



Minutes of the Roanoke Rapids City Council

A regular meeting of the City Council of the City of Roanoke Rapids was held on **Tuesday, March 16, 2021 at 5:30 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
Geoffrey Davis, City Attorney
Traci Storey, City Clerk
Leigh Etheridge, Finance Director
Kathy Kearney, Deputy City Clerk/Human Resources Manager *
Bobby Martin, Police Chief
Christina Caudle, Main Street Director
Kelly Lasky, Planning & Development Director
Jason Patrick, Fire Chief

Absent: John Simeon, Parks & Recreation Director
Larry Chalker, Public Works Director

*Denotes joining the meeting via Zoom.

Mayor Doughtie called the meeting to order and opened with an invocation.

Adoption of Business Agenda

Mayor Doughtie stated he understood Item 3 b) needed to be omitted from the agenda and a Closed Session needed to be added to the agenda. He asked Council members if there were any known conflicts of interest with respect to the matters before them this evening and called for a motion to adopt the amended agenda with the changes.

There being no conflicts, a motion was made by Mayor Pro Tem Ferebee, seconded by Councilwoman Bryant and unanimously carried to adopt the agenda as amended.

Special Recognitions

SAR Awards

Ken Wilson with the Halifax Resolves Chapter of the Sons of the American Revolution recognized Lieutenant Ramah Long and Engineer Jared Lynch of the Fire Department who responded to a call of a person on Fourteenth Street who was not breathing on November 29, 2020. They continued CPR and automatic defibrillation until EMS arrived and transported the patient to Vidant North. He presented both with Lifesaving medals and Lt. Long also received an Oak Leaf Cluster pin signifying his second lifesaving award.

Mr. Wilson also recognized Master Officer Jeremy Horne, Officer Elijah Ellington, Officer Nicole Powell and Sergeant Daniel Hundley (not present) along with Firefighters Austin Jarrett and Ben Clements for responding to a call at Lowe's Home Improvement on December 16, 2020 where an employee was unresponsive and turning blue. They performed CPR for nearly 20 minutes before EMS arrived. Once EMS arrived they administered life-saving medicine though IV. The victim regained a pulse and was transported to Vidant North alive. They all were presented with Lifesaving medals and Firefighters Jarrett and Clements also received an Oak Leaf Cluster pin signifying their second lifesaving award.

After the presentation, Police Chief Martin reported before the officers and firefighters arrived on scene, Mr. William Jones who is the floor supervisor at Lowe's, administered CPR on the victim and continued until first responders arrived. He has been recognized by Lowe's which is the first time Lowe's has done this. He recognized Mr. Jones who was present and stated they needed to let the public know that he started the lifesaving measures and the victim is doing well.

Andy Jackson, retired Roanoke Rapids Police Officer and now a floor supervisor at Lowe's said the victim was doing well and has returned to work. He had an engagement today and could not make it. The victim is very grateful for what the Roanoke Rapids Police Department, Fire Department, EMS and Mr. Jones did.

Approval of City Council Minutes

Motion was made by Councilwoman Bryant, seconded by Mayor Pro Tem Ferebee and unanimously carried to approve the February 16, 2021 Regular City Council Meeting and March 2, 2021 Work Session minutes as drafted.

New Business

Amendment to the City Personnel Policy

Attorney Davis presented a proposed amendment to the City's Personnel Policy that places some restrictions on employee recording activity. With cell phones it's a lot easier to surreptitiously or privately record somebody without them necessarily knowing it by video or audio. He stated North Carolina is a one-party State, meaning it is generally not illegal to record your conversation with another person even without that person's knowledge.

He said this has become an issue across the State not only with respect of the safety and comfort of employees on the job, but also with respect to the public at large. He clarified that as this language is drafted, it only applies to City employees on the job in their job activities. It says employees cannot secretly record anyone while on the job. He called attention to the exception with respect to law enforcement engaged in law enforcement activities.

