



# Minutes of the Roanoke Rapids City Council

A regular meeting of the City Council of the City of Roanoke Rapids was held on **Tuesday, July 18, 2023, 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  
Sandra W. Bryant)  
Tommy Daughtry)  
Wayne Smith)  
Rex Stainback)

## Council Members

Kelly Traynham, City Manager  
Geoffrey Davis, City Attorney  
Traci Storey, City Clerk  
Carmen Johnson, Finance Director  
Shane Guyant, Police Chief  
David Wise, Planning & Development Director  
Doug Love, Assistant Public Works Director  
John Simeon, Parks & Recreation Director  
Tony Hall, Main Street Development Director

**Absent:** Christina Caudle, Human Resources Director  
Jason Patrick, Fire Chief  
Larry Chalker, Public Works Director

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

## Adoption of Business Agenda

Mayor Doughtie asked Council members if there were any known conflicts of interest with respect to the matters before them this evening. There being no conflicts, motion was made by Councilman Smith, seconded by Councilman Stainback and unanimously carried to adopt the agenda as presented.

## Approval of City Council Minutes

Motion was made by Councilwoman Bryant, seconded by Mayor Pro Tem Ferebee, and unanimously carried to approve the July 5, 2023, City Council Regular Meeting minutes as drafted.

## Old Business

### **Roanoke Rapids Theatre Update**

City Attorney Davis stated he knows a few of the Council members were present at the bid opening today at 4 p.m. He reported they did receive one envelope during the period and it was opened today. In that envelope, there was a check. There was no accompanying information as far as what the bid amount was nor who the bidder was other than the name on the check. He did not see how the City could consider that a valid bid. To do anything else would require someone with the City, whether he as City Attorney, City Council or the City Manager to look into that and interpret it. He did not believe they had that authority. He did not think that met the qualification of a legitimate upset bid. At this point with the upset bid passing and no new bids coming in then he thinks they were essentially done with upset bids. The last bid that came in which initiated this last upset bid period, becomes the final bid.

He said that he and City Manager Traynham talked briefly this afternoon and they do not have a resolution prepared for City Council to consider tonight. Pursuant to the terms of the previous resolution, it would have to come before City Council to approve or reject that final bid within 30 days of today. Obviously, they would have that ready by the next meeting. If City Council wanted to call a special meeting, they could do it earlier than that. City personnel would prepare a resolution with terms in it that would come before City Council for final approval regarding the bid tendered by Wellman & White, PLLC for City Council to accept or reject that. He explained if City Council rejects it then that resets things back to zero. If City Council accepts, it would be pursuant to the terms of the resolution and they would proceed to negotiate a contract of sale with Wellman & White, PLLC. Ultimately, that would culminate in the final sale of that amount.

Attorney Davis stated he was sure Mr. Freeman was not happy with that. As he said, he did not see how the City could take any other alternative interpretation. This is a large piece of property and a lot of money moving around and it is not a simple transaction. He thinks that puts some due diligence incumbent upon bidders to make sure they meet the statutory requirements and submit a legitimate bid. The alternative to that is if they say City personnel was going to take this and look into it and characterize this as a legitimate upset bid. If they take that approach, he thinks

They would be begging for a lawsuit from the last highest bidder, which was Wellman & White, PLLC. He believes they would not have any other choice.

He stated this is where they were at this point. He was not asking for any action by City Council tonight. He believed there was going to be some discussion later in the meeting regarding the August 1<sup>st</sup> meeting, but he would get with City Manager Traynham and prepare a draft resolution to be presented to City Council at whatever the next meeting is to accept or reject it.

Mayor Pro Tem Ferebee asked if the check amount was satisfactory to the upset bid amount. Attorney Davis replied there is a formula in NCGS 160A-269 for how much of a bid has to be put down and how much of a deposit they have to submit. He guesses they could do algebra to work backwards from that and try to assume that was the bid put in. He thinks that is a step too far for the City to make.

Mayor Pro Tem Ferebee asked if the check amount was more than the 5% additional it required. Attorney Davis replied if they did the reverse math and came up with what their bid would be then yes, it would meet that qualification.

