***Minute Book Page 18056***

**Minutes of the Roanoke Rapids City Council**

A regular meeting of the City Council of the City of Roanoke Rapids was held on Tuesday, January 19, 2016 at 5:15 p.m. in the Council Chambers at the Lloyd Andrews City Meeting Hall.

**Present:** Emery G. Doughtie, Mayor

Carl Ferebee, Mayor Pro Tem

Ernest C. Bobbitt)

Suetta S. Scarbrough)

**Council Members**

Carol H. Cowen)

Wayne Smith)

Joseph Scherer, MPA, MS, City Manager

Gilbert Chichester, City Attorney

Lisa B. Vincent, MMC, NCCMC, City Clerk

Kathy Kearney, Deputy City Clerk/Human Resources Manager

Larry Chalker, Public Works Director

Kelly Lasky, Planning & Development Director

Stacy Coggins, Fire Chief

Chuck Hasty, Police Chief

Christina Caudle, Main Street Director

**Absent:** Leigh Etheridge, Finance Director

John Simeon, Parks & Recreation Director

Mayor Doughtie called the meeting to order and opened the meeting with prayer.

**Adoption of Business Agenda**

There being no conflict of interest with any of the items on the agenda, motion was made by Mayor Pro Tem Ferebee, seconded by Councilwoman Cowen and unanimously carried to adopt the business agenda for January 19, 2016 as presented.

**Special Recognitions**

***Commendation for Job Performance***

Police Chief Hasty presented certificates of commendation to the following for their great teamwork to revive a two-month old child that was unresponsive and not breathing on December 1, 2015:

***Minute Book Page 18057***

911 Dispatcher Nancy Green 911 Dispatcher Amber Smith

911 Dispatcher Rachel Moore 911 Dispatcher Heather Jordan

911 Dispatcher Henry Hedgepeth 911 Dispatcher Brad Poythress

Sergeant Mike Moseley Sergeant Richard White

Officer Ryan Cross

Police Chief Hasty thanked everyone again for their teamwork and dedication. He also noted that Mr. Charles Turner, the child’s grandfather, is present tonight and is very appreciative.

Mr. Turner stated he has been a volunteer firefighter for over 20 years but has never seen anyone as calm as the dispatchers were that helped him. He stated they all did a good job and he really appreciates it.

Ms. Heather Joyner, Halifax County Communications Manager, thanked Chief Hasty and the City Council for the recognition. She stated they are all thankful for the outcome. She stated this is why we do what we do.

Mayor Doughtie commented that he has called 911 on many different occasions and everyone he has spoken with was able to create a sense of calm which is a difficult thing to do when you have people that may be in shock or frantic. Mayor Doughtie stated we are very fortunate to have such capable dispatchers and we are obviously very proud of our Police Department.

***Recognition of Recent Police Department Promotion***

Police Chief Hasty stated with the retirement of Ozzie Morgan, we have made several promotions within the department. He stated at the last meeting we recognized the promotion of Andy Bryant and Bobby Martin, and tonight we recognize the promotion of Gorton Williams from Master Police Officer to Investigator. He stated Gorton has 11 years of law enforcement experience with the Roanoke Rapids Police Department, and the interview panel made a great decision.

Sergeant Mike Moseley stated he had the privilege of supervising Gorton for over three years. He stated he never called in sick and did not use vacation time. He stated Gorton was the most stable employee he has ever had and he will miss him in the patrol division.

Reverend C. E. McCollum stated he knows the grandfather of the child that was revived, and he commended everyone involved. He stated he is also Gorton’s pastor and is very proud of him. He stated many of Gorton’s family members are present tonight. He asked that they stand.

***Minute Book Page 18058***

**Public Comment**

***Jean Reaves, AMVETS Post 101***

Ms. Jean Reaves of AMVETS Post 101 thanked the Council for the opportunity to speak. She stated this is the first step of what she knows will be many steps if Council is in agreement with the plans of the Post. She stated next November when they have the March of the Patriots, which is part of their Veteran’s Day celebration, they would like to have a march out in the area of the Roanoke Rapids Theatre. She stated they would rather use those roads than Roanoke Avenue or Jackson Street, and hopefully avoid the new DOT regulations.

Ms. Reaves explained that having the march in this area would help them accomplish having a resource center for our veterans and their families. She stated she has already spoken with the VA and they are supportive of this. She stated they would like to put on a Saturday event and have a resource fair to provide our veterans with information and resources.

Councilman Smith asked if this is something the City Manager will put together and bring back to Council for approval.

City Manager Scherer stated once we confirm dates, we can put something together for Council’s consideration.

**Approval of Council Minutes**

Motion was made by Mayor Pro Tem Ferebee, seconded by Councilwoman Cowen and unanimously carried to approve the January 5, 2016 Council Minutes.

**Public Hearings**

***Consideration of Rezoning Request from Gil Cunningham to Rezone Approximately 83 Acres at 395 Wallace Fork Road from B-4 Commercial-Entertainment Overlay District to I-2 Industrial District [Continued from January 5, 2016 Council Meeting]***

Planning & Development Director Lasky referred to the following staff report which was first presented to Council at the January 5 meeting:

### **MEMORANDUM**

To: Joseph Scherer, City Manager

From: Kelly Lasky, Planning & Development Director/s/

Re: **Rezoning Request (map attached) – Amendment to the Roanoke Rapids Zoning Map to Rezone 83.3+/- Acres of Property at 395 Wallace Fork Road from B-4 Commercial District-Entertainment Overlay District to I-2 Industrial District**

***Minute Book Page 18059***

Date: December 28, 2015

**Summary Overview**

|  |  |  |
| --- | --- | --- |
| **Subject Property** |  | 83.3+/- acres of property located at 395 Wallace Fork Road with road frontage along Wallace Fork Road and Aurelian Springs Road |
| **Proposal** |  | Rezone from B-4 Commercial District with Entertainment Overlay District to I-2 Heavy Industrial District |
| **Applicant** |  | Gil Cunningham |
| **Property Owner** |  | Carolina Dirt, LLC |
| **Present Use** |  | Cleared, undeveloped land, previously utilized as an outdoor concert venue |
| **Proposed Use** |  | Not stated in application |
| **Staff Recommendation** |  | Approve |

When evaluating a rezoning request, it is appropriate to consider **ALL** permissible uses in the requested zoning district. City Council cannot specifically limit which uses are allowed (or not) as a result of any rezoning consideration.

Consider impacts on/from:

* potential uses
* neighbors
* general public
* traffic
* utilities
* neighborhood character
* schools

Omit from Consideration:

* ethnicity
* religion
* income
* rent or own

**Analysis and Detail:**

**1. Applicant and Property Owner**

The applicant is Gil Cunningham, 1243 Monarch Way, Brentwood, TN 37027; (615) 497-3822. According to the Halifax County tax listing, the property owner is Carolina Dirt, LLC, 1585 Mallory Lane, Suite 204, Brentwood, TN 37027.

**2. Location/Area Description**

The site proposed for rezoning is located east of Interstate 95 in the area referred to as “Carolina Crossroads” Music and Entertainment District. In the year 2006, the site was originally part of the establishment of the Roanoke Rapids Entertainment, LLC subdivision and sold to Carolina Dirt, LLC in September 2010. The Entertainment District is popularly known for the developments of the

***Minute Book Page 18060***

Hilton Garden Inn, the Roanoke Rapids Theater, and the Carolina Crossroads (RV) Recreational Vehicle Park. The location of the site proposed for rezoning is addressed 395 Wallace Fork Road.

