



Minutes of the Roanoke Rapids City Council

A Work Session of the City Council of the City of Roanoke Rapids was held on **Tuesday, February 1, 2022** in the Council Chambers at the Lloyd Andrews City Meeting Hall.

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

Council Members

Kelly Traynham, City Manager
 Geoffrey Davis, City Attorney
 Traci Storey, City Clerk
 Tammy Fahey, Interim Finance Director
 Bobby Martin, Police Chief
 John Simeon, Parks & Recreation Director

Mayor Doughtie called the meeting to order.

Ordinance Amendments Necessitated by SB 300

Attorney Davis reported at the end of 2021, the General Assembly passed an omnibus bill, SB 300, now SL 2021-138. The bill includes changes to the enforcement mechanisms municipalities have regarding violations of their ordinances. Most significantly it changed ordinances so that municipalities could not pursue them in criminal court unless the municipality took action and made those violations expressly criminal. This means the City would have to amend the ordinance to put in language specifying they are criminal.

He stated the City does not now, nor has ever used municipal ordinance violations to generate revenue. When someone comes in and pays a city ordinance obviously that money goes into the City's fund. It would be improper for the City to look at city ordinance collection as a source of collecting revenue although that is the end result. The purpose of city ordinance violations is to try and promote compliance and deter future violations. It serves as a penalty and a discouragement that would potentially violate those ordinances.

Attorney Davis reviewed the different penalty sections, specifically three areas of the City's ordinances that he has identified. They are the Traffic Violations, Animal Control and Nuisances.

He referred to the packet given to City Council (on file in Clerk's Office). He noted the current versions were on pages 2 and 3.

Attorney Davis summarized the Traffic Penalties. Currently all the penalties in the traffic code are civil in nature. That means when someone violates those ordinances and the City is going to enforce them it would be through civil court and the civil collections process. A law enforcement officer would not be able to cite them and bring them into criminal court where there would be a criminal penalty subject to them to be imprisoned or put on probation to pay that penalty. Instead they would have to go through the civil collections process. The other option the City could take would be to set up the opportunity for someone to pay the ordinance early. If they do not satisfy the ordinance within the applicable time period then law enforcement would have the opportunity to issue a criminal summons that would require them to come to court and deal with that city ordinance. In traffic cases, under the general statutes when you follow that process, those matters come in as infractions. He informed City Council there were three levels of cases in criminal law: Felony (very serious); Misdemeanor (less serious but subject to criminal penalties); Infractions (lowest level). The only penalties with infractions would be monetary in nature.

He continued that under NCGS 14-4, if the City were to set up that procedure under city traffic violations, people would be cited with an infraction and have to go to court to defend that case. If they lost, the judge could impose the infraction penalty on them. If the City did it that way a couple of things would change. Firstly, the maximum penalty on any traffic or parking violation would be \$50. Under the current traffic and parking regulations, the City has some civil penalties that go up to \$150. Such as parking in front of a fire hydrant; stopping, standing or parking in prohibited areas; and fire lane violations. If they criminalize them it would reduce the maximum amount of the penalty on it.

Attorney Davis said an important consideration if they take these cases to criminal court, the State Constitution requires any fines issued in criminal court go to the local school board. If the City were to amend its statutes and set up this criminal architecture where law enforcement could issue a criminal summons after a certain amount of time. When someone came in to handle that case, whatever monies were paid by the violator would go to the court system and disbursed and the fines would go to the school board rather than the City. He reminded City Council of the statement he made earlier concerning the purpose behind municipal ordinance violation fines should be to deter people from violating the law and not for revenue generation.

He moved to Animal Control Penalties which he feels is where they need to spend the most time and would want to place some criminal penalties. He stated in the traffic context, even if they did not have any traffic control policies in the city, the law enforcement officers

would have the fall back of the state regulations. Rather than charging a city ordinance, they would have the opportunity of charging a State Citation. Unfortunately, the State has not passed very many regulations with respect to animal control. There are one or two on the books such as for dangerous dogs. For the most part animal control is turned over to local governments. Because of that, there is no fall back in the animal control context like in the traffic context. Right now the City's animal control ordinances with the exception of one, 91.12 which prohibits animals at festivals and parades, are enforceable by civil penalty. He said that creates an issue because in the animal control context, they want to promote compliance especially with how dangerous some of the interactions with animals can be.

