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**Minutes of the Roanoke Rapids City Council**

A regular meeting of the City Council of the City of Roanoke Rapids was held on Tuesday, March 1, 2016 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)

**Council Members**

Suetta S. Scarbrough)

Wayne Smith)

Gilbert Chichester, City Attorney

Lisa B. Vincent, MMC, NCCMC, City Clerk

Kathy Kearney, Deputy City Clerk/Human Resources Manager

Leigh Etheridge, Finance Director

John Simeon, Parks & Recreation Director

Kelly Lasky, Planning & Development Director

Stacy Coggins, Fire Chief

Chuck Hasty, Police Chief

Christina Caudle, Main Street Director

**Absent:** Carol H. Cowen, Council Member

Joseph Scherer, MPA, MS, City Manager

Larry Chalker, Public Works Director

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

**Adoption of Business Agenda**

There being no conflict of interest with any of the items on the agenda, motion was made by Councilwoman Scarbrough, seconded by Councilman Bobbitt and unanimously carried to adopt the business agenda for March 1, 2016 as presented.

**Special Recognitions**

***Police Department Recognitions***

Police Chief Hasty asked for a moment of silence for slain Prince William County, VA Police Officer Ashley Guindon and her two fellow officers that were shot answering a domestic call. He stated it was Officer Guindon’s first day on the job.

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Police Chief Hasty stated this day and time, police officers get a bad rap but we have more good officers than bad.

Police Chief Hasty read the following which was posted on Facebook on January 9:

*Taking a quick break from my social media fast to share some positive news in a world where there is so much hate on the matter.*

*Tonight at work we had someone accidentally lock their keys in their car. After a few hours, they about gave up. They weren’t financially able to pay for a locksmith to come and unlock the door.*

*So, a local officer who is working security for us told them to go ahead and call the locksmith anyway. The officer, voluntarily, paid for them to have a locksmith come get their keys. He didn’t require anything, he just did it out of a kind heart.*

*Thank you Officer Jenkins for doing the good deed. I’m sure it made their night. I wish I knew your first name so I could tag you in this. Point is, not all cops are bad. They are human just like us.*

*It’s a blessing to be a blessing to others!*

*Feel free to share this post. Enough negativity.*

Police Chief Hasty presented Sergeant Daniel Jenkins a Certificate of Merit for going above and beyond his job duties. He stated Sergeant Jenkins has been in law enforcement for 21 years. He stated he worked with him at the Sheriff’s Office and now here at the Roanoke Rapids Police Department.

Police Chief Hasty also recognized the promotion of Mr. Mark Peck from Master Police Officer to Patrol Sergeant. He stated Sergeant Peck has been with the Roanoke Rapids Police Department for 16 years. He congratulated him on his promotion.

Mayor Doughtie congratulated both and thanked them, as well as all officers, for their service.

**Approval of Council Minutes**

Motion was made by Mayor Pro Tem Ferebee, seconded by Councilman Bobbitt and unanimously carried to approve the February 16, 2016 Council Minutes.

**City Council Appointments**

***Reappointment of Tourism Authority Representative to Canal Museum Advisory Committee***

Motion was made by Councilman Smith, seconded by Councilman Bobbitt and unanimously carried to reappoint Tourism Authority President/CEO Lori Medlin to serve another three year term on the Canal Museum Advisory Committee.

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**Public Hearings**

***Public Hearing to Consider Amendments to the Roanoke Rapids Land Use Ordinance Article X: Permissible Uses, Section 151-149 Table of Permitted Uses for the I-1 & I-2 Industrial Zoning Districts***

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

**MEMORANDUM**

TO: Joseph Scherer, City Manager

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

RE: **Proposed Amendments to Article X: Permissible Uses, Section 151-149 Table of Permitted Uses**

**to Review Recommended Changes for Uses in the Industrial Districts: I-1 and I-2**

DATE: February 22, 2016

**Background**

On January 19, 2016, City Council conducted a public hearing to consider a request for a zoning map amendment (rezoning) to an I-2 Industrial District, which included a presentation of all potential types of industrial development as listed in the Table of Permissible Uses from the City’s Land Use Ordinance. In response to the comprehensive review of industrial uses, Planning staff were directed to consider suggested changes to either the permitting process and/or consideration of the particular use itself. Amendments or changes to the Land Use Ordinance require review and recommendation by the Planning Board and a public hearing before City Council makes the final decision. The Table of Permissible Uses from the Ordinance is enclosed for your review.

