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**Roanoke Rapids City Council**

**April 15, 2014**

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)

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

Christina Caudle, Main Street/Development Director

Mike Clements, Deputy Fire Chief

Stacy Coggins, Fire Chief

Mayor Doughtie called the meeting to order and Mayor Pro Tem Ferebee 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 ­­­­­­­­­­­Councilman Bobbitt, seconded by Councilwoman Cowen and unanimously carried to adopt the business agenda for April 15, 2014.

Police Chief Hathaway stated it pains him greatly to medically retire Master Police Officer Chris Woodruff after 15 years of service with the City. He stated he knows what Chris has gone through as he too was injured and fought to return to duty. Police Chief Hathaway stated in accordance with NC General Statutes, Council needs to vote to retire and issue to Chris his side arm for the cost of one dollar which he will be paying for him.

Motion was made by Councilman Bobbitt, seconded by Councilwoman Scarbrough and unanimously carried to award Retired Master Police Officer Chris Woodruff his service side arm for and in consideration of the sum of one dollar in accordance with NCGS § 20-187.2(a).

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Police Chief Hathaway presented Retired Master Police Officer Chris Woodruff his sidearm.

Mayor Doughtie thanked Chris for his 15 years of service to the City and its citizens.

Retired Master Police Officer Woodruff thanked the Mayor and Council. He stated all his life he wanted to be a police officer. He stated he was the K-9 handler for 11 years and it was the greatest time of his career. He stated he is thankful for the opportunity to serve and protect the citizens of Roanoke Rapids. Chris stated he is coming back one day and hopes the City will have him back when he is ready to return.

Police Chief Hathaway recognized the following new hires: Police Officer Josh Langley and Police Officer Ryan Cross. He stated Josh came to us from another agency with considerable experience and Ryan came to us straight out of the Police Academy with a spark in his eye. Police Chief Hathaway stated he is glad to have both of them on our force.

Mayor Doughtie thanked Josh and Ryan for selecting Roanoke Rapids to serve in.

Mr. Jay Hickey with HSV Entertainment LLC asked Council if there was anything needed from HSV to make the lease extension for the Theatre go forward. He stated they started this process four months ago so everyone would have plenty of time to consider it. He stated they have not seen any movement on it and not having that extension in place has hurt their ability to book shows beyond the lease date. Mr. Hickey requested a little urgency on this matter.

Motion was made by Mayor Pro Tem Ferebee, seconded by Councilwoman Scarbrough and unanimously carried to approve the April 1, 2014 Council Minutes.

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: April 8, 2014

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**Roanoke Rapids City Council**

**April 15, 2014**

**RE: AMENDMENT TO THE ROANOKE RAPIDS LAND USE ORDINANCE ARTICLE X PERMISSIBLE USES,**

**SECTION 151-150(D) ACCESSORY USES TO ADD A SUBSECTION (3) TO “PROHIBIT THE PARKING**

**AND/OR STORAGE OF TRACTOR TRAILERS AND CARGO TRAILERS (IN TOW OR DETACHED) IN**

**ALL RESIDENTIAL DISTRICTS EXCEPT FOR LOADING AND UNLOADING PURPOSES. NO TRACTOR**

**TRAILER SHALL BE ALLOWED TO BE USED AS A STORAGE FACILITY OR ACCESSORY BUILDING IN**

**ANY RESIDENTIAL DISTRICT.”**

**Background**

The City of Roanoke Rapids has recently been receiving complaints as well as inquiries for the personal use of cargo trailers as storage buildings. Planning staff has evaluated the request and recommends that the City consider a text amendment to prohibit the parking and/or storage of tractor trailers and cargo trailers (in two or detached) in all residential districts. The use of tractor trailers as a storage facility does not meet the intent of the ordinance regulating accessory buildings.

### **Proposed revision to Permitted Uses is shown in red below:**

### Section 151-150(d)  Accessory Uses.

(d)  Without limiting the generality of subsections (a) and (b), the following activities shall not be regarded as accessory to a residential principal use and are prohibited in residential districts.

(1) Storage outside of a substantially enclosed structure of any motor vehicle that is neither licensed nor operational.

(2) Parking outside a substantially enclosed structure of more than four motor vehicles between the front building line of the principal building and the street on any lot used for purposes that fall within the following principal use classifications: 1.100, 1.200, 1.420, or 1.430.