Mayor Pro Tem Ferebee said it doesn't give any follow up if it does happen. Attorney Davis said the amendment falls under Article IX, Section 5 of the policy so if there was a violation of that, it would follow the normal procedures as far as disciplining employees that have performance issues at work. Those procedures are already in the policy. They were proposing this amendment as another item under that section.

Councilwoman Scarbrough asked what kind of disciplinary action would be taken if this had already happened. Attorney Davis replied it would be reported in the normal ways that allegations against employees are reported. Department Heads are first tasked with the investigation of that and there is a procedure they follow. It would be any of the normal disciplinary procedures that would apply to those other eighteen items enumerated in the policy as far as detrimental conduct. Councilwoman Scarbrough confirmed there were consequences. Attorney Davis replied absolutely.

Mayor Pro Tem Ferebee asked if they knew of any other cities who had something like this in place. Attorney Davis replied he did not check on that so he did not know.

Mayor Pro Tem Ferebee expressed his view on whomever did the recording, the discipline should be the same and he feels City Manager Scherer would make sure that happened. Although they were saying it depends on what they were recording (excluding whistle blowers). He also noted the person could say it was not against the law to do it. Attorney Davis replied there were a lot of things that are legal for citizens to do, but employers can place restrictions on. Some of those things are to make employees versus other employees feel more comfortable or the public or third parties

feel more comfortable. He agreed that the discipline being implemented should be the same across the board. His questions about someone recording would be their motive for why they recorded - was it for some kind of financial gain, were they mad or was it premeditated. These are some of the kind of context that should be considered when an investigation is done to determine what the final punishment would be. Again, he agreed that the hypothetical person with the same hypothetical factors should be punished in the same way.

RESOLUTION NO. 2021.01
Resolution to Amend
City of Roanoke Rapids Personnel Policy

Whereas, the Mayor and City Council of the City of Roanoke Rapids, recognizing the importance of its municipal employees in meeting the service needs of the City residents, adopted Resolution No. 2007.21 which adopted the current Personnel Policy; and

Whereas, it is the desire of the Mayor and City Council members to continue to maintain a municipal work force composed of qualified, competent and dedicated employees, and to maintain equitable rates of pay and reasonable conditions of employment for its workforce; and

Whereas, it has been necessary over the years to amend the City's Personnel Policy by City Council action; and

Whereas, an amendment is being proposed to amend Article IX, Sections 5 of the City of Roanoke Rapids Personnel Policy to add the following:

ARTICLE IX. UNSATISFACTORY JOB PERFORMANCE AND DETRIMENTAL PERSONAL CONDUCT

Section 5. Detrimental Personal Conduct Defined (cont'd)

- 19) *The surreptitious or secret recording of any other person(s) without their express consent, regardless of whether said other person(s) are employees of the City or not. This provision does not apply to law enforcement officers engaged in surveillance or other recording activities related to the performance of their duties as law enforcement officers.***

Now, Therefore, Be It Resolved that the Roanoke Rapids City Council approves the foregoing amendment to the City of Roanoke Rapids Personnel Policy as presented to City Council on March 16, 2021, to become effective immediately.

Adopted this 16th day of March, 2021.

Emery G. Doughtie, Mayor

ATTEST:

Traci V. Storey, City Clerk

Motion was made by Councilwoman Scarbrough, seconded by Councilman Bobbitt and unanimously carried to adopt Resolution No. 2021.01 amending Article IX, Section 5 of the City of Roanoke Rapids Personnel Policy.

Mayor Pro Tem Ferebee stated he agrees with doing this, but would like to see a little more research done and see who else is doing this.

Installment Financing Proposal (New Vehicles)

Finance Director Etheridge presented the installment financing proposal to purchase five (5) 2021 Dodge Durangos for the Police Department and one (1) Ford F-150 for the Fire Department from White Motors. The financing will be issued for \$190,000 through First Citizens Bank with an interest rate of 2.47% for a period of five years. The amortization schedule in their packets shows an annual payment amount \$40,862 (principal and interest) to be added to debt service in the FY2021-2022 budget. In order to move forward with approval of financing for the aforementioned vehicles, City Council will need to make three motions.

