



Minutes of the Roanoke Rapids City Council

A regular meeting of the City Council of the City of Roanoke Rapids was held on **Tuesday, September 3, 2024, at 5:30 p.m.** in the Council Chambers at the Lloyd Andrews City Meeting Hall.

Present: Emery G. Doughtie, Mayor
Sandra W. Bryant, Mayor Pro Tem

W. Keith Bell)
Rex Stainback)
Curtis Strickland)

Council Members

Kelly Traynham, City Manager
Geoffrey Davis, City Attorney
Traci Storey, City Clerk
Carmen Johnson, Finance Director
Christina Caudle, Human Resources Director
Shane Guyant, Police Chief
Kelly Daughtry, Parks & Recreation Director
Larry Chalker, Public Works Director
Jason Patrick, Fire Chief

Absent: Kristyn Anderson, Planning & Development Director

Mayor Doughtie called the meeting to order at 5:30 p.m. He provided an invocation and then the Pledge of Allegiance was recited.

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 Bell, seconded by Mayor Pro Tem Bryant, and unanimously carried to adopt the business agenda as presented.

Public Comment (Scheduled)

Ms. Toni Jernigan – Red Cross

Ms. Jernigan said she had been with the Red Cross for five years, but her journey started when she was a child when her mother would take her to the Methodist Church in her hometown to donate every time they came through. As an adult she got to see many family members and friends who have received blood products. She asked how many people were familiar with all the different divisions of the Red Cross. She was here today about blood drives, but they also do humanitarian services. If you or neighbor's house catches on fire, the Red Cross is there with about \$500 to help get you back on your feet. They have boots on the ground in war torn countries and help with vaccines. When they say you partner with the Red Cross, it's your neighbor, down the road, across the country and around the world.

She reported every two seconds in America a patient will need blood. One in seven patients that go to the hospital will need blood. Patients with cancer, childbirth complications, trauma, sickle-cell, surgery, and transplants. Of those six, she personally knows individuals who have experienced four of those in the past month. It is very personal to her heart to ask the City Council and community to come out to the local blood drive. Blood cannot be manufactured; it can only be donated. You can donate every 56 days. The most common type of blood is O positive and O negative. You do not need to know your blood type to come out and donate. When you donate, you can do whole blood or Power Red. Whole blood is you lay on the bed and donate a pint and go. Power red is a smaller needle and takes about 15 minutes longer. They take the red blood cells, spin it around, take a concentrated amount and give you back your plasma and some fluid. That can save up to six lives.

Ms. Jernigan said patients with sickle cell can use up to 100 pints a year. This blood disease mainly impacts the minority communities. If they are able to donate and have never donated before they ask for you to come out to support the Battle of the Badges with Fire Chief Patrick and Police Chief Guyant on October 1st at Kirkwood Adams. They will also have a follow up drive on October 2nd at The Vault, the old Widows Son Lodge on Roanoke Avenue. If anyone has any questions for fears about donating, she stated she was afraid of needles and still donates every 56 days; she assured them it was not that bad.

Approval of City Council Minutes

Motion was made by Councilman Bell, seconded by Councilman Strickland, and unanimously carried to approve the August 20, 2024, Regular City Council Meeting minutes as drafted.

Committee Appointments

Recreation Advisory Committee

City Clerk Storey stated the terms for Joey Elias, Scott Hall, Ed Liverman and Kirk Wynne (RRGSD Rep) on the Recreation Advisory Committee have expired. She contacted the individuals, and all are interested in serving another term. The four committee members have served the maximum number of two consecutive terms allowed by City policy. Council has the authority – and has done so in the past – to waive this section of the policy.

She said in addition, Matthew Hux has submitted a volunteer application for the Recreation Advisory Committee. Currently, there are two vacancies on the committee and Mr. Hux is eligible to serve.

City Clerk Storey reported City Council took a ballot vote earlier. Mr. Elias, Mr. Hall, Mr. Liverman and Mr. Wynne received a unanimous vote to be reappointed, and Mr. Hux received a unanimous vote to be appointed to the Recreation Advisory Committee.

Motion was made by Councilman Stainback, seconded by Mayor Pro Tem Bryant and unanimously carried to waive the City Policy for Joey Elias, Scott Hall, Ed Liverman and Kirk Wynne and reappoint them to the Recreation Advisory Committee and appoint Matthew Hux to the Recreation Advisory Committee.

Roanoke Canal Commission

City Clerk Storey reported Charles Carter has submitted a volunteer application for the Roanoke Canal Commission. Currently, the City of Roanoke Rapids has one vacancy remaining as a representative for the City and Mr. Carter is eligible to serve. His volunteer application was enclosed in their agenda packets for their review and consideration.

Motion was made by Councilman Stainback, seconded by Councilman Bell and unanimously carried to appoint Charles Carter to the Roanoke Canal Commission.

Old Business

Zoning Map Amendment (rezoning) request from Michael Carroll of Rentco Properties LLC to rezone property along Church and Carter Streets from R-6, Residential to B-3 Commercial District

City Manager Traynham reminded City Council that an application had been

submitted to the Planning Department months ago. On July 16, 2024 the City Council conducted a public hearing and received comments. The public hearing was closed. The information as part of that record in the meeting minutes have been adopted. At this point in time, the order of housekeeping is necessary for City Council to make a final decision on the agenda item. It is up to City Council pleasure to what decision they would like to make. In a legislative rezoning type of decision, a statement of consistency is required under the general statutes for any land use decision. The statement of consistency has no bearing on the outcome of a rezoning decision. Two motions are necessary to properly dispose of this application. One being the adoption of the statement of consistency and the other being for the final decision on the rezoning application.