**(3) The parking and/or storage of motorized and nonmotorized vehicles in excess of 10,000 pounds gross vehicle weight, trailer tractors and semi-trailers (in tow or detached) in all residential districts except for loading and unloading purposes. No tractor trailer or semi-trailer shall be allowed to be used as a storage facility or accessory building in any residential district. Nothing herein shall be construed as to prohibit the parking and/or storage of personal utility trailers and recreation vehicles including but not limited to homes, vans, campers, travel trailers in residential districts.**

**Staff Recommendation**

Planning Staff recommends that the Permissible Accessory Uses section be revised to prohibit the parking and/or storage of tractor trailers and semi-trailers (in tow or detached) in all residential districts except for loading and unloading purposes. No tractor trailer shall be allowed to be used as a storage facility or accessory building in any residential district.

**Planning Board Recommendation**

The Roanoke Rapids Area Planning Board met to review the proposed amendment on Thursday, March 20, 2014. Following discussion, the Planning Board suggested a change to the original proposed amendment to clarify that the use of personal utility trailers was not included in the prohibition. The Planning Board unanimously approved a Recommendation of Consistency and the proposed amendment.

**Requested Action:**

Staff requests that the City Council discuss the use of tractor trailers and cargo semi-trailers for residential storage purposes. Following the Council’s discussion, staff requests the following motions:

1. **Make a motion concerning the adoption of a Statement of Consistency.**

*The City Council has several options regarding this proposed Statement of Consistency:*

* 1. Approval of the Statement of Consistency as submitted;

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* 1. Approval of the Statement of Consistency with the following changes (*specifically state what changes are desired*);
  2. Denial of the Statement of Consistency.

Following the previously detailed actions regarding the Statement of Consistency, the City Council has several options regarding the text amendment request:

1. **Make a motion concerning approval of the amendment as proposed, as amended or deny.** *Staff requests the City Council to make a motion for one of the following:* 
   1. Approval of the proposed amendment as submitted;
   2. Approval of the proposed amendment with the following changes (*specifically state what changes are desired*);
   3. Denial of the proposed amendment.

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

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

Motion was made by Mayor Pro Tem Ferebee, seconded by Councilwoman Cowen and unanimously carried to adopt the following Statement of Consistency:

**Statement of Consistency with Plans to Amend Land Use Ordinance**

**Reference: Amendment to the Roanoke Rapids Land Use Ordinance Article X Permissible Uses, Section 151-150(d) Accessory Uses to add a subsection (3) to “prohibit the parking and/or storage of tractor trailers and cargo trailers (in tow or detached) in all residential districts except for loading and unloading purposes. No tractor trailer shall be allowed to be used as a storage facility or accessory building in any residential district.”**

The Roanoke Rapids City Council met on Tuesday, April 15, 2014 at 7:00 p.m. and determined that the above mentioned request is consistent with the following 2006 Roanoke Rapids Comprehensive Development Plan policies and with the Roanoke Rapids Land Use Ordinance.

ADOPTED BY THE ROANOKE RAPIDS CITY COUNCIL ON THE 25th DAY OF JULY, 2006.

* 1. Coordinated intergovernmental planning for land use, transportation, utilities, environmental quality, community appearance, historic preservation and economic development shall be encouraged.
  2. Public involvement shall be encouraged in decisions on land use and development by making the public aware of proposed developments at the earliest opportunity, as well as fostering communication between developers and the public.

1.5       City land use and development policies shall be designed to encourage innovation, flexibility, and adaptability such that development in the city and surrounding area is encouraged and accommodated, while protecting the city’s quality of life.

1.6 The City and its planning and development staff members are committed to encouraging and accommodating land uses and development by being innovative and creative in planning and review; recognizing this must be accomplished within City Council policies and direction.

1.7 The City recognizes the responsibility and duty of the City’s Planning Board and planning staff to review and recommend sound planning decisions. The City also recognizes the responsibility of City Council to consider all factors and variables, in addition to planning recommendations, when considering land use and development issues. The City recognizes this planning process and mutual responsibilities as being healthy for good decision-making, not conflictive.

2.3 The benefits of continued economic development shall be balanced against the possible detrimental effects such development may have on the quality of life enjoyed by area residents.

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9.2 Protection and rehabilitation of viable neighborhoods shall be encouraged to ensure their continued existence as a major housing resource, where economically feasible and practical.

9.3 Land uses considered harmful to the health, safety and welfare of area residents shall be prohibited from infringing upon the livability of residential areas.

14.5 The City will encourage land development practices that preserve the natural beauty of the City as a way of building in value and safeguarding the long-term appeal, marketability, and feasibility of the investment.

14.7 The City will endeavor to develop programs and policies that encourage and place responsibility upon private property owners and residents of the City to properly manage solid waste, littering, unsightliness, and so forth such that community appearance is enhanced and does not become a detriment to the City and community.

Upon review of the request, it is the City Council’s determination that the above mentioned request is reasonable and in the public interest of the City of Roanoke Rapids in that it provides for the organized location and review of accessory structures on an individual basis that will help to ensure the health, safety, and general welfare of the citizens of Roanoke Rapids.