He referred to pages 5, 6 and 7 of the handout where he has created a draft amendment. He stated he was not asking City Council to take action on this right now. This was something they were looking at if he were to suggest instituting a way to enforce these ordinances criminally.

He stated there were two differences in animal control ordinances. One difference is they would not have those same limitations on the amount of the fines that they have in the traffic context. There is not as low of a limitation in the animal control context. He called their attention to the penalty amounts in both the current and draft ordinances. They basically have two sets of penalties: lower level \$150 and a higher level of \$500. Those penalties in the draft did not change because the maximum they can set is \$500 on animal control. If they proceed criminally on these things he would not suggest they change it. The other difference is they would not be infractions. If somebody was cited for a violation of the City's animal control ordinances and they did not pay it in the appropriated time, law enforcement would issue a criminal summons. A criminal summons is where law enforcement gives someone a document stating they have to appear in court on a certain date to answer to it. When they don't show up is when a judge may issue an order for arrest and require a bond. If that process follows through and they are summoned to court it is considered a misdemeanor so they would be subject to a fine up to \$500.

Attorney Davis reviewed a few of the animal control violations that impose a \$500 penalty and that he felt they needed some kind of teeth with either a robust civil collections process or the opportunity to take someone to court for it.

He moved on to the Nuisances Penalties. These include disposing of yard debris in storm drains and catch basins and loud and unnecessary noises. It also sets up the two-step procedure where the violator is cited and they don't pay off the citation in a certain amount of time and they are summoned to court. They go to court before a judge and the judge enters a sentence. As in the animal control ordinance, they are not limited to the \$50 like in traffic enforcement. These would be misdemeanors if they were summoned to court.

Attorney Davis stated there was one final consideration with respect to any kind of criminal enforcement that is created by this new law. If Animal Control cites a person and they say they were not going to pay the penalty, they're going to take it to court. Once they take it to court and they can show or prove to the judge that they have had no new alleged violations and acted in good faith and sought assistance to address underlying issues. If the judge believes that gives them good cause, the judge is supposed to find them not guilty. That in effect gives an out, if the City proceeds with criminal enforcement, and if someone can actually demonstrate those things.

He again stated the whole architecture of municipal ordinance violations is to compel compliance and not to generate revenue. The purpose of presenting this information is to begin the dialogue to let Council know about the changes in that omnibus bill with respect to the City's enforcement powers. That has caused himself, City Manager Traynham and Chief Martin to look at these things and consider how they are doing it now and how to do it in the future. There are some policy considerations that rise beyond the bare level of what the law says they can do and what they should do under that. Those are matters for members of City Council to think about and if they had any questions for them. Again, himself, City Manager Traynham, Chief Martin and Animal Control Officer Pete Wilson have been working on this and would be available for input.

Attorney Davis stated as they are, they are fine and will continue to enforce them civilly. Yesterday he spoke with City Manager Traynham about another possibility for collecting civil penalties. There is a state organization through the NCLM called NCLG Debt Setoff Clearinghouse. He did not believe that was something the City has been using up until now. He knows Halifax County uses it for some limited purposes. There are some limitations of what you can use it for. Generally is it used only for debts in excess of \$50. The traffic policies would probably come under that threshold. They are investigating that possibility and once they know the perimeters of that, they will likely include it in their advice as well; that would be in the civil context.

Mayor Pro Tem Ferebee asked if they were to consider this, could he produce a table of what it is now and what it would be going to. He also asked if there could be some type of progression and come up with some kind of process which is what he thinks they are doing. It would make it clear to the one's enforcing it.

Mayor Pro Tem Ferebee asked how many citations does the City issue per year. Chief Martin replied he did not have those numbers with him tonight. That information is listed on his monthly reports. The number of citations and City ordinance tickets is tracked and they keep up with it.

Attorney Davis stated the purpose for him looking at this is to a large extent, a law is only

as good as the penalty for violating it. They do not want to have the City ordinances where law enforcement sites someone for violating it and the person refuses to pay it and there are no consequences for that. There has to be some kind of consequence to encourage compliance.