Attorney Davis reiterated that no matter how City Council votes on the statement of consistency, it does not mean they must approve the rezoning.

City Manager Traynham stated the statement of consistency has to do with policies the City has in its adopted plan and whether or not the request is consistent with those policies. She referred to the statement of consistency on page 6 of 6 which has those policies listed within the statement.

Mayor Doughtie said this was the third time the matter has come before City Council. As advised by Attorney Davis, City Council needs vote on the matter.

Motion was made by Councilman Bell, seconded by Councilman Stainback and unanimously carried to deny the request to be rezoned from R-6 to B-3 and the property remain residential.

Attorney Davis recommended that City Council also make a decision on the Statement of Consistency for the record. Although City Council voted to deny the request, they can still vote to approve the statement of consistency which basically says the application itself followed the procedural requirements and is consistent with those policies set out by the City.

Motion was made by Councilman Strickland, seconded by Councilman Stainback, and unanimously carried to adopt the Statement of Consistency.

New Business

District 2 City Councilmember Vacancy

Mayor Doughtie asked for the two individuals who submitted applications to come forward and tell the Council about themselves and to try to limit it to five minutes.

James Herring

Mr. Herring of 302 Rollingwood Road said he has lived in Roanoke Rapids for 19 years. He moved here in 2005 with his National Guard Unit. He transferred from Virginia to Roanoke Rapids. When he was in Virginia, he was a police officer in Chesterfield County where he was a Lieutenant. He was a Chief Warrant Officer in the Virginia Guard then was subsequently appointed in the NC Guard as Chief Warrant Officer and assigned to the Armory here. He gave a summary of his military career and education. He retired from the US Army in 2022 after 42 years in the military. His two children attended the city schools growing up and are now adults. Neighbors and friends told him about the Council seat vacancy and suggested he apply. He would be happy if City Council saw fit to appoint him to serve the remainder of the vacant Council seat.

Andrew (Andy) Jackson

Mr. Jackson of 1117 Carolina Avenue said he retired as the Deputy Police Chief with the City of Roanoke Rapids after 21 years. He has been employed with Lowe's Home Improvement for 17 years. He worked as a Public Service Officer at Caledonia Prison and left there as a Captain to come to the Roanoke Rapids Police Department. Prior to that he worked at 911. He said he loves his city. He was born and raised here; he's lived here for 61 years. He is devoted to the city of Roanoke Rapids. He likes getting involved. He revamped the midget football program. He was recognized for one of the best National Night Out events in the nation. He loves community watch groups. He thinks they need a safe city which should be the first priority, and the second is a clean city; with that comes prosperity. He believes he can help as a team, and they can clean it up together.

Mayor Doughtie stated the City Council is charged with filling the seat vacated by Mr. Smith. They can move on it at this time or take it under advisement and do it another time.

Attorney Davis advised that City Council could make a motion to appoint someone or to defer action on it.

Motion was made by Councilman Bell, seconded by Councilman Strickland and unanimously carried to appoint Edward Andrew Jackson to fill the remainder of the term of former Councilman Wayne Smith in which he had to resign from.

Consideration of Amendment to Code of Ordinances (Chapter 91 – Animals)

Police Chief Guyant said currently, the City Manager hears the appeals related to Nuisance and Dangerous Animal ordinance violation decisions that are administered by the Chief of Police. As a city manager in a small municipality the very nature of

this position often becomes intimately involved with animal-related complaints. Being the sole decision maker for an appeal does not give an appellant the proper due process deserved. Some jurisdictions across the state leave the appeals process to City Council to hear and render during their meetings, while others create a Municipal Appeals Board. With respect to the amount of work these appeals may cause City Council, it was decided to present an option that allows the City Manager to appoint a three-person City employee Municipal Appeals Board. This board cannot be comprised of any member of the Police Department. The board arrangement would give the appellant a higher level of due process than currently allowed. Furthermore, it would prevent the City Manager from having conflicts in being the sole voice in an animal-related ordinance appeal.

He reviewed the following revisions to the ordinance and noted the changes are in red.

ORDINANCE NO. 2024.24

AN ORDINANCE TO AMEND CHAPTER 91 “ANIMALS” OF THE ROANOKE RAPIDS CITY CODE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROANOKE RAPIDS, NORTH CAROLINA that:

SECTION 1. Section 91.03 be amended to read as follows:

§ 91.03 NUISANCE ANIMALS.

(A) *Prohibited generally; exceptions.* It shall be unlawful to own, keep or harbor a public nuisance animal within the city; provided, however, it shall not be unlawful to own or keep an animal of vicious tendencies for the protection of persons or property if such animal securely confined in a manner not to expose it to the general public and is held in compliance with § [91.14](#) below.

(B) *Complaint and notice.* Upon receipt of a written detailed and signed complaint being made to an Animal Control Officer by any resident or residents that any person is maintaining a public nuisance as defined in § [91.01](#) of this chapter, the Chief of Police, or his or her designee, shall cause the owner of the animal or animals in question to be notified that a complaint has been received and shall cause the situation complained of to be investigated and a report and findings thereon to be reduced to writing by the investigating Animal Control Officer. In addition, an Animal Control Officer may upon independent investigation determine an animal to be a public nuisance, at which time said officer shall prepare and submit to the Chief of Police a written report of his or her investigation, who shall cause the owner of the animal or animals in question to be notified of the investigation.