Adopted: April 15, 2014

Emery G. Doughtie, Mayor

Motion was made by Mayor Pro Tem Ferebee, seconded by Councilwoman Scarbrough and unanimously carried to adopt the following ordinance:

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

**SECTION 1.** That Article X, Section 151 – 150 (d) of the Land Use Ordinance be amended to read as follows:

(d) Without limiting the generality of subsections (a) and (b), the following activities shall not be regarded as accessory to a residential principal use and are prohibited in residential districts.

(1) Storage outside of a substantially enclosed structure of any motor vehicle that is neither licensed nor operational.

(2) Parking outside a substantially enclosed structure of more than four motor vehicles between the front building line of the principal building and the street on any lot used for purposes that fall within the following principal use classifications: 1.100, 1.200, 1.420, or 1.430.

(3) The parking and/or storage of motorized and non-motorized vehicles in excess of 10,000 pounds gross vehicle weight, tractor trailers and semi-trailers (in tow or detached) in all residential districts except for loading and unloading purposes. No tractor trailer or semi- trailer shall be allowed to be used as a storage facility or accessory building in any residential district. Nothing herein shall be construed as to prohibit the parking and/or storage of personal utility trailers and recreation vehicles including but not limited to homes, vans, campers, travel trailers, in residential districts.

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

Police Chief Hathaway stated this matter was tabled at the last Council meeting.

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Police Chief Hathaway stated they have not received any complaints about this proposed Code amendment to allow bees and beekeeping within the City limits.

Mayor Doughtie pointed out that we used similar ordinances from other areas and Mr. Stevens, the County’s Horticultural Extension Agent, has provided information and review. He stated he feels we have a good ordinance relating to bees and beekeeping that should not intrude on anyone else. He thanked the Chief, City Manager and Mr. Stevens for their work on this matter.

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

**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 that:**

**SECTION 1.** Chapter 91 be amended to add the following new Sections related to bees and the keeping of bees:

***Bees & Beekeeping***

**§ 91.50 PURPOSE.**

The purpose of these Sections is to provide standards for the keeping of bees. It is intended to enable residents to keep an appropriate number of bees on a non-commercial basis while limiting the potential adverse impacts on the surrounding neighborhood. These Sections are intended to create standards and requirements that ensure that bees kept by residents do not adversely impact the use and enjoyment of neighborhood properties surrounding the property on which the bees are kept.

**§ 91.51 DEFINITIONS.**

For the purpose of these Sections, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

***Apiary.*** A place where bee colonies are kept.

***Bee.*** Any stage of the common domestic honey bee, *apis melifera* species, excluding the Africanized Honeybee *(apis melifera scutellata)*.

***Beekeeper.*** A person who keeps and raises bees and harvests honey.

***Front Yard.***

(A) The area extending across the full length of a lot from side lot line to side lot line and lying between the abutting street right-of-way or easement line and the building line; or

(B) In the case of a lot abutting more than one street, the ***Front Yard*** shall include all areas extending across the full length of a lot from property line to property line and lying between the abutting street right-of-way or easement and building line.

***Hives.*** The wooden frame boxes used to house bees.

***Permit.*** The five dollar ($5.00) per hive authorization annually issued by the City to a beekeeper to maintain bees.

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**§ 91.52 KEEPING OF BEES.**

It shall be unlawful for any person to keep, maintain, or operate any bee containment systems, honey-producing hives, or any such bee related production within the City limits, except under the following conditions:

(A) The maximum number of hives allowed shall be determined based on lot size as follows:

***Lot Area (square feet)          Maximum Number of Hives Allowed***

6,000 - 20,000                                             2

20,001 - 30,000                                             3

30,001 - 40,000                                             4

40,001 - 50,000                                             5

50,001 - 60,000                                             6

60,001 - 70,000                                             7

70,001 or Larger                                           8

(B) No hive shall be located in a front yard and no hive shall be closer than fifteen (15) feet from any property lines.

(C) The area wherein the hive(s) shall be located shall be screened from view by either an opaque fence of not less than four (4) feet in height, and/or an equivalent screening of vegetation. In no case shall a hive be visible from a public street or highway.

(D) Each hive must have an adequate water supply at the hive. The water supply must be unobstructed to allow for easy access to bees.

(E) All beekeeping equipment and hives must be maintained in good order and condition.

**§ 91.53 CERTAIN CONDUCT PROHIBITED; NUISANCES.**

(A) It shall be a violation of these Sections for any beekeeper to keep a colony or colonies in such a manner or in such disposition as to cause any unhealthy condition or interfere with the normal use or enjoyment of any property in the vicinity by humans or animals.

