



## **Minutes of the Roanoke Rapids City Council**

The Roanoke Rapids City Council and the Roanoke Rapids Area Planning Board held a joint meeting on **Tuesday, September 5, 2023 at 5:30 p.m.** in the Council Chambers at the Lloyd Andrews City Meeting Hall for the purpose of conducting a public hearing.

### **Roanoke Rapids City Council Members Present:**

Emery G. Doughtie, Mayor  
Carl Ferebee, Mayor Pro Tem  
Sandra Bryant)  
Rex Stainback)  
Wayne Smith)

### **Council Members**

### **Roanoke Rapids Area Planning Board Members Present:**

Sherry Mills, Chairman  
Henry Ford, Vice-Chairman  
Gregory Browning  
Virginia Lewis  
Gregory Page  
Dom Fenner  
Terry Campbell  
Steven Ellis  
Carrie Tuning  
Joseph Brinkley

### **Others Present:**

Kelly Traynham, City Manager  
Geoffrey Davis, City Attorney  
Traci V. Storey, City Clerk  
Kristyn Anderson, City Planner  
Shane Guyant, Police Chief

<h3><b>Call to Order &amp; Invocation</b></h3>
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Mayor Doughtie called the Roanoke Rapids City Council meeting to order. He stated they were honored and privileged to have the Roanoke Rapids Area Planning Board join in the meeting tonight with Ms. Sherry Mills as their Chairperson. He referred to Chairwoman Mills to open their meeting.

Chairwoman Mills called the Roanoke Rapids Area Planning Board meeting to order. She stated their board was also honored to work alongside City Council and hear the same information as they did.

Mayor Doughtie provided the invocation and then the Pledge of Allegiance was recited.

### **Adoption of Agenda**

Chairwoman Mills asked the Planning Board if they had a chance to review the agenda to see if they had any conflicts with any of the items. There being no conflicts, she called for a motion to adopt the agenda as written. Motion was made by Gregory Browning, seconded by Steven Ellis and unanimously carried to adopt the agenda as written.

Mayor Doughtie asked Council members if there were any known conflicts of interest with respect to the matters before them this evening. There being no conflicts, motion was made by Mayor Pro Tem Ferebee, seconded by Councilman Smith and unanimously carried to adopt the agenda with an addition of Item 5 a) Public Comment.

### **Joint Public Hearing**

Mayor Doughtie called upon City Manager Traynham to make a presentation before opening the public hearing.

City Manager Traynham stated the purpose of tonight's meeting was to process a request for amendments to the City's Land Use Ordinance. The Planning Board must review and make a recommendation as well as there being a public hearing for City Council to have the ultimate approval of the matter. Staff has been encouraged to process this request which is to add the term "casino" as a permissible use in the Entertainment Overlay District and add a definition to that.

She said they may have seen on the news, there has been some talk and discussion in the state legislature. Even if this amendment is approved in the City's Land Use Ordinance, they would be subject to any state or federal laws that would enable any sort of activities.

City Manager Traynham summarized and reviewed the following staff report:

To: City Council and Roanoke Rapids Area Planning Board  
Date: September 1, 2023  
Re: **Ordinance 2023.11 – Land Use Ordinance Amendments to permit “Casino” use in the Entertainment Overlay District**

### **Background and Intent.**

On May 24, 2005, the Roanoke Rapids City Council adopted the “Entertainment Overlay District” as part of the Land Use Ordinance (Zoning Code) as a unique district with commercial areas that would “enhance trade, tourism, job creation, capital investment, ... and... develop for commercial entertainment purposes.” Our zoning code lists specific land uses that are permissible only in the Entertainment District within Article 24.

The new owners of the Roanoke Rapids Theatre are petitioning the City to amend its zoning ordinance to add the use of “**casino**” to the *Table of Permitted Uses in the Entertainment Overlay District*. This is intended to help “pave the way” for our entertainment district to be a potential casino site.

Currently, North Carolina is home to 3 tribal casinos, located in the westernmost part of the state. The North Carolina General Assembly anticipates enactment of the final state budget by mid-September while lawmakers are quietly discussing legislation to legalize **gambling casinos** as part of an effort to incentivize rural tourism in Tier 1, economically distressed counties. There’s limited information available other than what has been reported by state media during the last couple months with talks of casino development in 3 Tier 1 counties that are located near state lines and Interstates. Supposedly, the intent is to create “Entertainment Districts” with a casino and other destination developments like hotels, water parks, restaurants, etc. While we do not know exactly what will occur with the General Assembly, the City is encouraged to move forward in processing the zoning text amendment request as quickly as possible with hopes that City of Roanoke Rapids will be identified as a casino location.

Amendments to the Land Use Ordinance require that the governing board (Council) hold a public hearing with published notice in accordance with the general statutes. Proposed amendments to the zoning ordinance must be submitted to the Planning Board for review and comment prior to adoption by Council. The Planning Board recommendation is not binding upon the City Council.

State law does not specify requirements for notice and hearing for the planning board review.

A joint hearing by the Planning Board and City Council is recommended to “expedite” the text amendment petition and allow for all members/decision-makers to have the benefit of the same information being presented.

### **Purpose**

In accordance with the City’s Land Use Ordinance and state statute for legislative decisions, the purpose of this agenda item is for City Council to complete the following actions:

1. Open and conduct the public hearing on the proposed ordinance amendments.
2. Receive comments from citizens.

3. Close the public hearing.
4. Deliberate on the various amendments, as desired;
5. **Planning Board Motion & Vote**
  - a. Consider adoption of the Recommendation of Consistency prepared by Staff; and,
  - b. Consider a recommendation to the City Council concerning the proposed text amendments.
6. **City Council Motion & Vote:**
  - a. Consider adoption of the Statement of Consistency prepared by Staff; and,
  - b. Consider adoption of **Ordinance Number 2023.11** approving the proposed text amendments related to permitting the use of property within the Entertainment Overlay District as a “Casino” subject to compliance with state and federal laws.

#### **Public Notice | Citizen Involvement**

The proposed changes have been advertised as available for public inspection and review at [www.roanokerapidsnc.com](http://www.roanokerapidsnc.com) and a paper printed copy is available in the Planning & Development Department, located at City Hall, 1040 Roanoke Ave.