**Intent**

The Table of Permissible Uses lists the particular land uses that are allowed in each of the City’s established zoning districts. Particular land uses are numerically coded and the adjacent columns identify whether or not the use is “P” *(permissible with a zoning permit issued by the administrator)* or a letter “C” *(conditional upon review by the Planning Board and a final decision to grant a Conditional Use Permit is provided by City Council after a public hearing).* Where there are blank spaces (no letter) in the column, the use is considered prohibited in the corresponding district. The I-1 and I-2 Zoning Districts were established primarily to accommodate enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment. The districts differ primarily in the permitted intensities of development and the resulting minimum dimensional requirements.

**Review of Proposed Amendments**

Comments have been provided by City Council and interested parties to encourage a similar permitting process to keep permissible uses in harmony with the intent of the establishment of industrial districts. The enclosed **Table of Industrial Uses and Suggested Changes for Public Hearing on March 1, 2016** includes these comments as **“Suggested Changes”** for your consideration. Please feel free to make notes in the column under **“Public Hearing Comments, City Council Worksheet.”**

**Staff Recommendation**

Staff has examined the permissible uses of the I-1 and I-2 Industrial Districts and has provided a recommendation to each corresponding suggested change. This is noted under the column heading **“Staff Recommendation and Planning Board Recommendation”** in the enclosed **Table of Industrial Uses and Suggested Changes for Public Hearing on March 1, 2016**.

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**Planning Board Recommendation**

During the February 18, 2016 Planning Board meeting, staff presented the suggested changes to the ordinance in a Table. The Planning Board unanimously voted to recommend action as recommended by staff. This is noted under the column heading **“Staff Recommendation and Planning Board Recommendation”** in the enclosed **Table of Industrial Uses and Suggested Changes for Public Hearing on March 1, 2016**.

**City Council Action**

Following the public hearing and discussion, the City Council is requested to make a motion concerning the Statement of Consistency and a motion concerning approval of the ordinance amendments changing the permitting process options for uses stated above.

1. **Make a motion concerning the adoption of the Statement of Consistency.** *If City Council concurs with the approval of the attached Statement of Consistency, the following motion is appropriate:*

**Motion to approve and adopt the presented Statement of Consistency to amend the Land Use Ordinance.**

1. **Make a motion concerning approval of the amendment as proposed, as amended or deny.** *If City Council concurs with approval of the proposed ordinance amendments, the following motion is appropriate:*

**Motion to approve and adopt the proposed amendment as recorded by the Planning Board’s recommendation and staff recommendation of the suggested changes in the Table of Industrial Uses and Suggested Changes for Public Hearing on March 1, 2016 and described in the staff report dated February 22, 2016.**

Planning & Development Director Lasky reviewed the following table with Council:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Item** | **Land**  **Use Code** | **Use Description** | **Suggested Changes** | **Staff & Planning Board Recommendation** | **Public Hearing Comments, City Council Worksheet** |
| a. | 5.120 | Trade or vocational school | Delete from I-1, I-2 | Approve |  |
| b. | 5.200 | Churches, synagogues and temples | Delete from I-1, I-2 | Approve |  |
| c. | 31.300 | Solar farm | Amend to “C” use I-1, I-2 | Approve |  |
| d. | 5.400 | Social fraternal clubs and lodges, union halls, and similar uses | Delete from I-1, I-2 | Approve |  |
| e. | 6.110 | Bowling alley, skating rinks, indoor tennis/squash courts, billiard/pool halls, indoor athletic and exercise facilities and similar uses | Delete from I-1, I-2; add as “P” in B-3; add as “C” in B-1, B-2 | Approve |  |
| f. | 6.120 | Movie theaters | Delete from I-1, I-2 | Approve |  |
| g. | 6.130 | Coliseums, stadiums and all other recreational, amusement, entertainment facilities designed to seat or accommodate simultaneously more than 1,000 people | Delete from I-1, I-2 | Disapprove |  |
| h. | 6.220 | Publicly-owned and operated outdoor recreation facilities | Delete from I-1, I-2 | Disapprove |  |
| i. | 6.230 | Golf driving range, miniature golf, skateboard parks, water slides and similar uses | Delete from I-1, I-2 | Approve |  |
| j. | 6.240 | Horseback riding stables – not associated with residential subdivision | Delete from I-1, I-2 | Approve |  |

