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**Roanoke Rapids City Council**

**September 11, 2012**

The regular meeting of the City Council of the City of Roanoke Rapids was held on the above date at 7:00 p.m. at the Lloyd Andrews City Meeting Hall.

 Emery G. Doughtie, Mayor

 Carl Ferebee, Mayor Pro Tem

 Ernest C. Bobbitt)

 Suetta S. Scarbrough)

 Greg Lawson)

Carol H. Cowen)

 Joseph Scherer, MPA, MS, City Manager

 Lisa B. Vincent, MMC, City Clerk

 Gilbert Chichester, City Attorney

Mayor Doughtie called the meeting to order and opened the meeting with prayer.

***Adoption of Business Agenda***

Mayor Doughtie called Council’s attention to the Conflict of Interest statement in the agenda packet.

With no one indicating a conflict of interest with any of the items on the agenda, motion was made by Councilwoman Scarbrough to adopt the business agenda for September 11, 2012 with an amendment to table Item 8 (a) “*Final Decision Concerning a Request from Blair Investors, LLC for a Special Use Permit to Install a Wireless Communications Tower”.* Councilman Bobbitt seconded the motion.

Upon being put to a vote, Councilwoman Scarbrough, Councilwoman Cowen and Councilman Bobbitt voted in favor of the motion. Mayor Pro Tem Ferebee and Councilman Lawson voted against the motion. Mayor Doughtie declared the motion carried by a 3 to 2 vote.

***Special Recognition: Presentation of Intermediate Law Enforcement Certificate***

Interim Police Chief Hinton recognized Sergeant Mike Moseley for obtaining the Intermediate Law Enforcement Certificate from the Training & Standards Division of the North Carolina Department of Justice. He presented a framed copy to Sergeant Moseley.

***Special Recognition: Boy Scouts from Troop 144***

Mayor Doughtie recognized Justin and Jarrett Snipes from Boy Scout Troop 144. He stated they are working on obtaining the citizenship in the community badge. He thanked them for their service to the community.

***Public Comment (Unscheduled): Corine Banks of Committed Hearts, Inc.***

Ms. Corine Banks of 704 Ransome Circle, Weldon, NC stated Committed Hearts is a non-profit organization whose sole purpose is to give back to the community. She stated their mission is

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to serve the citizens of Halifax and Northampton Counties with financial assistance by reimbursing the cost of prescription medicine and helping cover the copayments for doctor visits. Ms. Banks stated they are always looking for volunteers and donations. She mentioned some upcoming fundraising events.

Mayor Pro Tem Ferebee stated he does plan to support this organization.

***Approval of Council Minutes***

Motion was made by Councilman Bobbitt, seconded by Mayor Pro Tem Ferebee and unanimously carried to approve Council Minutes dated August 7, 2012 (Work Session) and August 14, 2012 (Regular Meeting).

***City Council Appointments: (1) Beautification Committee; (2) Senior Center Advisory Committee and (3) Recreation Advisory Committee***

Ballot votes were taken and the Clerk announced that Joyce Tillery, Steve Holliday and Becky Malcolm each received the unanimous vote for appointment to the Beautification Committee; Arizona Putney received the unanimous vote for appointment to the Senior Center Advisory Committee and Doug Miller received the unanimous vote for appointment to the Recreation Advisory Committee.

Motion was made by Councilwoman Cowen, seconded by Mayor Pro Tem Ferebee and unanimously carried to appoint: Joyce Tillery, Steve Holliday and Becky Malcolm to the Beautification Committee; Arizona Putney to the Senior Center Advisory Committee and Doug Miller to the Recreation Advisory Committee.

***Public Hearing: Proposed Application for the 2012 Community Development Block Grant – NC Catalyst Program***

Planning & Development Director Lasky reviewed the following staff report with Council:

**MEMORANDUM**

TO: Joseph Scherer, City Manager

FROM: Kelly Lasky, Planning & Development Director/s/

DATE: August 29, 2012

**RE: PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A PROPOSED APPLICATION FOR THE 2012 COMMUNITY DEVELOPMENT BLOCK GRANT – NC CATALYST**

**Background**

The North Carolina Division of Community Investment and Assistance recently opened the application window for the FY 2012 CDBG Funding under Title I of the Housing & Community Development Act program. The program requires that the applicant conduct two (2) public hearings to receive comment regarding the proposed application. This will be the first public hearing to receive comments from citizens concerning the priorities for the community development and housing and economic development needs of the City.