The 83.3+/- acre site has approximately 1,372 feet of street frontage along Wallace Fork Road (SR 1692) and 1,800 feet of street frontage along Aurelian Springs Road (SR 1600). The site is currently zoned B-4 Commercial District with Entertainment Overlay District (EOD) jurisdiction.

The area to the southeast of the site proposed for rezoning has an R-20 Residential zoning classification and is developed as single-family residential use.

The adjacent areas to the east, north, south and west of the site proposed for rezoning are commercially zoned B-4 with EOD. The rezoning site is located adjacent (east of) the Carolina Crossroads RV Park (a conforming use in the EOD District).

There are nine (9) properties along Wallace Fork Road (north of the subject site) that are developed as single-family residential mobile homes. There is one property to the northeast of the site along Aurelian Springs Road that is developed as a single-family residential, conventional home. **The residential use of these properties is designated as a grandfathered, legal, non-conforming use of the land in the B-4 EOD District**. The single-family residential use of these properties was made unlawful by the Land Use Ordinance use regulations when the B-4 Commercial District was established in the area. Since the residential use was lawful prior to the establishment of the current zoning classifications, the non-conforming residential use of the properties may continue subject to Article VIII of the Ordinance.

The property to the east and south of the site proposed for rezoning is generally characterized as undeveloped, rural, agricultural use.

**3. Existing and Proposed Zoning**

The excerpt of the zoning map (item 2, page 2) delineates the existing zoning of the area being considered for rezoning and the zoning of the adjacent parcels. The requested rezoning area is currently zoned B-4 Commercial District with Entertainment Overlay District (EOD) jurisdiction. The requested zoning is I-2 (Heavy) Industrial District. The subject rezoning site is predominantly surrounded by the B-4 Commercial District with Entertainment Overlay District and has a minor adjacent area zoned R-20 Residential District.

**The rezoning request is a change** **from B-4 Commercial District with EOD to I-2 (Heavy) Industrial District**.

*The following provides general descriptions of the existing and proposed zoning districts:*

The **R-20** district is designed to accommodate single-family dwelling units. Lots in the R-20 district are required to have a minimum density of 20,000 square feet, 100 feet in width and building setbacks of 30 feet from the street right-of-way property line and 10 feet from all other property lines.

***Minute Book Page 18061***

The **B-4** district is designed to accommodate the widest range of commercial activities with no minimum density (square footage) and a lot width of 70 feet. Setbacks from the street right-of way property line are 20 feet and the distances from other property lines are determined by the rating of the exterior wall of construction.

The **Entertainment Overlay District (EOD)** is located over all B-4 commercial district properties in the designated *Carolina Crossroads* area. The density and dimensional requirements of the B-4 district are applicable in the EOD. The EOD is unique in that it allows only uses permitted in the Table of Permissible Uses in the Entertainment Overlay District (Land Use Ordinance Article XXIV, Section 151-363).

The uses allowed in each zoning district are identified in Section 151-149 Table of Permitted Uses ***(attached)*** of the City of Roanoke Rapids Land Use Ordinance. The specific uses permitted in the Entertainment Overlay District are indicated in Section 151-363 and are as follows:

| **Table of Permitted Uses in the Entertainment Overlay District** | | | |
| --- | --- | --- | --- |
| **Use** | **By Right** | **By Special Use Permit** | **By Conditional Use Permit** |
| ABC stores | X |  |  |
| Accessory Uses | X |  |  |
| Antiques | X |  |  |
| Arcades | X |  |  |
| Art galleries | X |  |  |
| Arts & craft shops | X |  |  |
| Athletic fields | X |  |  |
| Aquariums | X |  |  |
| Bakeries | X |  |  |
| Banks | X |  |  |
| Bars | X |  |  |
| Boating | X |  |  |
| Book stores | X |  |  |
| Bowling alleys | X |  |  |
| Bumper cars | X |  |  |
| Bungee jumps | X |  |  |
| Candy, ice cream, etc. shops | X |  |  |
| Car washes | X |  |  |
| Clothing shops | X |  |  |
| Coliseums & Stadiums |  | X |  |
| Comedy club | X |  |  |
| Convenient marts | X |  |  |
| Department stores | X |  |  |
| Dwellings, multi-family residence |  | X |  |
| Fuel sales | X |  |  |
| Gift shops | X |  |  |
| Golf courses | X |  |  |
| Golf, miniature | X |  |  |
| Hobby & game shops | X |  |  |
| Hotels | X |  |  |
| Home furnishings | X |  |  |
| Jewelry shops | X |  |  |
| Libraries | X |  |  |
| Motels | X |  |  |
| Motor vehicle raceway |  |  | X |
| Movie theaters | X |  |  |
| Multi-use outdoor recreation facility |  |  | X |
| Museums | X |  |  |
| Nightclubs | X |  |  |
| Parks | X |  |  |
| Parks – RV | X |  |  |

***Minute Book Page 18062***

| **Table of Permitted Uses in the Entertainment Overlay District** | | | |
| --- | --- | --- | --- |
| **Use** | **By Right** | **By Special Use Permit** | **By Conditional Use Permit** |
| Parks – Water | X |  |  |
| Pharmacies | X |  |  |
| Photography studios | X |  |  |
| Public buildings/services | X |  |  |
| Restaurants | X |  |  |
| Roller coasters | X |  |  |
| Signs, off premises |  | X |  |
| Signs, on premises | X |  |  |
| Skateboard parks | X |  |  |
| Skating rinks | X |  |  |
| Special events | X |  |  |
| Specialty food shops | X |  |  |
| Subdivisions – major |  | X |  |
| Subdivisions – minor | X |  |  |
| Swimming pools | X |  |  |
| Tennis, racquetball, etc. courts | X |  |  |
| Theaters – drive-in | X |  |  |
| Theaters – dinner | X |  |  |
| Theaters – movie | X |  |  |
| Theaters – outdoor amphitheater | X |  |  |
| Theaters – performing arts & music | X |  |  |
| Towers – less than 50' | X |  |  |
| Towers – greater than 50' |  | X |  |
| Transportation facilities |  | X |  |
| Urgent care facilities | X |  |  |
| Utilities – public | X |  |  |
| Vehicle sales – recreation vehicles | X |  |  |
| Winery/Distillery | X |  |  |

**Industrial districts (I-1 and I-2)** are established primarily to accommodate enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment. The districts differ primarily in the permitted intensities of the development (I-1 light industry and I-2 heavy industry) and differ in the minimum dimensional requirements. There are no minimum density (square footage) requirements in the industrial districts. An **I-1 (light industry)** zone is designed for a minimum lot width of 50 feet and building setbacks of 30 feet from the street right-of-way property line and 15 feet from all other property boundaries. An **I-2 (heavy industry)** zone is designed for a minimum lot width of 100 feet and building setbacks of 40 feet from the street right-of-way property line and 25 feet from all other property boundaries. Building height (highest vertical elevation) is limited to 45 feet in both industrial zones (building height in a residential district is limited to 35 feet).

Any proposed construction and site plans are evaluated by City staff and the Development Review Committee to ensure a proper design. The Development Review Committee includes the Sanitary District, NCDOT, Public Works, NC Dominion Power, Fire Department and Code Enforcement.