(C) *Abatement.* If the written findings of the investigating officer indicate that the complaints are justified, then the Chief of Police shall cause the owner or keeper of the animal or animals in question to be so notified in writing, by registered mail, return receipt requested, ordered to abate the nuisance within seven days after notification, and issued a citation for the violation. In the event the owner of the animal or animals is unknown and cannot be ascertained, the notice and order, along with a general description of the animal or animals, shall be published within a local newspaper.

(D) *Impoundment upon failure to abate.* If any person receiving notice in the manner herein above described shall fail or refuse to abate the nuisance upon order of the Chief of Police within the specified time, the Chief of Police may cause the animal or animals in question to be apprehended and impounded in accordance with the provisions of this chapter.

~~(E) *Right of appeal.* Within a seven day period mentioned in division (C) above, the owner of the alleged nuisance animal may appeal the findings of the Chief of Police to the City Manager by giving written notice of appeal to the City Manager. The appeal shall stay the abatement of the nuisance until a final determination is made by the City Manager. The City Manager shall schedule a hearing and make a final determination within ten days of receipt of the notice of appeal.~~

(E) *Right of appeal.* The Chief of Police is to determine whether an animal is a nuisance animal or not. The Chief of Police will notify the owner in writing, giving the reasons for the determination. The owner may appeal the determination by filing written objections with the City Manager's office, with a copy to the Chief of Police, within five business days after receipt of the determination notification. The appeal shall be heard by a Board appointed by the City Manager, or their designee. This Board will consist of three city employees who are not employees of the Police Department. The Board shall schedule a hearing within ten business days of the filing of the written objections. The Board shall render a decision within three business days of the hearing. The decision shall be delivered by personal delivery, electronic mail, or first-class mail mailed to the person requesting the appeal, with a copy to the Chief of Police. Once the time for filing an appeal has expired, or after any appeal has been finally adjudicated in favor of the Chief of Police's determination, the animal shall be deemed a nuisance animal for purposes of this ordinance.

(F) *Redemption; destruction.* If the owner shall so request, the animal or animals may be redeemed upon the condition that the owner execute a written agreement to comply with the abatement order, and upon such other conditions as may be required by the County Animal Shelter. If no redemption and execution is made by the owner within such time as may be required by the County Animal Shelter, then the animal shall be disposed of in accordance with such regulations as may be set forth by the County Animal Shelter.

(1997 Code, § 91.03) (Ord. passed 3-14-1989; Ord. passed 4-13-1999; Ord. 2006-24, passed 6-13-2006) Penalty, see § [91.99](#)

SECTION 2. Section 91.13 be amended to read as follows:

§ 91.13 DANGEROUS ~~DOG OR POTENTIALLY DANGEROUS DOG~~ PROCEDURE. ANIMALS

(A) *Generally.* The determination whether or not ~~such dog~~ **an animal** is dangerous or potentially dangerous, as herein defined, shall be made by the Chief of Police or such alternate hearing official as the Chief of Police may from time to time designate.

(B) *Investigation and preliminary findings.* Upon receipt of a report or complaint that some person owns, keeps or harbors a dangerous or potentially dangerous ~~dog~~ **animal**, as defined herein, or upon independent investigation of an Animal Control Officer, the Chief of Police shall make or cause to make an investigation and on the results of such investigation make a written determination stating that the suspect ~~dog~~ **animal** is or is not a dangerous or potentially dangerous ~~dog~~. **animal**. If it is determined by the Chief of Police that the suspect ~~dog~~ **animal** is dangerous or potentially dangerous, as defined herein, the owner shall be notified in writing by personal service upon the owner by the Chief of Police or his or her designee, or if personal service is not obtained within a reasonable time, by certified mail, return receipt requested, and the written determination shall order compliance with the appropriate provisions of this chapter.

~~(C) *Appeals.* The owner, keeper or harbinger of a dog determined hereby to be dangerous or potentially dangerous or any person bitten or attacked by a dog determined hereby not to be dangerous or the owner of a domestic animal injured by such dog may appeal such determination by providing written notice of appeal to the Chief of Police within three days of the determination. Such appeal shall be calendared for hearing by City Council at their next regular meeting or to be heard by such appeals board as the City Council may, by resolution, appoint to hear such appeals. The rulings by the City Council, or duly appointed appeals board, shall be final, subject only to the right of appeal for a hearing de novo taken to the County Superior Court, to be filed with the County Clerk of Superior Court within ten days of the date of the final determination by the City Council or Appeals Board.~~

(C) *Right of appeal.* The Chief of Police is to determine whether an animal is a dangerous animal or not. The Chief of Police will notify the owner in writing, giving the reasons for the determination. The owner may appeal the determination by filing written objections with the City Manager's office, with a copy to the Chief of Police, within

five business days after receipt of the determination notification. The appeal shall be heard by a Board appointed by the City Manager, or their designee. This Board will consist of three city employees who are not employees of the Police Department. The Board shall schedule a hearing within ten business days of the filing of the written objections. The Board shall render a decision within three business days of the hearing. The decision shall be delivered by personal delivery, electronic mail, or first-class mail mailed to the person requesting the appeal, with a copy to the Chief of Police. Once the time for filing an appeal has expired, or after any appeal has been finally adjudicated in favor of the Chief of Police's determination, the animal shall be deemed a dangerous animal for purposes of this ordinance.

