



Minutes of the Roanoke Rapids City Council

A regular meeting of the City Council of the City of Roanoke Rapids was held on **Tuesday, February 20, 2024, at 5:30 p.m.** in the Council Chambers at the Lloyd Andrews City Meeting Hall.

Present: Emery G. Doughtie, Mayor

W. Keith Bell)
Sandra W. Bryant)
Rex Stainback)
Curtis Strickland)

Council Members

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

Absent: Wayne Smith, Mayor Pro Tem
Tony Hall, Main Street Development Director
Kristyn Anderson, Interim Planning 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 Stainback, seconded by Councilwoman Bryant, and unanimously carried to adopt the business agenda as presented.

Special Recognitions

Public Works Department (Retirement of Walter Johnson)

Public Works Director Chalker recognized former Safety Coordinator & Inspector Walter Johnson who retired November 30, 2023 who had over 31 years of very faithful and successful service to the City of Roanoke Rapids. Mr. Johnson was originally hired on August 31, 1992. He transferred from Planning to Public Works on September 26, 2011. Public Works Director Chalker stated any task they gave Mr. Johnson to do, they never had to check behind him because he was always very thorough. Mr. Johnson was presented with a clock plaque.

Mr. Johnson thanked City Council and stated the City had been good to him for 31 years.

Mayor Doughtie said they appreciated his service to the community and wished him a long, prosperous and good retirement.

Public Comment (Unscheduled)

Jan Morgan

Ms. Morgan said she wanted to speak about the abandoned building (201-203 Roanoke Avenue). She did some research and looked up the LLC and who the agent was. There is only that property under the LLC, however that person has another LLC with 31 properties in it. Maybe they only have \$400 in that LLC because that is all they put in it. She also looked into when the property was acquired, and it was acquired for \$0; it was a gift to them. The person who owns it is an upstanding and well-known member of the community and does not have real limited resources. On the contrary, apparently, they have quite comfortable resources. She said the taxes on the building have not been paid this year yet of over \$1,000.

She wondered if the citizens of the community were comfortable letting every other taxpayer pay their bills for the property they were given. She asked if the City does this, and they have to do something because it is a hazard, does the City at least get the title of the property after it's done. The property won't be worth jack compared to what it's going to cost. When she saw that it was very disconcerting to her that someone would totally advocate any of their financial responsibility, but ready to take any property for free if given to them. Do they get any relief and shame on them.

Attorney Davis stated they would cover some of those questions later in the meeting.

Approval of City Council Minutes

Motion was made by Councilwoman Bryant, seconded by Councilman Bell, and unanimously carried to approve the February 6, 2024 Regular City Council Meeting and February 7, 2024 Special Meeting (Retreat) minutes as drafted.

New Business

Hearing for Unsafe Building Order (201-203 Roanoke Avenue)

Minimum Housing Officer Roger Bell stated he basically had the same presentation as in the last meeting, but he did have a few new photos to show them. (*PowerPoint presentation on file in Clerk's Office*). He proceeded to make his presentation showing the new photos of the current condition of the building. He called attention to a few new activities on the timeline. On February 14, 2024, the City received certified mail return receipt notification that the corporate entity was notified of this hearing. On February 15th, the City received the signed Memorandum of Understanding that Attorney Davis will discuss.

Mayor Doughtie opened the hearing.

Diane Norton asked if the City takes down the building will it affect the building next to it.

City Manager Traynham replied adoption of the order gives the City the authority to move forward and do a complete examination of what it will take. At this point they do not know if there is any existing damage to the adjacent property. If the City moves forward with a contractor to help remediate this danger, they do not want to cause any additional damage. The order presented through Ordinance No. 2024.05 allows the City to move forward with a full examination and develop a plan including searching for other resources that would contribute to the removal of the unsafe conditions of the property.

Attorney Davis said the state of this property may have some effect on the adjacent property. Regardless of whether the City lets its stand there until it falls down or goes forward with the ordinance and try to remediate it, the fact that it has been allowed to deteriorate and may have caused some damage to the property. Just because the City goes in to try and remediate that is not going to make them liable for the damage that was already incurred. If there is an effort to take the building down, they document, as it is revealed, any damage to the other building and discuss with the impacted landowners to make sure there is no question that it was damage the City

caused. He said it was a concern, but it is something they will not know until its done.