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|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Item** | **Land**  **Use Code** | **Use Description** | **Suggested Changes** | **Staff & Planning Board Recommendation** | **Public Hearing Comments, City Council Worksheet** |
| k. | 6.250 | Automobile and motorcycle racing tracks | Delete from I-1, I-2 | Approve deletion from I-1; Disapprove deletion from I-2 |  |
| l. | 6.300 | Electronic Gaming Operations | Delete from B-4, I-1, I-2 | Disapprove – keep as safeguard for potential legislative changes |  |
| m. | 7.400 | Penal and correctional facilities | Delete from I-2 | Disapprove – keep as “C” in I-2\* may be Federally Exempt and/or protected class |  |
| n. | 8.100 | Restaurants | Delete from I-1, I-2 | Disapprove – may benefit employees |  |
| o. | 8.200 | Bars | Delete from I-1, I-2 | Disapprove \*NC ABC may override zoning |  |
| p. | 8.300 | Nightclubs \*subject to separate regulations | Delete from I-1, I-2 | Disapprove \*NC ABC may override zoning |  |
| q. | 9.600 | Car wash | Delete from I-1, I-2 | Approve \*can be allowed as an accessory use |  |
| r. | 10.100 | Automobile parking garages or parking lots not located on a lot on which there is located another principal use to which the parking is related | Delete from I-1, I-2 | Disapprove |  |
| s. | 11.000 | Scrap materials, salvage yards, junk yards, automobile grave yards | Delete from I-2 | Disapprove – keep as “C” in I-2; protected class |  |
| t. | 14.300 | Mining or quarrying operations, including on-site sales of products | Delete from I-2 | Disapprove – keep as “C” in I-2; protected class |  |
| u. | 14.400 | Reclamation landfill | Delete from I-2 | Disapprove – keep as “C” in I-2; protected class |  |
| v. | 15.100 | Post office | Delete from I-1, I-2 | Disapprove – keep permissible; federal exemption |  |
| w. | 15.200 | Airport | Delete from I-1, I-2 | Disapprove – keep permissible; federal exemption |  |
| x. | 15.300 | Sanitary landfill | Delete from I-2 (currently “P”) | Disapprove – recommended approval as a “C” use \*protected class |  |
| y. | 21.200 | Crematorium | Delete from I-2 | Disapprove |  |
| z. | 22.000 | Nursery schools, day care centers | Delete from I-1, I-2 | Disapprove – keep as incentive to provide childcare to employees |  |
| aa. | 31.300 | Solar farm | Amend to “C”, use I-1, I-2 | Approve |  |
| bb. | 31.400 | Wind farm | Delete from I-2 | Disapprove – keep as “C” |  |
| cc. | 32.000 | Adult establishments | None - keep as “C” in I-1, I-2; protected class | No Change – First Amendment Protection | No Change – First Amendment Protection |

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

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

Mayor Pro Tem Ferebee stated he did receive a call from someone that lived in the area that was concerned about what may go there.

Planning & Development Director Lasky stated if he was referring to the recent rezoning case on Wallace Fork Road, we have not received an application for that property.

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

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

**Reference: Amendments to Article X Permissible Uses, Section 151-149 Table of Permitted Uses to review and recommend changes for uses in the Industrial Districts: I-1 and I-2 in accordance with the attached Table of Industrial Uses and Suggested Changes.**

The Roanoke Rapids City Council met on Tuesday, March 1, 2016 at 5:15 p.m. and determined that the above mentioned request is consistent with the Roanoke Rapids Comprehensive Plan, adopted by City Council June 17, 2014, and with the Roanoke Rapids Land Use Ordinance. Comprehensive Development Plan Policies:

***I.3*** *Conduct an overall review of the City’s Land Use Ordinance, in concert with “stakeholders,” to identify possible changes to “streamline” the permitting process and other potential revisions to make the ordinance more business-friendly.*

