



# Minutes of the Roanoke Rapids City Council

A regular meeting of the City Council of the City of Roanoke Rapids was held on **Tuesday, December 17, 2019 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)  
Sandra W. Bryant)  
Suetta S. Scarbrough)  
Wayne Smith)

## Council Members

Joseph Scherer, MPA, MS, City Manager  
Gilbert Chichester, City Attorney  
Traci Storey, City Clerk  
Kathy Kearney, Deputy City Clerk/Human Resources Manager  
Bobby Martin, Police Chief  
Kelly Lasky, Planning & Development Director  
John Simeon, Parks & Recreation Director  
Larry Chalker, Public Works Director  
Jason Patrick, Fire Chief  
Christina Caudle, Main Street Director

**Absent:** Leigh Etheridge, Finance Director

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

## Adoption of Business Agenda

Mayor Doughtie asked Council members about any known conflicts of interest with respect to the matters before them this evening.

There being no conflicts, a motion was made by Mayor Pro Tem Ferebee, seconded by Councilman Bobbitt and unanimously carried to adopt the business agenda for December 17, 2019 as presented.

## Approval of Council Minutes

Motion was made by Mayor Pro Tem Ferebee, seconded by Councilman Bobbitt and unanimously carried to approve the December 3, 2019 Regular City Council Meeting Minutes as drafted.

## City Appointments

### Recreation Advisory Committee

City Clerk Storey reported a member of the Recreation Advisory Committee resigned from the committee earlier this month creating a vacancy. Mr. Joey Elias expressed interest in serving on the committee and submitted a volunteer application for your review and consideration.

She announced that City Council took a ballot vote earlier and Mr. Elias received a unanimous vote to be appointed. She requested City Council consider a motion to appoint Joey Elias to the Recreation Advisory Committee.

Motion was made by Councilwoman Bryant, seconded by Councilman Bobbitt and unanimously carried to appoint Joey Elias to the Recreation Advisory Committee.

### Roanoke Canal Commission

City Clerk Storey stated Chris Wicker will step down from the Roanoke Canal Commission effective the end of December 2019 after serving over 25 years. Mr. Tommy Daughtry has expressed interest in serving on the Roanoke Canal Commission and has been recommended from the Commission to replace Mr. Wicker. Mr. Daughtry submitted a volunteer application for your review and consideration.

She reported City Council took a ballot vote earlier and Mr. Daughtry received a unanimous vote to be appointed. She requested City Council consider a motion to appoint Mr. Daughtry to the Roanoke Canal Commission.

Motion was made by Councilman Smith, seconded by Mayor Pro Tem Ferebee and unanimously carried to appoint Tommy Daughtry to the Roanoke Canal Commission.

## New Business

### Hire New City Attorney

City Manager Scherer said Mr. Gilbert Chichester, Esquire has submitted his resignation as City Attorney for the City, effective December 31, 2019.

Based upon Mr. Chichester's recommendation, I have spoken with his law partner, Mr. Geoffrey Davis, regarding his interest and qualifications to be our next City Attorney. Mr. Davis is already the attorney for the Town of Gaston. I find Mr. Davis to be knowledgeable and experienced in municipal affairs. He is prepared to represent the City in all civil proceedings, litigation, real estate matters and land use and zoning issues. As his partner, Mr. Chichester will be available to consult with Mr. Davis to provide professional guidance along with insight and historical information regarding previous City legal matters. Mr. Davis does want to submit his name to City Council for consideration to provide legal counsel as City Attorney for the conduct of its municipal affairs and business for the City of Roanoke Rapids.

Motion was made by Councilman Bobbitt, seconded by Councilman Smith and unanimously carried to accept Gilbert Chichester's resignation and approve hiring Geoffrey Davis to provide legal counsel as the City Attorney for the City of Roanoke Rapids effective January 1, 2020.

Councilman Smith asked Mayor Doughtie if prior to moving to the next order of business, could City Council members make comments to Attorney Chichester. Mayor Doughtie and City Council agreed to allow it.

Councilman Smith thanked Attorney Chichester for the time he has put into the City and being the City Attorney. He appreciated his patience with him and helping him through the past six years on City Council. He stated not only had he been a good attorney for this Council, but he had been a good friend. He was honored to have had the chance to know him and honored to be his friend. Attorney Chichester thanked him and stated that meant a great deal to him.