(B) The keeping of bee colonies in the City of Roanoke Rapids not in compliance with this Chapter may be declared to be a nuisance under the procedures set forth in Section 91.03.

**§ 91.54 PERMITTING AND INSPECTION REQUIREMENTS.**

(A) It shall be unlawful for any person within the City limits to keep bees without first obtaining a permit from the City.

(B) The permit holder must be willing to submit to an NCDA inspection upon request.

**§ 91.55 AMORTIZATION.**

Upon the effective date of the adoption of these Sections, all then existing bee hives shall be allowed six (6) months to be brought into full compliance with the provisions of these Sections.

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

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Police Chief Hathaway stated an amendment is needed to the City’s Fee Schedule to charge the $5.00 per hive fee as stipulated in the newly adopted ordinance related to bees and beekeeping. He pointed out that this is consistent with other jurisdictions.

Motion was made by Councilman Bobbitt, seconded by Mayor Pro Tem Ferebee and unanimously carried to adopt the following ordinance:

**AN ORDINANCE TO AMEND SECTION 5 “FEE SCHEDULE” OF THE FY 2013-2014 BUDGET ORDINANCE.**

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

**SECTION 1.** Section 5 “Fee Schedule” of the FY 2013 - 2014 Budget Ordinance be amended to add a new fee under ***Police Department*** to read as follows:

Beekeeping Permit……………………………….$5.00 per hive

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

City Manager Scherer stated the May 6 Council meeting falls on the Primary Election Day and the Andrews Building is used as a voting precinct. He stated Council could choose to cancel or reschedule the meeting. City Manager Scherer stated he would recommend rescheduling the meeting for Monday, May 5 at 5:15 p.m. at City Hall. He stated we would not be able to hold the meeting here on May 5 as this room will be set up for the election. He stated he anticipates we will have some issues that will need consideration before the May 20 meeting.

Motion was made by Councilman Bobbitt, seconded by Councilwoman Cowen and unanimously carried to reschedule the May 6 Council meeting to Monday, May 5 at 5:15 p.m. at City Hall.

Human Resources Manager Kearney stated Section 8 of the City’s Personnel Policy addresses the maximum accumulation of vacation leave. She stated due to an update in our software, an amendment is necessary to provide for the rollover of accumulated leave to be done at the end of the last pay period of the calendar year instead of the last day of the calendar year. Human Resources Manager Kearney stated a resolution is provided to approve this amendment.

Mayor Pro Tem Ferebee asked if the time will equal the same.

Human Resources Manager Kearney stated yes.

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

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**Resolution to Amend**

**City of Roanoke Rapids Personnel Policy**

**WHEREAS,** the Mayor and City Council of the City of Roanoke Rapids, recognizing the importance of its municipal employees in meeting the service needs of the City residents, adopted Resolution No. 2007.21 which adopted the current Personnel Policy; and

**WHEREAS,** it is the desire of the current Mayor and City Council members to continue to maintain a municipal work force composed of qualified, competent and dedicated employees, and to maintain equitable rates of pay and reasonable conditions of employment for its workforce; and

**WHEREAS,** it has been necessary over the years to amend the City’s Personnel Policy by Council action; and

**WHEREAS,** an additional amendment is being proposed to amend Article VII, Section 8 of the City of Roanoke Rapids Personnel Policy to read as follows:

**Section 8. Vacation Leave: Maximum Accumulation**

**Annual leave may be accumulated to a level equivalent to the maximum leave that can be earned in a two-year period. As of the last pay period in the calendar year, any employee with leave balances in excess of the maximum accumulation shall have that excess balanced transferred to sick leave.**

**Employees are cautioned not to retain excess accumulated vacation leave until late in the year. Because of the necessity to keep all functions in operation, large numbers of employees cannot be granted vacation leave at any one time. If an employee has excess leave accumulation during the latter part of the year and is unable to take such leave because of staffing demands, the excess balance may be transferred to sick leave.**

**NOW, THEREFORE, BE IT RESOLVED** that the Roanoke Rapids City Council approves the foregoing amendment to the City of Roanoke Rapids Personnel Policy as presented to Council on April 15, 2014, to become effective immediately.

**ADOPTED** this 15th day of April, 2014.

**Emery G. Doughtie, Mayor**

ATTEST:

**Lisa B. Vincent, City Clerk**

Finance Director Hite stated staff was contacted by Greg Mott with Mott & Shay, PLLC with regards to the sale of timber on property located at the Old Halifax County Airport which is currently being used as the Policemen’s Club and Firing Range. She stated the reason for the timber harvest is twofold--Geenex Solar Company needs the timber cut on the property to maximize the area they are leasing from the County and they also want to eliminate shading on the solar panels. Finance Director Hite pointed out that the sale of the cut timber is treated as personal property as outlined under NCGS 160A-266(b) and bidding is not required. She stated the sale of the timber should generate about $1,000.00 in revenue, and Mott & Shay’s fee will be 10% of the sale price.