She requested City Council adopt Ordinance No. 2021.03 reversing previously adopted Ordinance No. 2021.02 using \$190,000 in Fund Balance.

**Ordinance No. 2021.03
CITY OF ROANOKE RAPIDS
BUDGET AMENDMENT**

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

SECTION 1. The following additional amounts are hereby appropriated for the operation of City Government and its activities for the fiscal year beginning July 1, 2020 and ending June 30, 2021, according to the following schedule:

SCHEDULE A – PROJECT FUND REVENUES

Fund Balance – Return Revenue to Fund Balance not required for Vehicle Purchases approved FY2020-2021.

Project Revenues - REVENUE REDUCTION	(\$190,000)
POST TO FUND BALANCE	
FUND PROJECT TOTAL	(\$190,000)

SECTION 2. The following additional revenues and reductions in appropriations are available for the fiscal year beginning July 1, 2020 and ending June 30, 2021, in order to meet the foregoing appropriations, according to the following schedule:

SCHEDULE B – PROJECT FUND EXPENDITURES

Reduction in Expenditures – Replacement of Expenditures not required for Vehicle Purchases approved FY2020-2021.

Project Expenditures - REDUCTION TO GENERAL FUND OPERATIONS	(\$190,000)
FUND PROJECT TOTAL	(\$190,000)

SECTION 3. This ordinance shall become effective upon adoption.

Emery G. Doughtie, Mayor

Motion was made by Councilman Smith, seconded by Mayor Pro Tem Ferebee and unanimously carried to adopt Ordinance No. 2021.03 to reverse Ordinance No. 2021.02 adopted on February 4, 2021 using \$190,000 in Fund Balance for the purpose of purchasing police and fire vehicles.

Motion was made by Councilman Smith, seconded by Councilwoman Scarbrough and unanimously carried to approve and execute the Installment Financing proposal document from First Citizens Bank through the Mayor’s Signature, and to allow the City Manager to proceed with closing of this loan document to fund (5) 2021 Dodge Durangos for the Police Department and one (1) Ford F-150 for the Fire Department from White Motors.

Ordinance No. 2021.04
CITY OF ROANOKE RAPIDS
BUDGET AMENDMENT

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

SECTION 1. The following additional amounts are hereby appropriated for the operation of City Government and its activities for the fiscal year beginning July 1, 2020 and ending June 30, 2021, according to the following schedule:

SCHEDULE A – PROJECT FUND REVENUES

Installment Financing Revenues – Revenue to General Fund for Vehicle Purchases approved FY2020-2021.

Project Revenues - Installment Finance Funding	\$190,000
FUND PROJECT TOTAL	\$190,000

SECTION 2. The following additional revenues and reductions in appropriations are available for the fiscal year beginning July 1, 2020 and ending June 30, 2021, in order to meet the foregoing appropriations, according to the following schedule:

SCHEDULE B – PROJECT FUND EXPENDITURES

Installment Financing Expenditures – Expenditures to General Fund for Vehicle Purchases approved FY2020-2021.

Project Expenditures - Installment Finance Expenditures \$190,000

FUND PROJECT TOTAL \$190,000

SECTION 3. This ordinance shall become effective upon adoption.

Emery G. Doughtie, Mayor

Motion was made by Councilman Smith, seconded by Mayor Pro Tem Ferebee to adopt Ordinance No. 2021.04 amending the Fiscal Year 2020-2021 budget for \$190,000 in installment financing for the purchase of the police and fire vehicles.

Resolution Authorizing Advertisement for Sealed Bids for the Sale of Certain Property (Old Fire Station No. 2)

City Manager Scherer said in order to reduce maintenance and upkeep on this surplus City property, he requested City Council approve Resolution No. 2021.02 authorizing him to advertise for sealed bids the sale of old Fire Station No. 2 located at 1620 Hamilton Street. This bid does not include the two storage buildings next to the building that would be kept for use by the Police and Fire Departments. All sealed bids will be presented to City Council for their approval or rejection. No upset bid period is allowed.

Mayor Pro Tem Ferebee asked if they had any price in mind. City Manager Scherer replied no.