Mayor Pro Tem Ferebee said he would like to echo that. There have been some times he has kept them in line. They appreciate his help and guidance. He blended right in and it has been a pleasure working with him. He sees that he highly recommends Mr. Davis and hopefully he will try to fit his shoes. Attorney Chichester thanked him and said he believes Mr. Davis will do a great job for the City.

Councilwoman Scarbrough said she had known him for a long time. He had been very kind and knowledgeable. She appreciated his knowledge and help with City Council. Attorney Chichester thanked her and said her friendship has been a blessing to him.

Councilwoman Bryant said she too wanted to echo the others' comments. She had not served with him very long, but has known him for many years and his reputation in the community and the way he has represented the City and the area. She thanked

him and wished him God speed. Attorney Chichester thanked her and said their families have known each other for many years and has valued the trust they have shared.

Councilman Bobbitt said he agreed with all the comments. He had known him for a long time and he has been very helpful. He has always told them the truth and would not let them get into a bind for any reason. He hates to see him go, but it comes that way for all of us at some time or another. Attorney Chichester thanked him and said they first met each other when he was with the Police Department.

Mayor Doughtie said his comments start about December 20, 2009. He was sitting out in the audience and it seemed like in about three seconds they were already at the part to install the newly elected officials. The next thing he knew Mayor Beale was coming down and handed him the gavel and was gone and he was up here. It was a very brief transition when he transitioned from the Roanoke Rapids Graded School District Board to the Mayor of the City of Roanoke Rapids. It was a very brief time before he realized he had a very wise and knowledgeable man sitting in the spot occupied by the City attorney. He did not remember much else about that first meeting he conducted but he was sure he lifted his eyes several times where he and Gilbert would make eye contact. He continued to lift his eyes over to Mr. Chichester asking him to shed some of that knowledge and guidance that they all have spoken about on him to help look like he knew what he was doing. Every time he ever called on Gilbert no matter whether it was in the middle of the day or the evening he always was accommodating to adjust his schedule, which was much busier than his, to see him. Many times he would call him and he would be in Guilford County or Durham and he would say he was in court, but would call when he got out, and he would call. He never acted as if he was bothering him or harassing him – he was always glad to do whatever he could to help him. He has always addressed this Council and citizens with utmost respect even when some of the questions they proposed to him he probably thought were insignificant. He always treated them on his same level and gave them that respect. It made them all feel really close to him. He compared it to losing a preacher or pastor, somebody you've been with a long time. You feel comfortable with who you have and say you never want to see a change. When a new person comes in, people are anxious, uncertain and maybe even frightful. But this Council has always been accepting and willing to work with people. He has seen people come and go since he has been here and one day it is always time for us to move on. He made another comparison to a bucket list. He told Gilbert to get his bucket out and put a lot of things in it and start doing things so he can say he had already done that and take them out of his bucket and put them in the already done list. He stated he admired and respected the City Attorney for taking this bold step to move forward to a new chapter in his life.

Attorney Chichester thanked him and said serving this City Council has been one of the greatest pleasures in his life and he appreciates the opportunity.

### **City Manager's Report**

City Manager Scherer stated Gilbert Chichester, is an outstanding attorney with a wealth of knowledge and experience in almost every aspect of the legal profession. His performance as City Attorney for the past 11 years has been absolutely outstanding.

He said today our codes of laws are far more involved, including expectations of conduct of business, building codes, and a labyrinth series of regulations that can only be understood with dedicated study. The technical skills and sound legal practices he displayed in planning, coordinating and implementing the diverse requirements of the City's legal affairs program provided commendable results in many complex situations. He has, without question, gained the respect and confidence of all the City's officials for his depth of knowledge, sound judgment and high ethical principles.

He stated Gilbert is a patient and tactful individual, well-liked by everyone who knows him. He is the one person others look to for leadership and guidance in legal and professional matters. His honesty and integrity, coupled with his sterling professional competence and leadership ability, always generated immediate confidence from City Council and myself. His sound knowledge of civil proceedings, litigation, real estate matters and land use and zoning issues were considered prime assets to the City's mission accomplishment. Proficient at anticipating technical and personnel issues associated with City activities, he was able to head them off before they became acute and damaging to the City.