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Motion was made by Councilman Bobbitt, seconded by Mayor Pro Tem Ferebee and unanimously carried to approve the following agreement and authorize the City Manager to execute same:

**TIMBER SALE AGREEMENT**

**NORTH CAROLINA**

The undersigned OWNER hereby grants to MOTT & SHAY, PLLC the EXCLUSIVE RIGHT and AUTHORIZATION TO SELL the following described timber:

1) Description of tract: City of Roanoke Rapids Parcel 0920541, 7+/- acres as described in DB 2320, Pg. 14, Halifax County, North Carolina.

2) Type of sale: Clearcut of all merchantable timber on 1+/- acre, shown as “White” area on attached aerial, provided by Geenex.

3) When selling all merchantable timber, we clearly designate the sale boundaries, measure and mark each sawtimber tree, cruise the pulpwood, determine the volumes, send out announcements of the sale, show the timber to interested buyers, negotiate offers for your consideration, make certain that a proper timber contract is prepared, and assist with the closing of the sale. This will be handled as a negotiated, lump-sum, cash-in-advance transaction. Which means you get paid for all your timber before any cutting begins. We will perform regular inspections of the cutting operation and report on adherence to the cutting contract. Our fee will be 10% of the sale price.

4) After we have completed the appraisal procedure (The 100% inventory of the sawtimber and the cruise of the pulpwood), we will let you know what to expect from the sale and set the minimum sale price. Should there be no bids or should the bids fall below the agreed upon minimum and they are rejected by you, then you will owe us nothing until such time as an acceptable price has been negotiated.

5) Should the high bid be at or above the minimum acceptable price, then we feel that we have procured a buyer and fulfilled our obligation to you and are due our full commission. In any event, you reserve the right to reject any or all bids. Our full commission will be due at closing on any offer accepted by you during the time period covered by this agreement.

6) Should at any time during the sale process, you decide to discontinue our services or remove the timber from the open market or if the timber cannot be conveyed, MOTT & SHAY, PLLC, Consulting Foresters will be paid an appraisal fee of $200.00 as determined by MOTT & SHAY, PLLC. This appraisal fee will also include a reasonable attorney’s fee if suit is brought to collect.

7) THIS IS A LEGALLY BINDING CONTRACT.

8) Length of the cutting contract shall be 2 months after the sale is closed.

9) Restrictions in the timber lease shall include, but not limited to:

a. Logging debris to be cleared from fields, pastures and streams. Pastures and row crops to be protected from damage.

b. All access paths, roads and fences must be maintained and restored to a condition as good or better than existed prior to logging.

c. BEST MANAGEMENT PRACTICES (BMP’S) to be implemented into the timber harvesting plans.

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d. Purchaser of timber will not be liable for damage to fences.

e. Mott & Shay must be given 48 hours advance notice of logging and 48 hours advance notice of leaving the tract.

10) This timber is being harvested in conjunction with the Geenex Solar Power facility at the Old Halifax County Airport.

MOTT & SHAY, PLLC

Greg Mott/s/ 4-7-14

LANDOWNER: JOSEPH SCHERER DATE DATE

CITY MANAGER OF ROANOKE RAPIDS

Address: 1040 Roanoke Ave.

Roanoke Rapids, NC 27870

Main Street/Development Director Caudle stated the Roanoke Rapids Seafood & Shag Festival is RABA’s signature fundraiser event and it is scheduled for Friday, May 30. She stated the festival will take place at Centennial Park and we will also use the parking lot of the Lloyd Andrews Building. Main Street/Development Director Caudle stated a resolution is needed to approve the temporary closure of both Jarman and 7th Streets between Roanoke Avenue and Jackson Street, and to allow the possession and consumption of mail beverages and unfortified wine in the designated beer garden. She stated RABA has done this in the past with other events. She stated the event will take place from 6:00 to 10:00 p.m., and they are requesting that the streets be closed between 4:00 p.m. and 12:00 a.m. to allow for the setup and breakdown. Main Street/Development Director Caudle stated no one under 21 years of age will be allowed entry into the beer garden and the sale of alcohol will cease at 9:30 p.m. She indicated that RABA has sent in an application for a special permit from the ABC Commission.

Mayor Doughtie asked if we would need permission from DOT since we are planning to close streets that adjoin Roanoke Avenue.

City Manager Scherer stated we only need to inform them of our plans.

