

September 13, 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, Richard Joyner, T.J. Walker, Lige Daughtridge, W.B. Bullock and Christine Carroll Miller.

Councilmember absent: Reuben C. Blackwell, IV.

Staff present: Rochelle Small-Toney, City Manager; Pamela O. Casey, City Clerk; Elton Daniels, Assistant City Manager; Jessie Nunery, Interim Communications, Marketing and Public Relations Director; Robin Cox, Communications Specialist; Mark Adcox, Video Production Specialist; Chris Beschler, Director of Energy Resources; Peter F. Varney, Interim Director of Community & Business Development; Brad Kerr, Public Works Director; Kena Cofield-Jones, Humans Resources Director; Will Deaton, Development Services; Archie Jones, Director of Human Relations; Gregory Cotten, Chief Technology Officer; Joel Dunn, Parks and Recreation Director; Latasha Hall, Director of Business and Collections Services; Robert Hassell, Police Chief; Abdul Baloch, Chief Internal Auditor; Brenton Bent, Water Resources Director; Tracey Drewery, Assistant Chief of Administration & Planning (Fire Department); Chase Norwood, Management Analyst; Keyana Walston, Management Analyst; Jayson Dawkins, Policy Analyst, Budget and Evaluation Department; Corey Mercer, Fire Chief; Ken Hunter, Assistant to the City Manager for Budget and Evaluation; Michael Roupp, Assistant Chief of Operations; Tim Farmer, Operations Manager, Public Works Department and Richard J. Rose, City Attorney.

*NOTE: Public participation limited relative to the Coronavirus pandemic (COVID-19); meeting was accessible remotely via FaceBook and the City's YouTube Channel.*

Security Officers: Police Sergeant Stephen Walker and Senior Police Officer, Shawn Battle.

The Mayor called the meeting to order at 7:00 p.m. and requested a moment of individual silent prayer.

#### **APPROVAL OF MINUTES**

Motion was made by Councilmember Joyner, seconded by Councilmember Walker and unanimously carried that the minutes of a regular scheduled City Council meeting held July 26, 2021, a Special Called City Council meeting held August 2, 2021, and a regular-rescheduled Committee of the Whole meeting held August 9, 2021, be approved as submitted to the City Council prior to the meeting.

The minutes of the regular rescheduled Committee of the Whole meeting held August 9, 2021, are below:

**MINUTES OF A REGULAR RE-SCHEDULED MEETING OF A COMMITTEE OF THE WHOLE HELD MONDAY, AUGUST 9, 2021, IN THE GEORGE W. DUDLEY CITY COUNCIL CHAMBER OF THE FREDERICK E. TURNAGE MUNICIPAL BUILDING WITH MAYOR PRO TEM RICHARD JOYNER PRESIDING:**

*NOTE: Participation limited relative to the Coronavirus pandemic (COVID-19)*

MEMBERS PRESENT:

Richard Joyner, Mayor Pro Tem  
 André D. Knight  
 Reuben C. Blackwell, IV  
 T.J. Walker  
 Lige Daughtridge  
 W.B. Bullock  
 Christine Carroll Miller  
 Mayor C. Saunders "Sandy" Roberson, Jr.

Security Officers: Stephen Walker  
 and Shawn Battle

STAFF PRESENT:

Rochelle D. Small-Toney\*  
 Pamela O. Casey  
 Jessie Nunery  
 Mark Adcox  
 Robert Hassell  
 Robin Cox  
 Archie Jones  
 Ken Hunter  
 Elton Daniels  
 Joel Dunn  
 Chase Norwood  
 Jayson Dawkins  
 Will Deaton  
 Latasha Hall  
 Kena Cofield-Jones  
 Keyana Walston  
 Greg Cotten  
 Brad Kerr  
 Peter Varney  
 Brenton Bent  
 Michael Roupp  
 Corey Mercer  
 Abdul Baloch  
 Maysieo Tanks  
 Richard J. Rose

**OPENING OF MEETING**

Mayor Pro Tem Richard Joyner called the meeting to order at 4:03 p.m. and called on City Attorney Richard J. Rose to introduce the first speaker.

**1. 2021 CITY OF ROCKY MOUNT REDISTRICTING - Caroline Mackie, Poyner Spruill**

City Attorney Richard J. Rose introduced Caroline Mackie, a partner with the Poyner Spruill law firm, to provide a presentation from the Local Redistricting Service relative to redistricting the City Council wards for the upcoming 2022 municipal election.

Ms. Mackie told the Council she is a litigator at Poyner Spruill and has experience with redistricting litigation and has worked with a number of local governments to provide help and advise them through the redistricting process. She presented a PowerPoint presentation from the Local Redistricting Service providing an overview of the costs and processes utilized by the group. Some of the main points of the presentation included:

- Poyner Spruill has partnered with the Local Redistricting Service which is a project of North Carolinians for redistricting reform;
- The Local Redistrict Service:
  - o Provides non-partisan redistricting expertise/service for local governments that use districts to elect members;
  - o Is an open and transparent process;
  - o If retained by Rocky Mount, would include legal services by herself and Tara Bright, both with Poyner Spruill, and they would retain Bill Gilkeson, an attorney and

demographer with considerable demography experience who worked in the Legislature for many years doing redistricting work until 10-15 when he moved into private practice; he is currently semi-retired;

- o Requires a non-partisan process and no partisan data will be used in redrawing the districts (City Council would commit to); an open process to include open meetings with public review of maps and input from the public;
- o Pricing is:
  - Standard package = \$17,500 (explained services provided including meetings with Council; Council to decide what services they wish to employ)
  - Additional visits/services = \$275/hour
  - Additional plans beyond standard package = \$2,500/plan

She told the Council:

- Census data has been delayed and is expected to be received Thursday, August 12, 2021; it will take some time to process (estimated at 3 weeks);
- Districts (Wards in Rocky Mount) should be substantially equal, and those numbers are received from the census;
- The first step is to determine if redistricting is needed and that answer for Rocky Mount is "yes" since the City uses true election districts (7 wards);
- The second question is "are the wards within the permissible deviation range" adding the answer to that question is not yet known since census data is not available;
- The equation for determining if there is substantial equality is:
  - o The plus/minus 5% rule:
    - +/- 5% rule: using total population from the 2020 census to determine if the current districts are within +/-5% of the ideal district population
- Rocky Mount Wards:
  - o 2019 estimated population = 54,548;
  - o Ideal ward = 7,793;
  - o +/- Range = 7,403 to 8,183
- New districts would be drawn by the City Council + staff + consultants;
- The governing body for local government is responsible for enacting new districting plans every ten (10) years (NCGS 160A-23); the General Assembly retains the power to redistrict for the board by a local act (this occurred for some cities 10 years ago);
- Race and redistricting: racial two lines of case law prevails - gerrymandering/equal protection clause for the 14<sup>th</sup> amendment:
  - o Race cannot be the predominant factor in redistricting unless the use of race is narrowly tailored to a compelling government interest:
    - Predominate: the race of voters better explains the boundary of a district than traditional criteria (EX: if everywhere else wards are kept whole but in certain places split and you can see they are split on the basis of race then race probably predominated);
    - Race can predominate if compelling governmental interest; one compelling governmental interest assumed by the Courts is Section 2 of the Voting Rights Act (if preconditions are met);
    - Section 2 of the Voting Rights Act (VRA):
      - \*The VRA was enacted in 1965 to protect minority citizens from voting methods that dilute their votes;

\*3 preconditions under Gingles (1983):

- Is the minority group sufficiently large and geographically compact to form a majority in a district?
- Is the minority group politically cohesive?
- Does the majority vote sufficiently as a block so that it usually defeats the minority-preferred candidate?

• Examples of guiding principles are:

- Equal population (required) - total population, not voting age population or registered voters; have to fall within plus or minus 5%;
- Contiguity (all parts of the districts touch one another);
- Consideration of certain administrative boundaries (EX: keeping precincts whole as building blocks);
- Recognizing communities of interest and keeping them whole (prioritizing the intactness of neighborhoods or other historical, racial, cultural or economic communities);
- Seeking to have boundaries follow visible physical features like roads, waterways and other geographic features;
- Preserving the core of existing wards and/or ignoring existing wards (can make as few changes as possible; or start from scratch with a clean slate);
- Compactness of districts;
- Avoiding pairing incumbents (also known as "double bunking");
- Plan for population growth;
- No political considerations;
- Avoid pairing incumbents (ensuring Councilmembers do not have to run against each other because of being placed in the same ward)

Maps showing population estimates of North Carolina counties by percent population change and census block groups by percent of population change from 2010 to 2019 were provided. It was noted that ward population over the past ten years has changed, growing in some and decreasing in others which is the reason for the need of redistricting.

Ms. Mackie outlined the process to include:

- 1) Determining necessity of redistricting based on population disparities;
- 2) Reach consensus on criteria/guiding principles to give instructions to demographer;
  - Note - first 2 steps can be taken in any order
  - Possible public hearing on criteria
- 3) LRS consultants to draw 2-3 alternative plans;
- 4) Public hearings held (on proposed plan at the very least);
  - Can include receipt of plans from members of the public
- 5) Review/revision of plans based on Council or public input, or a plan submitted by the public;
  - All meetings to review plans should be open to the public
- 6) Adoption of resolution
- 7) Export of plans to Board of Elections, GIS department, etc.