Mayor Pro Tem Ferebee said he thought there was some kind of progression for not paying a fine. Attorney Davis said especially in the courts, they are going to treat it that way in the misdemeanor context. He explained there were three levels of misdemeanors. Someone with no prior record will get a better sentence than someone with five or more convictions. Judges will use some discretion.

Chief Martin added that Police Department Administrative Assistant, Mrs. Curry enters in all the City Ordinances and they keep a check on those who continually violate and do not take care of it. When law enforcement issues City ordinances, they are an alternative to State citations. State citations would hit the pocketbook a lot more than City ordinances so that is the break versus going to court and getting an attorney. If they repeatedly see someone's name come up, that is when they move toward issuing a State citations versus a City ordinance.

Councilman Smith shared a copy of last month's report with Mayor Pro Tem Ferebee. Chief Martin explained that citations refer to State citations and municipal ordinances are written to give kind of a reprieve from the State citation. He shows this information on his monthly reports to Council.

Attorney Davis stated there are some limitations to officer discretion in these things. They have talked about those and will make sure the officers are educated on them. Also, the difference in costs. If someone is issued a municipal ordinance, the fine is \$50. If they are charged with a State citation, they have to pay court costs, the fine and any other fees. Under this proposed scenario, if an officer issues a City ordinance and the person doesn't pay the fine they will be summoned to court and they will be looking at paying \$266 if found guilty. Again, these fines would go to the school board. He felt it was important to clarify the benefit of citizens taking the \$50 City citation when it is offered to them rather than going through criminal court.

Councilman Smith asked if it would be the same for the animal ordinance. Attorney Davis replied yes. If they pay a City ordinance before it ends up in court then the money stays with the City.

Councilman Stainback stated he liked the NCLM Debt Setoff Clearinghouse. It would save the officers from having to go to court and the program would collect the fines for the City through the violator's tax returns. It would save the City a lot just on overtime pay for

officers having to make all those trips to Halifax. Attorney Davis agreed and said they were going to investigate that and bring back as an option.

Councilman Smith asked if the City had the option of Small Claims Court. Attorney Davis replied they could and when he speaks of civil, that is what Councilman Smith was talking about. The problem with any civil penalty, whether they would get it in Small Claims Court or District Court, is actually enforcing it on somebody. Many people blow off court and if that person doesn't have any assets, you cannot get anything. They do not garnish wages for things like that nor arrest somebody for not paying a civil debt. With criminal court, if someone doesn't pay their fines, the judge can send them to jail or revoke their license.

Councilman Smith said in small claims you can get a judgment against them. Attorney Davis replied the issue is actually collecting it. It is a possibility but there are a lot of procedural and practical hurdles. It would make regularly going to court to enforce these things not a feasible financial decision for the City.

Mayor Doughtie stated that many of them have been approached by citizens on how they can help them with a ticket they were issued. He said if they received a City ordinance, they got a break already. He added in reference to the animal control ordinance, the City is very fortunate to have Mr. Pete Wilson. He has been with the City a good while now. A stray dog in Roanoke Rapids is a strange thing; you don't see dogs or cats very much. Every time he had an incident to speak to Mr. Wilson about or anyone who has talked with him about an incident with an animal, Mr. Wilson has handled it very professionally and spent time on it. He usually brings it to a good resolution.

State Directed Grants Overview

City Manager Traynham stated as previously announced and presented in the past few months, the City has been awarded State Directed Grants with the adoption of the State budget. However, it is not just a check that arrives in the mail and the City spends it like they want. They have to document the process. As sent to City Council in a recent email, over the next five weeks they will have a weekly activity to complete. Thus far, City staff has submitted certain paperwork the State has been asking for such as W-9's, electronic payment forms, copy of the City's Conflict of Interest Policy and sworn statement of no overdue tax debts.

She reported the current activity for this week is development and submittal of a scope of work. This is where she would like some discussion with City Council about how to spend the \$3.5M. After staff submits the scope of work, the next phase is to enter into contract negotiations for the \$3.5M with the Office of State Budget Management. They are the administrator on this particular grant.

City Manager Traynham noted due to the amount of money, anything more than \$500,000, is required to meet specific yellow book audit requirements. The City's auditor is familiar with this from other grants. Additional funds required for auditing can be utilized with the grant funds.