***I.8*** *Prohibit encroachment by new or expanded commercial uses into viable existing or planned residential areas.*

***I.17*** *Review and revise the city’s Land Use Ordinance to accommodate/encourage mixed use development.*

***I.18*** *Utilize the mixed use areas as a tool to aid in regulating/reducing strip commercialization, stimulate compact development, encourage infill development, reduce trip generation, provide flexible development options, and utilize existing infrastructure.*

***I.29*** *Consider expanding opportunities (both public and private) for employment and procurement by using local vendors when state and federal procurement procedures permit such selection.*

***I.30*** *Support economic and community development initiatives that capitalize upon, maintain, and enhance the city’s Town Center areas, including 10th Street and Julian Allsbrook Highway.*

***I.31*** *Encourage new and expanding industries and businesses which: (1) diversify the local economy, (2) utilize a more highly skilled labor force, and (3) increase area resident’s incomes.*

***I.33*** *Economic development efforts should encourage the revitalization and reuse of currently unused or underutilized structures, sites, and infrastructure in appropriately located areas.*

***I.35*** *Public policies and actions shall support the maintenance and revitalization of the downtown and adjoining neighborhoods as an historic and cultural center of the community.*

***I.36*** *Residential development and redevelopment opportunities shall be encouraged in the downtown area as a viable and productive living environment and to support downtown commercial area retail businesses.*

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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 commercial and industrial growth that will help to ensure the health, safety, and general welfare of the citizens of Roanoke Rapids.

ADOPTED BY THE ROANOKE RAPIDS CITY COUNCIL ON THE 1ST DAY OF MARCH 2016.

Emery G. Doughtie, Mayor

Motion was made by Mayor Pro Tem Ferebee, seconded by Councilwoman Scarbrough and unanimously carried to adopt the proposed amendments as recorded by the Planning Board’s recommendation and the staff recommendation of the suggested changes in the ***Table of Industrial Uses and Suggested Changes for Public Hearing on March 1, 2016*** and described in the foregoing staff report dated February 22, 2016 and as shown below:

**AMENDMENT TO LAND USE ORDINANCE**

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

**SECTION 1.** That the following uses in Article X: Permissible Uses, Section 151-149 Table of Permitted Uses of the Roanoke Rapids Land Use Ordinance be amended as follows:

|  | **R-40** | **R-20** | **R-12** | **R-8** | **R-6** | **R-5** | **R-3** | **B-1** | **B-2** | **B-3** | **B-4** | **B-5** | **I-1** | **I-2** | **PUD** | **Reference** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **5.000 EDUCATIONAL,**  **CULTURAL, RELIGIOUS,**  **PHILANTHROPIC,**  **SOCIAL, FRATERNAL**  **USES**  5.120 Trade or vocational school    5.200 Churches, synagogues and  temples – including  associated residential  structures for religious  personnel and associated  buildings but not including  elementary school or  secondary school buildings  5.400 Social, fraternal clubs and  lodges, union halls, and  similar uses | C | C | C | C | C | C | C | C  P | C  C | P | P  P  P | P |  |  |  |  |

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|  | **R-40** | **R-20** | **R-12** | **R-8** | **R-6** | **R-5** | **R-3** | **B-1** | **B-2** | **B-3** | **B-4** | **B-5** | **I-1** | **I-2** | **PUD** | **Reference** |
| **6.000 RECREATIONAL,**  **AMUSEMENT,**  **ENTERTAINMENT**  6.110 Bowling alley, skating rinks  indoor tennis and squash  courts, billiard and pool  halls, indoor athletic and  exercise facilities and  similar uses  6.120 Movie theaters  6.130 Coliseums, stadiums and  all other facilities listed in  the classification designed  to seat or accommodate  simultaneously more than  1,000 people  6.220 Publicly-owned and  operated outdoor  recreational facilities such  as athletic fields, golf  courses, tennis courts,  swimming pools, parks,  etc., not constructed  pursuant to a permit  authorizing the  construction of another  use  6.230 Golf driving ranges not  accessory to golf courses,  miniature golf, skateboard  parks, water slides and  similar uses  6.240 Horseback riding stables –  not constructed pursuant  to a permit authorizing  residential development  6.250 Automobile and  motorcycle racing tracks  6.300 Electronic gaming  operations | P  C  C | P  C  C | P | P | P | P | P | C  C  P | C  P | P  P | P  P  C  P  C  C | P | C  P  C | C  P  C |  |  |
| **7.000 INSTITUTIONAL**  **RESIDENCE OR CARE**  **OR CONFINEMENT**  **FACILITIES**  7.400 Penal and correctional  facilities |  |  |  |  |  |  |  |  |  |  |  |  |  | C |  |  |