**The following table on the next page shows the Industrial Use District Uses.** The Approval Process: letter “**P**” (Planning Department, Development Review Committee); letter “**C**” (Planning Department, Development Review Committee, Planning Board, Public Hearing, City Council):

|  |  |  |
| --- | --- | --- |
| **All Industrial Districts, I-1 Light Industrial and I-2, Heavy Industrial** | **P** | Convenience Stores |
| **P** | Wholesale Sales and Rental of Goods, Merchandise and Equipment |
| **P** | **Office, Clerical, Research and Services not Primarily Related to Goods or Merchandise** Indoor/Outdoor Operations designed to attract little/no customer/client traffic other than employees operating the use |
| **P** | Banks with Drive-In Windows |
| **P** | **Manufacturing, Processing, Creating. Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment** Indoor and Outdoor |
| **P** | Trade or Vocational School |
| **P** | Churches, synagogues, and temples |
| **P** | Social fraternal clubs and lodges, union halls, and similar uses |
| **P** | **Recreational, Amusement, Entertainment** bowling alley, skating rinks, indoor tennis, billiard and pool halls, indoor athletic and exercise facilities, Movie Theaters |
| **C** | Coliseums, stadiums and other facilities designed to accommodate more than 1,000 people |
| **P** | Publicly –owned and operated outdoor recreation facilities |
| **C** | Golf Driving Ranges, miniature golf, skateboard parks, water slides |
| **C** | Horseback Riding stables |
| **C** | Automobile and Motorcycle Racing Tracks |
| **C** | Drive-In Movie Theaters |
| **P** | Restaurants, Bars, Nightclubs\* (\*nightclubs subject to location criteria, additional setbacks from residential dwellings) |
| **P** | Motor vehicle repair and maintenance, not including substantial body work |
| **P** | Motor vehicle painting and body work |
| **P** | Gas Sales |
| **P** | Car wash |
| **P** | Automobile Parking Garages and Parking Lots (no principal use) |
| **P** | **Storage of Goods not related to sale or use of those goods on the same lot where they are stored**  Indoor and Outdoor, including ministorage |
| **P** | Parking of vehicles or storage of equipment outside enclosed structure where: **i.** Vehicles/Equipment owned by lot occupant **and ii.** Parking/Storage is more than minor and incidental use of lot |
| **P** | Services and Enterprises related to Animals |
| **P** | **Emergency Services** Police, Fire, Rescue Squad, Ambulance, Civil defense, indoor training facility |
| **C** | Outdoor training facility |
| **P** | Agricultural Operations |
| **P** | Post office |
| **P** | Military Reserve, National Guard |
| **P** | Dry Cleaner, Laundromat |
| **P** | Utility Facilities |
| **P** | Towers and antennas less than 50 feet in height |
| **C** | Towers and antennas greater than 50 feet in height |
| **P** | Nursery Schools, Day Care Centers |
| **P** | **Transportation Facilities** stations for bus/train, taxi stands |
| **P** | Solar Farm |
| **C** | Wind Farm\* (\*subject to additional regulations provided in Section 151-175) |
| **C** | Adult Establishments\* (\*subject to location criteria, additional setbacks from dwellings, churches, schools, libraries, daycare…) |
| **I-1** | **C** | Electronic Gaming (internet Sweepstakes)\* (\*subject to location criteria, setbacks from church, schools, dwellings) |
| **I-2** | **C** | Penal and Correctional Facilities |
| **C** | Scrap Materials, Salvage Yards, Junk Yards, Automobile Grave Yards |
| **C** | Mining or quarrying operations, including on-site sales of products |
| **C** | Reclamation landfill (process whereby old landfill disposal cells are excavated to recover recyclable items) |
| **P** | Airport |
| **P** | Sanitary landfill (method of controlled disposal of municipal solid waste (refuse) on land) |
| **C** | Crematorium |

***Minute Book Page 18063***

**4. Traffic Considerations**

The site may be accessed by Wallace Fork Road (SR 1692) and/or Aurelian Springs Road (SR 1600). Since the site is located along state routes, the North Carolina Department of Transportation (NCDOT) regulates allowable access and driveway permitting. All traffic considerations will be evaluated when the proposed use is identified and a preliminary site development plan is presented by a future developer.

**5. Utility Considerations**

There are no specific utility considerations that should negatively impact this property at the present time. The area is served by Roanoke Electric Cooperative and the Roanoke Rapids Sanitary District. All

***Minute Book Page 18064***

connections, extensions and responsibilities for services will be the responsibility of the developer.

**6. Other Considerations**

Future development of the site will be evaluated for appropriate screening, drainage, stormwater retention/detention and other items during the site plan and/or construction plan review process by the Development Review Committee.

The proposed request for rezoning is considered to be reasonable. Reasonableness is determined by considering the size and nature of the tract, any special conditions or factors regarding the area, the consistency of the zoning with the land use plan, the degree of the change in the zoning, the degree it allows uses different from the surrounding area, and the relative benefits and/or detriments for the owner, the neighbors, and the surrounding community.

**7. Comprehensive Development Plan**

The property is located in existing City Limits and the following implementing strategies may be considered from the City of Roanoke Rapids Comprehensive Development Plan, adopted by City Council on June 17, 2014:

***I.1*** *Support infill development. Infill development is development or redevelopment of land that has been bypassed, remained vacant, undervalued and/or is underused as a result of the continuing urban development process. Generally, the areas and/or sites are not particularly of prime quality; however, they are usually served by or are readily accessible to the infrastructure (services and facilities). Use of such lands for new housing and/or other urban development is considered a more desirable alternative than to continue to extend the outer development pattern. The use of infill development, among others, promotes the best use of resources and also will tend to have a positive impact upon the tax and other fiscal policies.*

***I.7*** *Provide effective buffering and/or landscaping where commercial development adjoins existing or planned residential uses.*

***I.13*** *Encourage industrial development to locate on land which is physically suitable and has unique locational advantages for industry. Advanced planning for the identification of such land shall be encouraged.*

***I.14*** *Consider separating heavy industrial areas from non-industrial areas by natural features, green belts, major transportation facilities, and/or other suitable means.*

***I.15*** *Consider locating light industrial uses in urbanized areas to take advantage of available services and to minimize travel distances. Careful design and/or buffering shall be required to ensure compatibility with surrounding areas.*

***I.16*** *Encourage new industrial development to locate in existing and/or planned industrial parks.*

***I.18*** *Utilize the mixed use areas as a tool to aid in regulating/reducing strip commercialization, stimulate compact development, encourage infill development, reduce trip generation, provide flexible development options, and utilize existing infrastructure.*

***I.29*** *Consider expanding opportunities (both public and private) for employment and procurement by using local vendors when state and federal procurement procedures permit such selection.*

***I.31*** *Encourage new and expanding industries and businesses which: (1) diversify the local economy, (2) utilize a more highly skilled labor force, and (3) increase area resident’s incomes.*

***Minute Book Page 18065***

***I.32*** *Protect, enhance, and encourage a high quality of life, image, and cultural amenities as an effective approach to economic development.*

***I.33*** *Economic development efforts should encourage the revitalization and reuse of currently unused or underutilized structures, sites, and infrastructure in appropriately located areas.*

***I.37*** *Continue to support the Halifax County Economic Development Commission’s business/industrial development efforts.*

***I.39*** *Actively recruit and retain a younger workforce to the City by supporting diverse affordable workforce housing.*

**8. Public Response to Notice**

On December 22, 2015, letters were mailed to owners of property within 100 feet of the requested rezoning giving notice of the public hearing and opportunity to comment. The notice of request and public hearing was advertised in the *Daily Herald* on December 20 and 27, 2015 and January 3, 2016. The notice of request and public hearing was advertised in “The City Page” section of [www.RRSPIN.com](http://www.RRSPIN.com)on December 20 and 27, 2015 and January 3, 2016.

**9. Staff Recommendation**

The Planning and Development staff recommends in favor of the petitioner’s request. The staff finds the proposed rezoning request to be consistent with the surrounding land uses and supported by the Comprehensive Development Plan. Staff requests that the rezoning be recommended to the City Council for approval.