Mayor Pro Tem Ferebee questioned if there was nothing in the envelope but a check. Attorney Davis replied that was correct, just a check. Mayor Pro Tem Ferebee said with his name (Mr. Freeman) on it. Attorney Davis replied yes.

Mayor Pro Tem Ferebee asked what was included from either one of the previous upset bids. Attorney Davis replied there would have been terms in there. He would yield to the City Manager since she opened most of them.

City Manager Traynham reported the \$2 million bid that came in on June 30, 2023, had a letter attached to it. Most of the other ones had correspondence attached that said this was their bid/offer. The upset bid process the statute says they need their bid and corresponding deposit of 5% of the bid. As far as the other submittals, they've had the purchase price stated with the check amount that corresponds to the 5%.

Mayor Pro Tem Ferebee asked when they received it. City Manager replied it was received on July 10, 2023, at 3:35 p.m. Attorney Davis explained the way this procedure works as a reminder to everyone that the envelopes are sealed and they do not open them beforehand. That is to protect City employees and the sanctity of the bidding process. He thinks there is an onus on bidders to do it in such a way that they perfect their bid. It is not for City personnel to hold their hand or give legal advice. That is something in these types of transactions that they need to seek themselves. He was not saying that reflecting on any one person in this whole process. They were

operating at a higher level here in a commercial transaction as opposed to a parking fine or something like that.

Councilwoman Bryant asked if Mr. Freeman had paperwork in his previous upset bid. Attorney Davis replied yes.

Attorney Davis stated in his opinion, from a legal standpoint, the only interpretation the City can take is that this is not a qualifying upset bid that has come in during the period, so at this point the cycle of upset bid ends. There was some talk between he and City Manager Traynham since 4 p.m. about whether City Council needed take a vote to accept or reject it and he suggested against that. He would feel a lot better if they had a resolution drafted in front of City Council that spelled out those terms since that was going to be the last City Council gets to say about it and the transaction. He thinks they need to go into it correctly.

Mayor Doughtie asked for clarification on what additional criteria does a contract have versus the resolution and asked if the resolution was the act of City Council accepting the bid. Attorney Davis replied yes, the resolution is the act of accepting the bid. There are going to be some other conditions in the resolution about what needs to be followed through and some timelines as far as having a contract negotiated. They would draft that and present it to City Council. Some of those terms will be brought in from the terms offered by these parties. If City Council accepts the highest legitimate bid and passes the resolution then that resolution authorizes the negotiation of a contract. The contract will be like the traditional type real estate contract that most people are familiar with from their daily lives.

Mayor Pro Tem Ferebee asked what the conversations were from both bidders on previous bids after the City received the bid. Attorney Davis replied both parties had spoken with him and he was sure they had spoken with other City staff. In his last conversation with Mr. Freeman, he indicated he was represented by an attorney and he told Mr. Freeman that he really needed to talk with his attorney. Thus far he had not heard from them. Certainly, he and Mr. White have talked but not specifically about the different bids. He has been very pleased with matters in the past with how careful City staff have been as far as not revealing information that they shouldn't. He believes it would problematic potentially if City staff were going around saying they received an upset bid. As far as he is concerned, the policy has been they had not said whether the City received an upset bid or not. He has never made that representation to anyone and he doesn't believe anyone else has. He suspects that the communication to City Council has been, we'll see when the bid opening occurs. Again, the envelopes are sealed so even if there was something to that extent, they still don't know what's in there until they open it up.

Mayor Pro Tem Ferebee said he was referring to conversations after the bid was received. He was thinking if he received a check, he would question why there wasn't anything else with it. Especially, if it was enough to beat an upset bid. Attorney Davis said the envelope was not opened until today because it came in sealed. If there has been any conversation in the past, it has been to put that bid in the envelope and close it up and we will open it when the opening occurs. That's the thing about the seal bid. He knows from the conversation with the City Manager and City Clerk that the conversation from them has been that they instructed to put it in the envelope and told them it would be opened when the bid opening occurs at the appropriate time. As he said before, the City Manager and the City Clerk are good at what they do but they are not attorneys. He is an attorney but he is an attorney for the City of Roanoke Rapids. There is a very hard limit on anything that they would characterize as legal advice that they could give to anybody without it being unauthorized practice of law. It's really not for them to give advice on too many aspects of this process other than this is the date and this is the time you need to have it in.