As required, the public hearing was advertised in a newspaper of general circulation, the *Daily Herald*, on Saturday, August 26<sup>th</sup> and Saturday, September 2, 2023. Local electronic media source, *RRSPIN*, posted the notice on its website.

Interested persons are encouraged to attend the September 5, 2023, public hearing and/or submit written comments to the City Clerk by 12-noon on Thursday, August 31, 2023 for inclusion in this agenda packet. To date, no citizen comments have been received.

#### **PROPOSED TEXT AMENDMENTS**

Consideration of Zoning Text Amendments to the Roanoke Rapids Land Use Ordinance for legislative changes regarding the use of Entertainment District property as a “casino” for the following:

1. **ARTICLE II: Basic Definitions and Interpretations** to consider adding a definition of the term “Casino”
  - ( ) Casino. A building or structure, free standing or as a part of another building, that is located in the Music and Entertainment District, which is used or intended to be used for the purpose of operating or conducting games or gaming tables, played with cards, roulette wheels, dice, craps, slot machines, video lottery terminals, mechanical, electro-mechanical, or electronic amusement devices of machine for money, property, checks credit, or any representative of value, including by way of illustration, but not limitation: baccarat, faro, monte, poker, video poker, parimutuels, sports betting, keno, black jack, bingo, fan-tan, twenty-one, seven-and-a-half, big injun, klondike, chuck-a-luck, wheel of fortune, chemin de fer, pai gow, beat the banker, panguinqui, and similar games of chance for the return of money, cash, or prizes, or anything else that could be redeemed for money, cash,

or prizes, or anything else that could be redeemed for money, cash, or prizes; SAVE AND EXCEPT any game or form of gambling that is preempted by state or federal law.

2. **ARTICLE XXIV: OVERLAY DISTRICTS. Part I., Section 151-363(8), Table of Permitted Uses in the Entertainment District** to consider adding “Casino” as a use by right.

Table of Permitted Uses in the Entertainment Overlay District			
Use	By Right, Zoning	By Special Use Permit	
<u>Casino</u>	<u>X</u>		

**REVIEW AND RECOMMENDATIONS**

**Consistency with Land Use Plan**

The following statements from the City’s Comprehensive Land Use Plan (2014) reflect the City’s interest in maintaining compliance with applicable state legislation as the city adopts appropriate development standards for the community.

*I.3 Conduct an overall review of the City’s Land Use Ordinance, in concert with “stakeholders,” to identify possible changes to “streamline” the permitting process and other potential revisions to make the ordinance more business-friendly.*

*I.8 Prohibit encroachment by new or expanded commercial uses into viable existing or planned residential areas.*

*I.17 Review and revise the city’s Land Use Ordinance to accommodate/encourage mixed use development.*

*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.30 Support economic and community development initiatives that capitalize upon, maintain, and enhance the city’s Town Center areas, including 10<sup>th</sup> Street and Julian Allsbrook Highway.*

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

**Staff Recommendation**

*Staff recommends APPROVAL of the proposed text amendments.*

**REQUESTED ACTIONS**

**Planning Board**

Please discuss the proposed amendments and consider the following actions by *Motion & Vote*:

1. Consider adoption of a Recommendation of Consistency as prepared by Staff.
2. Provide recommendation to City Council by motion and vote concerning adoption of the text amendments as proposed. *The Planning Board may recommend changes to the proposed text for the Council's consideration.*

**City Council**

Please discuss the proposed amendments and consider the following actions by *Motion & Vote*:

1. Consider adoption of the Statement of Consistency prepared by Staff; and,
2. Consider adoption of **Ordinance Number 2023.11** approving the proposed text amendments related to permitting the use of property within the Entertainment Overlay District as a “Casino” subject to compliance with state and federal laws.

**ARTICLE XXIV: OVERLAY DISTRICTS (Adopted May 24, 2005)**

**Part I. Entertainment Overlay District**

**Section 151-362 Entertainment Overlay District Purpose and Intent.**

The Roanoke Rapids City Council finds that Roanoke Rapids is rich in natural scenic beauty within its planning jurisdiction. The City also strives to enhance the continued development of its commercial areas. The City Council finds the general welfare will be served by orderly development within an Entertainment Overlay District (EOD) in a fashion which would preserve natural scenic beauty, and enhance trade, tourism, job creation, capital investment, and the general welfare within defined commercially zoned areas within the City and its surrounding area. The Council therefore establishes these regulations designated herein as “Entertainment Overlay Districts” to further those objectives while encouraging the orderly development of land within the City. The establishment of Entertainment Overlay Districts will serve to protect health, safety and environmental quality for persons and property within and adjacent to areas specifically suited to development for commercial entertainment purposes. The provisions contained herein shall be used to define acceptable and appropriate use, space, and activity relationships between adjacent sites so that the area’s importance as a regional entertainment venue may be realized.

The Entertainment Overlay District (EOD) is unique within the Roanoke Rapids planning jurisdiction and allows uses not permitted in other zoning districts.

**Section 151-363 Entertainment Overlay District.**

- (1) Location of EOD: An entertainment overlay district may be located over any B-4 business zoning district within the zoning jurisdiction of the City of Roanoke Rapids

upon approval of City Council. Upon adoption, the area encompassed will be shown on the official zoning map maintained in the City Planning Department.

- (2) Permits Required: Within the Entertainment Overlay District, all developments shall be required to submit a site plan and receive subdivision plat approval pursuant to other provisions of the Land Use Ordinance prior to the issuance of building permits.
- (3) Lot Dimensional Requirements: All dimensional requirements, including minimum lot area and minimum lot width requirements are established in the underlying zones.
- (4) Maximum Building Height: The required building height requirements shall be as set forth in the underlying zones.
- (5) Minimum Building Setback Requirements: The required building setback requirements shall be as set forth in the underlying zones.
- (6) Buffering and Screening: The required buffering and screening requirements shall be as set forth in the underlying zones.
- (7) Sign Regulations: See Article XVII of this Ordinance.
  - (a) All signs shall comply with the requirements of the underlying commercial zone setbacks.
- (8) Permitted Uses:
  - (a) The following uses are the only uses permitted in the Entertainment Overlay District as indicated by an (X) under the applicable column:

<b>Table of Permitted Uses in the Entertainment Overlay District</b>			
Use	By Right, Zoning	By Special 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		
<b>Casino</b>	<b>X</b>		