Mayor Doughtie confirmed the City had the right to not accept bids that were submitted. City Manager Scherer stated that was correct.

Councilwoman Scarbrough asked if there was anyone that had shown any interest in the property. City Manager Scherer replied not that he was aware of.

Councilwoman Bryant asked if they were looking for the market or tax value of the property when looking at the bids. City Manager Scherer said that was ultimately City

Council's decision to determine whether or not they were willing to accept the highest responsible bid or not.

Mayor Pro Tem Ferebee confirmed with City Manager Scherer that he would provide the information Councilwoman Bryant was referring to prior to City Council making that decision. City Manager Scherer replied he would provide them the information for reference, but they did not have a figure in mind right now.

Mayor Doughtie stated if the City continues to hold this property, there is going to be some ongoing and out of pocket expenses in order to bring it back up to serve the needs it is serving now.

RESOLUTION NO. 2021.02

RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR SEALED BIDS FOR THE SALE OF CERTAIN PROPERTY

WHEREAS, the City Council of the City of Roanoke Rapids desires to dispose of certain surplus property of the City;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roanoke Rapids that:

1. The following described property is hereby declared to be surplus to the needs of the City:

Old Fire Station No. 2

Located at 1620 Hamilton Street, Roanoke Rapids, said property described more completely as:

Those five (5) certain lots or parcels of land lying and being situate in the City of Roanoke Rapids, Halifax County, North Carolina, fronting each 25 feet on the North side of Emery Street, and running back each the same width between parallel lines and at right angles to said street 150 feet, and being Lots Nos. TWO HUNDRED SEVENTY-ONE (271), TWO HUNDRED SEVENTY-TWO (272), TWO HUNDRED SEVENTY-THREE (273), TWO HUNDRED SEVENTY-FOUR (274) AND TWO HUNDRED SEVENTY-FIVE (275), as shown on Map of record in Map Book 3, at page 112, Halifax Public Registry; Lots Nos. 271 and 272 having been conveyed to Ogletree Real Estate and Mortgage Corporation by Deed of Samuel Tripp and Mabel W. Tripp, dated August 17, 1959, recorded in Book 647, page 185, and Lots Nos. 273, 274 and 275 having been conveyed to Ogletree Real Estate and Mortgage Corporation by Deed of Marie T. Allen and Johnnie Allen, her husband,

dated August 12, 1960; reference to said Map and Deeds being hereby made for greater certainty of description.

2. The City Manager is authorized and directed to receive in behalf of the City Council sealed bids for the purchase of the property described above.
3. Sealed bids may be submitted to the City Manager's Office to be opened on April 19, 2021 at 12:00 Noon at the Roanoke Rapids City Hall, 1040 Roanoke Avenue, Roanoke Rapids, NC.
4. The City Clerk shall cause a notice to be published in accordance with G.S. 160A-268.
5. To be responsible a bid must be accompanied by a bid deposit of five percent (5%) of the amount of the bid. A bid deposit may take the form of cash, a cashier's check, a certified check, or a surety bond. The deposit of the bidder to whom the award is made will be held until sale of the property is closed; if that bidder refuses at any time to close the sale, the deposit will be forfeited to the City. The deposits of other bidders will be returned at the time the City Council awards the property to the highest responsible bidder.
6. In addition, to be responsible, a bidder must be current on payment of all property taxes owed to the City.
7. The Roanoke Rapids City Council has the right to reject any or all bids.

ADOPTED this the 16th day of March, 2021.

Emery G. Doughtie, Mayor

ATTEST:

Traci V. Storey, City Clerk

Motion was made by Councilman Smith, seconded by Councilman Bobbitt to adopt Resolution No. 2021.02 authorizing the advertisement for sealed bids for the sale of old Fire Station No. 2.