Councilman Stainback confirmed that City Council did not need a motion to officially close the bidding. Attorney Davis replied no because they have 30 days from today. Certainly, within that time period they were going to come back to City Council with the draft resolution and at that time City Council either accepts the resolution and confirms the sale or City Council rejects it and they're back at zero.

Mayor Pro Tem Ferebee asked if the person that did not receive the bid be notified before the 30 days. Attorney Davis replied he assumed he would because he would get the deposit check back; the City cannot hold that. Mayor Pro Tem Ferebee stated he assumed there would be some conversation or would they just send it back. Attorney Davis said yes, they would have to let him know. City Manager Traynham added they would make contact with them about the preferred method because some people like to come back and pick it up; they do not want to just put it in the mail.

Councilwoman Bryant said in the past, because this has been going on several times, all the other upset bids had a check along with another piece of documentation from an attorney. Attorney Davis said not necessarily from an attorney. He thought in the case of Mr. White's folks it always came from an attorney and maybe a cover letter on his letterhead. He was not sure about Mr. Freeman's, but yes in every other case there has been a formal document that has been given that was addressed to either himself, the City Manager or both of them.

Councilwoman Bryant said they were not to assume because this check came in and asked how they knew that it was a bid. City Clerk Storey stated two ladies came in that day and she went down to the lobby. They had the envelope and they asked her

if it needed to include terms and conditions, those exact words. She said she told them no. The ladies wanted to have a letter like City Manager Traynham did for them last time stating that she had received a bid. She went upstairs, used the same format when she received it and took it back downstairs. They held the bid/envelope the entire time and then they signed off on it. She gave them a copy and she kept a copy. She took it upstairs and put it in the safe and it did not come out until today about 10 minutes to 4 p.m. She did not know what was in it and it was actually in two envelopes when they opened it today. City Manager Traynham explained that on the exterior side of the envelopes, it said "off set bid", but no bid amount.

Councilwoman Bryant confirmed with City Clerk Storey that they asked if it had to have terms and conditions and she said no. City Clerk Storey replied she said no because in the last City Council meeting, they talked about it and said it didn't have to include terms and conditions. She said they didn't ask if it needed to include a bid; they handed her the bid and they said this was the upset bid. She believed it was written on the outside of the envelope. She said it was already sealed like it should have been.

Councilwoman Bryant asked if they said no, it didn't need the terms, were they saying that a letter was not needed. Attorney Davis replied he thinks there needs to be something saying who the bidder is and what the bid amount is.

Mayor Pro Tem Ferebee asked how the City received their bid last time. City Manager Traynham said the first time they brought one to me, they wanted her to sign a form that they had already prepared. She told them she did not want to look at it because if it had an amount on the form, she didn't want to know what it was in order to keep it confidential. She brought down a big envelope from upstairs and asked them to put everything in the envelope. They wanted her to sign off or basically a have delivery receipt so the letter she typed up just said she received it on this day and time. As far as terms and conditions they have been talking about this at each meeting and the upset bid process is to drive up the sales price. When they talk about terms and conditions and things like whether or not someone asks for anything extra, that is not part of the process. They have been pretty clear about that and that the purchase price and corresponding bid deposit are by statute what is required for the upset bid process.

Councilwoman Bryant stated she didn't feel really good about that and it is not like it was their first time doing this. She stated they were talking about a lawsuit on the other side, they may be looking at one on this one. It is her assumption because they did include a check with an amount more than five 5%, at least, over the preceding amount. It also had upset bid written on it so she didn't know how they could not

consider that. Attorney Davis stated City Council still has the authority to reject all bids.

Mayor Pro Tem Ferebee stated they understood that, but the question they have is did it qualify as a bid. With it saying upset bid written on the check with the amount qualifying for the upset bid as well as the timeframe for the upset bid. In his opinion, it is an upset bid, but he was not an attorney.