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	
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	
<b>Theaters – outdoor amphitheater</b>	X	
<b>Theaters – performing arts &amp; music</b>	X	
Towers – less than 50'	X	



Towers – greater than 50'		X	
Transportation facilities		X	
Urgent care facilities	X		
Utilities – public	X		
<b>Vehicle sales – recreation vehicles</b>	X		
<b>Winery/Distillery</b>	X		

(9) Prohibited Uses: The following uses are explicitly prohibited:

- truck terminals
- mobile home parks
- manufactured housing and/or mobile home sales lots
- scrap material salvage yards, junkyards, automobile graveyards
- sanitary (reclamation) landfill, transfer station and other solid waste collection or disposal facility
- body shops and motor vehicle repair shops
- storage of radioactive or otherwise hazardous wastes
- outside kennels

(10) Underground Utilities: All electric power lines, (not to include transformers or enclosures containing electrical equipment including, but not limited to, switches, meters or capacitors which may be pad mounted), telephone, gas distribution, cable television and other telecommunications lines in Entertainment Overlay Districts are encouraged to be placed underground in accordance with the specifications and policies of the respective utility service providers and located in accordance with the City's design standards and construction specifications.

Section 151-364 through 151-366 Reserved.

City Manager Traynham noted a letter from Attorney William White, Jr. on behalf of the Carida Capital Group, LLC was enclosed in their packets about this request along with a recommended definition.

Mayor Doughtie opened the public hearing to receive comments from the applicant and the citizens.

**Public Comment**

Mr. Bill White with Wellman & White stated he was pleased to speak in favor of the zoning text amendments to the Roanoke Rapids Land Use Ordinance. His firm represents Carida Capital Group, LLC who were the owners of the Roanoke Rapids Theatre. Also, joining him today was Bruce Tyler of Weldon Mills Properties, LLC who is one of the members of Carida Capital Group, LLC.

He stated when the City decided to pursue the Theatre in 2005, at the request of the City and the Local Government Commission, he was involved heavily in selecting the firm Economic Research Associates to prepare the feasibility study for the Theatre. The feasibility study dated April 15, 2005 stated the Theatre would be a “market viable attraction concept provided that the certain assumptions were met.” The first assumption was as follows: Key elements of the larger proposed development, including two hotels at least 200,000 square feet of retail and additional entertainment amusement opportunities are operational by the time the Theater is open. They all know the history since 2005 and the City has sold the Theatre recently to their client. On May 24, 2005, the Roanoke Rapids City Council adopted the Entertainment Overlay District. Section 151-362 reads in part, the City also strives to enhance the continued development of its commercial areas. The City Council finds the general welfare will be served by orderly development within an Entertainment Overlay District (EOD) in a fashion which would preserve natural scenic beauty and enhance trade, tourism, job creation, capital investment, and the general welfare within defined commercially zoned areas within the city and its surrounding areas. They worked with the Planning Department to include as many permitted uses as were legal either by right or by special use.

Mr. White reported on the winter of 2008-2009 the former owners of Carolina Crossroads were approached by a business broker St. Louis Capital Partners, LLC about the possibility of a casino in the Entertainment Overlay District. For various reasons it was not pursued. On July 10, 2012, under Section 151-150 electronic gaming operations were allowed as an accessory use in the Theatre and under Section 151-171 in all zoning districts. Consequently, gaming is permitted in Roanoke Rapids.

He stated there is legislation being considered in the current session of the General Assembly to permit casinos in entertainment overlay districts. The pending budget bill has a source of revenue excise tax from the operation of casinos. The considered legislation has been drafted but not yet introduced. In the *Triangle Business Journal* August 23, 2023, issue reported that republican lawmakers look to create a bill that would allow a casino in three counties. WRAL TV disclosed the draft bill that is not ready for introduction. The final version of that bill is still a work in progress in the various caucuses, but some of the key points were worth mentioning. To be considered, the entertainment district must be among others to follow: A Tier 1 area, lie east of the Interstate 77, be either a border county or a county traversed by Interstate 95, and have a population less than 100,000. The requirements for an applying business include in part the following: a submission fee of \$25 million as a credit against future excise tax, gaming license for 30 years subject to an extension, must create 1,750 new jobs – subject to penalties for default, must invest at least

\$500 million in capital expenditures in the district - also subject to penalties for default, the business must have at least 10 years' experience in the commercial gaming industry and also must have 10 years developing and operating mixed-use non-gaming real estate projects. Finally, there is an imposition of an excise tax of 22.5% on gross gaming revenues of which 5% will be returned to the county and municipality to be divided as sales taxes. This draft bill shows just how seriously the General Assembly is looking at casinos. This probably has more due diligence and more detail than any draft legislation he had ever seen in 49 years of practicing law.

Mr. White said when his client acquired the Theatre, a casino was not part of its development plan. It may not become the site for a casino, but it cannot be one without it being a permitted use in the Entertainment Overlay District. A critical point is that Carolina Crossroads is shovel ready. If it's permitted, it's already zoned, all the utilities and improvements are there. If they were fortunate enough to get a business to do this, it could be built before some of the rest would even have their streets and utilities in place.

He stated if a casino is presented and if one is built in the Theatre, the additional Ad Valorem Tax base, new jobs and tourism dollars will have a tremendous impact on the financial basis of the City of Roanoke Rapids. As a further example, the freestanding casino in Portsmouth, Virginia is averaging between \$20-25 million in gross revenues each month. A casino operating under a tent in Danville, Virginia has averaged \$20 million since its opening on May 15, 2023. For June and July 2023, the City of Danville has received \$3.8 million in excise tax revenues alone. He restated, two months, \$3.8 million. He asked that both boards act favorably on these zoning text amendments to the Roanoke Rapids Land Use Ordinance so their client will be able to negotiate the best options for the Entertainment Overlay District. He would be happy to address any questions members of the Planning Board or City Council may have.

Chairwoman Mills asked if any Planning Board members had questions for Mr. White.

Mr. Gregory Browning stated he felt Mr. White covered all the valid points.