She advised the Councilmembers that the deadline to have redistricting completed is November 17, 2021, unless the county boards of election are notified additional time is needed. If said notification is provided the deadline will be extended until December 17, 2021.

She provided a timeline for the redistricting as follows:

- August 27 (9.6 weeks) - preparation window
- August 13-16 - census "Legacy Format" data delivery
- August 16-29 - census data processing
- August 30-November 17 (11.4 weeks) - possible redistricting window; much shorter than past cycles
- September 15-30 - final census data delivery
- November 17-December 5 - Board of Elections processing time
- December 6-December 17 - current 2022 filing period

Councilmember Blackwell asked that Ms. Mackie speak about race being a factor since Rocky Mount is a city that had to come under preclearance when the Constitution afforded that option and there is almost 200 years of voting inequities due to race and questioned if race is not used as an overriding factor in considering districts where the legal and ethical lines are. Ms. Mackie said North Carolina has been the subject of a lot of gerrymandering (racial) lawsuits and Section 2 lawsuits. She said there are two main guardrails:

- 1) In racial gerrymandering race can only predominate, meaning it is the overarching dominant, if there is a compelling state interest which would be Section 2 of the Voting Rights Act; and
- 2) Is there a history and a geography compact population of minority voters that have not have the opportunity to elect their candidate of choice

She added she has not yet looked at Rocky Mount's districts yet but if there is a history of that and a Section 2 history that needs to be protected that would be a factor and they would not want to dismantle those districts.

Ms. Mackie responded to questions from Councilmembers noting:

- The location of precincts can be included in Council's instructions to the team and can be fluid; she added if Council feels an administrative unit needs to be respected, they can try to keep it intact;
- Software will assist the team in the redistricting process but there are also technical and manual processes;
- The team only looks at total population and not election data (voter turnout or registered voters) but has demographic, racial and ethnic data from the census;
- Substantial changes in population would likely merit additional conversation with Council because even if the substantial changes are present in only some wards other wards could be affected;

Councilmember Knight said he hopes the team will look at the historical background of the City relative to the change to a ward system. He provided a copy of an article from the *Nashville Graphic* dated January 21, 1978, entitled "NAACP Seeks Return to Ward Voting Plan." He added the article provides detailed information as to how some citizens of Rocky Mount were discriminated against and not allowed to vote and requested, as the team collects information, they consider some of the historical facts to better understand the Rocky Mount community and how the community has had to fight for representation up until almost 2003.

Councilmember Joyner questioned if the team would meet with Councilmembers individually and Ms. Mackie responded that all meetings will be public.

Councilmember Blackwell clarified that Council will also meet with the demographer and Ms. Mackie added that after the meeting the

demographer will draw the plans but will not draw the plans in the public meeting. She added when the two to three plans are ready, they will be presented to the City Council and the demographer will be present and any meetings outside of the standard package would be at the rate of \$275 per hour.

Ms. Mackie said that Councilmembers can meet with constituents and the public and provide information and maps to the team, should they desire. She added ultimately it is up to the Council what they choose to approve. She told the Council that the public should be encouraged to speak at the public hearing.

It was discussed that consideration of this matter will be added to the agenda for the regular meeting this evening at 7 p.m.

**COMMITTEE RECOMMENDATION. Information only; no formal action**

**2. UNITY CEMETERY - Lois Watkins**

City Manager Rochelle D. Small-Toney introduced former City Councilmember Lois Watkins to provide an update relative to Unity Cemetery restoration. She reported that a great deal of progress has been made since the last presentation. She stated today's conversation will include information relative a proposed committee structure for the Unity Cemetery Board and a recommendation for membership on the Board was shared. She added it will be the decision of Council as to who sits on the Board.

Council was advised that on March 8, 2021, City staff presented, and Council approved a plan for acquisition and restoration of Unity Cemetery.

The City Manager advised the City Council that:

**Project Funding:**

- Unity Cemetery's restoration is included in the FY 2022-2026 Capital Improvement Program with total costs of \$1.45M for the five-year period;
- The FY 2022 Annual Operating Budget adopted by Council on June 28, 2021, includes the following funding for the next 12 months:
  - o \$700,000 for site acquisition, surveying, access road repair, gravesite restoration, and development of a maintenance plane;
  - o \$50,000 for ongoing maintenance; and
  - o \$32,000 for consulting services.

**Project Leadership:**

- The United Cemetery Restoration & Preservation Committee is being established;
- The Steering Committee will work with staff on planned restoration and preservation projects

Councilmember Watkins presented a PowerPoint presentation which included proposed recommendations for the Steering Committee appointments and responsibilities of the Committees were outlined and explained. Council was provided with names, titles, committee roles and experience/skills for the recommended members. She added there are a number of volunteers who are interested on serving on the various committees.

The said the responsibility of the steering committee is to establish the structure and set goals for FY 2022, establish subcommittees and provide training to members and volunteers.

Ms. Watkins identified the five subcommittees as: history, public relations, Veteran affairs, fund raising and friends of Unity

Cemetery. She recognized those providing information and support relative to research to include: the North Carolina State Archives; Edgecombe and Nash Counties Registrars of Deeds; the City Clerk's Office and Braswell Memorial Library.

Councilmember Blackwell questioned how long the United Cemetery transformative restoration is expected to take. City Manager Rochelle D. Small-Toney responded that the process is expected to be long and protracted. She said the first step, yet to be done, is to obtain a survey of the cemetery but at the same time staff is looking at software to capture the data already collected as a basis for mapping the existing graves. She said a historian has been contacted to guide this process. She said staff is currently working to maintain the property, but the plan is to retain a contractor. She added the pieces are starting to come together but the project is still in the early stages and information is being acquired. Ms. Small-Toney told the Council once the Steering Committee is seated, they can begin work on a strategic plan and property acquisition.

Councilmember Blackwell said he does not disagree with the major steps yet to be done and the importance of acquiring the treasure of historical data but remains concerned about progressive and significant movements to transform the physical environment as well. The City Manager stated that is why acquisition of the software is so critical because it can be used to plot each individual grave. Ms. Small-Toney stated the more robust the materials acquired the better and stronger the project will be. She said one of the challenges is seeking a contractor that is sensitive to the fact that Unity Cemetery is historic, and staff is protective of the cemetery. She said very careful, deliberate maintenance of plots and stones will need to be done to ensure nothing is damaged.

Councilmember Knight thanked Ms. Watkins for her presentation and said the recommended Committee is large but so is the project. He said often recommendations for appointments to Committees come to Council from the community adding he likes the framework of the Committee. He questioned what site acquisition will include. The City Manager stated that the \$700,000 allocated will include surveying the property, repairing access roads, gravesite restoration and development of a maintenance plan. She added the question of ownership of the cemetery remains and said she does not think she will recommend purchase of the cemetery though there may be some acquisition costs. She said staff is just not at that point.

The City Manager clarified that any recommendations will be presented to Council for consideration. She added that recommendations for appointments will be submitted to Council, but it is the Council that makes appointments. She stated Ms. Watkins has spent a great deal of time talking with individuals, gauging their interest and what areas they are interested in working on and that is how the recommended appointments were made. Ms. Watkins said there has been a lot of community support for the project with community members making recommendations and a lot of historical knowledge of the cemetery has come from older citizens and families of those buried in Unity Cemetery. Councilmember Knight said he would like to share with Ms. Watkins some of his knowledge and feelings relative to Unity Cemetery. He added it was he, Councilmember Blackwell and former Councilmembers Bryant and Wiggins along with Ms. Watkins who brought the Unity Cemetery initiative back to the forefront when it was left abandoned. He suggested those Councilmembers and former Councilmembers be contacted to share their thoughts. He thanked Ms. Watkins for the work she has done and will continue to do on the project and added the City Council wholeheartedly supports and appreciates the work she is doing.

Councilmember Daughtridge agreed with Councilmember Knight's comment and said there are a couple of people he would like to see

included on the Committee, specifically some who assisted in the massive clean-up of the cemetery.

Ms. Watkins questioned if the Councilmembers are going to discuss the information provided and return it to her for updating and Councilmember Knight suggested that the City Manager come back to Council relative to appointment of the Committee members. He said the template provided is helpful and Council will review it and make recommendations. The City Manager responded by saying she can provide the structure of the Committee and Council can share suggested appointments with her.

Councilmember Blackwell questioned if funding for the cemetery software is included in the budget and the Manager stated she is thinking it is including, although maybe not listed within the \$700,000 allocated. She added there are plans to send out the RFP soon and that will provide a better estimate of the cost of the software. She stated that the software needs to be in place to record the data collected and is expected to include a mapping feature. She said purchase of the software will come before the Council for consideration/approval and the timeline of receipt will depend on the response to the RFP. She reported that an area has been identified as a work room for the project and much information has been acquired (17 file cabinets and additional boxes of information). She estimated the Council will receive additional information within three months.