She explained the State informed them that the disbursement of the grant funds, anything over \$100,000, is either disbursed in a monthly or quarterly payment. It is solely at the discretion of the administrative agency. This is the importance of the scope of work because they have talked about paying off the 2017B Theatre note. The City could say if they had that amount one of the first allotments then they could pay it and it would save the City money. She and Interim Finance Director Tammy Fahey have been looking at the statements from the 2017B note. Interim Finance Director Fahey has reached out to Bank of America to ask for a payoff amount for the note. The City recently submitted one of its quarterly payments so once that posts, they are going to send the City a payoff note. The balance of the principal part of the note is \$2,590,013 plus the interest. They would anticipate additional funds for that. Being very conservative, they would have approximately \$850,000 left to spend. She would like City Council to discuss and figure out tonight how they would like to spend that money.

City Manager Traynham stated the City has a lot of needs and wants. This particular grant did not have a specific use in the State budget as to what it was to be used for, but it was encouraged for economic development and things that would make a big difference for the city. They have discussed some of the needs at the City's recreation facilities, specifically Kirkwood Adams Civic Center. It is a facility that is used not just locally, but regionally for events and meetings. The building needs a new roof which could cost at least \$130,000-150,000. They have some preliminary estimates. Another need at that facility is the fire alarm system that is currently not in working order. Each time the building is occupied, the recreation staff member that is working the event is on fire watch. They make rounds during the event and should an emergency occur, they would activate the alarm and make the calls. It is a big risk and liability for that person working the event. The Fire Marshal said they are okay with this agreement. She realizes these things are not seen as much. The carpet needs to be replaced, restrooms/fixtures need updating and the kitchen could be modified to allow for better catering.

Parks & Recreation Director Simeon stated he felt confident that the roof replacement, carpet replacement and fire alarm repairs would generally cost about \$180,000 for all three based on some quotes. That figure does not include restroom and kitchen upgrades. He asked City Council to consider that the upgrades would be only as good as the money they put into it. There are so many different styles and upgrades along with different tiers of finishes within both the kitchen and restroom upgrade. He and City Manager Traynham have discussed what amount of money they have to work with in order to upgrade the

kitchen and restroom facilities. Then they can obtain some quotes with the amount they have left. It would be difficult to walk into restrooms and say they want this and that without having a budget in place and what the priorities are based the budget. He confirmed with City Manager Traynham that tonight they were looking for a budget or amount City Council was comfortable working with.

City Manager Traynham confirmed that was correct. She said they are trying to return the information requested to the State in a timely manner; they have only given the City a few days to complete this. They have to provide a report of proposed activities and what they plan to spend the money on which could be as simple as facility upgrades. They do not need to be too specific. They need to keep it generic to some extent. She recommends Council say they want to set aside for example, \$300,000 for Kirkwood Adams. Because of the amount of money, staff would need to go through the proper procurement processes and solicit proposals. They would hope to receive a few different proposals of how a contractor would propose spending the money and then allow Council to review that. Right now for the purpose of tonight, they need a general idea and to know if Council wants to spend money on the building. She recommends Council consider this facility because of the regional needs as well as the building has been used in the past as a shelter during emergency events and storms.

She realizes this is very quick but understand this information was received from the State on Friday. There are other areas of the city to be considered when they think on terms of economic development and making an impact with this money. Some ideas that have been brought up include setting aside a certain portion for demolition of dilapidated and uninhabitable residences/buildings throughout the city. They already have some demolition orders on them, but do not have the funding for them. It would help with the removal of that blight and improve community neighborhoods, help with tax values and public safety. There are a few things they can look at. She would like to be conservative in their estimates and flexible enough in their description for the scope of work, but primarily trying to get these categories identified and where Council would like to spend the money.

Mayor Pro Tem Ferebee said so far they were talking about \$300,000 and they have another \$600,000. He kind of has a stomach with them not having all the needs that was requested from all the departments because if they did they could say here's where they can spend the money. He stated he had no problem with designating a certain percentage to the civic center because he knows it is needed. He questioned what they were going to do with the other \$600,000. If they had all the needs they would not have the issue of determining what they were going to do with it because they would already know. He said they were going to have the same issue with the ARPA money. He understands they have a quick time frame and asked what was that time frame.