Attorney Davis said to Mayor Pro Tem Ferebee that he was kind of making the arguments the other side would make. Maybe that is where this ends up one way or the other.

Mayor Pro Tem Ferebee asked if they had another letter or anything in hand when they came in. City Clerk Storey replied no. He asked again about her answering no to their question about terms and conditions. City Clerk Storey replied they asked if it needed to include terms or conditions and she said no and that was it. She added that she asked them if they knew the City had extended the bid deadline. They told her they had been following it on our website. She just assumed it had it in there because it felt thick like it had paper in it. She stated how would she know it didn't have the amount of the bid written in it.

Mayor Doughtie asked if City Council needed to take any action. Attorney Davis replied no.

<b>New Business</b>
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**Consideration of Budget Amendment (1<sup>st</sup> & Jackson Street Storm Drain Project)**

Finance Director Johnson presented the resubmittal of Ordinance No. 2023.04 for 1<sup>st</sup> and Jackson Street, a sink hole in the street which was discovered in fiscal year 2021-2022. She stated the City did receive the drainpipe for the project in April 2023, but they have been on hold by the contractor because their asphalt plant has been down. She added since she has closed out the fiscal year, those funds rolled over into fund balance. She requested City Council to reapprove those funds to complete the project in fiscal year 2023-2024.

**Ordinance No. 2023.07  
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, 2023 and ending June 30, 2024, according to the following schedule:

**SCHEDULE A – PROJECT FUND REVENUES**

Fund Balance – Public Works – Storm Drain System at 1 <sup>st</sup> and Jackson Street	
<b>Project Revenues – To Fund Storm Drain at 1<sup>st</sup> and Jackson Street</b>	<b>\$69,882.00</b>
<b>FUND PROJECT TOTAL</b>	<b>\$69,882.00</b>

**SECTION 2.** The following additional revenues and reductions in appropriations are available for the fiscal year beginning July 1, 2023 and ending June 30, 2024, in order to meet the foregoing appropriations, according to the following schedule:

**SCHEDULE B – PROJECT FUND EXPENDITURES**

Funding to General Fund – Public Works – Storm Drain System at 1 <sup>st</sup> and Jackson Street	
<b>Project Expenditures - To Fund Storm Drain at 1<sup>st</sup> and Jackson Street</b>	<b>\$69,882.00</b>
<b>FUND PROJECT TOTAL</b>	<b>\$69,882.00</b>

**SECTION 3.** This ordinance shall become effective upon adoption.

Motion was made by Councilman Smith, seconded by Mayor Pro Tem Ferebee, and unanimously carried to adopt Ordinance No. 2023.07 in the amount of \$69,882 to repair the storm drain system at 1<sup>st</sup> and Jackson Streets.

**Consideration of Budget Amendment (ECU Health North Hospital Grant)**

Finance Director Johnson announced the Fire Department has been awarded \$10,000 from ECU Health North Hospital for the Improve First Responder Program. She presented the following Ordinance No. 2023.08 for approval by City Council.

**Ordinance No. 2023.08  
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, 2023 and ending June 30, 2024, according to the following schedule:

**SCHEDULE A – PROJECT FUND REVENUES**

Fire Dept. – ECU Health North Hospital’s Community Benefit Grant – Improve First Responder Program	
<b>Project Revenues – Fire Dept.</b>	<b>\$10,000.00</b>
<b>FUND PROJECT TOTAL</b>	<b>\$10,000.00</b>

**SECTION 2.** The following additional revenues and reductions in appropriations are available for the fiscal year beginning July 1, 2023 and ending June 30, 2024, in order to meet the foregoing appropriations, according to the following schedule:

**SCHEDULE B – PROJECT FUND EXPENDITURES**

Fire Dept. - ECU Health North Hospital’s Community Benefit Grant – Improve First Responder Program	
<b>Project Expenditures – Fire Dept.</b>	<b>\$10,000.00</b>
<b>FUND PROJECT TOTAL</b>	<b>\$10,000.00</b>

**SECTION 3.** This ordinance shall become effective upon adoption.

Councilman Smith asked what was the Improve First Responder Program. Finance Director Johnson replied she did not know the details of that program. (*Chief Patrick was absent*).