The courts have established the following factors to determine the reasonableness of spot zoning:

1. ***The size and nature of the tract.***Planning staff has determined that the size and characteristics of the site make it more likely to be reasonable to zone. The site is a large parcel having significant street frontage along two state roads, which provide access to Interstate 95. The site has access to utilities and a relatively flat to rolling topography. The majority of the site is surrounded by commercially zoned property.
2. ***Compatibility with existing plans.***The Land Use Ordinance sets for the requirements for the various zoning districts. The Comprehensive Development Plan adopted by the City Council on June 17, 2014 proposes and supports mixed uses in the subject area. The Mixed Use II district categories include I-1 Industrial land uses mixed with businesses and residential zones. Buffering or separation between uses is encouraged to minimize impact and provide a transition between lower and higher density land uses.
3. ***The impact of the zoning decision on the landowner, the immediate neighbors, and the surrounding community.*** The degree of change from B-4 EOD to I-2 represents an increase in potential land use intensities as well as similarities in existing permissible uses. The specific potential benefits to the owner and the specific potential impacts to the neighbors are unknown at this time. However, evaluation of the site access, surrounding rural uses, surrounding commercially zoned property, and dense population makes the proposed request more reasonable.
4. ***The relationship between the newly allowed uses in a spot rezoning and the previously allowed uses.*** Planning staff has evaluated and compared the permitted uses in the B-4 EOD and I-2 District. The Table of Permitted Uses in the EOD (Section 151-363(8)) includes 69 uses that are

***Minute Book Page 18066***

permissible by right (approval of zoning permit from Planning Director) or that are permissible by Conditional Use Permit (approval of permit from City Council). The Table of Permissible Uses (Section 141-49) includes all permissible uses for all zoning districts. The Planning Director has determined that 47 of 69 permissible uses in the EOD are also permissible in an I-2 Industrial District. Therefore, staff has determined that the relationships between the uses in the current zoning classification and the uses in the proposed classification support the reasonableness of the petitioner’s request.

**10. Planning Board Review and Recommendation**

The Roanoke Rapids Area Planning Board reviewed the requested rezoning on December 17, 2015. The Board unanimously approved the Recommendation of Consistency with a 7-0 vote. The Board unanimously voted 7-0 to forward a favorable recommendation to City Council for approval of the requested rezoning.

**11. City Council Action**

Following the public hearing, the City Council is requested to make a motion concerning the Statement of Consistency and a motion concerning approval or denial of the rezoning request.

Statement of Consistency – *if City Council concurs with the approval of the Statement, the following motion is appropriate:*

***Requested Motion & Vote:* Motion to approve and adopt the presented Statement of Consistency to amend the Zoning Map for the 83.2 acre property at 395 Wallace Fork Road (Halifax Co. Parcel 1205730) described in the staff report dated December 28, 2015.**

Final Decision – *if City Council concurs with approval of the rezoning request, the following motion is appropriate:*

***Requested Motion & Vote:* Motion to approve an amendment to the Roanoke Rapids Zoning Map to change the zoning classification to I-2 Industrial District for property identified as the 83.2 acre property at 395 Wallace Fork Road (Halifax Co. Parcel 1205730) described in the staff report dated December 28, 2015.**

The following are sites zoned industrial:

|  |  |
| --- | --- |
| **I-2 Heavy Industrial** | **I-1 Light Industrial** |
| Dominion Power Plant | Interstate Storage (Jackson St., 5th St.) |
| KapStone Paper Mill | Rightmyer Machine Rentals (Hwy.48) |
| Merritt Piping (W. 10th St.) | New Dixie Oil Corporation (W. 15th St., Marshall St.) |
| Autoverters (W. 10th St.) | Blue Flame Fuels (E. 15th St.) |
| WestPoint Stevens (W. 10th St., Henry St., Madison St., 13th St.) | Armory (Carolina Ave., E. 14th St.) |
| Newsome Oil (W. 10th St.) |  |
| Hawkins Cotton Gin (Stancell St.) |  |
| McPherson Beverage, Inc. (Stancell St.) |  |
| Gowen Oil (E. 12th St.) |  |
| Sanitary District (E. 11th St.) |  |

Planning & Development Director Lasky stated she would like to address a couple of questions that came up at the last meeting. She stated Mayor Pro Tem Ferebee asked about the number of homes in the B-4 and R-20 areas shown on the map. She stated in

***Minute Book Page 18067***

the B-4 area, there are 29 grandfathered, legal, non-conforming residences. She stated in the R-20 area, they estimated there are around 175 homes including several mobile home parks.

Planning & Development Director Lasky stated Councilman Smith asked about truck traffic around the traffic circle by the Hilton. She stated since we do not know what the property will be used for, we do not know if there will be truck traffic. She stated if during the development review process we feel there is a potential for heavy truck use, we could look at alternate routes or prohibit truck access to certain areas and encourage the use of Aurelian Springs Road. She stated of course, this would be done at the owner’s expense. Planning & Development Director Lasky pointed out that all of this would be looked at with DOT and our Public Works Department.

Planning & Development Director Lasky pointed out that nothing has happened at this property since 2011 and all future proposed development will be reviewed by the Planning Department and the Development Review Committee which includes Dominion Power, NCDOT, Public Works Department, Engineer and the Roanoke Rapids Sanitary District.

Planning & Development Director Lasky indicated that we have received no comments on this request, and reminded Council that the Planning Board voted 7 to 0 in favor of this request.

A public hearing having been advertised and proper notices having been given according to law, Mayor Doughtie re-opened the continued public hearing.

Ms. Ellen Heaton of 1501 Reverend Alex Brown Road, Roanoke Rapids, NC stated she is the owner of Heaton Real Estate and has over 15 years of experience in residential, commercial and land sales. She stated November 11, 2005 was the groundbreaking for the Roanoke Rapids Theatre and the Carolina Crossroads planned development was hoped to bring jobs to this area that had experienced a 2,500 textile mill job loss. She stated the hope was to move from a manufacturing based economy to an area whose jobs were based in tourism. She stated the complex was to feature an indoor theatre, outdoor theatre, RV Park, an aquarium, waterpark, retail shops, restaurants, and hotels. She stated a Black Widow Billiards Center was announced. Ms. Heaton stated excitement in our area was over the top, with whisperings of one or another new prospect but then, a national recession changed many things for so many people.

Ms. Heaton stated the outdoor amphitheater opened but faced difficulties and the current owners, Carolina Dirt, LLC, are in a difficult position. She stated promoters use stronger venues such as Raleigh and Richmond, and let’s face it, the socio-economics of our area prevent the site from being a profitable venue, based on local sales as well as its close proximity to Raleigh and Richmond.

***Minute Book Page 18068***

Ms. Heaton stated in real estate there are several known tenets…location, location, location and determining a property’s highest and best use. She stated the owners of the site in question are looking for the opportunity to explore the property’s highest and best use. She stated the highest and best use, if rezoned, could provide jobs and a tax base to an area that needs it. Ms. Heaton stated to address comments she has heard repeated, the owners have been approached and have rejected the site for the use of a solar farm.

Ms. Heaton stated the effects of a sale of this site should have positive ramifications for the Roanoke Rapids Theatre, and the City’s endeavors to sell it. She stated two concerns brought up at the Roanoke Rapids Planning Board meeting were concerns on the effect of the sale of the Theatre and traffic. She stated after a conversation with the real estate company that listed the theatre for sale, she was told that the rezoning is not a concern and they envision the sale of the property, not as a theatre, but as a church, convention center, or other use. Ms. Heaton stated as a former owner/manager of Becker Village Mall, it is her opinion that this area needs a venue for meetings. She stated she was often approached for leasing space at the mall but it was not feasible as the individual spaces did not have electricity. She stated individuals and companies are looking for space to lease with utilities and this would certainly be attractive to local industry and businesses. She stated the traffic concern can be easily addressed; traffic coming from I-95 could travel on Highway 125 to Aurelian Springs Road. She stated the City can also close streets to that traffic.