(D) *Registration required.* Any person owning, keeping or harboring a ~~dog~~ **animal** knowing it to be dangerous or potentially dangerous shall register such ~~dog~~ **animal** with the Chief of Police, or his or her designee, within five days of such determination or upon locating such ~~dog~~ **animal** within the city. Any owner, keeper or harbinger of a ~~dog~~ **an animal** suspected of being dangerous or potentially dangerous may voluntarily register such ~~dog~~ **animal** which shall be an admission that the ~~dog~~ **animal** is dangerous or potentially dangerous.

(E) *Permanent identification required.* Each ~~dog~~ **animal** determined to be dangerous or potentially dangerous as provided herein shall be assigned by the Chief of Police, or his or her designee, a permanent registration number, which shall be affixed to the ~~dog~~ **animal** by permanent identification tag or some other means by or at the expense of the owner of the ~~dog~~ **animal**. It shall be unlawful for any person to remove or tamper with such identification tag once assigned and affixed.

(F) *Exclusions.* The provisions of this section shall not apply to:

- 1) A ~~dog~~ **An animal** being used by a law enforcement officer to carry out the law enforcement officer's official duties;
- 2) A ~~dog~~ **An animal** being used in a lawful hunt;
- 3) A ~~dog~~ **An animal** where the injury or damage inflicted by the ~~dog~~ **animal** was sustained by a domestic animal while the ~~dog~~ **animal** was working as a hunting ~~dog~~ **animal**, herding ~~dog~~ **animal** or predator control ~~dog~~ **animal** on the property of or under the control of its owner or keeper, and the damage or injury was to a species or type of domestic animal appropriate to the work of the ~~dog~~ **animal**; or
- 4) A ~~dog~~ **An animal** where the injury inflicted by the ~~dog~~ **animal** was sustained by a person, who at the time of the injury, was committing a willful trespass or other tort, was tormenting, abusing or assaulting the ~~dog~~ **animal**, had tormented, abused, or assaulted the ~~dog~~ **animal**, or was committing or attempting to commit a crime.

(1997 Code, § 91.13) (Ord. passed 4-13-1999; Ord. 2006-24, passed 6-13-2006) Penalty, see § [91.99](#)

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

Emery G. Doughtie, Mayor

Councilman Bell asked what the normal number of occurrences they have with dangerous animals in a month.

City Manager Traynham replied from her experience in receiving appeals, usually she would get 3-4 per year. It seems like they happen all at one time. She thanked Animal Control Officer Pete Wilson. He goes above and beyond and always provides a thorough packet of information. She stated reviewing the appeal is a lot of work so

being able to designate a committee will be significantly helpful.

Chief Guyant stated when dealing with someone's animals, it is always hyper-extended. There have not been that many since he has been the police chief but being such a small municipality, things get around and get heard. It does not give the appellant much of an honest due process as a board configuration would.

Mayor Doughtie stated one reason the City does not have more than a few cases per year is because of Mr. Wilson. He can calm a situation down or escalate to what needs to be done to solve a situation. He does a very good job.

Motion was made by Mayor Pro Tem Bryant, seconded by Councilman Stainback and unanimously carried to adopt Ordinance No. 2024.24 amending the Roanoke Rapids Code of Ordinances.

Consideration of RRGSD Crossing Guard Services Proposal

City Manager Traynham stated as described in their agenda packet, the Police Department has received a lot of complaints last week specifically about not having traffic control at Belmont Elementary School in the morning and afternoon hours. The Roanoke Rapids Graded School District (RRGSD) retains school crossing guards through the City's Police Department through off-duty solutions where officers sign up for off-duty shifts. There are three shifts: one at Chaloner, one at Belmont and one at Manning.

She said the conversation they are stepping into has been newly introduced; there are still some questions that need to be answered. It is not the City's intention to not have safe crossings. They all can agree that the priority for entry and egress out of the schools for parents, families, children is to be safe and convenient. There have been various reasons why officers have not been present but that is not what they intend. The other night she was approached by the school administration about a proposal that had been presented as an idea last spring. This idea was to contract for crossing guard services. The school administration has solicited the City's interest in splitting that cost, which is an average of \$58,000 per year or \$28,000 per agency. The school administration seeks the City's consideration in sharing the costs for the crossing guard services. There are other alternatives that are present and suggested by the Police Chief in addition to their services. The general statutes allowing the Police Chief to appoint traffic control officers is an option as well. The RRGSD proposal that was received last week has been provided to Council for their consideration. The proposal contains information about those services. The school crossing guards would be present, and the scheduling services would be coordinated through the school district.

Councilman Strickland asked if the lack of crossing guards is due to the lack of funding or lack of labor.

City Manager Traynham replied the RRGSD funds the off-duty officers for their presence. Some of the off-duty shift assignments have either not been picked up or for various reasons have not been covered. It is paid for by the RRGSD.

Councilman Strickland questioned whether the funding of those services was in the RRGSD budget for this year. She replied to the best of her knowledge; she has reviewed their budget.

Councilman Bell asked if this was the first the City had received the RRGSD request; it wasn't received earlier this year. Normally, school budgets are supposed to be presented to the school superintendent and then the central office presents it to the school board no later than January since it must be enacted by July. He believes in supporting the schools, but he looks at this time period and it has been 2-3 months. It would have been nice to know this earlier because the City has a budget too.