Chairwoman Mills agreed and stated Mr. White had given a very thorough presentation. She had conducted her own research prior to this meeting. She looked at the state map and the requirements for it being east of Interstate 77 near the interstates and so forth. With the other counties being Rockingham (mid-western), Anson (southern) and she believes Nash was being considered previously, she thinks Halifax County is situated to really do well with this type of development. It could

bring a lot of revenue. She also read about some of the people traveling to Danville, Virginia, spending the night and all the income and jobs being created. It is a very impressive package as to what possibilities this could bring.

Dr. Carrie Tunning asked based upon the history of the Roanoke Rapids Theatre and how everything came about, how would this affect the residents of Roanoke Rapids and Halifax County in regard to taxes.

Mr. White replied he would think the effect on the residents of the county and all the municipalities would be a positive impact because they would not be as caught and strung with the only guaranteed tax revenue being the ad valorem tax base.

Dr. Tunning stated the taxes would go down based upon the casino coming. Mr. White stated that was a question for the politicians, but he believed they would be hard-pressed to make a tax increase with these additional monies that would be created.

Dr. Tunning said the reason she was asking is because she lives in Roanoke Rapids in Becker Farms and based upon taxes they already have, she was hoping this would be a good investment because of the way the lottery system and gaming situation is already. They say the monies that are recouped from this gaming situation are going back into the education system. She did not want them to relive what happened when they thought the Roanoke Rapids Theatre was going to be like Orlando, Florida. That is her concern. She does not gamble, but other people do. She hears it is going to create additional jobs and things of that nature which is really great. She is more of a black hat thinker that asks a lot of "what if" questions. What if they go back and relive what happened when the Roanoke Rapids Theatre was initially built.

Mr. White replied when the Theatre was initially conceived, it was done through Amendment 1 monies through the City. What they were asking today was not costing the City one nickel. This will be done by outside business investors that are going to commit \$25 million to apply. If that doesn't cut away the fly by nights, he doesn't know what else does. Committing to over a 5-10 year period and that number is waffling through the legislation right now to invest \$500 million as a minimum in the district. He asked what would adding \$500 million to the tax base do; plus the sales tax. They have 90,000 cars that go up and down Interstate 95 on a daily or weekly basis (he could not recall which). He asked how much easier it was going to be to pull off Exit 171 or 173 as opposed to getting to downtown Portsmouth, Virginia. They were not asking the City to sign up on anything. For his client to play ball in this arena, it has to be a permitted use. If it's not permitted, they are not in the game. If

you want to win the lottery; you first have to buy the ticket.

Chairwoman Mills stated it is also a wonderful catalyst for other businesses to come to the area. If they were to have that influx of people they will have more lodging needs, more dining needs and more pull in through tourism. It really could be the catalyst and springboard for many wonderful things to happen.

Mr. Henry Ford said Mr. White already answered his question. He was correct that the original was with tax money, this is private investment so it's not apples and apples; it's two different things.

Mr. Browning said in the 90's when they transitioned from a textile community, it was a traumatic experience to this area. So the City looked at ways in which to diversify. He believed what Mr. White was saying is that if they were not putting themselves in a position where they can least be considered for this type of prosperity then they are not buying a ticket to the lottery. It is not costing the City or the taxpayers, at this juncture, any tax money so it's a win-win when he looks at it. One of the things they have to look at is one of the qualified criteria was that it had to be in a Tier 1 county and also the population. They have to look at the Prosperity Zones throughout the state of North Carolina and they are in the wrong Prosperity Zone. He stated if they did not know what a prosperity zone is, this is when the governor and the state legislature make recommendations of certain facilities, ventures and economic development to go to certain areas. They are in what they call the Elizabeth City Prosperity Zone. Like most of us, the only time you go through there is when they were going to the Outer Banks versus being in the Raleigh Prosperity Zone which Nash County is in. The prosperity zones the other counties are in are in larger cities as well. As Chairwoman Mills said they have the venue, the transportation mode, the infrastructure along with the monies coming from the government down that is in place. They could be considered as they transition to diversifying where they are; they are not going back to textiles anymore, that's gone. They need to look at diversifying what they are going to do in the future. Right now, according to the census they are losing population. The seniors who graduated from high school a few months ago, the majority of them would be leaving this area and they are not coming back until their retirement age. There are no jobs for their education and they're doing their training and so forth. He looks at it as a win-win when they look at diversifying the possibilities.

Mayor Doughtie called for those wishing to speak for or against the request.

Mr. Jerry McDaniel asked Mr. White if he had an actual traffic count for Interstate

95. Mr. White replied he believed it was 49,000 per side. Mr. McDaniel noted there had been some discrepancies in the count. He wished them well.

Ms. Linda Brewer said she listened to the comments and knows they have done their work. She said Mr. White did an excellent job explaining what they were looking at. They were not going back to how they were in the 1980's; they have to find a new way to make the community viable financially and as a place people choose to live. She agrees with whoever said this is a win-win. There is no money coming from the City and no money coming from the County right now either, but they are looking forward to what this project can bring to the county and to the city. It would certainly help them as the ARPA money and the American Rescue money fades away; that was a one-time, lifetime deal and it will soon be gone. She stated she was totally in support of this project.

Mr. Kenneth Hicks asked if this casino gets built would it be like the Theatre where homes were taken away from residents. He also asked where it would be built. He said when they built the Theatre, there were a lot of homes taken away from Weldon residents to build it. He asked would it be built on private property or City-owned land. Mr. Bruce Tyler replied it would be on private property.

Mayor Doughtie stated when he came on as the mayor in 2009 it was at the time the lady from the Planning Department was mentioning how bad things were. The City had \$26-27 million worth of debt. He could not imagine ever paying that off but when you pay on it every month, it's like a 30-year loan, you will eventually get it paid off. The City went to work on trying to get the loan renegotiated and eventually they did, which saved taxpayers quite a bit of money. Like Mr. Browning said when City Council, the Mayor, the City Manager and everybody when they broke ground and started working on this project, it was because everybody here was saying they got to have jobs and that looked like a place they could get jobs. Nobody knew what was going to happen in 2007. They did a good job by putting in the infrastructure and making it ready. Mayor Pro Tem Ferebee is the only one that was here then so he has lived through it all and has been a very faithful member. Mr. Bobbitt was here for a long time, but a lot of other people left. Again, they did a good job putting in the infrastructure and having it ready. The City has held on and is making the payments. He referred back to one of the Planning Board's comments, the City hardly had enough money to pay the bills, much less to do anything else in the city. The ARPA monies have helped the City like it has Halifax County, but that money is going to play out; it was a one-time deal. Property tax, sales tax, any other kind of fees that would be generated and these jobs would be an ongoing thing. It is a real game changer if they can be fortunate enough to have this. He recalled back when he was

a much younger person, they were probably one of the last counties in the state that didn't have liquor by the drink. It upset the whole community when they even started talking about it and how it was going to be the downturn of the town. He did not think it's had a real adverse effect on them, but it might not have quite as much public financial benefit as people thought, but he did not know. People are going to gamble, smoke, and drink, but that doesn't mean you have to do it. All things in moderation and he thinks \$3-4 million dollars to be a nice moderate figure to bring in each month since their budget is only about \$16 million for the whole year. It's hard to fathom and it is a lot of money. They have been talking for 14 years about what they can do to make the community where people want to come here. They have a chance to move forward.