City Manager Traynham added the City has to follow the NC General Statutes for any lien that would go against the property as far as how they can lawfully place any liens on other properties owned by the same landowner. If CR1017 only owns one property in Roanoke Rapids, that is the only property the City can lawfully attach any lien to. The City will need to look at this very carefully; this is not the typical demolition. It is a very large building at a very busy intersection. The ordinance presented will give the City the authority to move forward to understanding the costs. The City does not have the cost budgeted right now. They would come back to City Council after it is bid out to see what it would take to demolish and then ask City Council for the money. This is one step in the procedural outline to remediate the threat.

Attorney Davis stated if City Council approves the order today, it does not obligate City employees to go in and start tearing the building down. It is the first step. It would be an order of abatement on it. Because the building is located on a state-maintained highway, they have NCDOT implicated in it. There is the potential for asbestos contamination so there would be those experts involved. There will be several folks that will get involved as this process works out to get it taken down. This is the step the City needs to take so they can start having those conversations.

Attorney Davis reported the landowner (LLC) was notified of this hearing through their attorney. He said he prepared a Memorandum of Understanding (MOU) that the LLC has entered into, and a copy was enclosed in their packets, and he sent an email to them last week. Essentially what the MOU does is outline what they already said the law was. The City was not granting anything new to them. The exchange of putting it in writing is the owner consented to waive any objection to notice issues or any other things that could come up that could potentially delay this process from the City's end. That was the goal of the MOU. If they did not have that, they would eventually get to the same place, but it could delay it by several months or the owner could throw some hurdles to jump. Having that in writing and having that consent, they can move past all that. As far as nobody being here today, they agreed in writing on February 15, 2024, that the building is in such a dilapidated state of disrepair or other substandard condition as to be dangerous to life, health, or other property. That it is in violation of the City's ordinances and acknowledge that if the City does have to go in and demolish the building, the City will put a lien against the property for the value of the costs to City. The owner also waives any objection in respect to notice and procedural requirements. He explained he could envision different scenarios that an owner could do to contest the matter and delay the process to drag out for months. The MOU does not place any new obligation onto the City that wasn't already there or alter or reduce the owner's liability under law with respect to liens placed on the

property.

Attorney Davis stated as City Manager Traynham said earlier, the law only allows the City to go after the landowner. The owner in this case is CR1017, LLC. If they do not have any other property, there is nothing else by law the City can touch. They cannot go after shareholders or other corporations the shareholders may be partners in. The liability is going to be limited to the LLC.

Mayor Doughtie confirmed after the City gets an estimate on remediating the building, they would need a budget ordinance if the City was going to spend money to do it. City Manager Traynham acknowledged that was correct.

Mayor Doughtie asked if the City gets to that point and provides the funds for demolition, would they get some details about the building next to it prior to demolition or wait and see what happens. Attorney Davis replied he believes the contractors that would be doing the demolition will be experienced with this type of situation of having a building in a dilapidated state adjacent to another building.

Mayor Doughtie declared the hearing to be closed.

Motion was made by Councilman Stainback, seconded by Councilman Strickland and unanimously carried to adopt Ordinance No. 2024.05, a Demolition Order, directing Code Enforcement to demolish and remove the building at 201-203 Roanoke Avenue as unfit for use and lawful occupation, recorded with the Memorandum of Understanding agreement between CR1017, LLC and the City of Roanoke Rapids.

Consideration of Budget Amendment (City Hall Repairs)

Public Works Director Chalker stated the budget amendment is for the government building maintenance line item for any building that does not have its own building maintenance account; it is not just for City Hall repairs.

He said due to unseen repairs at the New Town Resource Center (specifically the Boys & Girls Club space), plumbing issues at City Hall, office reconfiguration in the Police Department, and other miscellaneous items, the building budget for City Hall (Government Buildings) has been depleted. The request for additional funds is to carry them through the rest of the fiscal year. He presented the following budget amendment:

**Ordinance No. 2024.06
CITY OF ROANOKE RAPIDS
BUDGET AMENDMENT**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROANOKE RAPIDS:

SECTION 1. The following additional amounts are hereby appropriated for the operation of City Government and its activities for the fiscal year beginning July 1, 2023 and ending June 30, 2024, according to the following schedule:

SCHEDULE A – PROJECT FUND REVENUES

Fund Balance – Public Works - City Hall Building Budget

Project Revenues – To Increase the City Hall Building Budget **\$15,000.00**

FUND PROJECT TOTAL **\$15,000.00**

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

SCHEDULE B – PROJECT FUND EXPENDITURES

Funding to General Fund – Public Works – City Hall Building Budget

Project Expenditures – To Increase the City Hall Building Budget **\$15,000.00**

FUND PROJECT TOTAL **\$15,000.00**

SECTION 3. This ordinance shall become effective upon adoption.