City Manager Traynham agreed. She said staff had a meeting on April 10th to discuss some ideas. This was shared by the RRGSD staff. She and Chief Guyant also shared some NCDOT resources to implement and some of those recommendations and actions have moved forward. Since the April 10th meeting, there has not been any follow up about this Cross Safe proposal until a phone call the other day. She received it electronically Wednesday evening.

Mayor Doughtie asked if this was the first year that this has been a problem or issue with the positions being filled on a timely basis.

Chief Guyant replied when he became police chief, they had many vacant positions and were losing people. They had to make some serious decisions. One of those decisions was to freeze a lot of positions. They went from a 7-man squad to a 6-man squad. This particular department seems snakebit with getting injured all the time, so they really haven't had a 6-man squad the entire time. They are lucky sometimes to have four people working the shift. When you have four people tied up doing three schools, it is impossible. They made the decision. They already had the process with the RRGSD about paying officers off-duty to handle the morning and afternoon school traffic. Officers are tired so when they are off, they want to be off. They don't want to come in in the morning and afternoon to do school traffic. That money may be appealing to some, but some would rather have their time off. That is what they have chosen, and they have the right to make that choice. He did not feel right to make them come out to work school traffic. They asked some of the retired officers to come

out and handled some of the schools last year. They do not have to come in if they do not want to. If they sign up that is saying they agree to do this. They've had some situations where officers have just not signed up. They had situations where officers signed up, but got sick or something happened, and they could not make it. They had to cover the best they could. On the way to cover school traffic, they get calls for service. They agree there needs to be some kind of traffic regulations, especially at Belmont.

He said they introduced a program through NCDOT to the RRGSD. The school superintendent, other members of the school system, himself and NCDOT have been meeting all summer long with this revamped plan to handle traffic at Belmont. That plan has come to its final stages and will be introduced next week on Monday or Tuesday. NCDOT is going to pay for most, if not all of that revamping. It cannot be done with the snap of your fingers. They are doing the best they can to cover this. Since this happened last week, they've had some of the officers come out to cover this; they have sacrificed their days off. They are doing it because he has asked them to and trying to do the best they can for the safety of the kids. They recognize the number one thing is that these children crossing the streets and cars entering the parking lots will be safe. They want to do that. All across the state of NC there are school crossing guards. NCDOT has a plan on their website on how to do that. There is a general statute that gives him permission to do that. He made a social media outlet last week and he's had at least 7-8 people contact him and they would love to do it and get involved. The Roanoke Valley Rescue Squad really wants to help. He asked that all options be considered. The plan enclosed in their agenda packet is from an organization out of Charlotte; it's a great plan, but it's expensive. The options they have given the RRGSD are a little cheaper and a lot less of a burden on the City and RRGSD. There are different options they have given them; they haven't closed the door.

Chief Guyant reported the meeting the RRGSD had with them last spring wanting to discuss this option with Charlotte was fine, but they were meeting at a time when they had already started planning budgets and could not have included this in there. They feel there are so many options out there that could be considered. They are doing the best they can to make this work, but they cannot continue on this pace throughout the entire school year. It is going to come a time when the rubber band cannot stretch any further. They want a long-term solution. The solution the RRGSD has proposed with the organization out of Charlotte is a long-term solution. Asking members of the community to step up to get paid for those same particular services is an option as well. They want to do what is right. They want to be clear that they do not want anyone to get hurt. He has seen many municipalities have a school crossing guard option that has worked very well for them. He has talked with people that

previously worked here and there used to be crossing guards in Roanoke Rapids. Somehow, the police department got put in the middle of that. He did not know how or when that happened. They have reached the point where they cannot be stretched anymore. They are completely unable to provide it with a working daytime shift so they have reconfigured some schedules to allow people to go home in the really early morning hours so they can come back out in the afternoon. It has been a struggle for them to make this work.

Mayor Doughtie said he believes he speaks for the City Council that nobody say anything derogatory about the police officers because they are stretched very thin. He appreciates having the police take that back.

Attorney Davis said for these off-duty assignments, there is nobody at the Police Department or the City that can go to the police officers who have worked a full shift and tell them that they want them to pick up this off-duty assignment. He believes most people know that. This week and last week are the first time as city attorney that the matter of crossing guards has been brought forward to him. Understanding the way the system works; he was surprised they had not gotten to this point earlier. One of the interesting things about one of Chief Guyant's solutions is the general statute that allows the employment of traffic control officers. Under that scenario, the chief of police has the authority to designate someone a traffic control officer. There are some requirements that must be complied with, training requirements and basic, relatively minimal hoops to jump through. From a liability standpoint that he likes as city attorney is the chief of police can designate someone as a traffic control officer who is not one of the City's employees. He has not heard from the RRGSD attorney, but he suspects there are some concerns from school personnel about having one of their employees in the street directing traffic. He can understand that on some level. This statute gives the authority to designate somebody regardless of how they are getting paid or who they are employed by. It actually has specific language in the statute which says: a traffic control officer shall not be deemed to be an agent or employee of the respective local or county police department. That gives them the authority to direct traffic without the City having to cover retirement, workman's comp and all the financial expenditures they would have to make as a city employing someone.