City Manager Scherer said even before Shakespeare, lawyers have routinely gotten a bad rap. Opined as the sum of all evils, and often the subject of some very unflattering metaphors, lawyers are the subject of some of the most well-known jokes around. There is a general perception that all lawyers charge more than they should from their clients and are willing to abuse the legal system in order to get the judgment in their client's favor. Gilbert's legal practices attempt to dispel these myths and instead raises awareness about the constructive and important role lawyers have in ensuring that a society functions smoothly.

Gilbert, the staff and I cannot thank you enough for your assistance. Your legal expertise and professionalism went above and beyond my experience with previous city attorneys, and we are all grateful for your integrity and all the hard work you did on the City's behalf. We will always be appreciative of all your efforts.

In summary, Mr. Chichester, Esquire has displayed a sustained superior performance without equal as our City Attorney. He is that one individual in an organization whom everyone routinely relies on to solve difficult problems or demanding situations. Your keen sense of responsibility in the performance of your duties reflect great upon yourself and are in keeping with the highest traditions of the legal profession.

Attorney Chicherster thanked him and stated his friendship is invaluable to him that he will always treasure.

### **Finance Director's Report**

In the absence of Finance Director Etheridge, City Manager Scherer highlighted a few items from the November 2019 Financial report.

Year-To-Date expenditures exceeded revenues by (\$857,616). However, November is historically a low revenue collections month. The Ad Valorem tax payments were much lower than in October. Unfortunately, the month of November was a high expenditure month because they processed three payrolls plus the quarterly theatre payment for \$238,107. That contributes to having a deficit for the month of November.

He said in the month of December, they should have higher Ad Valorem Tax collections and receive additional quarterly revenues from other sources during the month. They do not see any problems with the budget as it stands today.

Mayor Doughtie stated the quarterly theatre payment of \$238,000 totals approximately \$1M a year and is a lot, but it is an example of the hard work Mr. Chichester did over a 2-3 year period in trying to help the City get the debt refinanced. Otherwise, it would be about \$500,000 a quarter.

### **Departmental Reports**

#### **Human Resources**

Human Resources Manager Kearney presented the November report. She said during the month they received 7 applications and filled the Recreation Program Supervisor position at the Aquatic Center. The City's website has been updated with all the events that have been taking place over the holidays. She announced that tomorrow was the annual BARC Christmas Luncheon for City employees. She invited City Council to attend. On behalf of the employees, she thanked City Council for the \$25 Thanksgiving gift cards and the \$250 Christmas bonus.

She told Attorney Chichester that she has really enjoyed working with him. And like they said, any time she had a question, he was always there – didn't matter what time it was or get upset. She said the most honored she had ever been was when he called her and asked her a question.

### **Police**

Police Chief Martin presented the department's November report. He said they held the Christmas for Kids last weekend and it was very successful. They were able to help 35 children who otherwise would not have had anything for Christmas. The sponsors really came through for them this year. He cannot say enough about the businesses and individuals that were able to come forward and give them the monetary means to help the children. He thanked the volunteers, the officers and firefighters and Parks & Recreation Director Simeon for coordinating the transportation.

He announced the department has two new officers who successfully completed BLET and successfully passed the State exam. They are not quite officers yet; they still have a little more paperwork to do. The department also hired two new young officers that will be participating in BLET starting in January.

Police Chief Martin said to Attorney Chichester that he has known him for a long time because he has seen him both in court and outside of court. As an officer, to be on the stand with a defense attorney that treats you with respect when he does not have to – this is the epitome of respect that you get from him. He told him he had the utmost respect for him. It has been an honor and a pleasure.

### **Planning & Development**

Planning & Development Director Lasky presented the November report. She reported Wendy's has been under construction and has been closed for several weeks now. They are preparing to open by the end of this week. She announced Hardee's will reopen in January. The final inspections for the San Jose Restaurant at the former Lone Star location started today. According to the operator they plan to move from their current location to the new building sometime next month.

She said the NC State Legislature has passed some extensive changes replacing the planning and development regulations which is part of 160D. Throughout the upcoming calendar year, she will start by developing a timeline of a working agenda for the Planning Board. She will let City Council know the types of changes they will have to make to the City's Land Use Ordinance. They expect some quite extensive changes but others will be just a little here and there. She will keep them informed

along the way and what would need to be adopted. Some changes can be passed sooner than later while others cannot take effect until January 1, 2021.