Mayor Pro Tem Ferebee said when he came to town, he was looking at the mill and the mill was already at 3,000 to 4,000 people; it went from that down to 2,500. Then it went down to 1,400-1,500 and then 400 where they were just packing stuff. At that point the mills were gone as had already been said. The idea came along that an entertainment district would work. As they know and as history has it, there were things that happened in relation to the economy and that made it not happen. At the same time, the concept is finally looking like it's coming around after so many years. For those that were in that initially, the belief was that it would happen, just didn't know when. Now they are hoping that it will happen. He thinks this will live up to one of its original intents. When the overlay district came there were trips to Branson and all these other places that had these kinds of gaming and casinos. At that point the legislation was not coming to North Carolina so that part was not put in at that particular time. Now that it is, he believes it would be wise for them to consider that and get on the table.

Mr. Tony Brown stated he has been here just like Mayor Pro Tem Ferebee since before the concept took place. He was Deputy County Manager at the time and was heavily involved from the County's perspective on what was going on with the Theatre. Entertainment is hard. He used to live in California and worked at a place called Great America. He worked with the administrator there; it's a place similar to Kings Dominion. In talking to the CEO there he said it's a good year if they break even. Anything they do in entertainment is very difficult. With the Theatre and the bad economy two years after that, it was a worst-case scenario. He thinks it's a great potential for Roanoke Rapids and the area for them to be able to draw more revenue from people traveling on I-95. Part of the reason he wanted to speak was he contacted Lori Medlin and the actual cars per day is about 40,000 that pass by exit 173 each day. They may hear different figures, and part of the reason for that is each car averages 2.5 people so you may sometimes hear there were 100,000 people that

passed by exit 173. That's why there is a difference sometimes. You hear 40,000 sometimes and sometimes hear 100,000; it's the people versus the cars. He expressed his support for the project and making the change to allow for the potential for a casino.

Ms. Jan Morgan stated she was part of the business community and has been in business for many years. For anybody who has concerns, she believes they made a good point about the financing in the past where it was with the City. That whole project and the elements that went with that are totally different from what they were talking about here. There are no guarantees with what is going on in the legislature and she did not know how long they have been playing with that, but hopefully it will get passed. This would be excellent in her opinion from a business perspective for this town and this community. The jobs it's bringing in might not be \$100,000 a year jobs, but it gives people an opportunity for a living wage. She thinks that is what they need. Littleton has their benefactor; Halifax has and that's helping them. This is on a whole different level. She personally thinks they need it. Her taxes here are more than what she paid for a property worth a whole lot more on the Outer Banks because tourists paid their county and city bills. This is a way to help everybody. There's no way this can't affect your tax base going forward or something is seriously wrong and everybody better pay attention and get involved. This is a whole different ball game and it's not the same situation at all. There is no county money, there is no city money; it's investors who are fully vested.

With no further comments, Mayor Doughtie closed the public hearing.

City Manager Traynham stated since this is a joint meeting for the purpose of amending the Land Use Ordinance, she asked City Council to allow the Planning Board to go forward in conducting its business. After any discussion necessary by the Planning Board, they will move forward into two action items. Consideration of adoption of the Recommendation of Consistency as prepared by staff and secondly, a motion providing a recommendation to City Council considering the adoption of the proposed text amendments. She said after their final motion and vote is completed, and the recommendation is heard by City Council, then they will follow suit with the two actions.

Chairwoman Mills asked if there were further questions or discussion by the Planning Board.

Mr. Browning said he believed it was well stated from the public comments as well as from the Mayor and Council when they get ready to vote on the Recommendation of



Consistency that they meet all the requirements for the Land Use Ordinance. They are trying to move in a different direction. They want to diversify where they are right now to improve their lot as well as the citizens and retain the population. Everything he heard was positive. Ms. Brewer mentioned the ARPA money and American Rescue Plan monies which were one-time funds are going away. They need to replenish those funds with other sources of revenue.

With no further comments or discussion, Chairwoman Mills called for a motion of recommendation of consistency.

Motion was made by Steven Ellis, seconded by Greg Browning that the amendments were consistent with the Land Use Ordinance and adopt the Recommendation of Consistency. Steven Ellis, Gregory Browning, Gregory Page, Virginia Lewis, Terry Campbell, Carrie Tuning, Henry Ford, Joseph Brinkley and Sherry Mills voted in favor; Dom Fenner vote against. Motion carried.

Motion was made by Gregory Browning, seconded by Virginia Lewis and unanimously carried to recommend approval of the text amendments to City Council.

Chairwoman Mills reported to the City Council that the Roanoke Rapids Area Planning Board recommends they move forward with the proposed text amendments.

With no further business, a motion was made by Henry Ford, seconded by Steven Ellis and unanimously carried to adjourn the meeting.

City Manager Traynham stated the Planning Board has deliberated, voted, and has provided a favorable recommendation for approval of the text amendments. She asked City Council to move forward with consideration of the Statement of Consistency and adoption of Ordinance No. 2023.11.

Motion was made by Mayor Pro Tem Ferebee, seconded by Councilwoman Bryant and unanimously carried to adopt the following Statement of Consistency prepared by staff.

