**17204**

**Roanoke Rapids City Council**

**April 1, 2014**

The regular meeting of the City Council of the City of Roanoke Rapids was held on the above date at 5:15 p.m. at the Lloyd Andrews City Meeting Hall.

Emery G. Doughtie, Mayor

Carl Ferebee, Mayor Pro Tem

Ernest C. Bobbitt)

Suetta S. Scarbrough)

Carol H. Cowen)

Wayne Smith)

Joseph Scherer, MPA, MS, City Manager

Lisa B. Vincent, MMC, City Clerk

Gilbert Chichester, City Attorney

Kathy Kearney, Deputy City Clerk/Human Resources Manager

MeLinda Hite, Finance Director

Tommy Hathaway, Police Chief

John Simeon, Parks & Recreation Director

Larry Chalker, Public Works Director

Kelly Lasky, Planning & Development Director

Stacy Coggins, Fire Chief

Christina Caudle, Main Street/Development Director

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

With no one indicating a conflict of interest with any of the items on the agenda, motion was made by ­­­­­­­­­­­Councilwoman Scarbrough, seconded by Mayor Pro Tem Ferebee and unanimously carried to adopt the business agenda for April 1, 2014.

Motion was made by Mayor Pro Tem Ferebee, seconded by Councilman Bobbitt and unanimously carried to approve the March 18, 2014 Council Minutes.

A ballot vote was taken and the Clerk announced that Henry Ford received the unanimous vote for appointment to the Planning Board/Board of Adjustment and Sandra Fleming received the unanimous vote for appointment to the Senior Center Advisory Committee.

Motion was made by Councilwoman Cowen, seconded by Councilman Bobbitt and unanimously carried to appoint Henry Ford to the Planning Board/Board of Adjustment and Sandra Fleming to the Senior Center Advisory Committee.

**17205**

**Roanoke Rapids City Council**

**April 1, 2014**

Public Works Director Chalker explained that our current reimbursement agreement with NCDOT has expired. He stated we use this agreement so the State can draft Powell Bill allocations for various projects such as traffic marking, sidewalk projects, etc. He stated the Finance Director has reviewed and approved this agreement.

Councilman Bobbitt stated this is something we do each year.

Public Works Director Chalker stated that is correct.

Motion was made by Councilwoman Cowen, seconded by Councilman Bobbitt and unanimously carried to approve the following agreement and authorize the Mayor and Clerk to execute same:

NORTH CAROLINA **REIMBURSEMENT (POWELL BILL) AGREEMENT**

HALIFAX COUNTY DATE: 1/9/2014

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

AND WBS Element: 36248.425

CITY OF ROANOKE RAPIDS

**THIS AGREEMENT** is made and entered into on the last day executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the “Department” and the City of Roanoke Rapids, hereinafter referred to as the “Municipality”.

**W I T N E S S E T H:**

**WHEREAS,** the Municipality is eligible under the provisions by the General Statutes of North Carolina, Section 136-41.2 to receive the funds provided for in General Statute 136-41.1; and

**WHEREAS,** the Municipality has requested, in accordance with the provisions of General Statute 136-41.3, the Department to perform certain construction, maintenance, or improvement work on non-system streets within the Municipality; and

**WHEREAS,** the parties to this Agreement have approved the construction of said Project with cost participation and responsibilities for the Project as hereinafter set out.

**NOW, THEREFORE,** the parties hereto, each in consideration of the promises and undertakings of the other as herein provided, do hereby covenant and agree, each with the other, as follows:

**SCOPE OF PROJECT**

1. The Project consists of reimbursement to NCDOT through Powell Bill for work performed at the request of the City of Roanoke Rapids as needed.

**PHASES OF THE WORK**

2. The Department shall be responsible for phases of the Project which include planning, design, right of way, utilities, construction and contract administration. All work shall be done in accordance with departmental standards, specifications, policies and procedures.

**17206**

**Roanoke Rapids City Council**

**April 1, 2014**

**FUNDING**

3. The Municipality shall reimbursement the Department one hundred percent (100%) of the actual cost, including administrative costs, of the work performed by the Department and associated with said work. All work shall be charged against the Powell Bill number assigned to the Municipality. The Municipality shall reimburse the Department for said costs from the Municipality’s Powell funds as follows:

A. On a monthly basis, the Department shall submit an itemized invoice to the Municipality for cost incurred. Billing will be based upon the contract unit cost and actual quantities used.

B. Payment shall be received within sixty (60) days of invoicing by the Department. In accordance with General Statutes 147-86.1, 147-86.21 and 105-241.1 (I), the Department shall charge interest on any unpaid balance from the date the account receivable was due until it is paid.