Planning & Development Director Lasky thanked Attorney Chichester for his help with the day to day activities and interpreting land use ordinances and codes and case studies. She appreciated his guidance and thanked him for everything he had done during her career.

Councilman Smith asked when the City would get the new City Code of Ordinances book. City Manager Scherer replied next month.

Councilman Smith asked Attorney Chichester if City Council was required to hold a public hearing before they could adopt the new ordinance book. Attorney Chichester replied he was not sure, that was something he has not looked at. He, City Manager Scherer, Planning & Development Director Lasky and City Clerk Storey have worked together on getting the new ordinances out. There are some that are different from the current ordinances that have been modified. He will check with City Manager Scherer and one of them will get back to him.

### **Parks & Recreation**

Parks & Recreation Director Simeon said the department has had a very busy holiday season with all the programs they have done. He thanked them for being a part of the Christmas Parade. He thanked the department heads for all the support and help they gave them. He was very proud of the Christmas parade and they have had a lot of positive comments about it. He believes it a great community event.

He reported the TJ Davis Recreation Center tennis courts are moving along. The asphalt has been poured and they are working on the fencing now. The batting cages for the girls softball is coming along well at Chockoyotte Park. The framework is almost complete. They hope to have it complete by the start of the season which is not too far around the corner. Pickle Ball courts are being installed behind the Jo Story Senior Center. It has become a very popular sport. That is being funded by the General Purpose Grant so no City dollars are going into that project.

He thanked Attorney Chichester and stated it had been a real honor.

Parks & Recreation Director Simeon also announced the Jo Story Senior Center has a new fish on display in front of their building from the Halifax County Convention & Visitors Bureau. He invited everyone to drive by and take a look at it.



## **Public Works**

Public Works Director Chalker stated a lot of times the departments were sitting on their hands over here and sometimes there were things they wanted to say. He thanked City Manager Scherer for mentioning the staff in his remarks about Attorney Chichester. He said not only has Gilbert been an excellent attorney for him in a staff position and for other staff, but he has been a great friend. He thanked Geoffrey Davis for stepping up and taking up the reins.

He presented his report and said they were in the heaviest portion of leaf season. They are getting multiple calls a day to pick up leaves. They are picking up as many leaves as they can. When it rains they are not productive when they pick up leaves so they pull back from that. They will continue painting City Hall and paint the rear of the building. Their priority was to paint the front and side for the Christmas parade. Once the weather breaks they will be back to work on the building some more. He thanked the BARC Committee - tomorrow was the Employee Christmas Luncheon. He stated this was his favorite Christmas event and his favorite City event; he looks forward to it every year. His first year with the City he was amazed that all the City employees, staff and City Council all come together for a meal together.

Councilman Smith said if there was some times that any of the department heads wanted to say something at City Council, just raise your hand and he will ask the Mayor for permission for them to speak. He thinks they are a very important part of the City. Public Works Director Chalker thanked him and he did not mean to imply they were left out, but there are times they are sitting over here anxious to say something, most especially in a situation like this.

## **Fire**

Fire Chief Patrick presented the report for the month of November. He stated the department conducted a CPR class at Chaloner Middle School for the Eighth Grade class. They requested the class and it was new to the Fire Department because they had not held one before for that many kids. He believed it was 100+ kids. This has spurred them to request a First Aid Class. He stated their outreach efforts are starting to payoff tremendously.

He said their training has been a little slow this month, they have been working on promotions. With the passing of Chief Hawkins, they have had some promotions and will have more in the next few months. They have been working to restructure the department a little and are lined up to tackle 2020 and move the department forward.

Chief Patrick said they had the opportunity to work with the Police Department as they do every year on the Christmas for the Kids. They also participated in Generosity

Feeds which was new for them this year. East Tenth Street Christian Church asked the department to help with it. He did not know what to expect. They were making meals for kids and those kids are here in the local area. There were 250 volunteers throughout the community that came to help at Manning School. It was a great event. They were able to bag 10,000 meals to be sent home by the teachers and school staff.

He told Mr. Chichester he had not been up here long, but it had been nice knowing him and wished him well in the future. He will miss him.