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Several categories of funding are available including a “Catalyst” category that would allow the City to continue innovative housing redevelopment activities in the designated Historic District. These activities are also consistent with the City’s Memorandum of Agreement (MOA) with the State Historic Preservation Office to promote efforts for restoration of houses in the Henry Street Revitalization Area. The MOA suggests standards for new construction in the area, i.e. it should be compatible in size, scale, design and material to the existing historic structures within the Rosemary Mill Village neighborhood.

The primary purpose of the Catalyst Program is to provide grants to local governments to develop viable communities by providing decent housing, a suitable living environment and expending economic opportunities, principally for persons of low and moderate-income. Eligible housing activities for this grant include single family and multi-family, rehabilitation, acquisition, demolition, clearance, relocation, substantial rehabilitation, replacement housing and emergency repairs. Eligible special projects can include public facilities such as transitional housing, senior centers, neighborhood recreation areas, and parks.

If the City chooses to pursue a $500,000 CDBG Catalyst application, a second public hearing will need to be held in October. The Catalyst application deadline is October 31, 2012.

**Requested Action**

1. Open and conduct the public hearing to receive public comments concerning a possible grant application to the 2012 CDBG Funding under Title I of the Housing & Community Development Act.

2. Receive comments from the public.

3. Motion to close the public hearing concerning a possible grant application to the 2012 CDBG Funding under Title I of the Housing & Community Development Act.

Ms. Lasky pointed out that Holland Consulting Planners will be preparing the grant application.

A public hearing having been advertised and proper notices having been given according to law, Mayor Doughtie opened the public hearing for comments.

There being no one to speak, Mayor Doughtie declared the public hearing closed.

***Asbestos Abatement Contract Award for the Henry Street CDBG Project***

Planning & Development Director Lasky reviewed the following staff report with Council:

**MEMORANDUM**

TO: Joseph Scherer, City Manager

FROM: Kelly Lasky, Planning & Development Director/s/

DATE: September 11, 2012

**RE: ASBESTOS ABATEMENT SERVICES CONTRACT AWARD FOR THE HENRY STREET CDBG- CONTINGENCY PROJECT**

**Background**

The City of Roanoke Rapids received funding for a Contingency Economic Recovery (ER) Community Development Block Grant (CDBG), which is locally known as the Henry Street CDBG Project. The City will require qualified contractors to perform asbestos removal work to be funded through the Henry Street CDBG program.

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The notice to bidders for asbestos abatement services was published on August 24, 2012 in the *Roanoke Rapids Daily Herald* and was directly sent to twelve (12) contractors.

Contractors were requested to submit sealed bids for the removal of asbestos from residential structures located at Henry Street Properties 1001, 1007, 1009, 1015, 1017 & 925.

Six (6) bids for asbestos abatement and removal were received during the bid opening on Friday, September 7, 2012. Tabulated lump sum bid amounts ranged from $20,550 (lowest) up to $59,150 (highest).

A final bid tabulation form outlining the results is attached.

**Staff Recommendation**

The Planning & Development Department recommends awarding the asbestos removal contract for the Henry Street CDBG-Contingency Project to the lowest qualified bidder, **Carolina Lead Abatement**, who submitted the lowest lump sum bid, tabulated at $20,550, for the removal of asbestos at 1001, 1007, 1009, 1015, 1017 and 925 Henry Street.

**FINAL BID TABULATION FORM**

**ASBESTOS ABATEMENT**

**PROJECT: Roanoke Rapids FY2011 CDBG-CONTINGENCY BID OPENING DATE: September 7, 2012**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **CASE****FILE #** | **ADDRESS** | **ACTUAL LUMP SUM BID****(TABULATED)** | **CONTRACTOR** | **RECOMMENDED****AWARD (√)** | **COMMENTS** |
| 1,4,5,8,9 & 11 | 1001, 1007, 1009, 1015, 1017 & 925 Henry StreetRoanoke Rapids, NC | $ 24,600 | Clean Air Environmental |  | Carolina Lead Abatement was lowest lump sum bidder. |
| $ 59,150 | East Coast Demo |  |
| $ 53,665 | EME Industrial |  |
| $ 20,550 | Carolina Lead Abatement | √ |
| $ 33,900 | Enviro Assessments East |  |
| $ 35,400 | Eastern Environmental |  |

Mayor Doughtie asked about the company’s liability insurance.

