



# Minutes of the Roanoke Rapids City Council

A Special Meeting of the City Council of the City of Roanoke Rapids was held on **Tuesday, August 24, 2021 at 5:30 p.m.** the Council Chambers at the Lloyd Andrews City Meeting Hall.

**Present:** Emery G. Doughtie, Mayor  
Carl Ferebee, Mayor Pro Tem  
Sandra Bryant)  
Suetta S. Scarbrough)  
Wayne Smith)

## **Council Members**

Kelly Traynham, Interim City Manager/Planning & Development Director  
Geoffrey Davis, City Attorney  
Leigh Etheridge, Finance Director  
Traci Storey, City Clerk  
Kathy Kearney, Deputy City Clerk/Human Resources Manager\*  
Bobby Martin, Police Chief  
Christina Caudle, Main Street Director  
Larry Chalker, Public Works Director\*

*\*Denotes those joining remotely using Zoom.*

Mayor Doughtie called the meeting to order and offered an invocation.

## **Consideration of Action to Fill District 1 City Council Seat Vacancy**

Mayor Doughtie called upon Interim City Manager Traynham to give City Council information concerning the process to fill the District 1 City Council seat vacancy created by Councilman Ernest Bobbitt's resignation on August 5, 2021.

Interim City Manager Traynham stated the meeting was called by Mayor Doughtie to discuss the options and potentially decide any action for filling the remainder of Councilman Bobbitt's term that was set to expire in November 2023. She referred to her report she sent to City Council dated August 13, 2021. The report was a summary of information she gathered from various sources to give City Council guidance on how to fill the vacancy.

She said City Council has the authority to appoint a person to fill the remainder of the term which is November 2023. That person has to be a qualified resident of District 1. If City Council would not fill the term, they would risk having uneven

votes and in those situations, the Mayor would be the tie-breaker. With the length remaining on the term, she believes the seat should be filled as soon as possible.

She explained the General Statutes gives City Council the authority to make an appointment, but say very little on how to conduct the process. Through several resources including information from the UNC School of Government and discussions with Attorney Davis, there are two primary options.

**Option A** – Motion and vote method. City Council in an open meeting can make a motion and vote to appoint. The mayor would vote in the case of a tie.

**Option B** – Nomination and ballot method. City Council could call for applications over a defined period of time. The remainder of the process would be much like appointments to the City Committees. A ballot vote would be taken, votes would be tallied and the results would be presented to City Council. With a simple majority, City Council would make a motion to approve that. In this option, the mayor does not vote in the case of a tie. If there was a tie, City Council would go into deliberations and vote again. This method allows City Council to solicit nominees throughout the district. This also gives qualified candidates from District 1 the opportunity to let their interest be known. All the candidate information is public record and all discussion would be conducted in open session.

Interim City Manager Traynham stated Option B has been found to be the preferred way of doing things. She said she wanted to bring this information to City Council to see what they wanted to do. She reported the office had received several calls from citizens asking what was going on and what the process was. She encouraged callers to contact the elected officials because at the time City Council had not decided on a process. She said if City Council decides tonight to go with Option B for instance, they cannot come back into another open meeting and make a motion to appoint (Option A). Either option is lawful; it all depends on what City Council is interested in doing and how they feel is appropriate to fill the seat.

Attorney Davis added that he was 100% satisfied that the City Charter (Section 2.6) governs in this circumstance and would stipulate that someone appointed serves out the full term of vacancy. The Charter of the City of Roanoke Rapids states, “vacancies that occur in any elected office of the City shall be filled for the remainder of the unexpired term, despite the contrary provisions of G.S. § 160A-63.” They are allowed to do that under a different state statute which is G.S. § 160A-3(b). Some municipalities do not have that provision in their City Charter.

Councilwoman Scarbrough stated she would like do Option A.

Mayor Pro Tem Ferebee asked if the City sent out a press release on Councilman Bobbitt's retirement. Interim City Manager Traynham replied yes they did.

Mayor Pro Tem Ferebee stated he knew of two persons interested in the vacancy and asked if she knew of more than those two who were interested in the position. Interim City Manager Traynham replied that she was not sure who he may or may not know about, but she was familiar with two interested persons. She only had direct communication with one of them.

Councilwoman Bryant stated she received a call today from someone in District 1 who said they were not aware of this being done and there may be another person interested.

Mayor Doughtie asked City Clerk Storey how long the seat had been vacant. She replied since August 5, 2021.

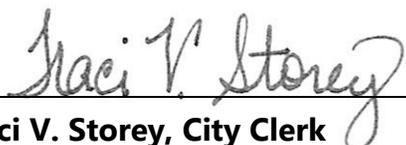
Motion was made by Councilman Smith, seconded by Councilwoman Scarbrough and unanimously carried to appoint Rex Stainback to finish serving the term of Ernest Bobbitt. (November 2023)

Interim City Manager Traynham said she would notify Mr. Stainback.

Mayor Doughtie stated he appreciated City Council's consensus in the way they voted and stood together in support of this individual.

Mayor Pro Tem Ferebee stated he thought there were some good candidates and thanked them for their interest. He would like to see more interest in public office. He would also like to see more people come back to the City Council meetings, but understood that some were viewing online. A lot could be done with this City and it takes all of them to do that.

There being no further business, motion was made by Councilman Smith, seconded by Councilwoman Scarbrough and unanimously carried to adjourn. The meeting adjourned at 5:50 p.m.

  
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Traci V. Storey, City Clerk

**Approved by Council Action on: September 21, 2021**