



Minutes of the Roanoke Rapids City Council

A Special Meeting of the City Council of the City of Roanoke Rapids was held on **June 28, 2018 at 5:15 p.m.** in the Council Chambers at the Lloyd Andrews City Meeting Hall.

Present: Emery G. Doughtie, Mayor
Carl Ferebee, Mayor Pro Tem
Ernest C. Bobbitt)
Suetta S. Scarbrough)
Carol H. Cowen)
Wayne Smith)

Council Members

Joseph Scherer, MPA, MS, City Manager
Gilbert Chichester, City Attorney
Traci Storey, City Clerk
Leigh Etheridge, Finance Officer
Bobby Martin, Police Captain
Larry Chalker, Public Works Director

Mayor Doughtie called the meeting to order and gave an invocation.

Adoption of Business Agenda

Motion was made by Councilwoman Cowen, seconded by Councilman Bobbitt and unanimously carried to adopt the business agenda for June 28, 2018 as presented.

New Business

Consideration of the Sale and Financing Conditions Offered by Thomas McLean and Evon McLean

City Manager Scherer reported after further discussions with the representative for the McLean's, the proposed purchasers of the Roanoke Rapids Theatre property, we have reached an agreement to finalize the purchase contract and set an anticipated closing date of July 23rd. There are no changes to the original purchase offer of \$3M for the property. We will apply their entire deposit of \$150,000 toward the purchase price.

We are satisfied with the financial arrangements the purchasers have made for the property acquisition and both parties are ready to move forward and execute the contract. The buyers have begun to coordinate with their contracted vendors for their venue business plan. The City is prepared to transfer the property to the purchasers and provide them with facility transition assistance, such as sound and lighting systems, communications, security and internet systems as well as physical plant operations. It is the City's intention to make the transition as seamless as possible and help position the purchasers for success in their efforts.

Subject to your questions, we request City Council consider a motion to approve the sale and financing conditions offered by Thomas and Evon McLean for the purchase of the Roanoke Rapids Theatre property.

Councilman Smith asked if the Attorney Chichester had any comments. Attorney Chichester stated he and the City Manager feel like they have worked out a favorable transition of this matter under the circumstances. He said the Council has been very concerned about it and has been very patient and they appreciate their concern and patience. They feel the agreement they have at the present time will go through to a completion and it is in the best interest of the City.

Mayor Pro Tem Ferebee asked if they were looking at July 23rd and the current contract goes through to July 30th so if July 23rd did not happen and July 30th did not happen, would the deposit be the City's deposit. Attorney Chichester replied either one of two ways. The last amendment (third amendment) to the contract provided for the buyers to start paying \$5,000 per week to the City if they did not go through with the contract. He said if they did not go through with the contract the City would get the \$5,000 per week forfeited from the \$150,000. If they did not close because they were not able to secure financing, which he believed they could, then they would not forfeit the \$150,000 because that was a condition in the contract.

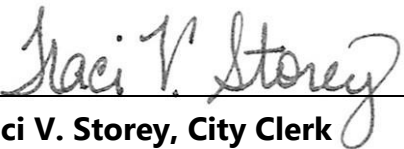
Mayor Pro Tem Ferebee asked if they could not get the financing, they would not forfeit. Attorney Chichester stated they would not forfeit the \$150,000 but would forfeit the \$5,000 per week during the time that was in force. Mayor Pro Tem Ferebee stated that had already started.

Mayor Doughtie added that if they did not close on July 23rd, they were still within the realm of the \$5,000 per week which would be about 6-7 weeks of that 8 week period; we're not extending past July 30th.

With no further questions from Council, motion was made by Councilman Smith, seconded by Councilman Bobbitt to approve the sale and financing conditions offered by Thomas McLean and Evon McLean. Councilman Smith, Councilman Bobbitt, Councilwoman Cowen and Councilwoman Scarbrough voted in favor of the motion, Mayor Pro Tem voted against. Motion carried with a 4-1 vote.

Adjournment

There being no further business, motion was made by Councilman Smith, seconded by Councilwoman Scarbrough and unanimously carried to adjourn. The meeting adjourned at 5:25 p.m.



Traci V. Storey, City Clerk

Approved by Council Action on: July 10, 2018