City Manager Traynham replied they had to have it turned in within a week. As soon as they get a scope of work turned in then they will have the contract negotiations and how they plan to disburse the money. Again, this is coming from the State. Once they receive the City's contract it will take ten (10) days before they start making any payment funds. They have to spend all this money by June 30, 2023. The City only has a little over a year to spend this. The department heads are working on developing their budgets.

Mayor Pro Tem Ferebee stated he feels like the departments already know what they need so Council should have that in no more than 10-15 days. He was not happy with that and if they already had that then they wouldn't have to worry about the other \$600,000. And they have the same thing coming up again soon.

City Manager Traynham said there was a lot of regulatory matters and staff is spending countless hours going through red tape and requirements that are necessary and required of them for these reports. The City has this money and they have to follow these administrative requirements of spending it. Since the final ruling concerning the ARPA money has just recently come out, one recommendation she had for that money was to pay salary line items within the budget. There is not as much required documentation and paperwork associated with spending ARPA money through that method. That would alleviate one of the City's greatest line items to be able to spend out of the General Fund rather than spending the general fund on ARPA. It would offset that and they would not have the strict requirements that would go into the documentation for ARPA. She spoke with the department heads today and some are ready to go very soon. In a couple of weeks they will be ready to start scheduling the departmental review meetings with Council. They know there is a need for a fire truck. If they were to order it tomorrow it would take about twelve months to get it and they would not have to make the payment right now. She explained it would not be wise to put money aside for a fire truck with this particular source of money because they cannot spend it within the given timeline. What monies the City does not spend by June 30, 2023, the State will take back.

Mayor Pro Tem Ferebee confirmed that the City has until June 30, 2023 to spend the State Directed Grant money and they have until next week to let the State know what they want to spend it on. City Manager Traynham replied that was correct.

Mayor Doughtie asked if Council could confirm spending the money on Kirkwood Adams and then come back to review the information from the other departments. He asked if everyone on Council agreed that Kirkwood Adams was one of their top priorities.

Councilman Smith said he believed it was and felt they should go ahead and make a decision to set a budget of that amount they can spend to get it fixed. Mayor Pro Tem Ferebee said he agreed to that.

Councilman Smith asked if they could spend \$300,000 of that money at one time. City Manager Traynham replied the State has said for any grant more than \$100,000 would be paid in quarterly or monthly payments, but it is also up to the administrative agency's approval. In their contract negotiations the City could try to ask for more than that. During the webinar she asked about it and they said it depended on the risk and liability and it's the agency's determination. The Office of State Budget Management does not typically work as a grant administrator; they are responsible for the state funds.

She believes one of the City's priorities would be to get the monies for the 2017B note so they can make that payoff without incurring further debt and interest. As part of this, they need to say they plan to spend approximately \$2.6M to pay off that note. Then they would look at the remaining funds to say the City wants to revitalize the Kirkwood Adams Civic Center and give an amount. They need to have a few other areas identified and it can be generic right now for the purpose of turning in the scope of work. They need to have something pretty soon. If they want to delay receiving the money and shorten the timeline, they could come back to Council in a couple of weeks. She reminded them this was a work session and it does not require Council to sign it or enter into a contract for this part, she just needs some direction where to go on this. When the actual draft contract is received the city attorney will review it.

Councilman Smith stated he would like City Council to go ahead and okay the request for \$2.6M to pay off the debt. If he needs to make motions on it, he will. City Manager Traynham replied that was not necessary for tonight. Council needs to discuss and decide what they want to do with the difference.

Councilman Smith stated he would like to see Council put a budget of \$300,000 towards fixing the civic center.

Attorney Davis added City Manager Traynham was just looking for a consensus, not a motion.

Councilwoman Scarbrough asked if a good bit of the damage at the civic center was caused by a bad roof. Parks & Recreation Director Simeon replied yes. She confirmed that it was a flat roof. He said that was correct and they have put a band aid on it as much as they could. They are at a point where they have standing water up there at all times. The problem with a flat roof is just because it may leak in one place, it could start somewhere else. It is hard to identify leaks. He recommends the first thing they do is the roof replacement before doing anything on the interior of the building.

Councilman Smith asked if they planned to put a rubber roof on it. Parks & Recreation Director Simeon replied yes, a rubber membrane roof.