Ms. Heaton stated after 2006, our nation’s economy changed and in order to make a positive change and move forward, we must be open to new possibilities. She stated there will be no concerts at the outdoor amphitheater, at Carolina Crossroads there will be no Bass Pro Shop, no aquarium, and no water park—but we do have the opportunity to team with the Halifax County Economic Development Commission to market this property to enhance our community. She asked that Council please consider rezoning the property in question to I-2. Ms. Heaton thanked the Council for their time.

Ms. Cathy Scott, Director of Economic Development for Halifax County, stated she supports this rezoning request. She stated the City of Roanoke Rapids needs quality industry that can be used to attract more people. She stated the population decline is a direct result of the loss of manufacturing jobs. She stated she feels we can market this property because of its proximity to the interstate. Ms. Scott pointed out that the way the City’s process is set up, the City has the opportunity to review what use is put on this property. She stated she supports this request and hopes the Council will consider rezoning the property for industrial use.

There being no one else to speak, Mayor Doughtie declared the public hearing closed.

***Minute Book Page 18069***

Motion was made by Mayor Pro Tem Ferebee and seconded by Councilman Bobbitt to adopt the following Statement of Consistency:

**Statement of Consistency with Plans to Amend the Official Zoning Map**

**Rezoning Request– Amendment to the Roanoke Rapids Zoning Map to rezone 83.3+/- acres of property at 395 Wallace Fork Road from B-4, Commercial District-Entertainment Overlay District to I-2, Industrial District.**

The Roanoke Rapids City Council conducted a public hearing on Tuesday, January 5, 2016 at 5:15 p.m., continued the public hearing until Tuesday, January 19, 2016 at 5:15 p.m., and determined that the above mentioned request is consistent with the Roanoke Rapids Comprehensive Plan, adopted by City Council June 17, 2014, and with the Roanoke Rapids Land Use Ordinance. Comprehensive Development Plan Policies:

***I.1*** *Support infill development. Infill development is development or redevelopment of land that has been bypassed, remained vacant, undervalued and/or is underused as a result of the continuing urban development process. Generally, the areas and/or sites are not particularly of prime quality; however, they are usually served by or are readily accessible to the infrastructure (services and facilities). Use of such lands for new housing and/or other urban development is considered a more desirable alternative than to continue to extend the outer development pattern. The use of infill development, among others, promotes the best use of resources and also will tend to have a positive impact upon the tax and other fiscal policies.*

***I.7*** *Provide effective buffering and/or landscaping where commercial development adjoins existing or planned residential uses.*

***I.13*** *Encourage industrial development to locate on land which is physically suitable and has unique locational advantages for industry. Advanced planning for the identification of such land shall be encouraged.*

***I.14*** *Consider separating heavy industrial areas from non-industrial areas by natural features, green belts, major transportation facilities, and/or other suitable means.*

***I.15*** *Consider locating light industrial uses in urbanized areas to take advantage of available services and to minimize travel distances. Careful design and/or buffering shall be required to ensure compatibility with surrounding areas.*

***I.16*** *Encourage new industrial development to locate in existing and/or planned industrial parks.*

***I.18*** *Utilize the mixed use areas as a tool to aid in regulating/reducing strip commercialization, stimulate compact development, encourage infill development, reduce trip generation, provide flexible development options, and utilize existing infrastructure.*

***I.29*** *Consider expanding opportunities (both public and private) for employment and procurement by using local vendors when state and federal procurement procedures permit such selection.*

***I.31*** *Encourage new and expanding industries and businesses which: (1) diversify the local economy, (2) utilize a more highly skilled labor force, and (3) increase area resident’s incomes.*

***I.32*** *Protect, enhance, and encourage a high quality of life, image, and cultural amenities as an effective approach to economic development.*

***Minute Book Page 18070***

***I.33*** *Economic development efforts should encourage the revitalization and reuse of currently unused or underutilized structures, sites, and infrastructure in appropriately located areas.*

***I.37*** *Continue to support the Halifax County Economic Development Commission’s business/industrial development efforts.*

***I.39*** *Actively recruit and retain a younger workforce to the City by supporting diverse affordable workforce housing.*

Upon review of the request, it is the City Council’s determination that the above mentioned request is reasonable and in the public interest of the City of Roanoke Rapids in that it provides for the organized commercial and industrial growth that will help to ensure the health, safety, and general welfare of the citizens of Roanoke Rapids.

ADOPTED BY THE ROANOKE RAPIDS CITY COUNCIL ON THE 19TH DAY OF JANUARY, 2016.

Mayor Emery G. Doughtie

Upon being put to a vote, Mayor Pro Tem Ferebee voted in favor of the motion. Councilwoman Scarbrough, Councilwoman Cowen, Councilman Smith and Councilman Bobbitt voted against the motion. The motion failed to carry by a vote of 4 to 1.

Councilwoman Scarbrough stated with the understanding that we can revisit this application to change the zoning, she would move that we do not approve the amendment to the Roanoke Rapids Zoning Map to change the zoning classification to I-2 Industrial District for property identified as the 83.2 acre property at 395 Wallace Fork Road (Halifax Co. Parcel 1205730) described in the staff report dated December 28, 2015.

City Attorney Chichester pointed out that Council would need to indicate a reason why the Statement of Consistency was not approved.

Councilwoman Scarbrough stated she would like to know more about what businesses were being considered for the property.

City Attorney Chichester advised that each Council member would need to concur with Councilwoman Scarbrough’s reason or offer their own reason.

Mayor Doughtie stated the thing that concerns him is that we are looking for economic development activity and we have a recommendation from a board that we appointed that unanimously approved this rezoning request. He stated he understands that we may not know everything we want to know about this but we have professionals here to help bring economic development activity to our area. Mayor Doughtie asked City Attorney Chichester if there is anything that can be done or changed to have some type of approval on this request.

***Minute Book Page 18071***

Mayor Pro Tem Ferebee stated he does not see a need to make any changes as it is his understanding that the others want to wait and see what type of business is planned for the property.

Mayor Doughtie asked Ms. Heaton if it would be fair to say that the change in zoning is being made in order to market the property.

Ms. Heaton stated if the property is not already zoned for what the buyer is looking for, they will not want to make a deposit that is required in the commercial real estate process if they are not assured that the zoning will be changed.

City Attorney Chichester stated one thing Council can do is rescind the earlier action and continue the public hearing a second time to obtain additional input.

Councilman Smith stated he has concerns because Mr. Cunningham did not attend the Planning Board meeting and has not attended either Council meeting. He stated he has turned this matter over to a real estate agent and we have questions for him. He stated he is not satisfied with the answers Ms. Heaton has provided about what she was told by our real estate company that is marketing the Theatre. He stated he got some different information in the email from the City Manager that said the company advised us to be careful about what we do out there. Councilman Smith questioned if our real estate agent is telling us one thing and telling Ms. Heaton something else. He stated until Mr. Cunningham comes and gives us information on the use of the property and we get real answers from our real estate agent—instead of two different versions—he does not intend to vote in favor of the rezoning. He stated he does not mind voting to rescind the earlier action and continue the public hearing to obtain additional information.

Mayor Doughtie stated we do not need to continue to drag this on and on. He stated we need to get answers to these questions.