Councilmember Blackwell reiterated the desire is to see a physical transformation of the cemetery. He said it is important that the historical data be accurate and that no graves be violated or desecrated but Council wants to see a physical transformation on the front end of the project. The City Manager stated the project is multi-layered and decisions will need to be made relative to the administrative efforts but that in no way stops the maintenance of the cemetery and the efforts towards road repair, access and others will continue.

Discussion continued relative to the makeup and size of the Committee.

**COMMITTEE RECOMMENDATION. Information only; no formal action**

**3. AFFORDABLE HOUSING STRATEGIC PLAN UPDATE - Jayson Dawkins**

The City Council was advised that staff continues to work on the implementation process for the remaining recommendations in the Rocky Mount Affordable Housing Strategic Plan. City Manager Rochelle D. Small-Toney called on Policy Analyst Jayson Dawkins to provide an update.

Mr. Dawkins reported that the purpose of the plan and each of the recommendations has always been to create a menu of potential options to address the absence of affordable housing in the City and to preserve and rehabilitate the existing housing stock to improve homeownership and the rental market. He presented a PowerPoint presentation including the following:

- Housing supply statistics were provided and explained;
- Current recommendations were divided into four categories: Financial support; land assembly; planning improvement and innovation. Recommendations and the current status of each category were outlined.

The City Council was advised that the City will be partnering with Dr. Jim Johnson and Professor Julie Bonds from UNC Chapel Hill to host Community and Stakeholder meetings in August for

presentation of a step-by-step approach of the Community Land Trust (CLT) and to answer any potential questions that Council or constituents may have. Additionally, staff will continue identifying potential development projects for the CLT.

The City Council was advised that staff continues to finalize the Housing Trust Fund (HTF) Articles of Incorporation and Bylaws. It was noted that approval of these documents will designate the HTF as a North Carolina non-profit and allow tax-exempt status under the Internal Revenue Code. Mr. Dawkins informed the Council that upon completion, staff will request that the Council appoint members to serve as the HTF's 11-member Board of Directors.

Mr. Dawkins advised that staff continues to analyze existing and future debt capacity and affordability relative to a General Obligation Bond.

He noted the Residential Production Program policy was approved by Council in July (contingent upon removal of the lifetime cap for downtown tax incentives).

Council was advised that a list of vacant properties continues to be compiled relative to the land assembly for increased construction of multi-family housing near major transit stations. Mr. Dawkins reported that staff is working to identify eligible properties within the focus neighborhoods relative to implementation of a tax/lien foreclosure process and is developing a scoring method for the qualifying properties.

Mr. Dawkins advised that staff continues to evaluate options relative to implementation of a receivership program and to identify eligible receivers based on the law's criteria, as well as monitoring the pilot program in Greensboro. He reiterated that Greensboro is the only municipality in the state that is currently utilizing a receivership program.

The City Council was advised that the City recently experienced success regarding land assembly leading to the Five Points Crossing and through a partnership with the Woda Cooper Companies, Inc., Five Points Crossing is intended to be a multi-family workforce housing downtown development project. Mr. Dawkins reported that construction is scheduled to commence in 60 days, creating 50 new units at 60% AMI and the estimated date of completion is the summer of 2022.

It was reported that the Planning Board has approved the recommendations relative to "residential housing in commercial districts" and "revisions and additions to the existing definitions for dwellings in the Land Development Code." Mr. Dawkins stated that staff will be adopting a blanket approach to identify set bonuses on a tiered level in commercial and residential districts based on area median income and, upon completions of the revisions, will present same to the Planning Board. He added the policy is still being drafted relative to "revised minimum parking requirements" and is expected to be presented to the Planning Board in September.

Council was informed that Development Services will work with the Communications, Marketing and Public Relations Office for increased promotion of the accessory dwelling unit policy. Mr. Dawkins added the policy has been drafted and will presented to the Planning Board at its August meeting.

Mr. Dawkins advised the Council that staff will present a revised policy on incorporating solar energy to the Council at its September Committee of the Whole meeting.

Additionally, the Council was informed that staff has researched potential strategies to incorporate into the affordable housing construction and rehabilitation efforts relative to

Council's "utilizing green building practices for new construction and home rehabilitation" recommendation.

Councilmember Daughtridge asked for clarification relative to the stated cost of a two-bedroom house being \$28,000 to \$29,000 per year in 2020 and a conversation was held.

Councilmember Blackwell asked for more information about the receivership program and Mr. Dawkins gave more detail about the program. Councilmember Blackwell suggested that the plan may provide a pathway for donation of properties if owners cannot keep the property up and pay taxes. Further discussion was held relative to how the receivership program would function with the Community Land Trust.

In response to a question from Councilmember Blackwell, the City Manager said if the City is fortunate enough to receive a positive vote on a housing bond, the bond would provide additional revenue. She said the City is working to set up the mechanisms anticipating that a bond will pass so these different tools can be used to gain ownership or obtain property that will enable the CLT to invite developers to the table. She added that is the reason it is important to understand the composition of neighborhoods so staff is aware of what properties might be available for redevelopment in the future and have information about the properties.

Councilmember Joyner suggested that community education be provided. Ms. Small-Toney responded by agreeing the communication piece is very important and as staff builds the different tools, they will be in a better position to educate the community on the different strategies and also to receive community input for a two-way dialogue.

Councilmember Knight stated that he is hearing from some citizens that some of the houses on the demolition list have good bones and they would like to see a list of those properties so as to determine if they wish to reach out to the owner to acquire the properties before they are demolished. He said he has seen houses of this type transformed and houses like those cannot be built without spending hundreds of thousands of dollars. He asked that a list of such houses be provided because some can be saved and transformed.

The Director of Community Development, Will Deaton, said that the list can be compiled quickly. Discussion continued relative to housing renovation and reinvestment in communities. Councilmember Joyner added that while some properties can be renovated there are entire blocks that need to be restored and could be a community wealth building opportunity and agreed with Councilmember Knight that the community needs to be involved in the process of determining what properties should be demolished and which restored giving them an opportunity to make decisions about their own community.

Councilmember Miller stated she has been on the Council since 2002 and from the beginning has said the time to intervene is when a property is beginning to deteriorate. She said the time is way past for some property owners to be encouraged to do something adding that we have all heard "a stitch in time saves nine."

Councilmember Blackwell added it would be nice to have the list as soon as possible. He stated Council has asked for a revision of the 2005 policy that provided a financial match for renovation to properties 50 years and older. He said some have received a match but still have need. The City Manager responded that the issue of funding has been an issue, but ARP funds may be of help in bridging the gap. She said there is a lot of need in the community

particularly among the elderly who may not meet the income guidelines.

Councilmember Blackwell questioned if there is a policy that addresses mobile home communities and the Manager said while staff has not looked into that aspect specifically it is her opinion that any housing program brought forward would include mobile home communities. Conversation continued and the City Manager stated that staff's challenge will be to come back to Council with specific criteria and how such a program would function.

**COMMITTEE RECOMMENDATION. Information only; no formal action**

**4. AMERICAN RESCUE PLAN FUNDING UPDATE - Ken Hunter**

City Manager Rochelle D. Small-Toney called on Ken Hunter, Assistant to the City Manager for Budget & Evaluation, to provide an update relative to American Rescue Plan (ARP) funding.

Mr. Hunter provided a PowerPoint presentation providing an overview of the plan and outlining allowable categories of expenses and the current plan of allocations.

He advised the Council this will be the first of a series of updates provided to Council relative to the City's utilization and plans for utilization of ARP funding and requirements.

Mr. Hunter reported that the City has received \$5,760,590 (50%) of the total funding of \$11,521,180 scheduled for distribution from the American Rescue Plan. He added the remaining balance will be distributed to the City before June 30, 2022. He reported the funding allocations are intended to be provided exactly one year a part.

Mr. Hunter outlined funding requirements as:

- First report (interim summary) - due to U.S. Department of Treasury no later than August 31, 2021;
- Future quarterly reports are due no later than 30 days after the end of each quarter, with the first report being due by October 31, 2021, and additional reports being required until the end of the 2026 calendar year

He outlined the eligible uses of ARP funds to include:

- Support of public health expenditures;
- Addressing negative economic impacts caused by COVID-19 (includes exacerbation of pre-existing disparities and expanded latitude for projects in qualified census tracts as identified by the U.S. Department of Housing & Urban Development);
- Replacement of lost public sector revenue;
- Provision of premium pay for essential workers; and
- Investment in water, sewer and broadband infrastructure (includes stormwater).

Mr. Hunter identified qualified census tracts (map provided) within the City to be:

- Edgecombe County tracts 202, 203, 204 and 206; and
- Nash County tract 102.