Mayor Doughtie asked if City Council could get information at a later date on how those funds would be spent. He assumed when the Fire Department applied for the grant they had something in mind to do with that.

City Manager Traynham said they could get that information for them.

Motion was made by Councilman Stainback, seconded by Councilman Daughtry, and unanimously carried to adopt Ordinance No. 2023.08 in the amount of \$10,000 for the ECU Health North Hospital’s Community Benefit Grant to the Fire Department.

**Consideration of Budget Amendment (Capital Outlay)**

Finance Director Johnson presented Ordinance No. 2023.09 which was for the capital funds that needed to carry over from fiscal year 2022-2023 for projects that were previously approved by City Council but have not been completed yet.

**Ordinance No. 2023.09  
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, 2023, and ending June 30, 2024, according to the following schedule:

**SCHEDULE A – PROJECT FUND REVENUES**

General Government – Capital Outlay	\$243,705.00
Planning – Capital Outlay	\$13,298.31
Police Dept. – Capital Outlay	\$185,621.78
Fire Dept. – Capital Outlay	\$129,204.09
Public Works – Capital Outlay	\$541,973.92

Solid Waste – Capital Outlay	\$32,737.85
Refuse – Capital Outlay	\$5,028.00
TJ Davis Recreation – Capital Outlay	\$57,766.55
Library – Capital Outlay	<u>\$53,212.75</u>
<b>Project Grant &amp; Revenues – Capital Outlay</b>	<b>\$1,262,548.25</b>

**SECTION 2.** The following additional revenues and reductions in appropriations are available for the fiscal year beginning July 1, 2023, and ending June 30, 2024, in order to meet the foregoing appropriations, according to the following schedule:

**SCHEDULE B – PROJECT FUND EXPENDITURES**

General Government – Capital Outlay	\$243,705.00
Planning – Capital Outlay	\$13,298.31
Police Dept. – Capital Outlay	\$185,621.78
Fire Dept. – Capital Outlay	\$129,204.09
Public Works – Capital Outlay	\$541,973.92
Solid Waste – Capital Outlay	\$32,737.85
Refuse – Capital Outlay	\$5,028.00
TJ Davis Recreation – Capital Outlay	\$57,766.55
Library – Capital Outlay	<u>\$53,212.75</u>
<b>Project Grant &amp; Revenues – Capital Outlay</b>	<b>\$1,262,548.25</b>

**SECTION 3.** This ordinance shall become effective upon adoption.

Mayor Doughtie asked Finance Director Johnson what projects they were. She replied the fire truck, street paving, funds left to complete Enterprise rental car contracts, and economic development funds left that have not been utilized.

City Manager Traynham reiterated that all these funds had been approved, mostly with the American Rescue Plan allocation, but the expenditures have not been completed. They were asking for approval to roll the funds over into the current fiscal year.

Motion was made by Councilman Smith, seconded by Mayor Pro Tem Ferebee, and unanimously carried to adopt Ordinance No. 2023.09 in the amount of \$1,262,548.25 to carry over capital funds from FY 2022-2023.

Mayor Pro Tem Ferebee asked if they could receive some detail on some of these items such as for TJ Davis Recreation and Library. Finance Director Johnson replied that the funds for TJ Davis was for the master plan and the remainder was funds left for Enterprise.

City Manager Traynham stated they would prepare an update list for City Council.

**Consideration of Budget Amendment (Federal Treasury Asset Forfeiture)**

Finance Director Johnson presented Ordinance No. 2023.10 for the Federal Treasury Asset Forfeiture and OSC Unauthorized Substance Tax funds the Police Department has received. She reminded City Council that they approved an amendment for \$205,850.19 in the last meeting and now she was asking to allocate all these funds so they can budget for them in the current fiscal year.