Councilman Smith stated he went out and looked around this property. He stated he does not have any problems with the land but does not want us to make a change, and then later on someone else wants to make a change because we allowed this. He stated we could end up with a mess out there. Councilman Smith stated the property out there in the entertainment district has caused nothing but trouble for the City. He stated he would like for Mr. Cunningham to come to our meeting.

Motion was made by Mayor Pro Tem Ferebee and seconded by Councilman Bobbitt to rescind the action taken earlier on the Statement of Consistency.

Upon being put to a vote, Mayor Pro Tem Ferebee, Councilwoman Scarbrough, Councilman Bobbitt and Councilman Smith voted in favor of the motion. Councilwoman Cowen voted against the motion. The motion carried by a 4 to 1 vote.

***Minute Book Page 18072***

Mayor Doughtie stated the City Council has questions that they would like to have answered by Mr. Cunningham. He stated we will need to take action to re-open the public hearing.

Motion was made by Councilman Bobbitt, seconded by Mayor Pro Tem Ferebee and unanimously carried to re-open the public hearing.

Motion was made by Mayor Pro Tem Ferebee, seconded by Councilwoman Scarbrough and unanimously carried to continue the public hearing on this matter until the February 2, 2016 City Council meeting at 5:15 p.m.

Mayor Pro Tem Ferebee requested that the Planning Board review the permitted uses versus conditional uses in the I-1 and I-2 zoning districts.

Councilman Bobbitt asked Ms. Heaton if she could contact Mr. Cunningham and see if he would attend the February 2 meeting.

Ms. Heaton stated yes. She pointed out that at the Planning Board meeting, questions were asked and answers were given, and we now have questions that are open-ended. She asked if a list of questions could be drawn up for Mr. Cunningham to answer and have notarized in case he cannot attend. Ms. Heaton stated in response to the questions about what she was told by the real estate agent marketing the Theatre, she indicated that after the last Council meeting, she called to ask them the questions that were mentioned. She asked who would be the person to clarify this issue.

Councilman Smith stated he thinks the City Manager did a good job on that. He stated the Council received an email about the company’s response.

City Manager Scherer stated he did provide to Council the information he received from our principal contact with the company, and he indicated that he was neutral.

Ms. Heaton stated she thought they were not marketing the property as a Theatre but as commercial property.

City Manager Scherer pointed out that the real estate company did caution us to be careful about any future rezoning requests in the area. He stated he believes he and Ms. Heaton were saying the same thing.

Councilwoman Scarbrough stated it is her understanding that Mr. Cunningham wants to sell the land and Ms. Heaton is marketing it.

Ms. Heaton stated it is her job and that is why she needs to talk with him.

***Minute Book Page 18073***

Councilman Bobbitt asked if Mr. Cunningham would say no to someone that wanted to buy the land for a scrap metal yard.

Ms. Heaton stated as a 30-year resident of this area and someone that plans to retire here, she would not want something like that on the property. She stated the plans are to market the land to industries similar to those on Highway 903 such as PCB and Reser’s. She stated they are good companies that provide good jobs. She stated if an applicant came through Ms. Lasky’s office and the Council did not feel comfortable with the proposed use, it would not have to approve the request. Ms. Heaton stated she lives here and will retire here, and plans to market this property so that it is beneficial to her and to Mr. Cunningham.

Councilman Bobbitt asked Ms. Heaton if she would speak against certain business uses.

Ms. Heaton stated it is her job to present the facts given.

Ms. Scott stated a scrap metal yard would have to be approved through the conditional use process and City Council could deny the request.

Councilman Smith pointed out that an attorney can come in and appeal our decision which has been done on two other occasions recently.

Ms. Scott stated the value of the property in question is $1.2 million. She stated she does not know of anyone that would pay that kind of money for property for a scrap metal yard.

Councilman Smith stated in the email from the real estate company, they indicated that it would be a shame to have to deal with an unsightly neighbor. He stated he is more interested in selling the Theatre than this piece of land.

Ms. Scott stated she understands that but you have to have faith in people.

Mayor Pro Tem Ferebee asked Planning & Development Director Lasky how soon she could have the Planning Board look at the uses in the I-1 and I-2 zoning districts.

Planning & Development Director Lasky stated she could have the board review them at the February 18 meeting but we would need to advertise a public hearing so they could probably be on the first March Council meeting agenda.

City Manager Scherer asked Council members to forward their questions about this rezoning to him by the first of next week, and he would have Planning & Development Director Lasky coordinate with Ms. Scott and Ms. Heaton to get them answered.

***Minute Book Page 18074***

**New Business**

***Consideration of FY 2016 – 2017 Budget Calendar***

City Manager Scherer stated the recommended Budget Calendar for this year is similar to last year with the exception of having departmental budget prioritization discussions on April 5, 6 & 7 prior to the City Manager and Finance Director preparing the first draft for Council. He stated we will then have budget work sessions in late April and early May with presentation of the recommended budget on May 31.

City Manager Scherer pointed out that he also plans to schedule a retreat for Council and Department Heads for some time in late February or early March to discuss the budget and priorities, and to make sure our goals are aligned.

Motion was made by Councilwoman Scarbrough, seconded by Councilman Bobbitt and unanimously carried to adopt the following FY 2016 – 2017 Budget Calendar:

**City of Roanoke Rapids**

**Budget Calendar**

**FY 2016 – 2017**

**Date Budget Procedures Action By**

January 20th Provides on-line operational and capital budget forms Finance Director

and instructions to Department Heads.

January – February Departments prepare budget requests including all Department Heads

Departmental and capital expenditures.

January – February City Manager and Finance Director prepare departmental City Manager

salaries and benefits, and debt payments. Finance Director

January – February City Manager and Finance Director prepare General Fund City Manager

revenue estimates. Finance Director

March 18th Departmental Budget Requests due to the City Manager Department Heads

and Finance Director.

**March 28th – April 7th Departmental Budget Prioritization Discussions with** City Manager

**Mayor and City Council:**  Finance Director

April 5th Public Works Department Public Works Director

(Tuesday, 3 p.m.) Planning Department Planning Director

April 6th Police Department Police Chief

(Wednesday, 3 p.m.) Fire Department Fire Chief

April 7th Parks & Recreation Department Parks & Recreation Director

(Thursday, 3 p.m.) Human Resources Department Human Resources Manager

April 15th City Manager and Finance Director make revisions to City Manager

budget and prepare first draft for submittal to Mayor Finance Director

and City Council.

***Minute Book Page 18075***

**April – May Budget Work Sessions with Mayor and City Council:** City Manager

April 21st Introduction Finance Director

(Thursday, 3 p.m.) Public Works Department Public Works Director

Planning Department Planning Director

April 26th Police Department Police Chief

(Tuesday, 3 p.m.) Fire Department Fire Chief

April 28th Parks & Recreation Department Parks & Recreation Director

(Thursday, 3 p.m.) Human Resources Department Human Resources Manager

May 5th Preliminary Revenue Estimates Finance Director

(Thursday, 3 p.m.) Administration, Finance, Governmental Finance Director

May 10th CIP (Capital Improvement Plans) – General Capital City Manager

(Tuesday, 3 p.m.)

May 31st Presentation of recommended budget and budget City Manager

message to City Council. Copy filed with City Clerk.

Public Hearing date set for June 7th.

June 7th Public Hearing on budget. Mayor and City Council

Citizens

June 21st 2016 – 2017 Budget Ordinance presented to City City Manager

Final Date (June 30th) Council for final review and adoption.

Councilman Smith stated he thought in this calendar we would set up a Council retreat with Department Heads.