Ms. Lasky stated the insurance has been verified.

Motion was made by Councilman Bobbitt, seconded by Councilman Lawson and unanimously carried to award the asbestos abatement contract for the Henry Street CDBG-Contingency Project to Carolina Lead Abatement, the lowest qualified bidder who submitted the lowest lump sum bid of $20,550 for the removal of asbestos at 1001, 1007, 1009, 1015, 1017 and 925 Henry Street.

***Demolition and Lot Clearance Contract Award for Henry Street CDBG Project***

Planning & Development Director Lasky reviewed the following staff report with Council:

**MEMORANDUM**

TO: Joseph Scherer, City Manager

FROM: Kelly Lasky, Planning & Development Director/s/

DATE: September 11, 2012

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**RE: DEMOLITION AND LOT CLEARANCE CONTRACT AWARD FOR THE HENRY STREET CDBG- CONTINGENCY PROJECT**

**Background**

The City of Roanoke Rapids received funding for a Contingency Economic Recovery (ER) Community Development Block Grant (CDBG), which is locally known as the Henry Street CDBG Project. The City will require qualified contractors to perform demolition and lot clearance work to be funded through the Henry Street CDBG program.

The notice to bidders for demolition and lot clearance was published on August 24, 2012 in the *Roanoke Rapids Daily Herald* and was directly sent to twelve (12) contractors.

Contractors were requested to submit sealed bids for demolition and lot clearance work for residential structures located at Henry Street Properties 1001, 1007, 1009, 1015, 1017 & 925.

Four (4) bids for demolition and lot clearance were received during the bid opening on Friday, September 7, 2012. Tabulated lump sum bid amounts ranged from $36,000 (lowest) up to $46,500 (highest).

A final bid tabulation form outlining the results is attached.

**Staff Recommendation**

The Planning & Development Department recommends awarding the demolition and lot clearance contract for the Henry Street CDBG-Contingency Project to the lowest qualified bidder, **Carlton Belfield**, who submitted the lowest lump sum bid, tabulated at $36,000, for the demolition and lot clearance of properties at 1001, 1007, 1009, 1015, 1017 and 925 Henry Street.

**FINAL BID TABULATION FORM**

**DEMOLITION AND LOT CLEARANCE**

**PROJECT: Roanoke Rapids FY2011 CDBG-CONTINGENCY BID OPENING DATE: September 7, 2012**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **CASE****FILE #** | **ADDRESS** | **ACTUAL LUMP SUM BID****(TABULATED)** | **CONTRACTOR** | **RECOMMENDED****AWARD (√)** | **COMMENTS** |
| 1,4,5,8,9 & 11 | 1001, 1007, 1009, 1015, 1017 & 925 Henry StreetRoanoke Rapids, NC | $ 36,265.20 | Lyon’s Excavation |  | Carlton Belfield was lowest lump sum bidder. |
| $ 36,000.00 | Carlton Belfield | √ |
| $ 38,450.00 | Eastern Environmental |  |
| $ 46,500.00 | East Coast Demo |  |

Motion was made by Councilman Lawson, seconded by Councilman Bobbitt and unanimously carried to award the demolition and lot clearance contract for the Henry Street CDBG-Contingency Project to Carlton Belfield, the lowest qualified bidder who submitted the lowest lump sum bid of $36,000 for the demolition and lot clearance of properties at 1001, 1007, 1009, 1015, 1017 and 925 Henry Street.

***Consideration of Resolution Transferring Properties to the Roanoke Rapids Housing Authority as Part of the Vine Street CDBG Project***

Planning & Development Director Lasky asked that Council table this item until the October 9 meeting.

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Mayor Pro Tem Ferebee asked the reason for tabling this matter.

Ms. Lasky explained that they are in the process of transferring the deeds to meet the intent of the grant program but some of the documents are not quite ready.

