and that the Mayor and City Clerk be authorized to execute the bid contracts on behalf of the City as follows:

- 1) Liquid Ferric Sulfate - Kemira Water Solutions, Inc. - 350 tons @ unit price \$2.272.50 per ton = \$795,375.00;
- 2) Dry Caustic Soda - Univar USA, Inc. - 500 tons @ \$393 per ton = \$196,500.00;
- 3) Liquid Calcium Hydroxide - Polytec, Inc. - 700,000 lbs. @ \$0.1480 per pound = \$103,600.00;
- 4) Hydrofluorosilic Acid (HFS) - Univar USA, Inc. - 22,500 lbs. @ \$0.81 per pound = \$18,225.00;
- 5) Dry Polymer - Sterling Water Technologies, LLC - 20,000 lbs. @ \$1.8970 per pound = \$37,940.00;
- 6) Liquid Sulfur Dioxide - JCI Jones Chemicals - 17 tons @ \$1,400 per ton = \$23,800.00;
- 7) Calcium Thiosulfate - Water Guard, Inc. - 60,000 lbs. @ \$1.93 per pound = \$115,800.00;
- 8) Corrosion Inhibitor - Sterling Water Technologies, LLC - 32,000 lbs. @ \$0.6799 per pound = \$21,756.80; and
- 9) Bulk Sodium Hypochlorite - Water Guard, Inc. - 265,000 gals. @ \$0.73 per gallon = \$193,450.00.

#### **BIDS/BATTLE PARK SITE WORK AND DEMOLITION**

The City Council received the tabulation of bids received for Battle Park site work and demolition. Bids were received and opened on May 25, 2021, after all necessary legal procedures had been implemented. The solicitation was posted on the City's purchasing webpage, the North Carolina Historically Underutilized Business website and the North Carolina Interactive Purchasing System website and the bid tabulation is on file in the office of the City Clerk as **BD-2021-17**. Two (2) MWBE vendors responded to the bid.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner and unanimously carried that the bid be awarded to Bridgeview Contracting, Inc., as the lowest responsive responsible

bidder, at a total cost of \$91,500 and that the Mayor and City Clerk be authorized to execute the bid contract on behalf of the City. It was noted that the contractor proposes a ten percent (10%) MWBE participation.

#### **BIDS/ROLL OUT CARTS**

The City Council received a recommendation for the purchase of roll out carts through Omnia Partners, Public Sector, a cooperative purchasing organization for state and local government, K-12 education, colleges and universities. The City Council was advised that all contracts available have been competitively solicited and publicly awarded by a government entity serving as the lead agency while utilizing industry best practices and processes and that group purchasing programs are an exception to competitive bidding under N.C.G.S. 143-129(e)3.

The Public Works Department is requesting the purchase of roll out carts based on contract #171717-01 for refuse & recycling container solutions and related products, equipment and services, a bid awarded by Omnia Partners, Public Sector.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner and unanimously carried that the purchase of roll out carts at a total cost of \$297,189.20 from Toter, LLC be approved and that the Purchasing Division be authorized to issue a purchase order for the equipment in accordance with the Council's award.

Bid documentation for this purchase will be filed in the office of the City Clerk as **BD-2021-18**.

Discussion was held relative to the MWBE benchmark and process. Councilmember Blackwell asked what monitoring process is in place to assure the MWBE program is working and if Council will receive an update soon. City Manager Rochelle D. Small-Toney stated a good MWBE program is starting to form. She said typically the goal is 20% participation and that number has been much lower in the past. She said work is ongoing to build up the MWBE directory. Councilmember Blackwell clarified that by the time recommendations come to Council for consideration conversations, discussions and vetting of subcontractors has already occurred. The Manager added there is a lot of conversation and coordination that occurs between the MWBE coordinator and Purchasing Manager. She reported she believes this matter is scheduled to come to Council for an update on the MWBE program performance in August or September. She said staff is working to inform the community about the City's procurement process and to simplify the process and she has received a proposal from the MWBE team relative to establishing an incubator.

#### **ANNUAL APPOINTMENTS**

Mayor Roberson recognized Councilmember Miller. Ms. Miller nominated Terry Heberle as the Ward 7 appointee to the Animal Care and

Control Advisory Board to replace Stacy Graham who has moved outside the City limits and whose resignation she has received and accepted.

Councilmember Blackwell nominated Cynthia A. Cobb for reappointment to the Human Relations Commission and Joyce Dickens for reappointment to the Workforce Housing Advisory Commission as a housing development member. Councilmember Miller nominated Delores O'Keeffe to fill the Ward 7 vacancy on the Tree Advisory Board.