City Manager Scherer pointed out that he just mentioned that he plans to schedule a retreat for some time in either late February or early March.

Councilman Smith stated he just wanted to make sure.

***Consideration of Grant Project Ordinance for FY 2015 – 2016 CDBG-Commerce Fellows Program***

Planning & Development Director Lasky stated last summer City Council held a public hearing and approved submitting an application for funding through the CDBG-Commerce Fellows Program. She explained that this is for planning officials to attend a training program at ECU.

Planning & Development Director Lasky stated the City recently received notice that we were approved for funding in the amount of $22,500. She stated $17,500 goes toward tuition at ECU and the remaining is for reimbursement for travel costs as well as the grant administration fees. She stated a Grant Project Ordinance has been prepared for Council’s consideration.

Motion was made by Councilman Bobbitt, seconded by Mayor Pro Tem Ferebee and unanimously carried to adopt the following Ordinance:

***Minute Book Page 18076***

Ordinance No. 2016.02

**CITY OF ROANOKE RAPIDS**

**COMMUNITY DEVELOPMENT BLOCK GRANT**

**Commerce Fellow Program, Grant Number 11-D-2693**

**PROJECT ORDINANCE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROANOKE RAPIDS, NORTH CAROLINA** that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project is hereby adopted:

**SECTION 1.** The project authorized is the Commerce Fellows Capacity Building Program between the City and the NC Department of Commerce (DOC). The program to be held at East Carolina University includes comprehensive grant administration and public management curriculum that will help to obtain and manage grants, to apply effective approaches to managing public programs and organizations, and to understand and access Community Development Block Grant (CDBG) programming at DOC.

**SECTION 2.** The City of Roanoke Rapids staff is hereby directed to proceed with the grant project pursuant to the grant agreement and the rules and regulations of the DOC.

**SECTION 3.** The following revenues and resources are anticipated to be available to complete the program activities:

CDBG Funds $ 22,500

**Total Project Resources $ 22,500**

**SECTION 4.** The following amounts are appropriated for the project activities:

Training $ 20,250

Administration $ 2,250

**Total Project Appropriations $ 22,500**

**SECTION 5.** The Finance Director is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the DOC as required by the grant agreement(s).

**SECTION 6.** Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement requests should be made to the DOC in an orderly and timely manner.

**SECTION 7.** The City Manager shall be authorized to reallocate appropriations within the various line items of this project as he deems necessary.

**SECTION 8.** Copies of this project ordinance shall be made available to the Finance Director for direction in carrying out this project.

**ADOPTED** this 19th day of January, 2016.

Emery G. Doughtie, Mayor

ATTEST:

Lisa B. Vincent, City Clerk

***Minute Book Page 18077***

***Award of Consultant Administrative Services Contract for FY 2015 – 2016 CDBG-Commerce Fellows Program***

Planning & Development Director Lasky reviewed the following staff report with Council:

### **MEMORANDUM**

To: Joseph Scherer, City Manager

From: Kelly Lasky, Planning & Development Director/s/

Re: **Consultant Administrative Services Contract for FY 2015 – 2016 CDBG-Commerce Fellows Program – Grant # 11-D-2693**

Date: January 19, 2016

**Background**

The City of Roanoke Rapids received $22,500 in funding under Title I of the Housing and Community

Development Act for a FY 2015 – 2016 CDBG-Commerce Fellows training program at East Carolina University. At the end of the grant term, the City will produce a written document setting forth a plan to further community development needs for the City.

During the course of the project, the City will require planning and general administration services from a private firm or non-profit agency. Award of a contract for administrative services for this project shall be made to the responsible individual or firm whose proposal is most advantageous to the City of Roanoke Rapids. Fees incurred for contract administrative **costs are allocated in the grant award** and limited to 10% of the grant award (not to exceed $2,250). **No City funds are proposed for expenditure.**

The City has conducted the following activities to solicit responses for planning and general administration services. On January 7, 2016, a request for proposals (RFP) was directly mailed and emailed to 20 firms to solicit administrative services for the CDBG program. The RFP was advertised on January 10, 2016 in the *Roanoke Rapids Daily Herald* at a cost of $90.71. The City received two (2) responses, which was from Holland Consulting Planners, Inc. (HCP) and DM2 Engineering PLLC, by the January 15 deadline. In accordance with the procurement policy, the City is required to receive at least two responses.

**Staff Recommendation**

Staff reviewed the proposals and determined both firms are competitive in understanding the needs of the City, the ability to carry out projects on schedule, and hourly rates. In accordance with the Request for Proposals, the City will select the most qualified consultant based on points awarded. Thus, Holland Consulting Planners, Inc. ranked higher than DM2 Engineering PLLC in the area of previous grant administrative management experience and the Project Manager’s experience on similar projects. The City is well aware of HCP’s long-standing service to Roanoke Rapids including efficient management of the City’s FY08 CDBG Community Revitalization Program, FY10 CDBG Contingency Housing Program, and FY11 SBEA Program.

Staff recommends that the contract for planning and general administration services for the 11-D-2693 CDBG-Commerce Fellows Program be awarded to **Holland Consulting Planners, Inc.**

**Requested Action**

1. Motion to authorize the City Manager to negotiate and execute a CDBG-Commerce Fellows Program Administrative Services Contract hereby awarded to Holland Consulting Planners, Inc.

***Minute Book Page 18078***

The following is a proposal tabulation included with the staff report:

**Proposal Tabulation for Consultant Administrative Services Contract Award**

Scoring of Proposals in response to RFP dated January 7, 2016 for CDBG-Commerce Fellows Program, Grant Number 11-D-2693. Proposal evaluation will be based on five evaluation factors, to be rated on a point system. The City will select the most qualified consultant based on points awarded and negotiate with that consultant.

|  |  |  |
| --- | --- | --- |
| **Evaluation Factors** | **Holland Consulting Planners, Inc.** | **DM2 Engineering, PLLC** |
| 1. Previous administrative management on Community Development Block Grant Commerce Fellows Capacity Building or similar CDBG projects. (25 points) | 25 | 10 |
| 2. Understanding of the various needs of the City and responsiveness of the firm to individual elements in the RFP. (25 points) | 25 | 25 |
| 3. Experience of the firm’s proposed Project Manager and project staff on similar projects. (20 points) | 20 | 15 |
| 4. Ability to carry out projects on schedule and to complete projects as approved by the Department of Commerce. (15 points) | 15 | 15 |
| 5. Hourly fee schedule. (15 points) | 15 | 10 |
| **TOTAL POINTS (100 POINTS POSSIBLE)** | **100** | **75** |

The firm with the highest points awarded is **Holland Consulting Planners, Inc.**

Motion was made by Councilman Bobbitt, seconded by Mayor Pro Tem Ferebee and unanimously carried to authorize the City Manager to negotiate and execute a CDBG-Commerce Fellows Program Administrative Services Contract hereby awarded to Holland Consulting Planners, Inc.

***Consideration of Amendment to Chapter 97 “Parks & Recreation” of the Roanoke Rapids Code of Ordinances***

City Manager Scherer stated due to recent incidents involving motorbikes and other types of vehicles causing damage at Ledgerwood, we are recommending that the penalty for violations of Section 91.02 “Vehicles in Parks” be increased from $50 to $500. He stated we did not feel that the $50 penalty was a sufficient deterrent. He pointed out that back in June, City Council adopted a similar amendment for a $500 penalty for vehicles on the Canal Trail.