Councilman Smith said his other suggestions for the money is to update the computer systems at City Hall. They are running behind and there is a lot of paperwork being done when a lot of it could be done on computer. They need to modernize City Hall. He believes they will end up saving money if they do that. He did not know what the cost would be. They could be talking about \$100,000 to update all the computers for all the departments. City Manager Traynham said it was not just about the actual computers themselves, it is the software for the enabling of the cloud-based solutions and improving the efficiency of operations. With certain aspects it helps with economic development, recruitment and employee productivity. The upfront costs are pretty big. They are in the process of exploring those as part of their budget prep. Those are types of eligible expenses that would not just help with City staff, but help with the community as well being able to have more communication and direct experience through an online portal.

Councilman Smith stated he would also like Council to set back \$100,000 to go over to Chaloner and build a restroom where they have the splash pad. He was not sure of the cost, but the last one the City built was around \$70,000.

City Manager Traynham reported they had one funded through the CDBG Neighborhood Revitalization grant. The costs of that restroom right now appears to exceed what they have budgeted, but they could put some additional funds towards the engineering they need to do because of the location. There is \$75,000 directed towards the construction of the restroom facility and changing rooms at the splash pad. They just received notice and their grant consultant was in town today because the State has finally released the funds to start this project.

Councilman Smith confirmed they were going to get funds for that. City Manager Traynham said yes they are definitely getting funds for that and will probably need a little more than \$75,000. That was primarily for the building but they do not have anything budgeted for the site work that is part of that. Councilman Smith said they needed to add about \$50,000 to that; he would like to see that earmarked to get that done at Chaloner. He believes that will make it a nicer area with restrooms. He said these were suggestions of what he would like to see done, but did not know what Council thought.

Councilwoman Bryant stated it was definitely a priority. She asked if there were any upgrades planned for the actual meeting room at Chaloner because many people rent that room. Parks & Recreation Director Simeon said they looked into doing that several years ago. It was very expensive to do that because the restrooms at Chaloner were grandfathered in as far as accessibility. If they do anything to the building, they have to go in and make the restrooms accessible and that at least double or tripled the costs.

City Manager Traynham added as the Floodplain Administrator for the City, that building

is within a federal floodway. It is at a very high risk for flooding. They are under FEMA guidelines for renovations or any possible reuse of that building. If that building gets substantially damaged or substantial improvement of more than 50% of the value of the building, not including the land, FEMA will force the City to demolish it. That was one of the key things about the ADA compliant restrooms and bath house facility was to help to meet that need through the CDBG grant. Unfortunately, the City is under strict floodplain regulations because of its location in the actual floodway. Parks & Recreation Director Simeon said that is also why they planned on the site of this restroom/changing facility to be up on the other side of the splash pad and playground equipment because it is out of floodplain at that specific area.

Mayor Pro Tem Ferebee said he keeps going back to the beginning. If they would get that list and he realizes they are talking about \$900,000 now, but they have \$2.2M they need to make a decision on pretty quick. City Manager Traynham said it was the opposite. Mayor Pro Tem Ferebee continued to say they needed each department's needs so they can consider those at any time they have any monies that come up and that is where he is.

City Manager Traynham stated they were working on them right now. Mayor Pro Tem Ferebee said he did not see how department heads didn't already know. It shouldn't take long. If they don't know, that's a problem.

City Manager Traynham said one of the issues they are having right now is according to the City's purchasing policy, anything more than \$30,000 requires three different quotes. Quotes are coming in significantly higher than were a year ago.

Mayor Pro Tem Ferebee said that is not totally where he is. He is not saying they needed to get a perfect quote for \$20,000 or \$30,000. He wants them to say for example, they need a roof, a new car, etc. to put it out there as total to Council as their needs from every single department. Those needs already need to be on paper to them and then they come back and put a dollar value to it because they know how much money they will have to spend. Now they have \$900,000 they are disbursing by saying they need this and they need that and they do need it. They can also look at if they have a budget for \$2.2M they could say for example they were going to give Parks & Recreation \$300,000. They need to have it all together or they were just drawing straws and that bothers him a little bit.

City Manager Traynham said she understood and it is typical of this time of year that staff would be developing their budgets. They are trying to get it done earlier this year. She will try to get as much information to Council as soon as possible.