**Statement of Consistency with Plans to Amend the Land Use Ordinance**

**Amendments to the Roanoke Rapids Land Use Ordinance to Article II: Basic Definitions & Interpretations and Article XXIV: OVERLAY DISTRICTS. Part I., Section 151-363(8), *Table of Permitted Uses in the Entertainment District* to consider adding "Casino" as a use by right.**

The Roanoke Rapids City Council met on Tuesday, September 5, 2023 at 5:30 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.3 Conduct an overall review of the City's Land Use Ordinance, in concert with "stakeholders," to identify possible changes to "streamline" the permitting process and other potential revisions to make the ordinance more business-friendly.*

*I.8 Prohibit encroachment by new or expanded commercial uses into viable existing or planned residential areas.*

*I.17 Review and revise the city's Land Use Ordinance to accommodate/encourage mixed use development.*

*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.30 Support economic and community development initiatives that capitalize upon, maintain, and enhance the city's Town Center areas, including 10<sup>th</sup> Street and Julian Allsbrook Highway.*

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

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 5TH DAY OF SEPTEMBER 2023.

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Emery Doughtie, Mayor

Motion was made by Mayor Pro Tem Ferebee, seconded by Councilman Smith and unanimously carried to adopt Ordinance No. 2023.11 approving the proposed text amendments related to permitting the use of property within the Entertainment Overlay District as a casino subject to compliance with state and federal laws.

ORDINANCE NO. 2023.11

AMENDMENT TO LAND USE ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROANOKE RAPIDS:

SECTION 1. Article II, **Basic Definitions and Interpretations**, adding a definition of the term “Casino” to read as follows:

- ( ) Casino. A building or structure, free standing or as a part of another building, that is located in the Music and Entertainment District, which is used or intended to be used for the purpose of operating or conducting games or gaming tables, played with cards, roulette wheels, dice, craps, slot machines, video lottery terminals, mechanical, electro-mechanical, or electronic amusement devices of machine for money, property, checks credit, or any representative of value, including by way of illustration, but not limitation: baccarat, faro, monte, poker, video poker, parimutuels, sports betting, keno, black jack, bingo, fan-tan, twenty-one, seven-and-a-half, big injun, klondike, chuck-a-luck, wheel of fortune, *chemin de fer*, *pai gow*, beat the banker, *panguingui*, and similar games of chance for the return of money, cash, or anything else that could be redeemed for money, cash, or prizes; SAVE AND EXCEPT any game or form of gambling that is preempted by state or federal law.

SECTION 2. Article XXIV: **OVERLAY DISTRICTS. Part I., Section 151-363(8), Table of Permitted Uses in the Entertainment District**, adding “Casino” as a use by right.

Table of Permitted Uses in the Entertainment Overlay District			
Use	By Right, Zoning	By Special Use Permit	
Casino	X		

SECTION 3. This Ordinance shall become effective upon adoption.

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Emery G. Doughtie, Mayor

City Manager Traynham stated for the record, the request is effective upon adoption. Therefore, it is now permissible and the definition will be added to the Land Use Ordinance.

Mayor Doughtie called for a brief recess.

Mayor Doughtie called the meeting back to order. He stated City Council added Public Comment to the agenda and asked Attorney Davis if he would provide introductory comments about the vacancy on City Council prior to calling on individuals to speak.

Attorney Davis said during his tenure, they've had this situation occur twice. He stated City Council seats are bipartisan. One of the effects of that is when a vacancy occurs there is a process for filling that seat. They have an interesting situation when it comes to the interaction of city charters and state statutes. Normally, if the city can do something but the legislature says something different, you would generally go by what the legislature says. It is unusual when you have a case of a city charter. Before a city is established, the legislature has to pass and agree to that charter. The legislature in approving a city's charter can authorize them to change some of the processes set out in the city's statutes. In that case what the state statutes say is that the city charter controls. In this case, the City of Roanoke Rapids' Charter says when a vacancy occurs on City Council, Council can fill that vacancy and when it is filled, that person serves for the remainder of the unexpired term of that seat. In many state offices when an office becomes vacant there is an appointment process to fill that temporarily. At the election following that, depending on when the vacancy occurs, it comes back up for election and basically changes the period or there is a new election that is held. That does not happen in this context.

He said Mr. Tommy Daughtry was appointed to fill the unexpired term of former Councilwoman Suetta Scarbrough. He is anticipating making a change in his residency. When someone no longer resides in their district, it is instant; their seat becomes vacant. Anticipating making that change, Mr. Daughtry went ahead and resigned before that happened so there was no question with any future votes. Pursuant to his resignation, the seat is vacant and it is for City Council to fill it.

Attorney Davis stated there were several options City Council could take to fill this vacancy. Neither the City Charter nor state statutes say in this context how to do that, only that they have the power to do it. The first option, Option A is the one City Council has used during his tenure which is what City Manager Traynham has termed, the motion and vote method. Basically, during the meeting a Council member makes a motion to appoint "John Smith" for example to the vacant council seat for District 1. Assuming that gets a second, the City Council votes on that. If City Council votes and approves that, the person comes on and can be sworn in at the next session and serve for the remainder of the unexpired term. With City Council being a 5-person council with a mayor, if one person goes, they have a 4-person council. In the case of

a tie, the mayor can act to break a tie. It is different in Option B where City Council would follow a nomination procedure. City Council would have to vote to institute this procedure to take nominations. There are no guidelines on how to do that. They would take nominations, consider applicants, and debate those. It would be like the ballot process like they use in the volunteer committee appointments. In that case in the event of a tie the mayor does not vote. If they are deadlocked, they would go through several rounds of ballots until someone breaks down.

He said one of the things the legislature is affirmative about and the City Charter cannot change is that any discussions about filling a vacant seat on City Council must be done in public. They cannot go into closed session to interview candidates or have a discussion in private about the respective qualifications of different candidates. As the City Attorney, he has always taken the position of what they can do in public needs to be done in public because they are a public board. He probably has unanimous approval of that statement from City Council.

Attorney Davis stated that is the situation they are in and realizes it is on the agenda for tonight. It is really up to City Council. He does not think it would be a good situation for Council to leave the seat vacant until the next election. By virtue of it being a 5-person board, there are situations where they have ties or run into quorum issues. It is in City Council's interest to fill that seat and how they chose to do that. They do not have to do it tonight. They could take it up at the next meeting or direct the city manager or attorney to hash a ballot and nomination process where community input is received.

Mayor Doughtie asked how they get to where they decide which way they want to move forward. Attorney Davis replied they should go ahead and hear from the public on it. Once that is done, they would move on to the next agenda item which would be the consideration of the District 1 Council seat vacancy and how that was going to be filled. At that point anyone can make a motion just like with anything else as far as they move to do it.