Motion was made by Councilman Bobbitt, seconded by Councilwoman Cowen and unanimously carried to adopt the following ordinance:

Ordinance No. 2016.03

**AN ORDINANCE TO AMEND CHAPTER 97 “PARKS AND RECREATION” OF THE ROANOKE RAPIDS CITY CODE.**

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROANOKE RAPIDS that:**

***Minute Book Page 18079***

**SECTION 1.** Section 97.99 (B) of Chapter 97 “Parks and Recreation” be amended to read as follows:

**§ 97.99 PENALTY.**

(B) Any person who knowingly or willingly violates § 97.02 shall be subject to a civil penalty of $500.00.

**SECTION 2.** This Ordinance shall become effective upon adoption.

**City Manager’s Report**

City Manager Scherer reported that NCDOT Secretary Tennyson was hosted today for lunch by the Chamber of Commerce. He stated the main theme of his presentation was how the Department has transitioned over the past three to four years from a subjective process for determining how their projects for roads, airports and multi-modal modes of transportation are funded to an objective process. He stated the new process is a points-based system that focuses on five major themes, such as congestion and safety. He stated the groups that have input on how points are awarded for projects include cities, counties, DOT division engineers and both metro and regional planning organizations. He stated Secretary Tennyson also discussed how the state legislature changed the funding process for NCDOT, which has positioned the organization to be better funded without being totally dependent on gas tax revenue. He stated this change has allowed NCDOT to fund more projects than previously allowed.

City Manager Scherer stated the weather this weekend, beginning Friday, may be a severe winter storm. He stated forecasters are calling for rain to turn to freezing rain and then snow through Saturday. He stated more exact details and forecasted snow amounts may be available later this week. He stated we will be on the line for the rain/snow mix, so it will depend on which way the line falls as to how bad the storm will be for our area. He stated the Public Works Department is planning for a major response and will be utilizing its own brine plant for the first time to treat the roads. He stated there is a chance for snow flurries Wednesday evening with little accumulation, but road conditions could be hazardous as the roads will be cold and slick.

City Manager Scherer reported that most of the departments are busy with major projects, planning for future projects, budget preparation and citizens’ services while continuing to work on their everyday tasks.

**Finance Director’s Report**

In the absence of Finance Director Etheridge, City Manager Scherer presented the December Finance Report indicating that the written report provides an informational

***Minute Book Page 18080***

snapshot of the General Fund revenues and expenditures. He reported that the total revenues received YTD stands at 46.4% and the total expenditures YTD stands at 51.3% with a deficit of around $771,000. He pointed out that this is mostly due to the loss of privilege license tax revenue. City Manager Scherer noted that the City did receive on Friday an ad valorem tax payment of $1.4 million.

**Departmental Reports**

Mayor Doughtie stated we have a good detailed summary of departmental reports included in our agenda packets. He asked that Department Heads highlight those items they feel are relevant.

Councilman Smith stated due to the late hour and the Closed Session, he feels we can bypass these reports tonight since everyone has had the opportunity to review the written reports in the agenda packet.

Mayor Pro Tem Ferebee stated we have done this several times. He stated they have taken the time to prepare these reports and he feels they need to at least highlight items in their respective reports.

***Human Resources***

Human Resources Manager Kearney reported that we will recognize employee service awards at the next Council meeting. She stated BARC will host a social starting at 4:45 p.m. here at the Andrews Building prior to the meeting.

***Police***

Chief Hasty reported that he included two reports in the agenda packets—the December report and a year-end report. He also reported that he will be attending the Police Chiefs’ Annual Conference from January 24 to January 27. He reported that they are putting together a community forum for February 25 and the next Citizens Police Academy is scheduled for March. He also reported that he and Captain Bryant will be taking a course “Credible Leadership” through Wake Tech.

Chief Hasty reported that two new vehicles are in and they are planning to outfit them within the next few weeks. He also reported that they are applying for a technology grant for computers and software updates for their vehicles. He pointed out that no matching funds are required with this grant.

***Planning & Development***

Planning & Development Director Lasky reported that they have been busy with year-end reports for the Census Bureau. She reported that they also issued permits for A & D Laundromat at 138 Roanoke Avenue and expect construction to begin at any time. She

***Minute Book Page 18081***

reported that the permit for the wireless communications tower at 501 Jackson Street has been issued. She reported that the Label Shopper store next to Dunham’s is still moving forward.

Planning & Development Director Lasky reported that the Planning Board will meet this Thursday evening to discuss goals and objectives for the upcoming year. She invited Council to attend if they have any comments or suggestions.

Councilwoman Scarbrough asked about the old Lone Star property.

Planning & Development Director Lasky indicated that she has not heard from anyone about this property.

***Public Works***

Public Works Director Chalker reported that during the month of December, they have received over 100 calls and have done a lot of work everywhere around the City. He reported that the cemetery collected $9,902 during December. He also reported that for the first time, we have a master mapping system of the cemetery. He stated Lewis Burr did an outstanding job on this. He thanked Mr. Burr for his many years of service to the City. He stated he would be glad to show this system to Council of where we are and where we are going in the future.

Public Works Director Chalker reported that they spent 511 hours collecting leaves and 188 hours on the skate park. He thanked the Council for allowing them to purchase a new generator for City Hall. He stated they worked over the weekend to get it installed. He also reported on the new brine plant and commended his sanitation workers that went out to ride on trucks when it was 21 degrees this morning. He stated they are some tough young men and women.

City Manager Scherer asked that anyone wanting to tour the new brine plant to contact him.

***Fire***

Fire Chief Coggins reported that earlier today they responded to Davie’s mutual aid call for two fires in the Lincoln Heights area.

Fire Chief Coggins reminded Council that the department was turned down for the AFG grant for air packs but they have re-submitted the grant.

Fire Chief Coggins reported that his department sat through the class “Entitlement—the Cancer in Fire Service”, and they also held a fire extinguisher class for employees at the

Hilton Garden Inn.

***Minute Book Page 18082***

Fire Chief Coggins reported that the department’s newest employee started work last Monday and they still have one opening. He also reported that some of his employees are attending a leadership class being offered through the Chamber.

***Main Street/Development***

Main Street Director Caudle reported that with the ActionSprout Facebook Ads Credit Grant, they have increased their followers by 400%. She reported that the bulk of December was spent working on the North Carolina Main Street Program Assessment for national accreditation. She stated we should receive notification within 4 to 8 weeks.

Main Street Director Caudle stated Planning & Development Director Lasky mentioned the A & D Laundromat at 138 Roanoke Avenue. She commended the owners on this project which is a great redevelopment program in our downtown area. She reported that 1028 Roanoke Avenue has been leased by Golden Gate Human Services, a company out of Winterville, NC. She stated that building has been empty for over three years.

Motion was made by Councilman Smith, seconded by Councilman Bobbitt and unanimously carried to go into Closed Session as allowed by NCGS 143-318.11(a)(4) to discuss economic development.

**[Remainder of page intentionally left blank.]**

***Minute Book Pages 18083 and 18084 contain Minutes and General Account of a Closed Session which have been sealed until such time as public inspection of those minutes would not frustrate the purpose of the Closed Session.***

***Minute Book Page 18085***

Motion was made by Councilman Smith, seconded by Councilman Bobbitt and unanimously carried to go back into Open Session.

**Open Session**

Mayor Doughtie called the meeting to order in Open Session and indicated that City Council discussed while in Closed Session an economic development project with Ms. Cathy Scott, Halifax County Economic Development Director. No action was taken in Closed Session.

There being no further business, motion was made by Councilwoman Scarbrough, seconded by Mayor Pro Tem Ferebee and unanimously carried to adjourn.



**Lisa B. Vincent, MMC, NCCMC City Clerk**

2/2/2016

**Approved by Council Action on:**