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

**RESOLUTION TO TEMPORARILY CLOSE STREETS**

**FOR**

**ROANOKE RAPIDS SEAFOOD & SHAG FESTIVAL**

**FRIDAY, MAY 30, 2014**

**WHEREAS,** the Roanoke Avenue Business Alliance (RABA) is planning to hold the “Roanoke Rapids Seafood & Shag Festival” on Friday, May 30, 2014 between the hours of 6:00 and 10:00 p.m.; and

**WHEREAS,** this event will take place at Centennial Park and in the parking lot of the Lloyd Andrews City Meeting Hall; and

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**WHEREAS,** RABA has requested the temporary closure of both Jarman and 7th Streets between Roanoke Avenue and Jackson Street; and

**WHEREAS,** RABA will have available at the festival beer and wine for consumption, and will obtain the necessary permits from the North Carolina Alcohol and Beverage Control Commission; and

**WHEREAS,** the Roanoke Rapids City Council [§ 131.01 (A)] prohibits the possession and consumption of malt beverages and unfortified wine on any city street unless approved by resolution of City Council;

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF ROANOKE RAPIDS APPROVES THIS TEMPORARY STREET CLOSURE AND CONSUMPTION OF ALCOHOL WITH THE FOLLOWING STIPULATIONS:**

*(1) the temporary closure of Jarman and 7th Streets between Roanoke Avenue and Jackson Street on Friday, May 30, 2014 will be between the hours of 4:00 p.m. and 12:00 a.m.;*

*(2) the possession and consumption of malt beverages and unfortified wine will be allowed in and confined to the beer garden in Centennial Park;*

*(3) no one under 21 years of age shall enter the designated beer garden area, and no one shall leave the beer garden area with any beer or wine; and*

*(4) the sale of alcohol shall cease at 9:30 p.m.*

**ADOPTED** this 15th day of April, 2014.

Emery G. Doughtie, Mayor

ATTEST:

Lisa B. Vincent, City Clerk

City Manager Scherer reported that all of the railroad crossings have been repaired with the exception of three--Fifth Street/Bolling Road crossing; Hamilton Street crossing and Roanoke Avenue crossing near KapStone. He stated these will be done at a later date. He reported that those he has driven over seem to be extremely well done. City Manager Scherer stated he wrote to CSX to thank them and to ask that they make sure to look at them again once the warm weather comes due to the heavy trucks that travel over the tracks.

City Manager Scherer reported that they have received the health insurance rate forecast and are awaiting the liability insurance rate forecast. He stated he hopes to finalize the proposed budget and have the draft ready for Council by the next meeting. He stated included in the proposed budget will be year-end projections.

City Manager Scherer reported that discussions are continuing with the owner of the WestPoint Stevens Mill property and they hope to reach a public/private partnership agreement with him to market the property.

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City Manager Scherer reported that after many months of discussion, Charter has finally installed the proper software to allow us to once again be able to upload information to our public access channel, which is now channel 193.

City Manager Scherer reported on the following upcoming events: (1) all government offices will be closed this Friday in observance of Good Friday; (2) the Planning Board & City Council will hold a joint meeting next Tuesday at 5:30 p.m. to review the proposed Comprehensive Land Use/Community Health Plan; (3) Administrative Professionals Day is next Wednesday; (4) Senior Expo at Kirkwood Adams Community Center is next Thursday and (5) Second Annual FamilyFest will be held on Saturday, April 26 at the Ledgerwood Complex.

Finance Director Hite reported that as we close the books for March 31, 2014, the net result of operations shows revenues exceeded expenditures by $290,055.26. She reported that YTD revenues are $12,063,135.23 (represents 77.5% of budgeted revenues) and YTD expenses are $11,773,079.97 (represents 75.6% of budgeted expenses).

Finance Director Hite reported that sales and use tax receipts YTD are $1,106,004.30 (flat from this time last year).

Mayor Pro Tem Ferebee asked if there were any projections through June.

Finance Director Hite stated those will be prepared and included with the proposed budget.

Mayor Pro Tem Ferebee asked if we are consistent with past years.

Finance Director Hite stated we are basically the same.

Human Resources Manager Kearney reported that the Human Resources Complex is now located in the lower level of City Hall. She reported that she is currently advertising for Code Enforcement Officer and Cultural Resources Leader. She reported that the City hired four new employees during the month of March: *Firefighter Aaron Pike* and *Part-Time Lifeguards Rebecca Shay Edwards; Mallory Barrow, Erik DiLauro*.

Police Chief Hathaway reported that he appreciates Public Works Director Chalker’s assistance with the railroad crossing repairs. He stated we had 17 accidents in one day which is the most he has seen in one day since becoming Chief.

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Police Chief Hathaway reported on upcoming events associated with the Special Olympics: Tractor pull in May and the Torch Run.