Motion was made by Councilmember Joyner, seconded by Councilmember Blackwell and unanimously carried that the nominations be accepted, and appointments made as recommended.

**ANIMAL CARE AND CONTROL ADVISORY BOARD**

At the request of Councilmember Miller Item 16 on the agenda relative to removal of the Ward 7 Board Member from the Animal Care and Control Advisory Board was removed from the agenda.

**RESOLUTION OPPOSING SB 473/(ADDED TO AGENDA IN OPEN MEETING)/CLOSED SESSION (ATTORNEY-CLIENT PRIVILEGE)**

The City Council was provided with a resolution to the North Carolina General Assembly opposing Senate Bill 473. The City Manager stated the resolution was sent to the City Council via email shortly before the 4 p.m. meeting. Mayor Roberson read the resolution aloud and requested a motion to go into closed session for a matter concerning attorney-client privilege.

Motion was made by Councilmember Daughtridge and seconded by Councilmember Joyner that the City Council go into closed session for a discussion relative to a matter concerning attorney-client privilege. The motion passed without opposition.

Mayor Roberson recognized Councilmember Knight who questioned if the resolution was read with the purpose of a vote being taken on the resolution in two weeks. The Mayor responded that he was only asked to read the resolution prior to going into the closed session and it will be the decision of Council whether or not to include the resolution on the agenda for consideration.

Councilmember Blackwell asked City Attorney Richard J. Rose if this matter can be discussed in closed session and the City Attorney responded by saying it is not a matter for closed session discussion. Mr. Blackwell inquired relative to the readiness of Council to consider the resolution adding there is a bill moving through the House now that has cleared the Senate. He stated he is opposed to the bill and wishes to go on record adding that Councilmember Knight has also gone on record opposing the bill. He added they are two of seven Councilmembers, and the question is how to move forward. He said the Mayor Pro Tem has recommended a two-week delay and questioned if that is reasonable and if the delay would make adoption of the resolution a moot point. Councilmember Joyner stated he has no problem voting on the resolution today adding he has reviewed the resolution closely.

Councilmember Daughtridge stated that he has made a motion to go into closed session and is not opposed to Council making a decision to add the matter to the agenda once it goes back into open session but the motion to go into closed session has been made and voted on.

The Mayor responded that the Council is in closed session. The City Manager stated Council did not take a vote to go into closed session.

Conversation was held relative to moving forward with the meeting and Councilmember Joyner requested direction from the City Attorney. City Attorney Richard J. Rose stated if Council wants to move forward with discussion relative to the resolution before the closed session a motion will need to be made to postpone the existing Motion.

Motion was made by Councilmember Joyner, seconded by Councilmember Blackwell and carried by a vote of 5-2 (Councilmembers Daughtridge and Miller opposed) that Council delay entering into closed session to allow for an opportunity to consider adding the resolution in opposition to SB 473 to the agenda.

Councilmembers Miller and Daughtridge stated they would have appreciated having received the resolution at an earlier time and said there has not been enough time to read and digest the information received. Councilmember Miller added that the resolution requests the bill be amended but does not outline a proposed amendment or say how the bill should be amended. Councilmember Blackwell agreed adding he would like the last sentence of the proposed resolution to be deleted in its entirety.

Councilmember Bullock asked for clarification and the Mayor explained the vote is whether or not to add the resolution he just read to the agenda for consideration. Motion was made by Councilmember Knight, seconded by Councilmember Blackwell and carried by a vote of 6-1 (Councilmember Daughtridge opposed) that consideration of the resolution opposing SB 473 be added to the agenda for discussion/adoption.

A motion was made by Councilmember Blackwell and seconded by Councilmember Knight that the proposed draft resolution opposing SB 473 be adopted, contingent upon deletion of the last sentence.

Discussion was held. Councilmember Bullock stated he feels it is a mistake to vote on a resolution received by Council only an hour earlier adding that Council needs to take time to consider the resolution because SB 473 affects the entire state and not just Rocky Mount.