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|  | **R-40** | **R-20** | **R-12** | **R-8** | **R-6** | **R-5** | **R-3** | **B-1** | **B-2** | **B-3** | **B-4** | **B-5** | **I-1** | **I-2** | **PUD** | **Reference** |
| **8.000 RESTAURANTS, BARS,**  **NIGHTCLUBS**  8.100 Restaurants  8.200 Bars  8.300 Nightclubs |  |  |  |  |  |  |  | P  C  C | P |  | P  P  P |  | P  P  P | P  P  P |  |  |
| **9.000 MOTOR VEHICLE**  **RELATED SALES AND**  **SERVICE OPERATIONS**  9.600 Car wash |  |  |  |  |  |  |  | P | P |  | P |  |  |  |  |  |
| **10.000 STORAGE AND**  **PARKING**  10.100 Automobile parking  garages or parking lots not  located on a lot on which  there is located another  principal use to which the  parking is related |  |  |  |  |  |  |  | P |  |  | P | P | P | P |  |  |
| **11.000 SCRAP MATERIALS**  **SALVAGE YARDS, JUNK**  **YARDS, AUTOMOBILE**  **GRAVE YARDS** |  |  |  |  |  |  |  |  |  |  |  |  |  | C |  |  |
| **14.000 AGRICULTURAL,**  **SILVICULTURAL,**  **MINING OR QUARRYING**  **OPERATIONS**  14.300 Mining or quarrying  operations, including on-  site sales of products  14.400 Reclamation landfill |  |  |  |  |  |  |  |  |  |  |  |  |  | C  C |  |  |
| **15.000 MISCELLANEOUS**  **PUBLIC AND SEMI-**  **PUBLIC FACILITIES**  15.100 Post office  15.200 Airport  15.300 Sanitary landfill |  |  |  |  |  |  |  | P | P | P | P |  | P | P  P  C |  |  |
| **21.000 CEMETERY AND**  **CREMATORIUM**  21.200 Crematorium |  |  |  |  |  |  |  |  |  |  |  |  |  | C |  |  |

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|  | **R-40** | **R-20** | **R-12** | **R-8** | **R-6** | **R-5** | **R-3** | **B-1** | **B-2** | **B-3** | **B-4** | **B-5** | **I-1** | **I-2** | **PUD** | **Reference** |
| **22.000 NURSERY SCHOOLS,**  **DAY CARE CENTERS** | C | C | C | C | C | C | C | C | P | C | P | P | P | P |  |  |
| **31.000 ENERGY-RELATED**  **FACILITIES**  31.300 Solar farm  31.400 Wind farm |  |  |  |  |  |  |  |  |  |  | C |  | C  C | C  C |  |  |
| **32.000 ADULT**  **ESTABLISHMENTS** |  |  |  |  |  |  |  |  |  |  |  |  | C | C |  |  |

### 

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

***Public Hearing to Receive Comments Concerning the City’s Intent to Apply for Small Cities Community Development Block Grant (CDBG) Downtown Redevelopment Funding***

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

**MEMORANDUM**

TO: Joseph Scherer, City Manager

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

RE: **Public Hearing to Receive Public Comment on a Proposed Application for the Small Cities CDBG**

**Downtown Redevelopment Fund**

DATE: February 22, 2016

The North Carolina Rural Economic Development Division recently opened the application window for CDBG Funding to return vacant or underutilized commercial buildings to economic use for new and/or expanding businesses **located in the Main Street District**. The program requires that the applicant conduct two (2) public hearings to receive comment regarding the proposed application. **The purpose of the first public hearing is to receive comments and proposals concerning a possible application for Downtown Redevelopment Funds.** A second public hearing will be required to present a specific application. The Fund may be applied for at any time during the year. However, the Rural Infrastructure Authority must approve the application and it meets six times a year. This public hearing was advertised in the *Daily Herald* on Friday, February 12, 2016 in accordance with the Citizens Participation Plan and the CDBG Program.