Current planned allocations were identified as:

CATEGORY	AMOUNT PLANNED	AMOUNT EXPENDED
Negative Economic Impacts		
2.12 Aid to other impacted industries	\$0	\$0
Services to Disproportionately Impacted Communities		
3.10 Affordable housing	\$ 3,000,000	\$0
Revenue Replacement		
6.1 Provision of Government Services	\$0	\$0
Reserved for Future Projects	\$ 8,521,180	\$0
GRAND TOTAL	\$11,521,180	

Mr. Hunter told the Council that no funds have been expended as of the present time and the funds must be obligated by the City no later than December 31, 2024, and must be expended no later than December 31, 2026. He added that the funds will fall under the single audit requirements. He said there has been a lot of talk with respect to the categories for which the funding qualifies and a final ruling is expected in the next month or two.

Mr. Hunter responded to questions and said staff would like to wait until the final ruling before expending any funding. He stated that he and the interim finance director have reviewed the interim rules and FAQ's which the Treasury updates weekly to make sure ideas are consistent with what is allowed under the program and will continue monitoring.

Councilmember Daughtridge stated there is news of an infrastructure bill coming through Congress adding it might be prudent to wait to find out what, if any, funding the City may receive. Mr. Hunter agreed it is important to maximize use of the funds while making sure the City complies with the schedule and meets pressing needs. He said there have been a number of different funding streams and while the City is able to move forward with affordable housing plans staff will do its best to leverage and maximize all state and federal funding.

Councilmember Joyner questioned how the City can make a substantial impact upon communities that appear to have been denied. The City Manager said the key is in terms of where funding is spent. She added it comes down to choosing projects that have the most potential to provide improvement and the Affordable Housing Plan will not only improve the quality of life and conditions of homes but also generate community and individual wealth through homeownership. Councilmember Joyner stated he would like to see substantial investment in communities to restore entire blocks.

Councilmember Blackwell questioned if an allowable expenditure for federal funding is proving premium pay for essential workers and if the City has plans to compensate employees who have worked during the pandemic. Ms. Rochelle D Small-Toney stated that a plan has not yet been specifically mapped out but there has been discussion. She voiced concern relative to how the Delta Variant may affect the City.

**COMMITTEE RECOMMENDATION. Information only; no formal action**

**5. CRIME STATISTICS - Robert Hassell**

Police Chief Robert Hassell presented a summary of city-wide crime numbers to the City Council. It was noted that the presentation covers crime incidents throughout the City currently and in comparison, with the prior year during the same time period. The Council was advised that crime numbers are tracked by the FBI and shared with the Bureau of Justice Statistics for tracking purposes and the presentation includes investigation outcomes for violent crimes and related arrests. The presentation also included

maps depicting areas of shots fired, incidences of aggravated assault and murder and highlighted efforts and successes of the Police Department to combat violent crime.

An overview of Chief Hassell's PowerPoint presentation includes:

- National Incident-Based Reporting System (NIBRS) Part 1 crime comparisons by type were provided. Total crime numbers by months and years were reported as:

Crimes/NIBRS Part 1	July 2020	July 2021	+/-	YTD 2020	YTD 2021	+/-
Total	165	120	-45	1103	1004	-99

- July 2021 crime numbers for murders, aggravated assault and shooting into occupied building(s)/vehicle(s) (map of locations provided):
  - Aggravated assault cases and investigations:
    - Aggravated assault cases = 13
    - Aggravated assault victims = 18
    - Number cases with multiple victims = 4
    - Aggravated assault arrests = 7
    - Aggravated assault cases cleared = 7
  - Case Dispositions (total = 13):
    - Cases cleared by arrest = 7
    - Inactive cases = 2
    - Open cases = 4
    - Exceptionally cleared (clearance without arrest) = 0
    - Gang related = 0
  - Crime Report:
    - Murder, aggravated assault and shooting into occupied building/vehicle: total victims = 18
    - \*Victims with injuries = 9
    - \*Victims without injuries = 9
  - Shotspotter and Citizen calls City-wide:
    - Shots fired = 82
    - Calls resulting in shell casings found = 28
    - Number shell casings found = 123
    - Number of Firearms Seized = 22
    - Number firearms seized (year to date) = 242
    - Weapon violation arrests = 7
- Community Involvement:
  - **Police Athletic/Activity League** - focusing on establishing board and developing PALS chapter
  - **Junior Police Academy** - concluded with 8 participants completing program
  - **Active Shooter Training** - continuing training of City employees on survival techniques for active shooter incidents; 215 employees trained from 8 departments
  - **Summer Night Lights** - held during the July and August

Councilmember Daughtridge thanked the Police Chief and his staff for attending the Ward 5 meeting and providing a presentation, noting the Police presentation was the highlight of the meeting and well received adding that the public is appreciative of the work of the men and women in the Police Department to keep the public safe. Councilmember Joyner joined Mr. Daughtridge in voicing appreciation for the work of the officers patrolling the streets. He noted many of the ShotSpotter reports come from communities with low homeownership and voiced his hope as those communities change and more people are able to become homeowners that those numbers will decline.

Councilmember Knight questioned how information relative to shots fired is reaching social media platforms and Chief Hassell stated the Police Department does not share those number publicly. Councilmember Knight stated he wants citizens to know that information they may see on social media, or a blog is not necessarily accurate. Chief Hassell provided further information relative to ShotSpotter information. Councilmember Knight questioned if the Police Department is working with the local newspaper relative to reporting crime and Chief Hassell responded by saying he has not met with anyone from the local newspaper, but the Police Department responds to public records request to ensure the correct information is shared.

Councilmember Blackwell thanked Chief Hassell for the work he is doing and questioned if cameras in the main thoroughfares have been installed? The Chief responded the Department is in the process of installation and is on track with the project.

**COMMITTEE RECOMMENDATION.** *Received report; no formal action*

**CLOSED SESSION**

City Manager Rochelle D. Small-Toney requested a closed session for discussion relative to matters concerning attorney-client privilege and personnel.

\*\*\*\*\*

**COMMITTEE RECOMMENDATION.** *Motion was made by Councilmember Blackwell, seconded by Councilmember Knight and unanimously carried that the City Council enter into Closed Session at 6:06 p.m.*

The minutes of the Closed Session shall be placed on file as **ESM-585** at the end of **Minute Book 37** upon approval for release by the City Attorney.

\*\*\*\*\*

**REGULAR SESSION/ADJOURNMENT.** Motion was made by Councilmember Daughtridge, seconded by Councilmember Knight and unanimously carried the Committee return to regular session at 7:01 p.m. and the Committee of the Whole meeting was adjourned.

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

Mayor Roberson stated he is unaware of any amendments to the agenda and questioned if there are changes and no amendments were requested.

**COMMUNITY UPDATE BY CITY MANAGER**

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

- Began her report by encouraging the community to attend the second Community Land Trust Stakeholder meeting at 6 p.m. on Thursday, September 16. She added that the location has changed from the Booker T. Theater in Downtown Rocky Mount to the City Council Chamber to allow for COVID-19 social distancing and for those unable to attend to view the presentation remotely. She advised that staff will once again be joined by Dr. Jim Johnson and Professor Jeanne Milliken Bonds of the University of North Carolina's Kenan-Flagler Business School. She stated she attended the first meeting on September 9, where there was not only presentation of the proposed land trust, but also vibrant dialogue by community members. She encouraged citizens to not miss the chance to be informed and have their voice heard

adding for those who cannot attend, the meeting will be recorded and archived on the CITY TV-19 YouTube channel beginning Friday, September 17.

- Announced that as a final extension of the Summer Night Lights Series that recently concluded, the Parks and Recreation Department, in collaboration with former professional basketball player Moe DeLoach, will hold a 3-on-3 basketball tournament at 6 p.m., on Friday, September 17 at Holly Street Park. The event will include games, inflatables and a hot dog snack pack for attendees. The makeup date of the event will be Friday, September 24. For more information, those interested were invited to contact the Parks and Recreation Department at 252-467-4902.
- Reported that tickets are now on sale for the City's production of "The Nerd," which will be performed over the course of six nights between October 1 and October 10 at the Imperial Centre for the Arts and Sciences. Tickets are available by calling the Imperial Centre at 972-1266 or by visiting [imperialcentre.org](http://imperialcentre.org). She encouraged all to stay connected to the City's website, [rockymountnc.gov](http://rockymountnc.gov), and its social media pages for continuing information.
- Advised that the City's Business and Collections Services Department is utilizing 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 whose 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 Business Services Center at 972-1250.
- Stated that Emergency Rental Assistance is now available via Community Development Block Grant COVID-19 funds from the U.S. Department of Housing and Urban Development. Eligible families must have been financially impacted by COVID-19 due to job loss, reduction in hours or pay, furlough or other documented pandemic-related hardships. Those interested in learning more about this assistance are invited to attend information and application sessions on Monday, September 27 or Wednesday, October 6. Sessions will be held from 9 a.m.-5 p.m. on both days at the Booker T. Theater, located at 170 E. Thomas Street. For more information, call 252-442-8553 or email [housingcenter@embarqmail.com](mailto:housingcenter@embarqmail.com) or [cas@rockymountnc.gov](mailto:cas@rockymountnc.gov).
- Advised residents that the City is now in the next steps of the Rocky Mount Resiliency Plan. The plan is to ensure resilience to natural hazards, especially those regarding infrastructure and development across Rocky Mount. She invited participation in a virtual open house to be held from 4-6 p.m. on Wednesday, September 22. The Manager stated residents will have the opportunity to provide input during this meeting that will include City staff and consultants. The open house invitation is available on the events page at [rockymountnc.gov](http://rockymountnc.gov) with an embedded link. It also will be made available on the City's social media platforms.
- Invited citizens to visit [www.ncbroadband.gov](http://www.ncbroadband.gov) and complete a 5-minute survey that will inform research and policy recommendations in improving adequate internet access and speeds for this community and many others. She reported that the City's stance is a desire for the opportunity for local governments to build publicly owned, citywide networks that can provide broadband service to residents and businesses.
- Announced the Business Services Center will be closed on Friday, September 17 beginning at 2 p.m. for improvements to the IT system which will eventually move the City and community to a more customer-friendly web-based portal in the near future.
- Reported that the public operations for solid waste has experienced a decline in service levels due to vacancies. She stated the City currently has 10 vacancies in that particular area and two job offers were made today so she hopes the vacancy level will then fall to eight. The Manager stated Operations Manager Tim Farmer continues to