Councilmember Blackwell responded by saying this bill is not new to discussion in Rocky Mount and not new to the City Council and if Council can talk about the bill and what it contains then there is already knowledge of the bill and members already know whether they support or oppose it. He added that he opposes the bill because it contains erroneous information and is being called the "corrupt elected officials bill" and has the names of himself, Councilmember Knight, City Manager Rochelle D. Small-Toney and OIC attached to the bill and none of them

have been charged or convicted of any corruption. He stated that a senator because of her perspective has labeled them corrupt and the nomenclature of the bill indicates it was inspired by these Rocky Mount officials. He added that the person who drafted the bill has benefited from tax fraud and a member of her family was convicted for tax fraud and he is confused by what "corruption" means since he has never been tried or convicted and her family member has been. He told the Council the bill gives the State Auditor overreaching power that is not balanced by any other entity and will take away the power of the Council to hire its own audit firm (CPA) to audit and manage the City's books for three (3) years. He noted the City was just recognized for the 27<sup>th</sup> year of outstanding financial reporting and SB 473 is bad legislation.

Councilmember Joyner stated that in the last meeting the City Attorney reviewed SB 473 with the members of Council and the intent of the resolution was to review the bill in regard to its overreaching and punitive authority and request the General Assembly to bring it back into focus.

Councilmember Miller said it is important to remember that what is before Council today is not the bill before the Senate but is a resolution put together by staff and/or the City Attorney to request that the Legislature amend the bill, so it does not appear punitive and condemning of Rocky Mount. Mayor Roberson noted the language relative to amending the bill has been stricken from the resolution before Council.

Councilmember Blackwell stated he is spirited and unapologetic because he is right and added that this resolution is in opposition to SB 473 and outlines the reasons for the opposition. He clarified that he is opposed to the entire bill and the process it outlines particularly the language that indicates the bill was inspired by the City of Rocky Mount. He stated the State Auditor has the right to investigate but the City also has rights and has the right of electoral autonomy and a right to have an agenda supported by the people. He said this bill reaches around the vote of the people and appears to be voter suppression.

Councilmember Knight agreed saying the bill take a page out of the 1898 playbook and seeks to target, discredit, falsely accuse and criminalizes Black elected officials and throw them in jail. He said he has served on the Council for a long time and while the City has a budget no Councilmember has written a check and those things fall under the purview of staff and the Manager. He said no Councilmember has taken anything or abused the power of their position but has worked towards parity, prosperity and justice for all and that is not about power but about being fair regardless of race, creed, color or religion. He reiterated his opposition to the bill and the inspiration for the bill and said the City received and responded to the audit. He stated he agrees with Councilmembers Daughtridge and Miller that Council should have received the draft resolution earlier, but Council has adopted

resolutions on shorter notice. He said adoption of the resolution is time sensitive and he hopes this Council will take a stand on the right side of history and vote to oppose SB 473.

Councilmember Daughtridge asked the City Manager if the Council can currently choose the CPA/auditor of its choice for the City's annual audit or if they must choose from a list supplied by the Local Government Commission. The Manager responded that the choice is up to the City and does not come from an approved list and this legislation seeks to take away the Council's power and privilege of selecting an auditor to audit the books of the City and other jurisdictions in North Carolina. Councilmember Daughtridge stated he does not understand the opposition to the first paragraph on the second page of the draft resolution "prohibiting an elected official from soliciting or receiving personal financial gain from the local government he/she serves by means of intimidation, undue influence or misuse of employees" adding that when he came on the Council he gave up a considerable amount of business so that he could serve on the Council and avoid the appearance of a conflict of interest. He said there are times Councilmembers are obligated to recuse themselves from deliberating and voting and the rules for those serving on State agencies are subject to even more stringent regulation. He said he does not understand the opposition to the bill, especially if Council is doing everything correctly and called for a vote on the Motion.

Councilmember Joyner said those preparing the draft resolution looked at what SB 473 recommends, and the recommendation is to ask local representatives to amend the bill where it is overreaching back to a place that is not punitive and devastating to local government.

Councilmember Daughtridge again called for a vote on the motion and Councilmember Miller seconded the motion.

Councilmember Blackwell stated he takes umbrage to the entire conversation around impropriety related to conflict of interest saying everyone is talking about him and how he voted on OIC matters when before every vote he asked the question prior to voting about conflict of interest and for some reason the author of this bill and others have continued to try to blur the lines about what conflict of interest means. He said it has been very clearly stated that conflict of interest has to do with ownership of a business, not membership or position of an organization that he nor any Board member owns and that is the point of a community-based organization. He said his vote for OIC is no different from a vote by someone sitting on the board of the Chamber of Commerce adding he sat on the Council while chairing the Board of the local Chamber of Commerce and voted on a number of things that benefits the Chamber. He said this is the position in which Councilmember Knight has been relative to OIC. Councilmember Blackwell stated he does not own OIC, and no one owns OIC, and it is managed by a Board of Directors and