Motion was made by Councilman Lawson, seconded by Councilman Bobbitt and unanimously carried to table this item until the October 9 regular meeting.

***Consideration of Grant Project Ordinance for Roanoke Rapids FY 2011 CDBG-SBEA Project***

Finance Director Hite stated the City received official notification on June 25, 2012 of the award of $250,000 in CDBG-SBEA funds for the White’s Auto Expansion Project at 175 Old Farm Road. She pointed out that no local funds are required for this project.

Mayor Doughtie asked Ms. Hite to explain the benefits of this project to the community.

Ms. Hite indicated that White’s Auto currently employs 41 full-time people and when this project is complete, 10 additional full-time jobs will be created.

Motion was made by Councilman Bobbitt, seconded by Councilwoman Cowen and unanimously carried to adopt the following ordinance:

**CITY OF ROANOKE RAPIDS**

**CDBG – 2011 Small Business and Entrepreneurial Assistance**

**Grant Number 11-C-2337**

**PROJECT ORDINANCE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROANOKE RAPIDS, NORTH CAROLINA** that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, this project ordinance is hereby adopted:

**Section 1.** The project authorized is the White’s Auto Expansion Project. This project involves the expansion of the existing operations of White’s Auto located at 175 Old Farm Road, Roanoke Rapids, North Carolina. White’s currently employs 41 full-time people and has committed to create an additional 10 new jobs.

**Section 2.** The City of Roanoke Rapids staff is hereby directed to proceed with the project pursuant to the agreement and the rules and regulations of the NC Department of Commerce.

**Section 3.** The following revenues and resources are anticipated to be available to complete the project activities:

 CDBG Funds $ 250,000

 **Total Project Resources $ 250,000**

**Section 4.** The following amounts are appropriated for the project activities:

 Rehab of Commercial Building $ 225,000

 Planning $ 5,000

 Administration $ 20,000

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 **Total Project Appropriation $ 250,000**

**Section 5.** The Finance Director is hereby directed to maintain within the Project Fund sufficient specific detailed accounting records to provide the accounting to the NC Department of Commerce as required by the grant agreement.

**Section 6.** The City Manager shall be authorized to reallocate appropriations within the various line items of this project as he deems necessary.

**Section 7.** The Finance Director is directed to include a detailed analysis of past and future costs and revenues of this project in every budget submission made to this Council.

**Section 8.** Copies of this project ordinance shall be made available to the Finance Director for direction in carrying out this project.

**ADOPTED** this 11th day of September, 2012.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Emery G. Doughtie, Mayor

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Lisa B. Vincent, City Clerk

***Consideration of Amendment to Chapter 92 “Cemeteries”, Section 92.15 (C) “Funerals and Interments” of the Roanoke Rapids City Code***

Public Works Director Chalker stated the requested amendment would allow us to regulate the use of vaults for burials in Cedarwood Cemetery. He indicated that we currently do not specifically mention vaults in our ordinance. Mr. Chalker stated adopting this amendment would give us more stability in the area of burials.

Councilman Bobbitt asked Mr. Chalker if we have had any burials without a vault.

Mr. Chalker stated yes. He stated about 50% of the time vaults are not used.

Mayor Doughtie asked what other municipalities require.

Mr. Chalker stated he polled a group of cemeteries that we occasionally poll: Tarboro, Wilson, Henderson, Rocky Mount and Ahoskie. He stated all but one requires vaults and all require a casket. Mr. Chalker stated he also polled the local funeral directors and they are all in support of this amendment.

Motion was made by Councilman Lawson, seconded by Councilman Bobbitt and unanimously carried to adopt the following ordinance:

**AN ORDINANCE TO AMEND CHAPTER 92 “CEMETERIES” OF THE ROANOKE RAPIDS CITY CODE.**

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

**SECTION 1.** Section 92.15 (C) be amended to read as follows:

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 (C) All graves shall be dug and interments made in a manner prescribed by the City. The depth of each grave shall not be less than four (4) feet. Remains are to be enclosed in a vault or in an urn. No interment shall be permitted except when the remains are encased in a vault or in an urn. No wooden liners or wooden vaults will be permitted. An urn vault is required only with any urn made of wood or other biodegradable material. Any vault or urn

used must be approved by the Cemetery Supervisor or Public Works Director, and must meet industry standards of acceptability.