A local government applicant must propose a project in conjunction with a **private for profit business** that proposes to renovate a vacant and/or underutilized downtown building(s) for commercial or mixed-use development. CDBG funds are limited to a minimum of $300,000 and a maximum of $500,000 per unit of government. There is not a required match to the requested funds. CDBG funds provided to the company by the local unit of government will be in the form of a forgiven loan. The loan has a term of four years and 25% of the loan is forgiven for each year the ownership is maintained in accordance with the loan agreement.

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The eligible activities of the Fund are limited to historic preservation, remediation of environmentally contaminated properties, and building rehabilitation activities including code corrections. All activities must be in accordance with the Secretary of the Interior’s Standards for Rehabilitation.  Eligible activities include such things as:

►Upgrade electrical and plumbing infrastructure ►The Americans with Disabilities Act of 1990 (ADA)

►Upgrade HVAC systems Compliance

►Upgrade water/sewer system within buildings ►Fire suppression systems including sprinklers

►Natural gas installation or upgrades ►Fire separation materials in order to meet code for

►Install Wi-Fi in downtown buildings mixed-use development

►Repair and replace roofs ►Remediation of contaminated buildings

►Repair and replace windows ►Rodent and pest elimination systems

►Repair and replace walls, floors & ceilings ►Commercial or mixed-use building façade improvements

**Requested Action**

1. **Open and conduct the public hearing to receive public comments concerning a grant application to the Small Cities Community Development Block Grant (CDBG) Downtown Redevelopment Fund.**
2. **Receive comments from the public.**
3. **Motion to close the public hearing concerning a possible grant application.**

Councilwoman Scarbrough stated there would be no matching funds from the City.

Planning & Development Director Lasky stated that is correct.

Councilwoman Scarbrough asked if this would be a loan to the business owner.

Planning & Development Director Lasky explained that it would be a loan to the City of Roanoke Rapids. She stated from the date of the start of the application, 25% of the grant is forgiven on an annual basis. She stated after four years, there would be no obligation, and that is why it is important for us to work with a business that has some longevity. She stated, otherwise, the City would be responsible for repaying the funds. Planning & Development Director Lasky stated she feels we could have some viable projects to work with.

Mayor Doughtie asked if we did receive $300,000, would it go into a bucket and then we would decide how to divide the money.

Planning & Development Director Lasky stated the funding would have to be designated during the application process. She stated if two or more businesses wanted to improve their façade or install Wi-Fi, they could team up and move forward with a project.

Councilwoman Scarbrough stated this grant program is only available to businesses in the Main Street District.

Planning & Development Director Lasky stated that is correct.

Councilman Bobbitt asked who would be in charge of the funds.

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Planning & Development Director Lasky stated she is confident in her experience to be able to do that. She stated she has done so in the past with other grants. She stated she would oversee the overall management of the grant and Finance Director Etheridge would be responsible for ensuring that the financing is in place. She stated Main Street Director Caudle will be on the ground with face-to-face contact for the project. She stated it would be a team effort. Planning & Development Director Lasky pointed out that all CDBG files have been kept in the Planning & Development Department in the past.

Councilman Smith asked what would happen if the business closed before the four-year period ended.

Planning & Development Director Lasky indicated that depending on the date when the business closed, we may have to pay only a partial amount back.

Mayor Doughtie asked if another business could open in the same property and continue the project.

Planning & Development Director Lasky stated that is something we could look into.

Mayor Pro Tem Ferebee asked if the funding could be set up so that just 25% of the funding is distributed each year.

Planning & Development Director Lasky stated that is not the intent of the CDBG program. She stated they are looking to provide initial capital funding up-front. She stated there are also requirements that all of the money is to be spent within a certain number of months.

Councilman Smith asked City Attorney Chichester if we could go after the property owner to recoup the monies if he/she walked away from the project.

City Attorney Chichester stated although he is not familiar with this particular grant, typically you can do that. He stated we would look at the property owner’s assets that we could recover.

Planning & Development Director Lasky stated we required a performance agreement with White Motors for the grant they received for expansion. She stated they were required to create a certain number of jobs for low-to-moderate income persons and had they not, we had the performance agreement in place to take care of that.