C. In the event the Municipality fails for any reason to pay the Department in accordance with the provisions for payment hereinabove provided, the City hereby authorizes the Department to withhold so much of the Municipality’s share of funds allocated to said City by the General Statutes of North Carolina, Section 136-41.1, until such time as the Department has received payment in full.

**MAINTENANCE**

4. Upon completion of the work, the Municipality shall assume all maintenance and liability responsibilities for the non-system streets within the City limits.

**ADDITIONAL PROVISIONS**

5. To the extent authorized by state and federal claims statutes, each party shall be responsible for its respective actions under the terms of this agreement and save harmless the other party from any claims arising as a result of such actions.

6. Each of the parties covenants that if it enters into any subcontracts in order to perform any of its obligations under this contract, it shall require that the contractors and their subcontractors comply with the requirements of N.C. Gen. Stat. Article 2 of Chapter 64. In this E-Verify Compliance section, the words contractors, subcontractors, and comply shall have the meanings intended by N.C. Gen. Stat. § 160A-20.1.

By Executive Order 24, issued by Governor Perdue, and N.C.G.S. § 133-32, it is unlawful for any vendor or contractor (i.e., architect, bidder, contractor, constructions manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor’s Cabinet Agencies (i.e., Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation, and the Office of the Governor).

**IT IS UNDERSTOOD AND AGREED** that the approval of the Project by the Department is subject to the conditions

of this Agreement and that no expenditure of funds on the part of the Department will be made until the terms of this Agreement have been complied with on the part of the Municipality.

**IN WITNESS WHEREOF,** this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

L.S. ATTEST: CITY OF ROANOKE RAPIDS

BY: BY:

TITLE: TITLE:

**17207**

**Roanoke Rapids City Council**

**April 1, 2014**

DATE: DATE:

“N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.”

Approved by of the City of Roanoke Rapids as attested to by the signature of , Clerk of the on

(Date).

This Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

(FINANCE OFFICER)

Federal Tax Identification Number

Remittance Address:

City of Roanoke Rapids

DEPARTMENT OF TRANSPORTATION

BY:

(CHIEF ENGINEER)

DATE:

PRESENTED TO THE BOARD OF TRANSPORTATION ITEM O:

Finance Director Hite stated the lease agreement between the City and County is to secure two offices located at City Hall for use by the Magistrates of Halifax County. She explained that the term of the lease is for one year which will start on July 1, 2014, and the annual lease payment is $3,740.00. She stated the City pays for all utilities with the exception of telephones.

Councilman Bobbitt asked about the cost of utilities for these two offices.

Finance Director Hite stated it would be hard to say as the cost is part of the City Hall bill.

Motion was made by Councilman Bobbitt, seconded by Councilman Smith and unanimously carried to approve the following Lease Agreement with Halifax County and authorize the City Manager to execute same:

**17208**

**Roanoke Rapids City Council**

**April 1, 2014**

**LEASE AGREEMENT**

The City of Roanoke Rapids The County of Halifax

P. O. Box 38 P. O. Box 38

Roanoke Rapids, NC 27870 Halifax, NC 27839

This **Lease Agreement** made this **1st** day of **July, 2014,** by and between **The City of Roanoke Rapids** of Halifax County, North Carolina, hereinafter designated as **“Lessor”,** and **The County of Halifax** of Halifax County, North Carolina, hereinafter designated as **“Lessee”.** This Lease will be for the term of **one (1) year, starting on the 1st day of July, 2014.** The Lessee shall pay the Lessor as rental for said premises the sum of **Thirty-Seven Hundred and Forty Dollars ($3,740.00)** per year in equal monthly payments of **Three Hundred Eleven Dollars and Sixty-Seven Cents ($311.67) by the 10th of each month** for the said period of **twelve (12) months.** This Lease is binding for period of Lease and consists of **two (2) magistrate offices located at 1040 Roanoke Avenue** in Roanoke Rapids, NC. Lessor agrees to furnish to the Lessee, as part of the consideration of this Lease, the following services and utilities to the satisfaction of the Lessee:

A. Heating facilities, air conditioning facilities, electrical facilities, adequate lighting

fixtures and sockets, hot and cold water facilities, and adequate toilet facilities.

B. Janitorial services and supplies. Maintenance of lawns, paved areas and disposal

of trash.

C. All utilities except telephone.

D. Parking (off street).

E. Meet OSHA requirements.

F. All billing and mail will be to: The City of Roanoke Rapids

P. O. Box 38

Roanoke Rapids, NC 27870

(252) 533-2840

This Lease may be cancelled by either party by giving **thirty (30) days** written notice.

Lessee Lessor

Witnessed Witnessed

Approved as to Form and Legality

County Attorney

Public Works Director Chalker stated we received a request from a neighbor of ours at City Hall--Hairstyles Unlimited at 11 E. Eleventh Street--for one handicap parking space. He explained that a large portion of their clientele is elderly and they really need this handicap parking space. He stated the Police Chief has reviewed and supports this request.