work tirelessly to fill the vacant positions. She said the City is also experiencing disruptions in the supply chain for parts and materials for equipment adding this is happening throughout the country. Ms. Small-Toney reported that she met with Public Works Department staff this morning to discuss next steps and they are working with Human Resources to fill the remaining eight vacancies and supplement the routes that have temporary staff. She said it is even a struggle for temp agencies as well as the City to find people for to fill job vacancies. She reported the City will look at schedules and may seek assistance from other departments which will require overtime pay. She added the City should have funds budgeted for the overtime pay. The Manager encouraged citizens to leave their carts at the curb if it is not serviced on the normal collection day and attempts will be made to complete the collections the following day. She said the City will be communicating with customers using FaceBook and its various social media platforms and a YouTube video is being prepared that will address some of the community's concerns and provide information regarding the City's various services. Additionally, citizens will also receive Code Red messages. She invited citizens to sign up for Code Red messaging, the City's messaging to the community when something urgent is occurring within the City. She added that on Mondays and Wednesdays citizens will receive information as to where the City is in its collection services processes and Mr. Farmer will be sharing some of the things discussed today with the sanitation crews tomorrow morning to get their feedback about how the Department should proceed. She added the goal is to continue to keep to the collection schedule as much as possible and to provide the highest level of customer service. She said staff recognizes the impact that this and many other communities are facing to fill vacant positions and the challenge of delays in finding the appropriate parts and hiring the appropriate staff to service City vehicles. Ms. Small-Toney thanked City customers for their patience as the City returns to normal service levels.

Ms. Small-Toney responded to a question from Councilmember Knight by saying entry level sanitation positions no longer require a CDL license.

Mayor Pro Tem Joyner announced that there will be a clean-up in the South Rocky Mount Around the Wye Community by the faith-based community this Saturday starting at 8 a.m. He said the event will begin with breakfast at Greater Mount Hermon Church and community clean-up will begin at 9 a.m.

Councilmember Knight stated over a year ago a consultant was engaged relative to evaluating issues in the Public Works Department and questioned when the Council will receive the report of plans to correct issues impacting workers in that department. The Manager responded that is part of the change currently in effect and some of the issues have been filling vacancies and acquiring equipment. She added some changes have been made relative to the requirement for CDL licensing and Mr. Farmer will meet with employees tomorrow. The Manager stated that Council has approved equipment acquisition though the issue exists relative to the supply chain. She added the City continues to move through the process of evaluating its pay and classification plan and is aware of some salary issues that have been raised. Mr. Knight asked that the findings of the report be shared with Council and the Manager said she would send that to Council. She reported she did not bring in an independent person because she felt the issues could be investigated and resolved internally.

Discussion continued. The City Manager advised it is difficult to fill vacancies and the City continues to work to recover from issues related to the pandemic. She told the Council that some employees worked throughout the pandemic while others did not, but all employees were paid during this time and Council supported this recommendation so that employees would not be negatively impacted. She told the Council she hopes to recognize those employees who worked throughout the pandemic soon. She stated the City is in a better financial position than was expected partially due to the work of Department Directors to keep expenses under control and performance in certain revenue areas. She said equipment has been ordered but like others the City is caught up in the supply chain disruption.

#### **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:

o **Tom Harris:**

- *Stated he was surprised when learning from the Telegram about the excessive costs of the City Council's Asheville retreat adding the community was told in February that \$18,500 had been budgeted for the event which went over budget by \$51,500 or 277%;*
- *Said that is not a good way to manage taxpayer money;*
- *Said he realizes the NC statutes give the City a reasonable time to respond to public records requests, but 6 months is too long;*
- *Asked that the City be more prudent in scheduling events and ensuring budgets are adhered to;*
- *Said he fully supports affordable housing and beautifying the City but a concern he has with the Community Land Trust is how City grants and special loans are awarded and administered adding his desire to see the City publicly announce/advise the identity of those who receive the funds and the identity of the principle owners of the businesses and perhaps the names of those serving on the Board of Directors, but, more importantly, the intended use of the funds so the public can see the improvements made;*
- *Said it is critical the public know how City funds are spent adding transparency and openness leads to accountability and accountability leads to credibility*

o **Janice A. Davis:**

- *Stated she and her husband moved to Rocky Mount from Maine almost two years ago and they and another couple were given the opportunity to take over a recovery center that started in 2019 and closed a year later just prior to the pandemic;*
- *Provided the Council with information about the Nash County Recovery Alliance Center located at 1450 Bethlehem Road and said she cannot begin to tell them of what has happened in the three months since they started;*
- *Said their grand opening is October 9<sup>th</sup> and 10<sup>th</sup> and Bethlehem Presbyterian Church is hosting a recovery celebration weekend;*
- *Invited all to join them in celebrating recovery – not only from substance abuse, drugs and alcohol adding that COVID-19 has put a terrible drain on*

*many older people in her church and they are blossoming due to being able to volunteer;*

- *Said the recovery center is for all and they have had some children's programs this summer and hope to have more next year;*
- *Invited Councilmembers to visit the facility*

○ **Muntaz Shaik:**

- *Told the City Council the events of the last few weeks have touched her in a very unsettling manner because she comes from where wars have been waged by America for 20 years adding war is evil;*
- *Said tax money should not go to support war;*
- *Questioned why war continues;*
- *Said 9/11 was a very sad event in our country and about 3,000 lives were lost but the war on terror has killed over a million people; said many lies have been told about war;*
- *Said women should be protected and the USA has violated human rights in Yemen, Libya and Afghanistan launched mass slaughter of the population - mass murder of women, children and men and destroyed personal and private properties, hospitals, schools, water plants, infrastructure, bridges and roads overseas;*
- *Said there is nothing to show for war and trillions of tax dollars have been spent; and*
- *Said there is no money to control the pandemic, there is an opioid crisis, hospitals are ill equipped and there is no minimum wage*

○ **Troy Davis:**

- *Stated it shocked him tonight to hear that the City continues to blame COVID for employment issues adding he thinks the issues existed long before the pandemic;*
- *Said he thinks the trash department has been facing shortages and has heard from staff that the City is paying a temporary agency \$14 an hour to hire employees at \$7.50 an hour adding he thinks that is absurd;*
- *Said he thinks the City needs to take a deep look at the amount of jobs it has available adding there is no reason why the citizens of Rocky Mount aren't allowed to apply for those jobs without interference from the City Manager and Human Resources needs to be allowed to do its job;*
- *Said citizens need to stand up and stop catering to someone that is ruining the City;*
- *Said three or four years ago permission was requested to hire another assistant city manager and currently there is no second assistant city manager here and there is no reason for that either;*
- *Said "we the people are fed up and tired" and the City needs someone who is going to lead it right now and it looks like it's being led down a tunnel;*
- *Said there have been meetings with entrepreneurs and developers where the definition of entrepreneurship has been read, which is absurd adding he has a bachelor's degree in computer science and doesn't need any definitions read for him;*
- *Said inspectors have come out, false claims made and stop work orders issued when permits are clearly in the windows;*
- *Said the City needs a leader who is going to lead it in a forward motion and elected leaders to stand up and look into what's really going on in City Hall;*
- *Stated the people demand that the City Manager resign and, if not, demand that the elected body terminate her*

City Manager Rochelle D. Small-Toney requested permission to respond to Mr. Davis and the community as a whole and said she does not interfere in hiring.

The City Manager responded to Mr. Davis and he continued speaking saying the Manager needs to resign. Mayor Roberson requested Mr. Davis be removed from the Council Chamber.