He encouraged City Council to consider options to help solve this problem because nobody wants a child to get injured. He stated from a legal standpoint, it is not the City's responsibility. In his legal opinion is the school's responsibility. There is no obligation for the City to solve this problem for the RRGSD and there is no obligation for the City to spend money to solve the problem, although the City is able to do that. In the past there has been questions on whether the city is authorized to spend

taxpayer's dollars on certain things. That is an important question to ask in local government, and he encourages people to do that because of the Machinery Act. This Act is where the city's taxing and levying authority comes from and puts real limitations on what local governments can do. It would be fine if City Council chooses to say they need these positions funded and create some positions for school crossing guards, fund them and treat them like their employees. They could also say to the RRGSD that they understand their need and want to help with this and assist them with funding it; the Machinery Act allows that.

Attorney Davis said the proposal enclosed in their agenda packet, regardless of how the costs were shared, that is with a third party so workman's comp and those potential liability concerns as when they have an employee are not there. That is one of the nice things about having a third-party contracting firm.

Mayor Pro Tem Bryant stated as a parent and a mother, she wants to make sure the children get to school safely. She also read where each school has an assigned School Resource Officer (SRO) that is paid by the school and certified by the police department, but the school prohibits these SROs from helping with the school traffic. If that was just a local city school policy, she would think that is something the RRGSD should look at first in her opinion. They already have a certified officer at each school. Unless that is a state mandated ruling.

Mayor Doughtie said he would believe at the time children were entering or leaving school, is probably when that SRO would be busier than any other time of the day. As the police chief said, they were fortunate enough to make some changes in the police department and they got some new officers in. But in doing that, to get his budget where he needed it to be, he had to make some cuts. From a financial standpoint, even though they were short of personnel for this particular activity, it probably freed up some dollars. At the same time, he knows they were able raise salaries on some of their police officers too; it may not be as much as it looked like it might have been. He agrees with Mayor Pro Tem Bryant that they do not want to do anything to minimize safety at any of the schools.

Councilman Stainback agrees with the mayor that the safety of the kids is 100% the reason they were talking about this. Looking back over the years the police department did school traffic forever. Years ago, they did not have the call volume and crime that they have now. He fully understands that if they are working with four officers on the street and with the call volume they have today, there is no way the officers can be expected to work at three different schools twice a day. With that said, the city attorney said the City was not legally responsible for doing it, but most people in Roanoke Rapids expect the police officers to work school traffic. He feels like they

are still obligated to do it. He thinks they can manage crossing guards better than the school can. He thinks they can do it cheaper than \$40.50 per hour. His first thought when he read the proposal and was adding it all up, was they need to somebody out there as soon as possible who is dependable every day. That is a must, the school or the city or them together, they need to do that. He also thought they should go ahead and do this and maybe in January they would come together to see what they can work out for next August. He thinks they can do it cheaper than this, but he did not know if they could throw it together quick enough to make it work. He asked if they knew what the turnaround time would be to get people on their feet if this company was hired.

City Manager Traynham stated this was the RRGSD's proposal so any questions may be answered by them.

Mayor Doughtie asked if someone from the RRGSD would answer the question.

Julie Thompson, School Superintendent said she appreciated City Council entertaining this discussion. Everyone at the RRGSD agrees that the children's safety was the highest priority. The RRGSD has been thankful for the decades long partnership that they've had with the Roanoke Rapids Police Department. They have also received many concerns about the fact the police officers were not there as they had come to expect them to be. They did notice this came up as an issue last year which is why they asked for a meeting with the city manager and Chief Guyant. The rate they are paying the police officers now is \$45 per hour and that amount is in their budget. By the time the fees come in for this company it does bring it in a little bit over the price point they had. When they brought in the proposal, they did ask to split the funding as they believe it will take a burden off the police officers in their off-duty capacity. If they could have the off-duty officers continue to do it, they would love to do that. He thinks there is something powerful in seeing the Roanoke Rapids police officers there in their uniforms with the blue lights flashing on the cars. They looked back to see when the RRGSD started paying off-duty officers and it appears it was in the 2012-2013 school year. Prior to that she believed it was something the police department did. Again, money doesn't grow on trees for any of them. So, if there was a way that on-duty officers could cover when off-duty officers were not covering that would be great for the RRGSD too. The proposal before them just came as a compromise for both the RRGSD and the City.

She addressed Mayor Pro Tem Bryant's question about the SROs covering. The SROs all have duty assignments closer to the front door. There is a greater risk of people who come into the building that aren't supposed to be there so they want the SRO right there to protect safety in that capacity. Officer Jeff Hinton, former chief, has

been the running point on this and has talked again to make sure the numbers were in line with what it would be if they were to move forward with this proposal. The company will get going as soon as they can. The RRGSD believes in continuous improvement just like they do. If they could get to the point that Chief Guyant had given last week. They do not feel they are prepared to move forward with that idea. They do need something, especially at Belmont. They will meet on Monday to hear the final proposal from NCDOT with school staff, Chief Guyant and City Manager Traynham. They still have children crossing Bolling Road and that hill is there. She stated everybody has a cell phone and unfortunately too many times cell phones are in people's hands while they are driving. She did not think anyone wants to be responsible for a child or an adult crossing the street to get hit. She asked City Council to give consideration to this plan for all of them to work together because together they succeed.

Councilman Strickland asked if it was an option to do it in-house with custodian or maintenance staff or teacher assistant who is already at school there with a perk to their pay for working those hours.