City Manager's Report

City Manager Scherer gave the following report:

The American Rescue Plan approved last week provides \$1.9 trillion in Federal funding, program changes and tax policies to mitigate the continuing effects of the

pandemic. This includes over \$19B for non-county municipalities with a population of less than 50,000, which includes Roanoke Rapids. Any funds we receive may be used to cover costs incurred up to December 31, 2024 relating to the COVID-19 negative economic impacts especially for industries such as tourism and hospitality and the provision of city services to the extent of the reduction in revenue due to the COVID-19 public health emergency relative to the revenues collected in the most recent full fiscal year prior to the health emergency. The City is currently projected to receive \$4.19M in aid for COVID-19 relief between now and the end of 2024. We have not received specific guidance yet on how we can utilize these funds but we will be required to submit periodic reports to the Federal Treasury detailing an account on the use of our funds. There are also a number of additional funding programs for our community as part of the ARP, such as the Restaurants Revitalization Fund, Shuttered Venue Operator Grant program, Targeted Economic Injury Disaster Loan grants, the State Small Business Credit Initiative and expanded eligibility for the Payback Protection Program. Ms. Christina Caudle is our point of contact for these programs, if any business wishes for information on these.

I have issued my initial budget guidance for next budget year to the departments for them to begin their plans and goals for the limited funds we have every year to work with. Hopefully, we will have some revenue relief from this Federal aid and state legislation as well. Revenue forecasts will be finalized next month in consultation with the state's League of Municipalities revenue forecasts. The focus of the April Work Session will be your guidance and interaction with department heads to determine our direction for final budget development and your approval in June.

Public Works is working on repairs to the road patch truck machine and training crews to use it when the weather improves and warms up. Mr. Chalker has been instrumental in working with our internet service providers to improve service to some City facilities while reducing our costs through improved fiber access and other options. He is also looking at possible grant options to help with the City Hall elevator repair or replacement, if needed.

The Fire Department will begin hydrant testing next Monday the 22nd. Their plan is to be done by the end of April but may take longer. They are conducting fire inspector classes this weekend and will begin their annual physicals next week.

The Parks and Recreation Department has contracted with DrugCo for their use of Kirkwood Adams for vaccine administration to the public. For now, this contract runs through the end of June. People must contact DrugCo to get an appointment for their vaccination. The Parks and Recreation Department will begin replacement of two wooden bridges with culverts on the Canal Trail next week. The Trail will be closed

between River Road and Roanoke Avenue until the project is finished, hopefully by April 1st. Mr. Simeon has applied for a grant to assist with Trail maintenance. We are waiting on some private donations to begin the repair and upgrading of the Centennial Park clock and other upgrades.

The Planning Board will meet this Thursday to review proposed language changes to the Land Use ordinance regarding cemeteries. Ms. Lasky will bring any approved changes to City Council in April for review and approval. Our CDBG grant approval package has finally been sent by the Department of Commerce, so upon its receipt the Planning Department can begin working with the consultant to start the neighborhood revitalization project. Previously pre-selected property owners will be followed up with to determine their interest in the project. The Department has worked on finalizing all the needed changes to our development regulations by the new state law GS 160D. While the new law does not make major policy changes or shifts in the scope of authority granted to local governments, it does provide many clarifying amendments and consensus reforms that will need to be incorporated into our local development regulations. We have until July 1, 2021 for the development, consideration, and adoption of necessary amendments to our local ordinances. These will be reviewed with Council in the near future. Also, there are some positive commercial developments in process by local businesses that we cannot comment on now for confidentiality purposes.

All other departments continue with their normal operations without any major issues or concerns. I'd like to wish everyone a Happy St. Patrick's Day tomorrow!

Mayor Pro Tem Ferebee clarified that the \$4.19M in ARP funds would be the City's portion and that other programs were not part of that amount. City Manager Scherer replied that was correct. The other programs have their own funding source.

Mayor Pro Tem Ferebee said he would like to see a list of what the City plans to do with the \$4.19M. He also questioned what those funds could be used for and what it would mean if the City did not use all of the funds. City Manager Scherer responded that he anticipated they would be able to use the funds internally the same as they used the CARES funding. But he could not say exactly because they have not received any guidance except that it is to be used for COVID relief for the community.