The City Manager stated:

- she does not interfere with the hiring of people that don't report directly to her and entrusts that to the department that is considered the hiring authority;
- she only hires those department heads that report directly to her;
- the challenge for the City is very much related to COVID and said this has been a very difficult time for the organization and what the community went through is unprecedented;
- some employees had to leave their jobs because they had to take care of their children when school was let out and many of those were women, because they're usually the ones who are charged with taking care of the children;
- there are a number of factors as to why the City is experiencing the current vacancies;
- this organization is full of a lot of dedicated, committed employees who keep the ship afloat every single day and she will not allow anyone to come in here and discredit their commitment to public service;
- said she typically does not respond but felt she had to say something not so much on her on behalf but on behalf of the 900 plus employees that come here every day, and put, in many cases, their own lives on the line and that doesn't just reflect in police and fire but there are some other very hazardous positions. She said employees step up when vacancies exist and pull together and work through;
- said she is very proud of her leadership team and of her leadership in this organization, and looks forward to continuing in this role

Councilmember Knight requested to speak saying he feels he should do so. He said he has a lot of respect for Troy Davis and the City Manager. He stated that Mr. Davis is very talented, has good skills and has a brilliant mind. He said Mr. Davis pulled himself up by his bootstraps along with the support of this Council and the vision that Mr. Davis has has caught on for development in the Downtown. Mr. Knight said this Council along with the Downtown Manager has supported Mr. Davis 120% and he takes exception to how Mr. Davis just displayed his frustration in this gallery.

Mr. Knight stated he does not like everything that the City Manager does and does like everything that Troy Davis does and that probably applies vice versa for both of them concerning him, but said he is not going to tolerate anybody whether it's a friend or not a friend to be disrespectful in that way. He added that from Davis Lofts to Stalling Way and Leola this Council has supported Mr. Davis and others in many projects and not just him but everybody who wanted to be a part of the development in this city. He said Mr.

Davis is his friend and there are some things that need to be worked on, but they stand, and they lead even if people don't like the way they lead. Mr. Knight said in order to lead one has to have tough skin, be unbossed and unbought and say what they mean and mean what they say. He said that is how he feels today and said, "don't let your good be spoken evil of."

Mayor Roberson invited the next speaker to the podium.

○ **Ernest Taylor, Jr.:**

- *Stated he lives in the City and is 79 years old;*
- *Said he appears tonight as a citizen concerned about the sanitation department and feels he is a product of the sanitation department because his father retired from the Environmental Services Department of the City about 15 years ago after having worked for the City for approximately 40 years;*
- *Said he can remember many businesses in the City; said his father's job was to keep the Downtown clean and he used to ride with him on Saturday nights;*
- *Said in the 50s and 60s a white man drove the truck and two black men loaded the truck and today one black man is driving and loading the truck;*
- *Said he has some concerns about the conditions he sees them in;*
- *Said his son works for the City;*
- *Said some may remember him from Taylor's Discount Shoes and he was in the political arena as Miss Helen Gay's campaign manager when she beat George Dudley; and*
- *Asked that the Council look at the sanitation workers, and not judge them as being black but as being workers adding they keep the City clean*

Mayor Roberson appreciated the sanitation workers for the job they do adding he is sure he speaks on behalf of the entire City Council.

○ **Nehemiah Smith:**

- *Said he does not speak as a pastor tonight but as a public relations person and teacher;*
- *Stated he tells his students he comes to deliver, and they should be there to receive and tonight he takes nine (City leaders) as students and, hopefully after he is finished, they will have received what he wanted to bring to them;*
- *Said he worked in public relations for many years on the university level, and the very first thing he learned from his mentor was you never allow anyone else to tell your story, but "you" tell your story because if you tell the story, then that's the story people are going to look at;*
- *Said Council had a retreat in April but in September are still talking about the retreat adding the information relative to the retreat should have been sent out sooner pursuant to the Telegram's request which would have allowed them to run the story earlier;*
- *Said the City has to start putting the information out in a timely manner, so that it won't have to deal with allowing someone else to tell its story adding that is like giving an arsonist gasoline and a book of matches; and*
- *Said the City has enough enemies and should not be its own worst enemy and there are so many other issues like sanitation, and what the City Manager was talking about earlier that Council needs to deal with*

○ **Pete Armstrong:**

- *Stated he lives on Drivers Circle and is president of the Northgreen Village Association;*
- *Said he comes to present a petition signed by members of the Neighborhood Association Presidents as organized by the City's Human Relations*

*Department requesting them to reduce the speed limit on all City-controlled streets from 35 miles an hour to 25 miles an hour;*

- *Said the petition is signed by 15 neighborhood association representatives and according to the Human Relations Department, there are only about 18 organized neighborhoods in Rocky Mount;*
  - *Said a speed limit reduction is necessary for a number of reasons and because the City has seen an increase in pedestrian and cyclist activity adding many neighborhoods like Northgreen have no sidewalks, so pedestrians are required to walk in the roadway;*
  - *Added Northgreen also does not have a park;*
  - *Said drivers cut through neighborhoods and tend to speed through the neighborhoods without slowing down at all and Rocky Mount has many vulnerable road users, including school aged children, seniors and people with limited mobility;*
  - *Said citizens understand reducing the speed limit is only one piece of the puzzle to slowing down speeders, but they think it is a necessary first step;*
  - *Added this is by no means an effort to criticize the Police Department and said he thinks they are doing everything they can do to help address the problem;*
  - *Said they have talked with the City before about this and it has always been referred to either the Police Department or Engineering and they say there will have to be a study; he said the neighbor representatives don't think a study is the right way to go about addressing this problem since studies only show a snapshot in time and of what goes on a City street;*
  - *Said by just simply reducing the speed limit it will help slow those traveling on City streets;*
  - *Provided petitions to the City by giving them to the Assistant City Manager; and*
  - *Said he also plans to speak relative to the public hearing on the amendment to the Land Development Code*
- **Arnie Jones:**
- *Stated he speaks on behalf of the Environmental Services Department, the Sanitation Department, where he has been working for several years;*
  - *Said the department has been severely understaffed for years and it takes a toll on staff;*
  - *Said job performance evaluations should be addressed as well adding he thinks a man should be judged on what he does every day and the amount of work he does and should be compensated;*
  - *Said the Sanitation Department employees are valuable and a vital part of keeping the City clean;*
  - *Said these essential workers should be valued and compensated as much as the Police Department; Gas Department and Electric Department*

Mayor Roberson questioned if Mr. Bernard Helm wishes to speak at this time or relative to a public hearing and Mr. Helm responded his comments are related to the public hearing.

- **Morrie Minges:**
- *Showed a booklet she received at the Citizens Academy and said if the City has done anything right it is to hold a Citizens Academy; said attendees meet once a week for eight or nine weeks and will learn everything they ever wanted to know about Rocky Mount and City Departments; said it is wonderful and Loretta Braswell does an excellent job as facilitator and planner of the program;*
  - *Said she cannot believe the City Council retreat cost \$70,000 and asked how many people attended and what they did; said Council could have gone*

*someplace a little closer to get hints of how to take care of homeless people adding some of the money spent could have been spent on seniors;*

- *Said she is against littering and is not even going to bring up “that” place adding she thought the owner was a really good guy; and*
- *Suggested Council amend the public petitions portion of the meeting to call it citizen comment adding that she lists her ward number on the paper she completes when she comes to speak so her Councilmember can contact her but no one ever has*

○ **Dr. Kim E. Koo:**

- *Said she lives in the Englewood section of the City and is a member of the Rocky Mount Racial Justice Group;*
- *Said she is here to express her deep sympathy to all those who lost their lives on 9/11 and in its aftermath;*
- *Said while we mourn the deaths of American citizens, policemen, firefighters, and soldiers, let us not forget the millions of lives lost in the 20 years of continuous war made by this country on Afghanistan, Iraq, Syria, Libya, and Yemen;*
- *Said the destruction of whole countries and countless refugees are the hubris of U.S. intervention in these countries;*
- *Said while we are remembering 9/11 let us also not forget on 9/11/73 a vicious U.S backed military coup happened in Chile, overthrowing the legitimately elected government of President Salvador Allende and the following 17 years of military rule by Augusto Pinochet, left 1,000s murdered, many more tortured and the country's economy ruined through neoliberal policies;*
- *Said now that the war is officially over in Afghanistan, we should urge our government to allow them to rebuild what we have so wantonly destroyed;*
- *Said this government must release the assets of Afghan banks, and also not be engaged in drone warfare and some form of reparations should also be considered;*
- *Said the war in Afghanistan itself cost \$2 trillion at more than \$300 million a day according to Mr. Biden, adding this is money that could have been spent on healthcare, housing, fixing deteriorating infrastructures, regular COVID relief checks, environmental repair and public education, but instead, in May of this year, the President's defense budget request for fiscal year 2022 was \$715 billion, up \$10 billion from last year;*
- *Said in 2017 the Congressional Budget Office produced a report stating the estimated total cost of refurbishing our nuclear armaments over 30 years was \$1.2 trillion;*
- *Said we cannot go on like this;*
- *Said Rocky Mount may be a small city, but we need to step up and be the first in pushing for a more humanitarian government, one that cares for all of us, and that does not waste precious resources holding onto a debt dream; and*
- *Said the illusion of 2000, being an American Century will be on the bodies and the ashes of the American people if we don't stop this*