**Ordinance No. 2023.10  
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, 2023 and ending June 30, 2024, according to the following schedule:

**SCHEDULE A – PROJECT FUND REVENUES**

Federal Treasury Asset Forfeiture	
<b>Project Revenues – Federal Treasury Asset Forfeiture</b>	<b>\$229,763.27</b>
OSC Unauthorized Substance Tax	
<b>Project Revenues – OSC Unauthorized Substance Tax</b>	<b>\$9,772.98</b>
<b>FUND PROJECT TOTAL</b>	<b><u>\$239,536.25</u></b>

**SECTION 2.** The following additional revenues and reductions in appropriations are available for the fiscal year beginning July 1, 2023 and ending June 30, 2024, in order to meet the foregoing appropriations, according to the following schedule:

**SCHEDULE B – PROJECT FUND EXPENDITURES**

Federal Treasury Asset Forfeiture	
<b>Project Expenditures - Federal Treasury Asset Forfeiture</b>	<b>\$229,763.27</b>
OSC Unauthorized Substance Tax	
<b>Project Expenditures – OSC Unauthorized Substance Tax</b>	<b>\$9,772.98</b>
<b>FUND PROJECT TOTAL</b>	<b><u>\$239,536.25</u></b>

**SECTION 3.** This ordinance shall become effective upon adoption.

Councilwoman Bryant clarified that there were additional funds to the \$205,850.19. Finance Director Johnson replied that was correct. The total is \$239,536.25.

Motion was made by Councilwoman Bryant, seconded by Councilman Smith, and unanimously carried to adopt Ordinance No. 2023.10 in the amount of \$239,536.25 for the Federal Treasury Asset Forfeiture and OSC Unauthorized Substance Tax funds to be added to the FY 2023-2024 budget.

## City Manager's Report

City Manager Traynham announced the August 1, 2023, City Council meeting at 5:30 p.m. is the same night as National Night Out. She recommended either canceling the meeting due to lack of agenda items or moving the meeting start time earlier to allow for participation in that event.

Councilman Smith stated he did not have a problem canceling the August 1<sup>st</sup> meeting, but he believed they needed a called meeting to consider a resolution concerning the Theatre. Attorney Davis said in his counting, from today it would be 29 days before the City Council would have a regular meeting so that would be cutting it close. He said they would need to have a meeting at least on that issue for City Council to accept or reject at some point before August 15<sup>th</sup>.

City Council discussed different dates and moving the meeting start time to 4:30 p.m. on August 1<sup>st</sup>.

Motion was made by Councilwoman Bryant, seconded by Councilman Stainback to keep the same meeting date but meet at 4:30 p.m. instead of 5:30 p.m. Councilman Bryant, Councilman Stainback, Mayor Pro Tem Ferebee and Councilman Daughtry voted in favor; Councilman Smith voted against. Motion carried by a 4-1 vote.

City Manager Traynham stated she did not have any other items to report. She had a few updates she was working on for various projects. City facilities are in full swing with summer activities.

Mayor Doughtie asked City Manager Traynham if she would give City Council a weekly update on City activities via email.

Councilman Smith asked if City Council could get an update on what is happening on the Avenue that Mr. Hurt is doing and if Main Street Director Hall could give update on what he's doing with Main Street.

City Manager Traynham stated she was waiting on some correspondence from Michael Hurt about the status of the McCrory building. He had plans drawn that have to be approved by the State Historic Preservation Office for the tax credit program before he could move forward with filing applications with the City. That tax credit program for the renovation is where it is right now. She reached out to Mr. Hurt a couple of days ago so she will reach out again to get a better timeline or update from him.

Main Street Director Hall reported Main Street had a lot going on although it may be hard to see right now. One of two buildings is almost completely done with their rehab using the rehabilitation money. This is not going as quickly as he would prefer, but Main Street has encouraged the property owners to utilize local people and businesses. So when there are 15-18 businesses trying to use the same three or four people it moves slow.

He said they continue to order benches and planters as needed. The self-watering planters were well received and are working well. They were expensive, but worth it. The merchants have been helpful with keeping up with it too. The completion date is the end of November. This is not as quickly as he would have liked to have seen it, but with so many projects going on they wanted people to do it correctly.

Main Street Director Hall said they have a property that wants to have the last mural to be installed on their building. However, there is an issue with the shared wall of the building. They are working through who owns the wall so they can get permission to place the mural on the wall.