Mayor Doughtie asked before another meeting could Council have something then. City Manager Traynham replied yes, within two weeks. Mayor Doughtie said he did not believe

they needed everything in the department's budget. They were looking for larger things. Things they haven't been able to get; capital items.

Councilman Smith said he was sure other Council members had seen the ARPA information coming to them online. The City falls under category where they passed a new ruling if they get under \$10M it can be used for administrative. City Manager Traynham said that was correct and they could use all their money for salaries. Councilman Smith said then they could pull the money from the budget for salaries and do these things as they come up. City Manager Traynham interjected without all the government red tape of ARPA.

Mayor Pro Tem Ferebee said they still needed to have an accounting of all the ARPA dollars no matter where you use it at. They suggest you put it under one account. He said they could not put it all under general revenue, they said you couldn't do that so that's a problem. Councilman Smith said it was going into salaries.

City Manager Traynham asked if they could focus tonight on the State Directed Grant so she can prepare a scope of work to submit to the State. Mayor Pro Tem Ferebee stated he believed she had her marching orders on what's been brought up. He believes they were all in agreement with that.

Mayor Doughtie reviewed the items they discussed. The \$2.6M for the 2017B loan payoff; up to \$300,000 for Kirkwood Adams; \$50,000 for the site work/engineering for restrooms at Chaloner. He said it is a big project and knows the City Manager is pressed for time as well as other things she is working on. He said they would try to take another step at the next meeting. He liked the idea of putting the ARPA funds towards salaries then they wouldn't have a timeframe for spending it. He wasn't sure if they could use all of it towards salaries.

City Manager Traynham stated they could if they back track to July 1, 2021. That is just one example where the auditing requirements are not nearly as significant if they paid salaries out of it. When she met with Halifax County last week that was one of their primary uses of the funds. It alleviates additional funds in the budget for other items that were regulated under ARPA.

Mayor Doughtie said the budget would build up quickly if they were not paying all those salaries and they would not have a timeframe on that.

City Manager Traynham said with this particular money, although it is not in an interest bearing account, they have to spend it quickly because any interest they could potentially incur or earn would have to be used as part of this because of the reports to the State.

Councilman Smith asked if that would leave the City with about \$400,000 more that haven't spent out of the \$3.5M.

City Manager Traynham said she had \$2.6M for the note payoff, up to \$300,000 for Kirkwood, \$50,000 for Chaloner Recreation Park and modernizing City Hall. Right now they have a balance of around \$550,000. She asked how much they wanted to put towards City Hall. One of the things they haven't mentioned tonight was City Hall has an elevator that is in dire need for repair/replacement. It has been out of service for over a year and it is a public building. They know it is going to cost between \$200,000-250,000 at least. They have a contractor coming out in the next week to give a comprehensive quote. They previously gave them a quote for some of the equipment but not for the electrical work. She asked if that would be something Council would want to include in City Hall. When they say modernize City Hall, she like to make it more about what they had discussed tonight.

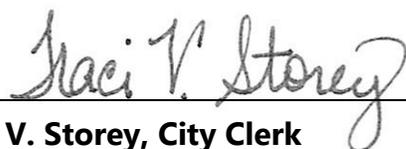
Councilman Smith said it was hard for him for a one story building to spend \$200,000 to repair an elevator to go up one story. City Manager Traynham said it is actually three stories because of the basement.

Mayor Doughtie stated he felt Council has done about all they were going to do tonight. He thinks she could get going on that and bring back what he asked her to in two weeks. Include what she said in there, maybe they would be willing to move forward. He asked Council if they agreed.

Councilman Smith asked Attorney Davis where the stairs were if it would qualify to put in lifts on each side of the stairs. He replied he was not sure. He knows the concern with the elevator is probably primarily the Americans with Disabilities Act considerations. He was not sure of the different kind of tradeoffs available with that.

City Manager Traynham said one of the issues is with furniture and equipment. They were talking about manpower to lift heavy equipment on the long flight of stairs. It is one thing if it's a person needing to ride a lift up the steps. For example, the shredding company has not been able to service upstairs because of not being able to bring the equipment upstairs to do that. She stated they will keep going with the needs and finalize some of these categories.

There being no further business, the meeting adjourned at 6:50 p.m.



Traci V. Storey, City Clerk

Approved by Council Action on: 02/15/2022