Police Chief Hathaway reported that they are modernizing a little bit with e-citation software. He stated it is a big timesaver.

Police Chief Hathaway reported on the rash of car break-ins and applauded his department for their work. He cautioned citizens to keep their car doors locked.

Police Chief Hathaway reported that on May 1, thanks to Parks & Recreation Director Simeon, we will have the first Business & Law Enforcement Expo. He stated this event will give us a chance to showcase what we can give to the businesses, and how businesses can help us and the community.

Mayor Doughtie stated he has had quite a few people speak to him about the recent crimes. He stated he appreciates Police Chief Hathaway and his employees. He stated even though we are a small town, we have big city problems.

Planning & Development Director Lasky reported that her department is currently reviewing plans for Zaxby’s and finishing up with the review of plans for a warehouse building at KapStone.

Planning & Development Director Lasky reported that she received confirmation from the State Historic Preservation Office that they have accepted the Rosemary Mill Village and Rosemary Mill Recordation Plan in accordance with the CDBG funding.

Planning & Development Director Lasky reminded Council of the joint meeting with the Planning Board next Tuesday evening to review the proposed Comprehensive Land Use/Community Health Plan. She stated food will be provided.

Parks & Recreation Director Simeon updated Council on the status of two major maintenance items he reported on at the last meeting. He stated they have received a quote of $78,000 for a retrofit for the boiler at the Jo Story Senior Center. He stated the cost to replace the boiler would be around $90,000. Parks & Recreation Director Simeon reported that they met with engineers regarding the dehumidifier at the Aquatic Center. He stated the cost for this would be around $300,000. He stated the dehumidifier is not working at all and to ensure that we do not have further damage to the wood in the building, he would like to stop heating the pool as of May 1. He indicated that they currently keep the pool at 87 degrees for the therapeutic classes and by not heating, the temperature will drop to between 75 and 78 degrees. He stated they would work with annual pass holders to give them a credit. He stated they would like to begin notifying the patrons with the approval of Council.

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Councilman Bobbitt asked if they are considering the same type of system.

Parks & Recreation Director Simeon stated yes but it would not be located upstairs. He stated it would be put outside.

Councilman Bobbitt asked if they had considered a system that would suck the air out.

Parks & Recreation Director Simeon stated he was not aware of that practice but he would check into it.

Councilman Bobbitt stated he can provide a couple of addresses.

Mayor Doughtie asked if there were any other facilities that could provide this type of therapy.

Parks & Recreation Director Simeon stated Key Fitness is the only facility that has the heated pool but it is only large enough for individual training. He stated as far as an aquatic fitness center, there is one at the lake.

Councilman Smith asked how many people are in these classes.

Parks & Recreation Director Simeon stated the classes average 100 to 120 every Monday, Wednesday and Friday.

Mayor Pro Tem Ferebee asked if they will begin notifying the community tomorrow.

Parks & Recreation Director Simeon stated yes, unless Council objects. He stated one option would be to use portable dehumidifiers but the rental cost is between $6,000 and $8,000 per week.

Parks & Recreation Director Simeon stated he is pleased to announce that Roanoke Rapids has been chosen to host Cycle NC again on Wednesday, October 15. He stated this is our third time doing this which is a good boost for the economy. He stated he will provide more details as we move forward.

Parks & Recreation Director Simeon stated on Saturday, April 26 from 10:00 a.m. to 2:00 p.m., the Second Annual FamilyFest will be held at the Ledgerwood Complex. He stated there will be a lot of vendors and activities that day. He stated last year’s event was held at the Becker Village Mall and they had over 500 participants. He stated they are also planning a dedication of the new playground equipment that morning. He mentioned that he has received great comments about the new equipment.

Parks & Recreation Director Simeon reported that last weekend was very busy with the Easter Egg Hunts at Chaloner and T. J. Davis Recreation Centers; the Canal Trail Walk

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and a baseball tournament. He stated this tournament had a positive economic impact on the community. Parks & Recreation Director Simeon invited the Mayor and Council to come out to the Senior Expo next Thursday from 9:00 a.m. to 2:00 p.m. at the Kirkwood Adams Community Center.

Public Works Director Chalker reported that they had to take one of the rubber tire loaders out of service due to a safety concern. He stated they have located and purchased from Federal Surplus a $60,000 piece of equipment for around $12,000. Public Works Director Chalker reported that last week they test drove a new street sweeper. He stated the one we have is about 10 years old.

Public Works Director Chalker reported that grass cutting season has begun and they are busy preparing the Cemetery for Easter weekend.

Public Works Director Chalker reported that they are performing a large amount of maintenance at the Theatre that we are responsible for in preparation for upcoming shows.