He stated they had a statistics report that is due for the City's downtown area on August 1, 2023. That report will let them know where they fall. By January they should have a more detailed report. He and the City Manager have discussed that once all the projects are completed to give City Council a visual report in January so they can see where they were, where they are and the value all these projects are adding to the individual businesses, but also adding to the City's downtown.

Mayor Doughtie asked Main Street Director Hall if he could look back and give a report on the number of businesses that were here and how many were still open or closed as well as how many buildings were vacant. Main Street Director Hall replied that information was part of the statistics report that will be submitted by August 1<sup>st</sup>. He stated he would be attending the annual Main Street Conference when City Council has their next meeting. He said the state would give that report back to them by December, but he could give them a rough sketch once he gets the report completed. He reported they were not in dire straits as they may think. They are doing okay, but not like he would like to see. In this struggling economy, the merchants are trying hard. As long as everyone can support them, show up, buy what they have and go to their restaurants, the merchants will be grateful. It is like putting money in your own pocket when they support the mom-and-pop stores.

Councilman Smith asked Main Street Director Hall if he was keeping the City Manager informed on the things he was doing and is she okay with the projects they are doing.

Main Street Director Hall replied yes, she is informed and he believes so. If there is an issue, they usually talk about it.

Mayor Doughtie asked if there was any progress being made with the building at the corner of 2<sup>nd</sup> and Roanoke Avenue. Main Street Director Hall replied that Public Works Director Chalker was working on that, but to his knowledge he did not know that they have been able to move any further with that. Mayor Doughtie stated you could almost see it moving. City Manager Traynham added it is in formal process with the unsafe building guidelines the City has to follow and trying to get cooperation with the property owner. The building owner has reached out to her and she needs to call him back. The owner was looking into some funding assistance for demolition. There is some movement, but just not quick movement. The property owner has the only authority right now to do anything with it.

Mayor Doughtie asked if that was the same situation with the building across the street from this one. City Manager Traynham said yes if he was referring to the fire damaged building. Those are the ones that the City is getting close with. They are working with the Minimum Housing Officer that may be able to come to City Council for some action. They also need to see if the City was going to take on any demolition and then they would need to look at where the funding would come from.

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

Finance Director Johnson reported for the period ending June 30, 2023, general fund year to date receipts totaled \$19,222,278.90 which includes the second allocation of the ARPA funds that has already been encumbered. General fund year to date expenditures totaled \$17,808,855.65. As of June 87.2% of the budget has been completed.

She stated during the month of June, the City received the following revenues:

- **Current and Prior Year Ad Valorem**
- **Motor Vehicle Taxes**
- **Sales Tax Revenue**
- **Hold Harmless Revenue**
- **Utility Franchise Tax**
- **Beer & Wine Tax**
- **Residential and Commercial Solid Waste Fees**

She pointed out the City still had revenues to collect for FY 2022-2023. They have not collected the following:

- **Ad Valorem** Tax for June
- **Motor Vehicle** Tax for June
- **Sales & Use** Tax for May & June
- **Hold Harmless** Tax for May & June
- **Residential and Commercial Solid Waste Fees** for June

<b>Closed Session</b>
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Motion was made by Councilman Stainback, seconded by Councilman Daughtry and unanimously carried to go into Closed Session to discuss a Personnel Matter as allowed by NCGS 143-318.11 (a)(6).

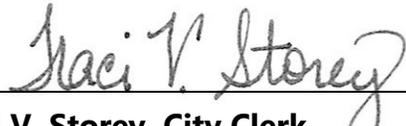
**[Remainder of page intentionally left blank]**

*Minute Book Pages 21365 - 21367 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**

Motion was made by Councilwoman Bryant, seconded by Councilman Smith and unanimously carried to increase the city attorney's pay \$50 per hour more for office work and \$50 per hour more for court work.

There being no further business, motion was made by Councilman Stainback, seconded by Councilman Smith, and unanimously carried to adjourn. The meeting was adjourned at 7:22 p.m.

  
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Traci V. Storey, City Clerk

**Approved by Council Action on: August 15, 2023**