Emery G. Doughtie, Mayor

Mayor Doughtie asked Finance Director Johnson if it would be safe to say with the way the interest income is coming in, the City would make above what they estimated in the budget for this year, probably more than the \$15,000, so it would not be a negative for them. She replied yes.

Motion was made by Councilman Stainback, seconded by Councilman Bell and unanimously carried to adopt Ordinance No. 2024.06 in the amount of \$15,000 for the increase the City Hall budget for FY 2023-2024.

City Manager’s Report

City Manager Traynham reported last week she had a visit from Dominion Energy’s Government Liaison Representative. She was informed that starting in March residents will begin receiving post cards announcing Dominion’s new meter upgrade program; they are converting to “smart” meters. They have contracted out the work. Most meters are outside and accessible, so residents do not need to be home for the upgrade. Residents will receive notice at least 10 days prior to the work being done. The new meters will have some automated functions. If the power goes out it will

automatically send a notification to Dominion Energy. This will improve operations and services.

She said Tuesday, February 13th, the City had some eventful incidents take place, some caused by bad weather. Trees and limbs falling, streetlight/pole damaged and the unfortunate incident with CSX. These things take up a lot of the City's resources. First Responders, police and fire were called out and the public works department responded as well to help keep the roads safe for travelers. City staff went above and beyond to try to make the best of the situation. They received a lot of compliments from the community and visitors in town on behalf of CSX.

She noted they have received many complaints about the litter and trash. The City has responsibility for the rights-of-way and City properties. There is an abatement process for private properties. She received notice today that the Boy Scout Troop has committed to cleaning up the property in the area of Julian Allbrook and Old Farm Road near Lowes Drive. She stated it was going to take community groups and private citizens to help clean up this problem. Litter will keep coming and trash is generated every day. The City cannot be the sole entity responsible for it.

City Manager Traynham announced the Police Department is conducting the first of several public surveys. They are anonymous surveys to gauge citizens' perceptions of safety in the community.

She said last week four members of the Fire Department went to Florida to inspect the new fire truck. There are a few things that need to be completed as part of the inspection. Once completed, the truck will go to Rocky Mount for equipment installation.

She said the City has a team in the adult industrial basketball league. Games will be held on Tuesdays and Thursdays at 6:30 p.m. for the next month or so.

City Manager Traynham reported staff members met with the NCLM Risk Management representatives today. They will be bringing forward some recommendations to City Council in the near future about some things to help reduce the City's general liability and other accident coverages.

Councilwoman Bryant stated in their retreat they discussed a clean-up week, and she was glad to hear the Boy Scouts stepped up to clean up the area that most all of them have received complaints about. She asked if a date had been planned for a city-wide community clean up day or week so everyone can get involved. City Manager Traynham replied they did not have a date yet, but staff will sit down to discuss it.

They do plan to move forward with it and will bring any budgetary needs to City Council.

Finance Director's Report

Finance Director Johnson reported for the period ending January 30, 2024, general fund year-to-date receipts totaled \$12,740,792.53. Year-to-date expenditures totaled \$10,485,686.53. As a result, general fund year-to-date revenues exceeded expenditures by \$2,255,106.00. After the month of January, 54.3% of the budget year has been completed.

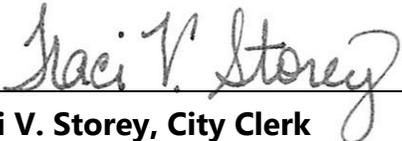
She reported the following revenues were collected during the month of January:

- Current and Prior Year Ad Valorem Tax
- Motor Vehicle Tax
- Sales Tax
- Hold Harmless Revenue
- Residential Solid Waste Fees
- Commercial Solid Waste Fees
- Interest Revenue
- Grants & Donation Funds

Finance Director Johnson stated the month of January recognized higher Ad Valorem Tax collections, as a result of taxpayers remitting payments in December. For this point forward, it will be critical to hold as much year-to-date earnings as possible.

Adjournment

There being no further business, motion was made by Councilman Bell, seconded by Councilman Stainback and unanimously carried to adjourn. The meeting was adjourned at 6:10 p.m.


Traci V. Storey, City Clerk

Approved by Council Action on: March 6, 2024