Finance Director's Report

Finance Director Etheridge presented the February 2021 Financial Report. General Fund year to date receipts totaled \$11,969,545. (The percentage of actual money collected of adopted budgeted figures is 75.9%). General Fund year to date

expenditures totaled \$10,063,794. (The percentage of actual monies expended of adopted budgeted figures is 63.8%). After the month of February, 66.67% of the budget year has been completed. As a result, Year-To-Date Revenues exceeded Expenditures by \$1,905,751.

She said the collection of revenues and cash flow during the month of February:

- Ad Valorem Tax Revenue for January collections
- Sales & Use Tax Revenue (December Sales)
- Motor Vehicle Tax Revenue

Finance Director Etheridge noted this was the last material allotment of Ad Valorem Tax Revenue that has been recognized this reporting month, in February, for January collections. After this time period, we must review and watch our expenditures very closely in order to end the year with a favorable revenue to expenditure variance.

She said the City still has debt service requirements upcoming for the Series 2017A and 2017B loan repayments. We still have numerous payroll cycles, operating expenditures, and inter local agreements to pay with less revenue funding expected as we move into fourth quarter after March.

Mayor Doughtie asked how they looked last year at this time in comparison to this year because he believed they look better this year with \$1.9M. Finance Director Etheridge said it was a combination expenditures not recognized due to COVID in the City's operations plus they have seen additional revenues in Sales & Use taxes. She reported last year they were around \$500,000 for the year-to-date variance.

Mayor Doughtie asked with the Sales & Use taxes coming in as good as they have been, did she have any reason to expect the next four months would be less than last year. Finance Director Etheridge replied the Sales & Use taxes were surprising them this fiscal year not just in Roanoke Rapids, but for municipalities as a whole. She is hoping the strong sales will continue to hold throughout the rest of the fiscal year. Mayor Doughtie said it would be nice if they could boost the City's fund balance going into the next fiscal year. She said that is why she brings to their attention that they were going into the leaner months for revenue when it comes to Ad Valorem Taxes.

Councilman Smith stated salaries and Theatre bond payments were fixed so they know how much they have to pay for the rest of the year and asked what else would come out of the \$2M. She said they could put something together showing the amount for salaries and the theatre bond payment for the remainder of the year. She added the remaining expenses would be operating expenditures, leases and inter local

agreements such as the E-911 payment that they have to plan for even in the leaner revenue months.

Mayor Doughtie stated they pay the Theatre bond payment of \$1.3M quarterly and asked if they had made two or three payments so far. Finance Director Etheridge replied three payments.

Councilman Smith asked what the City had decided about the E-911 payment. He understood that City Manager Scherer and Police Chief Martin had a meeting with E-911. City Manager Scherer said they did meet with Halifax County about E-911 fees which included Mayor Doughtie as well. He reported the City and County have not reached any agreement yet and they will have another meeting next week.

Mayor Pro Tem Ferebee asked for the next work session, if they could provide a list of any program(s) the City stopped in this budget which is a loss. Councilwoman Bryant seconded what Mayor Pro Tem Ferebee said. If there have been any services discontinued due to COVID and lack of funding that could be covered in some of the additional monies the City expects to receive, she would like to have that accounted for.

<p style="text-align: center;">Other Business/Closed Session</p>

Councilman Smith said he wanted to acknowledge two people he saw picking up trash on Hamilton Street the other day, Johnnie Caine and Alberta Gray.

Motion was made by Mayor Pro Tem Ferebee, seconded by Councilwoman Bryant and unanimously carried to go into Closed Session to discuss a Personnel Matter as allowed by NCGS 143-318.11 (a)(6) adjourn.

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Minute Book Pages 20260 - 20263 contain Minutes and General Account of a Closed Session which have been sealed until such time as public inspection of those minutes would not frustrate the purpose of the Closed Session.

Open Session/Adjournment

City Council returned to Open Session. No action was taken.

There being no further business, motion was made by Councilwoman Bryant, seconded by Mayor Pro Tem Ferebee and unanimously carried to adjourn. The meeting adjourned at 7:00 p.m.



Traci V. Storey, City Clerk

Approved by Council Action on: April 20, 2021