Mayor Pro Tem Ferebee asked if they used Option A, could there be more than one person at that particular time. Attorney Davis replied that creates a rush to the door so to speak. Essentially whomever makes the first motion and it gets a second, then it goes for discussion as normal. Someone on the board could ask the person who made the motion to amend their motion. If they are not interested in amending it, then it goes for a vote. If it passes then it passes. If it does not pass and someone has another motion to make, they could.

Mayor Pro Tem Ferebee asked if that was a two-part series; would it be the option then the person. Attorney Davis replied he did not think so. It is all one thing because they will get there one way or another.

### **Public Comment**

Susan Barmer said Attorney Davis's comments were very informative and cleared up a lot of the questions she had. They've had a lot of people appointed to this board when it should be someone that is voted in by the public. There was a vacancy after Mr. Bobbitt resigned and she believed Councilman Stainback was appointed. When Suetta Scarbrough resigned, former Councilman Tommy Daughtry was appointed. Now Mr. Daughtry has resigned so there is going to be another appointment. She was concerned that two of the four council members would have been appointed rather than elected by the people. From what Attorney Davis said, there is really no getting around that. It is the position that City Council would appoint someone. She believes in the last three times they have chosen Option A. There is something about Option A that doesn't seem very fair. That is whomever speaks the loudest and speaks quickly gets to put someone in nomination when maybe someone else wanted to. It doesn't sound right to her even if it is legal. The other comment she had was about everything having to be done in public. In Option A, a name is put forth, someone immediately seconds it, the person that put it in nomination and the person that seconded it vote for that person and maybe the two other people don't and then the mayor breaks the tie. To her, there had to be some discussion about that prior to the public meeting. Perhaps things were not done in public. She was not pointing fingers because she would not have thought about that until Attorney Davis's comments. She said they were able to conduct business with the number that they had and the way they were voting. She likes Option B because she thinks things should be transparent. She thinks it would be nice to have nominations, for people to self-nominate and to write something about their views, beliefs, values and why they want to be on City Council. It would be nice to have a public forum where the public could hear that. Then people would know what Council members had based their decision on.

Gregory Browning said he was not a city resident but lives in the ETJ of the City of Roanoke Rapids. He anticipates at some point in the future that his community will be annexed into the city. He believes it is going to happen. He thanked Ms. Barmer for her comments and he was thinking along those lines, but he was also thinking Option A and B appeared to be a popularity contest. He asked if they get to hear the qualifications and experience of the people being considered. He believes in transparency; this is democracy. As City Council is choosing the best person possible to lead the city forward, he thinks it is important to know their skill set and what the City Council was looking for in order to be a team player for the good of the City. He

asked Attorney Davis to give them some guidance on what they would be using rather than a popularity contest. He asked if Attorney Davis could explain that particular process and what they were looking for.

Attorney Davis stated that Ms. Barmer heard him correctly that it really isn't an option to submit this to the voters until the next election. If City Council decided they wanted to do that, they just wouldn't act on it and leave the seat vacant. Nothing says they have to fill it. He thinks for City procedures it is important to have a full board.

He said he wanted to clarify when he said deliberations on this had to be made in public. One of the things any person on City Council or the Mayor do as part of their function on public boards is they have constituents. In normal administrative decisions, as part of a council member's function to their constituents they can always go out and talk with other members of the community and talk amongst themselves individually. They cannot get together where they have a quorum in a meeting outside of a meeting and discuss City business. That violates open meetings laws. What he means by being discussed in open session is the City Council could not get together tonight after the meeting at somebody's house or a restaurant and discuss who they were going to put in this council seat. That would essentially be having a meeting without noticing the meeting to give the public a chance to be there. They can talk individually amongst themselves or with constituents. One council member can call another member or the mayor and say they have been thinking about the Council seat vacancy and say who they think is the person that they should put in there; they can have those discussions, that is legal.

He said with respect to Mr. Browning's questions concerning qualifications and guidance, there is not any specific thing they have to do. It is completely up to City Council how they chose to fill it. There is no legal requirement that City Council has to interview an applicant, hear their qualifications or say why they think a person would be the right person for the job. They can make the motion with the person's name in it and if it passes by a majority that is what it is. There is nothing out of place for a Council member that is going to make that motion to discuss why they are making that decision. Members of the public could stand up and say they think this person is the right person for the job and this is why. By the same token, somebody that wanted to put their name in the hat could stand up and say they were the right person for the job or they would like to serve.

Ms. Barmer stated she was not implying that anyone had done anything illegal, but she was speaking to the idea of transparency. There are things that are legal, but they also want to think about the spirit of transparency. Everything should be in the open.

Erin Hutchings stated this affects the ward she lives in which Councilman Stainback currently represents and Mr. Daughtry who stepped down. She thinks Councilman Stainback is doing a wonderful job; he was appointed. She feels the next person elected to that seat should be elected by the people who live in that ward and not by City Council. She thinks it needs to be an election. She did not know the laws in NC as far as having the election in November or holding a special election. The City of Roanoke Rapids decided not to have a precinct election in town. In November voters will have to go to Halifax. The election in November is for District 1 and there are three contenders in that so they could choose to take the top two from that or hold a special election.

Attorney Davis said functionally they do not have the authority to call a special election for it. The only way to get that authority would be for the City to amend its charter and have the legislature to approve the amendment to the charter. The same would go for selecting the top two vote getters in the election. He stated City Council could always agree to follow that by holding the seat vacant and then see how it turns out. In December, they could decide to appoint the second vote getter to the vacant seat. Amending the charter is not something they can just do; it is like amending the Constitution.

Mayor Pro Tem Ferebee said there was a lot of discussion from all of them the last time they went through an appointment. He was certainly not in favor of Option B because he knew what would happen. He was in favor of Option A, however he would like to know who is interested and that person come and talk about themselves for what they can do for the City and then they make that same decision that they would with a nomination. If they don't, his answer would certainly be no to somebody because he doesn't know them all or who all is being considered. It seems to him they could come to say they were interested and at the next meeting City Council members could say they wanted to make a nomination based on whatever. He would like to see those interested to come forward and tell who they are.