Ms. Thompson said during that time all staff have their specific duties. It really goes back to safety. Prior to her becoming school superintendent, there were some paid school crossing guards and a lady at Belmont did get hit twice. She did not feel comfortable with taking someone who had signed on to be a custodian or a teacher's assistant and putting them in traffic. She thinks they need a greater level of training than the RRGSD can provide. The liability that the city attorney mentioned is one of the reasons why they did look for an outside company as an alternative. If they were to go with the proposal that Chief Guyant mentioned last week, she believes both the RRGSD board attorney and Attorney Davis will need to talk because of liability insurance so they can make sure they are all covered if they are trying to cover their employees again. Again, prior to her becoming superintendent she understands a student was hit at Belmont not long after it opened. They also had a child hit behind Manning Elementary, so these are very real concerns for them as they are trying to protect the kids. There is a general statute that says that the state of NC does not transport children on buses unless they live 1.5 miles or more away from school. The RRGSD board has been gracious with funds they have been given and they do elementary hardship requests between 1 mile and 1.5 miles, but there are still many children that live less than 1 mile away from the schools and will be crossing the street.

Mayor Doughtie asked if they would enter into an agreement like this would there be an annual renewal or how would that work. Ms. Thompson replied if the City is willing to partner with the RRGSD and the City wants a one-year contract, then that is where

they will start.

Attorney Davis added that would depend on how they paper it such as a memorandum of understanding. He and City Manager Traynham have already discussed how that agreement would need to be made. If that was the case, it would come before City Council for approval. Like other interlocal agreements or MOUs they have with other local agencies would have a renewal provision that would address that.

Mayor Pro Tem Bryant confirmed with Ms. Thompson that they have a meeting scheduled on Monday. Ms. Thompson replied that was correct. The closeout for the Belmont project with NCDOT. This is to help with the traffic que issues. Parents are bringing kids to school at Belmont and at high volume times traffic can be in the que but be out on Bolling Road. The point of that study has been for the engineers and architects at the NCDOT to make recommendations. Since Bolling Road is a state-maintained highway, apparently there is some money they can tap into to help improve the que and fix that. This issue is about children crossing the street. From the meetings she has sat in, none of the recommendations that have been discussed or the plans they have created are going to address children getting safely across Bolling Road in the mornings or afternoons.

Mayor Pro Tem Bryant said she remembered when ordinary citizens were responsible for getting students across Highway 158. Councilman Stainback added that they did a super job too.

Ms. Thompson stated if that is the direction they need to go in the future that is a great idea to bring folks back, but it is just not the way they have been doing it and they are not prepared to switch tomorrow to that kind of plan. If they can get this covered either through the off-duty or on-duty police officers or going with this company, then that is something they can talk about as a more long-range plan. They need get people in and get them trained and make sure the liability for either the City or the RRGSD is hashed out. The current structure they've had with the off-duty officers being paid has been in place since at least 2012 and paid through the City in their regular job before that.

Councilman Strickland asked what would be the plan between now and take off time if the City would agree to this plan. Ms. Thompson replied from their end they will continue to do the same thing which is to ask the police department to reach out if they cannot cover shifts so they can communicate with the families. They are thankful for the retired police officers because they filled a need last year. One just came back from vacation today and he has been a godsend in terms of filling those spots.

Councilman Strickland asked what she means by saying if an officer is not available, she would contact the families. Ms. Thompson said they would get on the phone and call the officers, and they've come. Some of the officers are parents at the schools.

Councilman Bell asked if they considered contacting Halifax County Sheriff's Department or Weldon for their off-duty officers or part-time officers who may be interested in assisting. Ms. Thompson said the RRGSD hasn't but maybe that was because they were operating off the general statutes that talk about the City being responsible for the sidewalks and streets and their partnership with the police department.

Councilman Bell said he was thinking that with Weldon and Roanoke Rapids being within Halifax County and if the law allows it, then they could possibly find sufficient people who live near the city and could do the additional training. He asked if that could be a consideration.

Chief Guyant said he spoke with Sheriff Davis, and they have vacant SROs in their own schools in the county. So, a lot of that is being back filled to make sure the county schools are being taken care of. They've had that conversation. He stated that until a plan is reached the police department will continue to tweak the schedule to make sure somebody is there. It is an undo burden on the off-duty officers, but he has told them he needed them to step up. They are doing it, but they are not going to do it forever. Everybody loves their day off. He is trying to respect that, and the officers have stepped up and doing what they need to do. Everyone understands and agrees that the safety of the kids is number one. He added unfortunately, Weldon does not have the capability to help at all.

Attorney Davis said from a jurisdictional standpoint, it could be easily resolved. There may be some minimal paperwork. For a Weldon police officer where they currently do not have jurisdiction in the city of Roanoke Rapids it would be relatively trivial to solve. A Halifax County deputy has jurisdiction throughout the county.

Attorney Davis asked if this proposal had been approved by the RRGSD board yet. Ms. Thompson replied no. Attorney Davis asked if had gone before their board or had they discussed it. She replied they would next week.

Mayor Doughtie stated he feels that time is of the essence here. The police department is doing everything they can but as Chief Guyant said, it is putting a strain on the officers. He said it was for \$28,000, but it is not in the City's budget. He did not want it on his conscience that the lack of the City Council was instrumental in someone getting hurt. It is not a long-term obligation.

Mayor Pro Tem Bryant said with the understanding that the City would commit to do this for one year and continue to work with the police department, NCDOT and others to come up with some other alternatives, she would be willing to make that motion. Councilman Bell seconded the motion.

Councilman Strickland asked if she was speaking about the remainder of the school year. Mayor Pro Tem Bryant said that was correct.