**17209**

**Roanoke Rapids City Council**

**April 1, 2014**

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

**AN ORDINANCE TO AMEND THE TRAFFIC CODE OF THE CITY OF ROANOKE RAPIDS, NORTH CAROLINA.**

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

**SECTION 1.** The Roanoke Rapids Traffic Code is amended to designate one (1) handicap parking space on the south side of E. Eleventh Street starting at one (1) foot from the alley toward Roanoke Avenue.

**SECTION 2.** This Ordinance shall become effective upon the installation of the appropriate signage.

Police Chief Hathaway stated the subject of beekeeping was discussed at the last meeting and a draft ordinance was prepared for discussion this evening. He reported that several hours before the meeting, new information came to light regarding one provision which was taken from the model ordinance we used from the Town of Dallas. Police Chief Hathaway requested that this matter be tabled until the next meeting.

City Manager Scherer stated the draft talks about inspections and we were informed late this afternoon that inspections are only required for commercial beekeeping operations. He stated staff welcomes comments on what has been drafted.

Councilwoman Scarbrough stated she grew up in a town in Georgia about the size of Roanoke Rapids. She stated they had a big backyard and her dad had about four hives. She stated she has no problem with this at all.

Councilman Smith asked if we need to have a public hearing.

City Manager Scherer stated a public hearing is not required. He suggested Council table this item until the next meeting for staff to make the needed changes, and to give the community time to review and comment.

Mayor Pro Tem Ferebee asked if the maximum number based on lot size is consistent with other ordinances.

Police Chief Hathaway stated yes.

Mayor Pro Tem Ferebee asked if staff had received any input on this.

Police Chief Hathaway stated he has not heard any objections.

City Manager Scherer pointed out that Mr. Matt Stevens, County Extension Agent, has provided input on the draft.

**17210**

**Roanoke Rapids City Council**

**April 1, 2014**

Motion was made by Councilman Bobbitt, seconded by Councilwoman Scarbrough and unanimously carried to table this item until the April 15 meeting.

City Manager Scherer recognized the Fire Department for the quick response to a house fire at 1037 Vance Street. He stated they were able to keep the fire from spreading. He stated the Fire Department is also planning to burn three houses later this month for training purposes, and would welcome folks to come out and observe. City Manager Scherer stated the Fire Department is taking the lead to coordinate with other agencies to implement a child safety seat program.

City Manager Scherer reported that because of the warmer weather, there has been an uptick in criminal activity. He reported on several break-ins and a shooting. He stated due to the quick action of the Police Department, they have a suspect in custody.

City Manager Scherer reported that the CSX railroad crossing work has begun. He stated crews will be working at Carolina Avenue, Georgia Avenue, Virginia Avenue and Marshall Street tomorrow.

City Manager Scherer stated staff is working on next year’s budget. He stated department heads have turned in their departmental drafts and we are waiting on other information such as the estimated increase in health insurance and the League’s revenue projections. City Manager Scherer stated he is not optimistic about the revenue projections, and anticipates another tight budget.

City Manager Scherer reported that there will be a “meet & greet” event for new Main Street/Development Director Christina Caudle on Thursday from 5:00 to 6:00 p.m. at The 1020 Restaurant & Pub. He also reported that RABA is soliciting applications for their façade improvement program and also planning a fundraiser (Seafood & Shag Festival) for May 30 at Centennial Park.

City Manager Scherer reported that Petsense will hold a ribbon cutting this Saturday at 9:00 a.m.

City Manager Scherer reported on a meeting he and County officials had with the owner of the former WestPoint Stevens property regarding a public-private partnership to market the property.

City Manager Scherer reported on a meeting with DOT and other regional and local agencies to coordinate response for the Black Caucus march to be held this Saturday. He stated a meeting will be held with some of the group’s members on Thursday morning.

City Manager Scherer reported that the Parks & Recreation Department will hold a baseball tournament next weekend. He stated there will also be Easter egg hunts held next Saturday at

**17211**

**Roanoke Rapids City Council**

**April 1, 2014**

9:00 a.m. at the T. J. Davis Recreation Center and at 10:00 a.m. at the Chaloner Recreation Center.

City Manager Scherer reported that Public Works Director Chalker has instituted our badge security system at City Hall and all Council members should have been issued a badge. He asked that members check to make sure the badges work as the key pads will not be operational after next week.

Mayor Doughtie stated he and Lauren stopped by Petsense today. He stated they have done a lot of work on the building. He stated they plan to open for business tomorrow with the ribbon cutting and grand opening to be held on Saturday.

There being no further business, motion was made by Mayor Pro Tem Ferebee, seconded by Councilman Bobbitt and unanimously carried to adjourn.



April 15, 2014