Councilwoman Bryant asked if that could be done with Option A or does that have to be done under Option B. She understood Option B to be nominations and ballots. She feels they need to know something about the people. She was opposed to Option A if one person makes a nomination, somebody else seconds it and the Mayor approves it and they do not get a chance to consider a second or third person. In that case, she prefers Option B because at least they have an option to hear from people that are interested in serving and then letting City Council know why they feel they are qualified and what they would like to see done to improve the city. She wants to hear from the people.



Mayor Pro Tem Ferebee agreed. His comment was based on hearing from the people and then they make the selection from what they hear from them.

Attorney Davis said they could essentially get there under Option A if that is what City Council decides to do. They could affect that process through taking a vote tonight saying to continue this matter to a future meeting. At that meeting, hear from anyone who is interested. Once that process is completed and they hear from everybody, they will get to Option A one way or another. He said City Manager Traynham reminded him about the nomination/ballot method or Option B. When they would have those ballots, it would have the list of names and it would have yes or no. They would check yes or no so they would eventually get into an Option A situation. The problem is they would not have a tiebreaker so they could deadlock in Option B. That from a procedural standpoint is what bothers him the most with Option B.

City Manager Traynham said this could be something they could look into, but she thinks the mayor could vote under Option B, but only if voting in the affirmative and voting dissentingly. In the typical ballot process, they select a name and whoever has the most votes wins. In a nomination and ballot method where the mayor could potentially vote would have it delineated yes and no per candidate so they would know exactly where the affirmative is and not on the record. Essentially, they would get back to Option A.

Mayor Pro Tem Ferebee said he would not have a problem with those who were interested to tell City Council about themselves and after City Council hears from them to use Option A to make a decision on who to appoint. They would appoint someone from who they hear from. At least they would know something about them. All they were doing was delaying the actual appointment until they hear who they are.

City Manager Traynham stated it was her job and the City Attorney's to advise City Council of the options and its City Council's decision on which method to use.

Mayor Pro Tem Ferebee stated he would like to see a delayed Option A.

Mayor Doughtie asked if they could do that at a called special meeting. Attorney Davis replied yes, as long as they go through the procedure of setting up a special meeting.

Councilman Smith said he believes Council members have received phone calls already about everybody that wants to run. His phone has rung off the hook. He knows the mayor and Councilman Stainback's has rung off the hook. There are three

people requesting to be appointed. He thinks they are well aware of the people that want to be appointed instead of going through the process. He did not know what the question was and why everybody wants to delay everything. He said he knows the mayor is going to be gone on September 19<sup>th</sup> so they can't do it then. That would make it October before they could appoint someone. He thinks each one of them sitting on City Council has enough sense to appoint someone who is going to help move this city forward. If they don't then the public in their district can vote them out the next time they are on the ballot.

Mayor Pro Tem Ferebee said for example if Councilman Smith were voting for "Sally Doe", he may not know Sally Doe or anything about Sally Doe. He may be voting for "John Smith" because he knows John Smith. At the voting time frame, say Councilman Smith and Councilman Stainback vote for Sally because they know Sally. He doesn't know Sally so he votes no; he may know Sally's name. Again, it sounds like who is the quick draw McGraw on that. To alleviate that since they had a long conversation about this same thing last time, they would hear from the candidates, but still make that same nomination.

Councilman Smith said he recalled last time Mayor Pro Tem Ferebee made the first nomination and then he made a motion after he made a motion. He believed they would end up doing something where he and Council think they have the right person on it.

Councilwoman Bryant stated she thinks City Council needs to know who they are.

Mayor Pro Tem Ferebee said the last time he knew Mr. Daughtry, but Councilwoman Bryant did not really know him. He was just asking to let them get to know them and then make that same decision. At least they will hear from the people that are interested. He has someone in mind and he was sure others had someone in mind and he didn't know Councilman's Smith person. Councilman Smith said he should make an effort to get to know him.

Mayor Doughtie said they do not seem to be getting anywhere fast doing what they were doing right now. In speaking amongst themselves, he understands Councilwoman Bryant would be gone next week and he would miss the September 19<sup>th</sup> meeting. If they do not get something done tonight, it would have to be a called meeting or the first meeting in October. It is up to City Council.

Mayor Pro Tem Ferebee said he believed it would be more palatable because last time they did that it was some differences of opinion.

Ms. Ginny Lewis asked if she could speak. Mayor Doughtie allowed it. She asked in listening at the comments being made would it be fair to ask if the nominees that are interested were here tonight. If so, could they at least introduce them at this point if they were interested so it could get the process started. They could possibly make the decision at the next meeting.

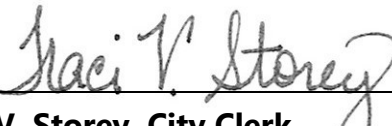
Mayor Doughtie asked Attorney Davis about his thoughts on that suggestion. He replied certainly anyone here tonight could speak. If they were going to solicit that he feels it needs to be solicited on a fair basis. If they were going to give that opportunity, they would need give some notice for them to come tell City Council why they want to be on City Council.

Susan Barmer said after listening to Mayor Pro Tem Ferebee, it makes sense to hear about the people. It's not a popularity contest and that's not why they elect the people on City Council. They elected them because of their gifts, experience and what they can bring to Roanoke Rapids. A lot of times they like to have people on there that have lived in Roanoke Rapids for a while and that kind of thing. Everyone on the City Council should have been contacted by the people interested in being on City Council, not just a few of them. They should have come to their house or met them for coffee to talk to them and told them what they could do for Roanoke Rapids and what their vision is. If she is going to live here, she wants Roanoke Rapids to be better. She thinks they should want to hear from everybody that is interested. October is only one month away.

Motion was made by Mayor Pro Tem Ferebee, seconded by Councilwoman Bryant to consider a delayed Option A and hear from any candidates at the October 3, 2023, City Council meeting and then make appointment at that meeting. Mayor Pro Tem Ferebee, Councilwoman Bryant, Councilman Stainback voted in favor. Councilman Smith abstained (affirmative). Motion carried.

### Adjournment

There being no further business, motion was made by Councilman Smith, seconded by Councilman Stainback, and unanimously carried to adjourn. The meeting was adjourned at 7:38 p.m.

  
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Traci V. Storey, City Clerk

Approved by Council Action on: September 19, 2023