**SECTION 2.** This ordinance shall become effective upon adoption.

***City Manager Reports***

City Manager Scherer stated before he begins, the Mayor has something he wants to announce. He yielded the floor to Mayor Doughtie.

Mayor Doughtie indicated that we have a local bank that heard about something that has concerned him throughout the year. He stated he is pleased to announce that we will have a Christmas Parade this year. He stated CCB has agreed to help tremendously with the financing of the parade. Mayor Doughtie stated Ms. Pat Croisetiere expended a lot of time over the last several years coordinating the parade but her group was unable to participate this year. He stated coordinating the parade is an enormous task, and we needed someone special to be the point person. He stated he spoke with the City Manager about this, and they both felt that since John Simeon did such a good job running the Theatre, he should be in charge of the parade. Mayor Doughtie thanked John for his service to the community and indicated his gratitude would be even greater in December.

City Manager Scherer recognized the efforts of the Police Department yesterday. He explained that when officers tried to serve a warrant, the suspect barricaded himself in his residence with three small children. He praised the efforts of Major Hathaway and the Special Response Team for their work. He stated Detective Sergeant Hardy was able to negotiate with the suspect and get him to surrender without incident.

City Manager Scherer stated we received a request today from the group that is leasing the Theatre to change the name of the facility to the Royal Palace Theatre. He stated the lease provides for the tenant to change the name of the theatre subject to approval of the landlord and the landlord’s lender. Mr. Scherer stated we have discussed this with Bank of America and they have given their approval. He stated unless City Council has any objections, he will inform the tenants that they can proceed with the renaming.

Mayor Pro Tem Ferebee asked if there are any other theatres with the same name. He expressed concern about possible liability.

City Manager Scherer stated we did find one in New Hampshire and one in Utah. He stated he spoke with City Attorney Chichester about this and he indicated that any trademark concerns would fall on the lessee.

City Manager Scherer stated he has been meeting with several local and regional officials to introduce himself and establish relationships to benefit the City.

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City Manager Scherer reported that the Disaster Recovery Center opened last Friday at the Jo Story Senior Center. He stated the Center was open again on Saturday and will remain open until this Thursday. He indicated that the Public Works Department compiled a list of damaged City infrastructure that currently amounts to $500,000, which is anticipated to increase. Mr. Scherer stated we should receive reimbursement of about 75% of the cost. He reported that we have been notified by the State that they still owe us $220,000 from the public damage from Hurricane Irene and last year’s tornado. Mr. Scherer stated the major infrastructure damage was on Franklin Street and Smoot Drive. He stated the repair of Franklin Street is ahead of schedule and barring any weather delays, should be completed sometime next week. He stated the Public Works Department continues to utilize the storm drain camera to view the lines, and they also continue to clean out ditches to improve the water flow.

City Manager Scherer reported that the Parks & Recreation Department compiled a list of damages to their facilities but those repair costs will not be reimbursed by the State. He stated we are trying to contact State Representatives and Agencies to see if there are any grants available. He pointed out that our insurance carrier has been notified of the damages and is reviewing the claims. Mr. Scherer indicated that there is probably not much that will be covered but we are asking our agent to get us a new insurance quote that includes flood insurance.

Mayor Pro Tem Ferebee asked about the damage at the Hodgestown Day Care Center and the Chaloner Recreation Center.

City Manager Scherer stated there was about $54,000 worth of damage at the Chaloner Recreation Center.

Mayor Pro Tem Ferebee asked about possible help from the Federal Government. He stated the Public Works Department has done a good job with the ditches and streams but there are some things outside the department’s realm that appears to be an issue.

City Manager Scherer stated it has been difficult determining who has responsibility in those areas—us, the County or someone else.

Mayor Doughtie thanked those that went to the damaged areas and helped so many of our citizens that were in need. He stated many are still uncertain as to what type of assistance they will receive. Mayor Doughtie stated we, as a City, will continue to do our best to prevent harmful situations and also strive to coordinate emergency efforts for events that are out of our control.

There being no further business, motion was made by Councilman Bobbitt, seconded by Councilman Lawson and unanimously carried to adjourn.

 

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