Mayor Doughtie asked Attorney Davis if this motion passes, he assumed this contract would be subject to his review. He replied absolutely and there still needs to be a memorandum of understanding executed between the City and RRGSD as far as the payment and other things. In his thinking, the City is agreeing to pay the RRGSD a sum of money, the RRGSD is the ones contracting with the third party. The City is contracting with the RRGSD to help them compensate that third party. As far as the contract with this company, what he was hearing is between the RRGSD and the third-party company. The City's agreement and what he believes the motion is that the City Council is expressing their willingness to cover half the cost of that for this school year. He said a budget ordinance would need to be approved, and he would draft a contract.

Finance Director Johnson stated to be fiscally responsible she would like to know what the RRGSD has budgeted already for the off-duty officers. Ms. Thompson said she did not have that number with me.

Attorney Davis reminded City Council that there was a motion on the floor.

Councilman Stainback asked Mayor Pro Tem Bryant to amend her motion to include it be contingent on the RRGSD meeting them halfway since they have not met about it yet; the City would pay half if the RRGSD agreed to pay half.

Mayor Pro Tem Bryant stated that was her understanding when she made the motion, but she would be happy to amend the motion.

Motion was made by Mayor Pro Tem Bryant to allow \$28,026 towards payment of officers off-time/overtime from the Roanoke Rapids Department to assist with the RRGSD patrols officers for this upcoming school year and based on the fact that the RRGSD would also be responsible for contributing at least \$28,026 or 50% of whatever the cost is.

Attorney Davis said this is a school crossing guard services proposal. He suggested a motion would be in the event the RRGSD enters into this proposal that City Council

would agree, subject to a forthcoming budget amendment, to contribute \$28,026 to help fund that contract. Mayor Pro Tem Bryant added she wanted to stipulate it would be for this school year. She is hoping they will be able to work out something else starting next year.

Councilman Stainback suggested that this amount be prorated when this Cross Safe Schools group starts work.

Motion was made by Mayor Pro Tem Bryant to rescind her previous motion until after the RRGSD board has met next week to discuss their part and then get back with the City so they can further discuss and move forward at the next scheduled meeting.

Attorney Davis stated that obviously this is an issue of concern for both the RRGSD and for city administration. By Mayor Pro Tem Bryant's amended motion to table until the next Council meeting, it will allow the RRGSD board to have their meeting to present and discuss the proposal, and then City Council will have the benefit of consideration by both sides. This is a matter for Council and they are interested in considering the proposal. That is more than enough direction to them that it needs to be their priority.

Mayor Doughtie called for a second to the Mayor Pro Tem Bryant's motion to rescind her previous motion. Councilman Bell seconded the motion. All voted in favor; motion carried.

City Manager's Report

City Manager Traynham added that the matter they were previously discussing is a community public concern especially when it involves their students and children. She reminded City Council of the diagram from their retreat that showed the problem in the middle with the spokes of the wheel of people that could help with the problem. In this particular case, the public safety concern, real or perceived, is something that should be important to all of them and there is not one solution. It is a problem that is going to require citizens and drivers to pay attention, community education and people knowing when to stop in the road for pedestrians. There are a lot of other things that need to happen at the same time. If the school district decides to contract with this company but that is not going to solve the driver behavior issues and things like that. They all have a part and responsibility to do their own and be considerate of each other in the name of public safety. As a parent, she allows her children to walk to school sometimes and it is a big lesson on personal accountability as well as watching out and not assuming what other people are going to do. Everyone has their part to do, it is not just the city's or school district's obligation to fix.

She reported last week the independent auditors were on site. There may be a few recommendations that will come before City Council at the next meeting. The Fire Department is wearing their lime green shirts during the month of September to increase awareness for Lymphoma and in memory of late Battalion Chief Kevin Hawkins for the fourth consecutive year. The library is partnering with the Daughters of the American Revolution to have a special display from September 16-23 for Constitution Week. They will also have a Scavenger Hunt in September where participants can look for a scarecrow and if they find all of them, they will get a prize. Lights in the TJ Davis gyms have been updated to LED; some were by donations. Recreation staff is working to improve and clear the Canal Trail for the upcoming high school cross country meets and the Canal 5k which will be held September 21st. She stated the Christmas Parade is traditionally the first Sunday in December, but this year the first Sunday falls on Thanksgiving weekend so the Christmas Parade will be held the second Sunday. Logistically with parades across the state, they run into issues of float availability and things such as that; staff are doing the best they can to secure that.

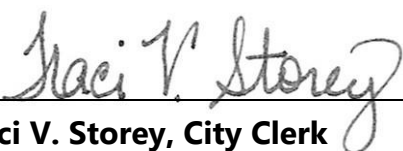
She reported under Planning & Development, Planet Fitness has submitted upfit plans for the property located at 1630 E. 10th Street (former Just Save grocery store). There are several steps in between that and potentially opening. The Bowling Alley has made some alterations and is rearranging their parking lot to accommodate them.

Public Works staff has been deployed in the last couple of weeks to the limb yard to free up capacity in preparation for upcoming leaf season.

She announced the Twilight Festival will be held Friday, September 20th. This year the event will be confined to the Centennial Park block area. Kirkwood Adams will be the backup location in case of inclement weather. Cookies with a Cop will be held at Chick-fil-A on Tuesday, September 10th from 5 – 7 p.m.

Adjournment

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



Traci V. Storey, City Clerk

Approved by Council Action on: September 17, 2024