meets all the requirements of the federal designation of the Internal Revenue Service. He said there are already State statutes that prevent elected officials from being able to benefit from their positions. He said this is not a simple bill that no one should be offended by, but the language says it was created because of corruption within the Rocky Mount City Council and City Manager so every reference goes back to why the bill was created and said there is no corruption in Rocky Mount. He said that is why he is against the bill and does not support anything in it adding the State Auditor has her power and the Senate and General Assembly have their powers, but the Rocky Mount City Council also has power, and the power is with the people and this bill fits every voter suppression bill in the General Assembly and with the ending of affirmative action and all the other junk and he opposes it all.

Mayor Roberson recognized Councilmember Walker. Mr. Walker said that he opposes SB 473 primarily because it is racially motivated and targeted. He said that communication has already been made known by the language of the bill being inspired by Rocky Mount. He said throughout history his people have been oppressed due to governmental officials that have benefited from tax dollars, rights and privileges so the idea of the bill being inspired by Rocky Mount makes it obvious that it is racially motivated. He added that he does not support the proposed resolution because he believes there is a way to fight the bill and he has already expressed his opinion relative to that. Councilmember Walker stated he thinks of resolutions as a token to say, "this was done" but does not think it will hold value with the General Assembly in getting the bill changed. He said until the Council fights in a way that is a real fight, he does not support adopting a resolution even though he opposes SB 473.

The motion made by Councilmember Blackwell and seconded by Councilmember Knight that the Resolution in Opposition to North Carolina General Assembly Senate Bill 473, be adopted, as amended, failed by a vote of 3-4 (Councilmembers Walker, Daughtridge, Bullock and Miller opposed).

**CLOSED SESSION (ATTORNEY-CLIENT PRIVILEGE)**

Motion was made by Councilmember Joyner, seconded by Councilmember Daughtridge and unanimously carried that the City Council go into a Closed Session at 5:22 p.m. The minutes of the Closed Session shall be filed as **ESM-584** at the end of **Minute Book 37** upon approval for release by the City Attorney.

**COUNCILMEMBER COMMENTS/SB 473**

Councilmember Walker stated that someone from the audience made a comment saying, "sell out." He said everyone has his personal cell number and his address is available, and all know the ward in which he resides and works, and he is always outside.

Councilmember Knight requested to be recognized for comment. Mayor Roberson responded that Council is now in closed session, and he will provide him as much time as Councilmember Knight wishes for comment once the Council returns to open session. Councilmember Knight objected saying "you always do that." Mayor Roberson responded he is merely asking to go in closed session to which Councilmember Knight responded, "You are the Mayor but if you want me to respect you, you need to respect me." The Mayor called for a point of order. The City Attorney asked if the motion has been voted on and the Mayor responded in the affirmative.

The Council entered into closed session at 5:55 p.m.

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### **REGULAR SESSION**

The City Council of the City of Rocky Mount reconvened in regular session at 6:10 p.m. with the following in attendance:

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

Staff present: Rochelle D. Small-Toney, City Manager; Pamela O. Casey, City Clerk; Elton Daniels, Assistant City Manager; Dorothy Brown Smith, Communications and Marketing Consultant; Jessie Nunery, Interim Director of Communications and Marketing; Mark Adcox, Video Production Specialist; Robert Hassell, Police Chief; Richard J. Rose, City Attorney; and Security Officers.

### **COUNCILMEMBER COMMENTS/SB 473**

Mayor C. Saunders Roberson, Jr. recognized Councilmember Knight for comment.

Councilmember Knight thanked the Mayor for recognizing him to speak and added that all the constituents he wanted to hear his comments are not here and typically when Council enters a closed session the public leaves the Council Chamber though sometimes a few will stay over. He said he knows decorum and respects the position of Mayor but said if others are given the opportunity to speak numerous times he would also like that opportunity and especially as a Councilmember of almost nineteen (19) years he be given that courtesy. He said if he were sitting in the Mayor's chair, he would allow Councilmembers to have their say. He said he hopes he will not be cut off or told to hold his comments until after the closed session knowing no one will be in the room to hear what he has to say. He said he does not have to threaten or do anything to anybody but is asking for respect and will give that same respect.