### **Main Street**

Main Street Director Caudle presented the November report. She reported they had a lot of business district activity occurring. 939 Roanoke Avenue that has been under contract closed last Thursday. This will be the new home for Dixon Law Firm who are now the owners of the property. They hope to reopen their law firm in that location within the next few months. Both 1025 and 1023 Roanoke Avenue, which is in a strip of buildings starting with the Arts Council Gallery and has been vacant for the last several months, are in final negotiations to be leased by separate entities. One signed a lease today. 1020 Roanoke Avenue (former location of Timeless Tea and 1020 Restaurant) is under contract for purchase. They are expecting to close within the next 30-60 days.

She highlighted several holiday events. The first was Small Business Saturday which was on November 30<sup>th</sup>. As in past years, the Main Street board was the American Express Small Business Champion. A lot of the merchants were open that day but the weather was poor so they had mixed sales and traffic results, probably as a result of the weather. However, many of the stores were open on Black Friday and reported sales were up in comparison to the previous year. Overall, most of the stores are saying their sales this year were higher than this time last year. She announced they had a new event, Christmas @ 1026, on December 6<sup>th</sup> in the 1026 Roanoke Avenue green space. This was a holiday event they did in partnership with the Parks & Recreation Department. It was a free, family event and was a lot of fun. There was Santa Claus in an antique sleigh, elves taking "selfies" with kids, crafts, refreshments and Avenue hayrides. The event was well attended and they received great positive feedback. Like others have said, none of this would be possible without help from other departments: Parks and Recreation helping and assisting with the event and Public Works decorated the space which looks fantastic. She believed this was the first time that it has been a public event that was well advertised so the citizens could see what this space could actually be. There are already discussions for things they could do next year to utilize the space. Also Main Street celebrated 10 years for Roanoke Rapids in the Main Street program. They held the celebration on December 10<sup>th</sup> at the Arts Council Gallery. They had several Main Street board members,

merchants, property owners and Mayor Doughtie was there as well. It was a fun night of refreshments, live music and celebrating the history and what they have accomplished over the last ten years. She stated once a year they hear her say some of the statistics including private and public investment. One item she would like to highlight is over the last ten years by utilizing volunteers in their program rather than paid staff, they have saved the community over \$350,000. That is a big accomplishment and a lot of that directly reflects what they see in public and private investment. There are a lot of volunteers including the Main Street board. She thanked them for the last ten years.

Main Street Director said to Attorney Chichester, thankfully she has not had to use his services over the last five years with the City. However, with her father-in-law being a retired DA their families have been intertwined for many years. She thanked him for all he has done for the community, especially the City.

Mayor Doughtie said the Christmas @ 1026 event and the Cheers to 10 Years event he attended and the Christmas for the Kids that Chief Martin did, all those projects were very well carried out and was a lot of effort from everybody and they were nice. He stated there was a lot of people, almost too many, at 1026 Roanoke Avenue event and everyone was in a festive mood. The event at the Arts Council gallery he understands the Main Street Board put it on, but Arts Council surpasses anyone else as far as the refreshments; they do a really good job.

### **Other Business/Adjournment**

Councilman Smith wished City Council, City Manager, City Attorney, all the Department Heads and the people in the audience a Merry Christmas and Happy New Year. He thanked everyone for the work they did this past year including the media for steady coming to the meetings.

Mayor Doughtie stated he believes that goes for everyone on the City Council. He told Geoffrey Davis he had some really big shoes to fill. They look forward to him coming on board and helping the City. This Council is eager to learn and they will look to his knowledge like they have Attorney Chichester for the past 11 years.

Geoffrey Davis said he appreciates this opportunity. He has lived in Roanoke Rapids since 1993 and has worked with Gilbert for the past ten years as of December 31<sup>st</sup>. He thinks back on his career and there was nothing better that could have happened for him than going to work with Gilbert. Gilbert will never know how much he appreciates all the opportunities and advice he has given him. He realizes Gilbert has worked with the City longer than he has worked with him, but he has seen the amount

of work and responsibility that being the attorney for the City entails and he looks forward to taking that on. He does have big shoes to fill and he understands that. He looks forward to getting to know everybody better and working for the City.

There being no further business, motion was made by Councilman Smith, seconded by Mayor Pro Tem Ferebee and unanimously carried to adjourn. The meeting adjourned at 6:05 p.m.

  
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**Traci V. Storey, City Clerk**

**Approved by Council Action on: January 7, 2020**