○ **Bronson Williams:**

- *Stated he wanted to remind the City of 1978 and Alexander Evans, who the City paid tribute to just a few years ago, and then paid some dollars in what would be called restitution to give some resolve to some of those individuals who were sanitation workers*
- *Said since 1978, and before this City has truly shown how it feels about sanitation workers, adding he thought that had changed when they were recognized and monies allocated to make them whole again, but here we are, in 2021, still treating sanitation workers as they were treated before 1978;*

- *Said we also remember in 1978, there was a great sanitation strike that left trash in the streets for months;*
  - *Said the value of sanitation workers must not go unnoticed nor unrecognized;*
  - *Said it is important for any organization such as the City to monthly or daily look at a SWOT analysis, addressing strengths, weaknesses, opportunities, and threats to be sure there's a clear and concrete plan as to how we move forward each and every day;*
  - *Said there recently was a newspaper article about the retreat and time after time he has asked that the City do better at transparency and do better to not delay attempts to deliver information to members of the public and members of the media and this is not the first time this has happened; said it seems to be the pattern of the City to delay information and delaying allows someone else to tell the City's story and that is a bad position to be in;*
  - *Said the City's budget is over \$200M so spending \$70,000 for what took place in Asheville is not inappropriate and when you talk about community development, such as community land trusts, housing and community bonds and how the long-term impact can really benefit the City, then the public would be able to see how the \$70,000 was spent; and*
  - *Said the City needs to be in front of the story and Council should be the leaders they were elected to be*
- **Crystal Wimes-Anderson:**
- *Stated she is a resident of Ward Three and is present to talk about a health hazard that is quite common but is not talked about called silica. She said silica is found in the construction industry but not too many people know about it adding it is when workers are making the roads and while cutting and drilling stones and rocks concrete dust particles called silica can get into the lungs. She said this is a respiratory transmittable health hazard and side effects from exposure could be tuberculosis silicosis, which is an incurable lung disease, lung cancer, COPD and kidney disease. She stated OSHA has set standards for construction industries to minimize exposure;*
  - *Said she is standing before Council talking about the silica construction industry because of where she lives off of Swift Road;*
  - *Stated that a couple of months ago a contractor came through and did some repaving work and forgot to take all their material with them and dumped a mass load of silica particles across the street right in front of her house where her children play outside and ironically, a dialysis clinic is right behind the place where they dropped it off. She told the Council she is a dialysis nurse and has family members within her household that have respiratory issues;*
  - *Asked the City to find out who this company or contractor is and have them come back and clean up the mess they left;*
  - *Said we're only as good as our environment and she is pretty sure Council would not want anyone to dump these particles in their yard;*
  - *Said if the City is interested in selling the property where the material has been dumped, she would be willing to purchase it and address the issue herself;*
  - *Said she sent a message to the Human Relations Department but has not received a response back; and*
  - *Reiterated this is a potential health hazard for her and her family*

Mayor Roberson requested that the City Manager have someone follow up with regard to this matter.

Mayor Pro Tem Joyner asked that the matter be looked into immediately and said he is the Councilmember for Ward Three and did not know about this situation.

- **Samuel Battle:**
  - *Said the Farmville Police Department pays more than the Rocky Mount Police Department and that is a shame;*
  - *Said the City has a \$200M budget but can't pay the Police;*
  - *Said he would go on strike if he was a Police Officer;*
  - *Said Wilson's Police get paid \$42,000 and Rocky Mount has a bigger budget;*
  - *Said two years ago he saw Reverend Walker and older sanitation workers present at a Council meeting on behalf of sanitation workers;*
  - *Said sanitation workers should be paid;*
  - *Said a City inspector is going into black neighborhood talking junk to the guys working on the sites and some of them are convicts but the problem is some Councilmembers don't have building permits; said the City needs to be fair to everyone;*
  - *Said Troy Davis is upset; said he respects Troy Davis and watched him grow up and Council should not be talking about him when they have been doing stuff for him because they are in the same game; and*
  - *Said he has been pacing the street for 48 years and Council shows favoritism;*
  - *Said some living in Ward Three were cheated out of the seat as a Councilmember*

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

Councilmember Knight stated with the disturbance he did not have an opportunity to make comments relative to the sanitation department. Mayor Roberson requested he wait until the end of the meeting to make his comments and Mr. Knight stated his willingness to do so.

#### **PUBLIC HEARING CONTINUED/REZONING REQUEST**

The Mayor stated a public hearing was continued at the August 9, 2021, City Council meeting relative to the following rezoning request recommended for approval and found in compliance with the Comprehensive Plan by the Planning Board at its July 13, 2021, meeting:

- Request submitted by Marvin Pike to rezone ±6.59 acres at 141 Cobb Farm Village Lane from R-15 to R-6MFA

No one from the public appeared to speak and the Mayor closed the public hearing and announced the petitioner has withdrawn his petition for rezoning.

#### **PLANNING BOARD RECOMMENDATIONS**

The City Council received the minutes and recommendations from a Planning Board meeting held August 10, 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**

The Mayor 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 Thomas W. Eidson, Jr. for modification of an existing Conditional District Zoning (O-ICD) for ±1.49

acres at 351 South Circle Drive (formerly known as 2901 Sunset Avenue)

Will Deaton, Director of Development Services, gave an overview of the request.

No one from the public appeared and the Mayor declared the public hearing closed.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner and unanimously carried that **Ordinance No. O-2021-72** entitled **ORDINANCE AMENDING THE LAND DEVELOPMENT CODE AND MAP OF THE CITY OF ROCKY MOUNT** be adopted.

**B. PUBLIC HEARING/REZONING REQUEST**

The Mayor 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 Clifford and Yvette Miller for modification of an existing Conditional District Zoning (B-2CD) for +3.62 acres at 1801 S. Halifax Road

Will Deaton, Director of Development Services, gave an overview of the request.

No one from the public appeared and the Mayor declared the public hearing closed.

Motion was made by Councilmember Daughtridge, seconded by Councilmember Joyner and unanimously carried that **Ordinance No. O-2021-73** entitled **ORDINANCE AMENDING THE LAND DEVELOPMENT CODE AND MAP OF THE CITY OF ROCKY MOUNT** be adopted.

**C. PUBLIC HEARING/REZONING REQUEST**

The Mayor 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 Sallie Dixon Thomas to rezone +0.86 acres at 2250 Curtis Ellis Drive from R-15 to O-I

Will Deaton, Director of Development Services, gave an overview of the request.

Bernard Helm of 2251 Curtis Ellis Drive spoke in support of the rezoning request saying he would like to see O-I all the way from Jones Road to Winstead Avenue.

No one else from the public appeared and the Mayor declared the public hearing closed.

Motion was made by Councilmember Joyner, seconded by Councilmember Daughtridge and unanimously carried that **Ordinance No. O-2021-74** entitled **ORDINANCE AMENDING THE LAND DEVELOPMENT CODE AND MAP OF THE CITY OF ROCKY MOUNT** be adopted.

**D. LAND DEVELOPMENT CODE AMENDMENTS/PUBLIC HEARING**

The Mayor opened a public hearing relative to the following Land Development Code amendments recommended for approval and found in compliance with the City's Comprehensive Plan by the Planning Board:

- Amend the Land Development Code (LDC) to allow flexibility from the City's parking requirements with an approved parking demand analysis, establish maximum automobile parking space requirements, permit reduced parking space minimums in specific settings, and introduce standards for bicycle parking
  - o Amends Chapter 7 entitled "GENERAL DEVELOPMENT STANDARDS," Sec. 708. Terms and uses defined (adds/deletes text relative to off-street parking and loading and bicycle parking)

Pete Armstrong of 1304 Drivers Circle appeared and asked for clarification of the request. Will Deaton, Director of Community Development, said the request is for larger development sites with substantial parking that is not being used and is mostly geared towards commercial and multi-family development. Mr. Deaton responded to questions from Councilmembers. Councilmember Miller stated it does not seem advisable to include commercial and residential development together.

No one else from the public appeared and the Mayor declared the public hearing closed.

Motion was made by Councilmember Knight, seconded by Councilmember Walker and unanimously carried that **Ordinance No. O-2021-75** entitled **ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF ROCKY MOUNT** be adopted.

#### **BUDGET ORDINANCE/CARRYFORWARD APPROPRIATIONS AND EXPENDITURES**

The City Council was provided with a Budget Ordinance amending the Fiscal Year 2021-2022 budget to carry forward appropriations and expenditures for activities budgeted in the 2020-2021 fiscal year but not expensed (combined total of \$11,940,328).

Motion was made by Councilmember Knight, seconded by Councilmember Joyner unanimously carried that **Ordinance No. O-2021-76** entitled **ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR 2021-2022 FOR CARRYFORWARD OF FISCAL YEAR 2020-2021 ENCUMBERED FUNDS** be adopted.

#### **ANNEXATION NO. 326/566 SHELLCASTLE ROAD**

The City Council received a petition for annexation from the property owner of property at 566 Shellcastle Road, a non-contiguous parcel.