Public Works Director Chalker reported that they are 90 to 95% complete in closing out the leaf site on Jefferson Street.

Councilman Smith asked if there were any surplus items at the Theatre that could be sold.

Public Works Director Chalker reported that there are about six moving fixtures that have not been used since Randy Parton left. He stated he would recommend that they be sold before they become obsolete.

Mayor Doughtie asked about the status of Rochelle Pond.

Public Works Director Chalker reported that they have completed dredging on the south side and have yet to move across to the north side. He stated every time they get ready to move, we get buckets of rain. He stated the contractor uses a very heavy piece of equipment that needs to be on stable ground.

Mayor Doughtie stated the funds mentioned in the written Finance report received from the sale of surplus items is directly related to advertising on the internet.

Mayor Pro Tem Ferebee asked Public Works Director Chalker if we are in the process of addressing concerns received about erosion issues.

Public Works Director Chalker stated yes. He stated we have spent a lot of time addressing flooding and erosion concerns. He stated the biggest thing we have to

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determine is if the City is responsible. He stated the public may be misinformed about public and private property. He stated our goal is to make sure no one gets hurt but we need to make sure who is responsible. Public Works Director Chalker stated we have experienced a lot of these problems since the flooding of 2012 which really raised people’s awareness of what can happen.

Deputy Fire Chief Clements reported that the Fire Department responded to 130 calls and the total estimated value of property, contents and vehicles protected was $50,390.00. He reported that 18 fire prevention inspections and 7 plan reviews were conducted, and the firemen engaged in a total of 832 man-hours of training.

Deputy Fire Chief Clements reported that Deputy Fire Marshal Wes Hux successfully passed his Level I Fire Inspector Exam and is awaiting Certification from the NC Code Officials Qualifications Board.

Deputy Fire Chief Clements reported on the training with the “live burn” this past Saturday, and indicated that two more are planned in May. He thanked Councilwoman Scarbrough for attending.

Deputy Fire Chief Clements reported that they have completed the annual hose testing and will begin hydrant testing on April 21.

Deputy Fire Chief Clements reported on schools recently attended by members of the Fire Department.

Deputy Fire Chief Clements reported that they have submitted a Fire Prevention Grant and also received a $500.00 donation from the Roanoke Rapids Rotary Club for the “Learn Not to Burn” program.

Main Street/Development Director Caudle reported that on March 31 and April 1, she and two members of RABA attended the North Carolina Main Street Conference. She indicated that highlights from the conference are included in her written report.

Main Street/Development Director Caudle reported that RABA has extended the deadline for the Façade Grant Program until May 15. She reported that there are currently several potential applicants.

Main Street/Development Director Caudle reported that a new furniture store-- Brandon’s Furniture Store--opened in the 1000 block of Roanoke Avenue. She stated this store relocated from Weldon. She also reported that one potential new business is in lease negotiations with a target grand opening date of October 2014, and three potential new businesses are actively seeking rental space on the Avenue.

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Main Street/Development Director Caudle reported that she continues to build relationships with existing Avenue District business owners on a daily basis, and averages roughly 30 existing business contacts over the last four weeks.

Main Street/Development Director Caudle reported on the following upcoming events:

• **RABA Board of Directors Monthly Meeting - 4/15 at 3:00 p.m.**

⮚ Board meets every third Tuesday of the month at 3:00 p.m. in City Hall’s main conference room. Council members are welcome to attend.

• **Avenue District Quarterly Meeting**

⮚ Wednesday, May 14 at 8:00 a.m. at Oscar’s Restaurant.

⮚ Guest Speaker is Liz Parham, Director of North Carolina Main Street.

• **RABA’s First Annual Seafood & Shag Festival**

⮚ Friday, May 30 from 6:00 - 10:00 p.m. at Centennial Park.

⮚ Event will include an all-you-can-eat seafood buffet, live music by Steve Owens & Summertime, shag dance lessons, shag dance contest, raffles and more!

⮚ Tickets will go on sale by late April.

⮚ Profits from this event will be used to purchase new larger street banners for the Historic

Avenue District.

• **Music in the Park Summer Concert Series**

⮚ FREE community event to take place on the last Friday of each month at Centennial Park.

⮚ Dates are 6/27, 7/25, 8/29 and 9/26.

• **301 Endless Yard Sale**

⮚ Friday, 6/20 and Saturday, 6/21 from 7:00 a.m. to 5:00 p.m.

Councilman Smith asked about the ticket price for the Seafood & Shag Festival.

Main Street/Development Director Caudle stated they will be $40.00 each.

Mayor Doughtie pointed out that some business owners on the Avenue were not aware of the Façade Grant Program, and those that are, may need help with the process and getting the approval of their landlord.

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



5/5/14