Councilmember Knight said "there is a ground swell of support in opposition of SB 743. The North Carolina Black Elected officials just opposed the bill; the NAACP just opposed the bill; Senator Toby Fitch, a prior sitting judge, opposed the bill; Representative Shelly Willingham

opposed the bill; another Senator out of Greenville talked about she may oppose the bill as well. I know that Councilmember Walker would like for us to do other things that is not in a timely manner to do like to picket the Governor's mansion and I have no problem. I was arrested with Dr. William Barber and went to jail, and I would go again for good trouble. So that is what I am saying I wanted our constituents, our citizens to know that even if does pass there is a ground swell of those alike that see that it is an overreach and has targeted us and labeled this community which is very unfair and very unfair to OIC that has been here fifty (50) years and it's very unfair to the CEO Reuben Blackwell whose organization has given youth jobs and training and medical care to the poor and underserved. It is very unfair to label that organization and he as a thief and a crook. It is very unfair to label our City Manager - which we have been going to Electricities, NLC, wherever we have gone the City Manager has paid for this Council and all of us have eaten at that table. It's very unfair to discredit her character. I'm not even going to speak about myself. Even if I was not named, I would be fighting like hell for those two people because I know it is not true and that is my conviction. It is not true, and it is not fair to the citizens to call Councilmembers and the Manager names that's not true and that is what I want to say is it is not true; and even if I didn't like somebody if it is not true, I would stand with the truth because it is not fair, it is not fair, it is not fair. Thank you."

Mayor Roberson told Councilmember Knight he does appreciate and respect him and perhaps in his eagerness to try and bring some semblance of order to the meeting overstepped his bounds. He said he will work hard in the future not to replicate that.

Councilmember Knight apologized.

Councilmember Joyner thanked all and said all have their different ways in opposing different things, SB 473 and others, and just because they have different ways in doing things that does not mean they do not have respect. He thanked the Mayor and Council for the lengthy discussion saying he looks forward to them going forward as a united Council. Mr. Joyner added he is disappointed that the names of Councilmembers and the Manager were put out in a disrespectful way, and they will fight hard to maintain the integrity and character of the name of Rocky Mount and its citizens. He thanked the Council, the Mayor and the Manager for these types of discussion.

Councilmember Blackwell stated he appreciates the Mayor Pro Tem's reach at unity but said "let's tell the truth, please. We are not united. To have a word of united - that is a nice thing to say, but words are validated by actions. You will know me by my faith, you will know me by my works, works confirm faith. And what I would like to say, Councilmember Knight, since you spoke about everybody but yourself is this \$47,000 mythology - it's easy for someone to say the proof is at

City Hall but City Hall refuted your proof. Our official response is on record stating that there was no bill for \$47,000 that was not paid. The proof was indicated by the City of Rocky Mount staff that stated that there were inconsistencies in our process, inconsistencies in calculations but because a person has a bully pulpit and people feel they should be able to trust the Auditor that's the confirmation of proof, not the evidence but in persona and all I know if anybody looks at any kind of history and looking at FBI, SBI and CIA, and Auditors and Black people in the south, and the United States, and to say, "just do right, and it's gonna be okay" - we always do, right and it's never okay. That's racist in and of itself, to act like we bear the burden of fixing racism. We didn't start it. We're not maintaining it. And some of us fight it every day without hating White people. So, let's get rid of that myth. We work with everybody in this City. And what I take offense to are nice words and no action. I'd like to see some action and if you stand for something, show me your works."

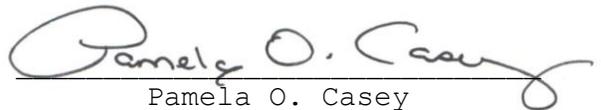
**AMENDMENT TO ANNEXATION AND WATER SERVICE AGREEMENT: OLD SPRING HOME ROAD SUBDIVISION - HORTON LOTS (ADDED TO AGENDA IN OPEN MEETING)**

Mayor Roberson stated the last matter of business is to consider an amendment to a previously approved annexation and water service agreement with D.R. Horton, Inc., Old Spring Hope Road Subdivision, Plat Book 35, Page 318-320, Nash County Registry, dated July 26, 2021.

Motion was made by Councilmember Joyner, seconded by Councilmember Walker and unanimously carried that the Amendment to Annexation and Water Service Agreement with D.R. Horton, Inc. for water service to the Old Spring Hope Road Subdivision - Horton Lot (20) identified as (C-2021-20) be approved. This amendment will be filed with the original agreement in the office of the City Clerk.

**ADJOURNMENT**

There being no further business, the City Council meeting adjourned at 6:21 p.m.

  
Pamela O. Casey  
City Clerk