Motion was made by Councilmember Knight, seconded by Councilmember Joyner and unanimously carried that receipt of the petition be acknowledged and that **Resolution No. R-2021-43** entitled **RESOLUTION ORDERING THE CITY CLERK TO INVESTIGATE THE SUFFICIENCY OF A PETITION FOR ANNEXATION OF A NON-CONTIGUOUS AREA INTO THE CORPORATE LIMITS OF THE CITY OF ROCKY MOUNT/ANNEXATION NO. 326 - 566 SHELLCASTLE ROAD** be adopted.

#### **BIDS/ONE (1) CHASSIS MOUNT AUTOMATED ONE-MAN LEAF AND DEBRIS VACUUM SYSTEM**

The City Council received a recommendation for the purchase of one (1) Chassis Mount Automated One-Man Leaf and Debris Vacuum

System, through the North Carolina Sheriffs' Association (NCSA) Vehicle Procurement Program, a competitive bidding group that offers a formally organized program, that offers competitively obtained purchasing services at discount prices to two or more public agencies, pursuant to NCGS. 143-129(e) (3). The North Carolina Sheriffs' Association advertised as required by law and bid documentation is on file in the office of the City Clerk as **BD-2021-22**.

Motion was made by Councilmember Knight, seconded by Councilmember Miller and unanimously carried that the bid be awarded to Carolina Industrial Equipment, Inc. at a total cost of \$220,142 and that City staff be authorized to issue a purchase order for the equipment in accordance with the Council's award.

**BIDS/PUBLIC WORKS HEAVY EQUIPMENT**

The City Council received the tabulation of bids received for the following Public Works Department heavy equipment: one (1) 2021 Crane Carrier LET2-44 Cab Chassis and one (1) New Way Roto Pac 27 Yard Body through the North Carolina Sheriffs' Association (NCSA) Vehicle Procurement Program, a competitive bidding group that offers a formally organized program, that offers competitively obtained purchasing services at discount prices to two or more public agencies, pursuant to NCGS. 143-129(e) (3). The North Carolina Sheriffs' Association advertised as required by law and bid documentation is on file in the office of the City Clerk as **BD-2021-23 (a and b)**.

Motion was made by Councilmember Knight, seconded by Councilmember Miller and unanimously carried that the bids be awarded as follows at a total cost of \$341,467.66 and that City staff be authorized to issue purchase orders for the equipment in accordance with the Council's award:

- a) one (1) 2021 Crane Carrier LET2-44 Cab Chassis - award to Southern Truck Services, Inc. at a total cost of \$157,231; and
- b) one (1) New Way Roto Pac 27 Yard Body - award to Amick Equipment at a total cost of \$184,236.66.

**BIDS/TWO (2) 2022 FORD F350 CREW CABS**

The City Council received a recommendation for the purchase of two (2) 2022 Ford F350 Crew Cabs, through the North Carolina Division of Purchase and Contract group purchasing program, a competitive bidding group that offers a formally organized program, that offers competitively obtained purchasing services at discount prices to two or more public agencies, pursuant to NCGS. 143-129(9) that allows purchases from contracts established by the State or any agency of the State, if the contractor is willing to extend to a political subdivision of the State the same or more favorable prices, terms and conditions as established in the State contract.

The bid documentation is on file in the office of the City Clerk as **BD-2021-24**.

Motion was made by Councilmember Knight, seconded by Councilmember Miller and unanimously carried that the bid be awarded to Piedmont Truck Center at a total cost of \$95,070 and that City staff be authorized to issue a purchase order for the equipment in accordance with the Council's award.

**BID/ONE (1) 2022 NEW HOLLAND BACKHOE**

The City Council received a recommendation to purchase one (1) 2022 New Holland backhoe through the Sourcewell Group Purchasing Program, a competitive group purchasing program that serves education and government agencies nationally through competitive bidding and offers competitively obtained purchasing solutions, pursuant to N.C.G.S. 143-129(e) (3).

The Public Works Department is requesting the purchase of one (1) New Holland backhoe based on contract #032119-CNH-2-Heavy Construction Equipment with related accessories, attachments and supplies, a bid awarded by Sourcewell.

Motion was made by Councilmember Knight, seconded by Councilmember Miller and unanimously carried that the purchase of one (1) New Holland backhoe at a total cost of \$95,000 from Premier Equipment of Rocky Mount 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 with the bid documentation in the office of the City Clerk as **BD-2021-25**.

**RESOLUTION APPROVING MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE STATE OF NORTH CAROLINA AND LOCAL GOVERNMENTS ON PROCEEDS RELATING TO THE SETTLEMENT OF OPIOID LITIGATION**

The Council was advised that the North Carolina League of Municipalities and its local government members have worked with the State Office of Attorney General on distribution of funds from a settlement involving litigation against manufacturers of prescription opioids and the City is eligible to participate in the settlement and receive funds over a period of several years.

Consideration was given to the resolution and motion was made by Councilmember Joyner, seconded by Councilmember Walker and unanimously carried that **Resolution No. R-2021-44** entitled **A RESOLUTION BY THE CITY OF ROCKY MOUNT APPROVING THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE STATE OF NORTH CAROLINA AND LOCAL GOVERNMENTS ON PROCEEDS RELATING TO THE SETTLEMENT OF OPIOID LITIGATION** be adopted. This resolution approves the Memorandum of Agreement and authorizes the Mayor to execute same on behalf of the City and authorizes the City Manager and/or City Attorney to take such measures as necessary to comply with the terms of the

Memorandum of Agreement, including execution of settlement documents.

**GRANT/BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES (BRIC)**

The City Council considered a Letter of Intent to apply for the FEMA Building Resilient Infrastructure and Communities (BRIC) Grant. The Council was informed that, if awarded, the grant would fund a portion of construction of the Downtown Drainage Improvement Project in the amount of \$7,564,000 to include replacement of the Downtown culvert and construction of public parking improvements at the north and south ends of the project. The entire project costs are \$10,805,000. It was explained that the deadline to submit the Letter of Intent to Apply for the 2021 BRIC grant is October 1, 2021, and the final application is due January 7, 2022.

Councilmember Daughtridge requested clarification relative to the project, stated he is generally not in favor of condemnation and questioned if the grant is awarded, if the project can be amended. Public Works Director Brad Kerr responded in the affirmative.

Motion was made by Councilmember Knight, seconded by Councilmember Joyner and unanimously carried that the Letter of Intent be approved, that staff be authorized to submit the grant application and that the Mayor, City Clerk, City Attorney or other appropriate staff be authorized to execute any required documentation, certifications and subsequent grant agreement on behalf of the City.

**COMMENTS - COUNCILMEMBER KNIGHT/SANITATION WORKERS**

Councilmember Knight said he appreciated Mr. Taylor for coming to the meeting and speaking on behalf of the sanitation workers and also appreciates the sanitation employees for attending. He said it takes a lot of guts to come to a Council meeting and take a stand and express concerns.

He said there is still a plantation mentality when it comes to the sanitation department, pay grades and promotions. He recommended that the City Manager and upper management meet with the sanitation employees directly to hear their concerns and that the meeting include the Human Resources Director and Human Relations Director in order to listen and work to address existing systemic issues and issues dealing with disrespect of employees.

He suggested such a meeting will allow the Manager to get a better understanding of what is taking place in that department. He said the City has recently paid homage to Alexander Evans, but systemic issues remain in the department. He said Council values all employees, especially sanitation workers. He said a quick way to shut down the City is for sanitation workers to not do their jobs and the work they do daily and did even during the pandemic is

important. Councilmember Knight said these employees have his utmost respect.

City Manager Rochelle D. Small-Toney responded by saying she and Tim Farmer have already talked about having those kinds of discussions with the workers. She made reference to a comment she made at the last Committee of the Whole meeting regarding pay and explained that it is expected she will be coming back to Council with a recommendation for implementing a pay plan which is long overdue and addresses some of the pay issues. She stated there is also another component which will require review of how employees are evaluated, and percentage increases given per the ratings. She said, because she sees all performance evaluations and signs off on them, she has seen a pattern by which the lower paid employees hardly ever get an outstanding rating. Ms. Small-Toney said a part of the recommendation that will be coming to the City Council is to change that because there is a big difference between 3% on a lower pay salary as compared to 3% on a higher paid salary.

She said the message is that staff is working on these matters. The Manager added she will be happy to meet with her sanitation workers (her employees) and go through some of these things in a more direct way in terms of what is planned and looks forward to meeting with them likely this week.

#### **APPOINTMENTS**

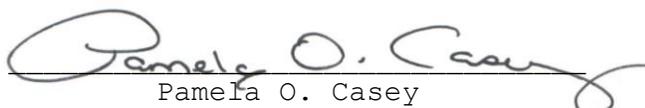
Motion was made by Councilmember Joyner, seconded by Councilmember Bullock and unanimously carried that the following reappointments be approved:

- **Community Appeals Board** (three-year term expires June 30, 2024):
  - o David Durgin (Ward 6)
- **Transportation Advisory Committee** (two-year term expires June 30, 2023 - NOTE: members are Councilmembers):
  - o Chris Miller

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

#### **ADJOURNMENT**

There being no further business, without objection, the meeting was adjourned at 8:50 p.m.

  
Pamela O. Casey  
City Clerk