Councilman Smith asked if this is similar to what happened with the water and sewer grant the Roanoke Rapids Sanitary District received for the Theatre.

Mayor Doughtie pointed out that this grant is not tied to job creation.

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Planning & Development Director Lasky stated the intent of the grant is for business success for four years.

Mayor Doughtie stated we have a fair amount of turnover on the Avenue. He stated this Council would be very concerned about doing anything that the taxpayers could end up having to pay back. He stated the property owner would need to show how they would pay the money back like it is done with bank loans.

City Attorney Chichester stated should the City Council decide to get behind a project, it would be incumbent on them to make sure we get some type of performance bond.

Planning & Development Director Lasky pointed out that we are not going to approve funds without Council’s knowledge and consent. She pointed out that these buildings are historic and the costs to up-fit or maintain them are substantial. She stated the $300,000 to $500,000 would be beneficial but would not be the entire amount needed. She also pointed out that when we do apply, we will need to have engineering and architectural drawings and a formal estimate of the cost for the project.

Councilman Smith asked if the Finance Director has any input on this.

Finance Director Etheridge stated any grant funding has to be documented and reported under the guidelines of GASB. She stated we would need to have a performance agreement in place with Council’s approval.

Planning & Development Director Lasky pointed out that we do not have a project on the burner at this time. She stated if we did not take this step and make the public aware of these grant funds that are available, we would be doing a disservice to the community.

Councilman Smith stated as long as we protect ourselves, he does not have a problem with this. He stated we have cut the budgets of every department over the last five years and he does not want to invest money into something that we might have to pay back. He stated if the City Attorney can assure him that we can get a performance bond, he has no problem with this grant program.

City Attorney Chichester stated he feels he can protect the City pretty well. He stated it is important to recognize that it is not costing the City anything to hold these public hearings. He stated they are simply a mechanism for which funds can be obtained. He stated the City Council can turn down any project that they do not feel has the sufficient resources.

Councilwoman Scarbrough asked how we are letting the potential recipients know about this grant program.

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Planning & Development Director Lasky stated we have advertised this public hearing in the newspaper and on the website, and Main Street Director Caudle is making contact with property and business owners along the Avenue. She stated we can also put something on the City’s public access channel.

Mayor Pro Tem Ferebee stated he is in favor of this type of project. He stated the City of Wilson does something similar with their incubator projects. He stated he would like to see the criteria for the grant project.

Planning & Development Director Lasky stated she and Main Street Director Caudle have looked at all of the pages line by line. She stated this is one of the most detailed CDBG applications she has ever seen. She stated she will provide Council with more information once we have a potential project or projects.

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.

**New Business**

***Consideration of Amendment to Chapter 97 “Parks & Recreation” of the Roanoke Rapids Code of Ordinances***

Parks & Recreation Director Simeon stated he is excited to announce that the Skateboard/BMX Park will open this Saturday at 10:00 a.m. He stated staff has put a lot of hard work into this project and we are very proud of it. He invited the public and media to come out on Saturday.

Parks & Recreation Director Simeon stated in accordance with NCGS 99E-23 “Duties of operators of skateboard parks,” we have prepared an amendment to Chapter 97 of the Code of Ordinances to add a new Section 97.30 to require all users of the City’s Skateboard/BMX Park to wear a helmet, elbow pads and kneepads. He stated also, as required by NCGS, we will post signs at the facility affording reasonable notice that any person riding a skateboard or BMX bike in the facility must wear a helmet, elbow pads and kneepads. Parks & Recreation Director Simeon stated these signs will be in place prior to the opening on Saturday.

Mayor Doughtie thanked all involved in this project.

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

**AN ORDINANCE TO AMEND CHAPTER 97 “PARKS AND RECREATION” OF THE ROANOKE RAPIDS CITY CODE.**

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

**SECTION 1.** Chapter 97 be amended to add a new section § 97.30 to read as follows:

***SKATEBOARD/BMX PARK***

**§ 97.30 REQUIREMENT OF PROTECTIVE SAFETY GEAR.**

Any user of the City owned Skateboard/BMX Park is required to wear a helmet, elbow pads, and kneepads.

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

***Consideration of Cancelling March 15, 2016 Council Meeting***

Planning & Development Director Lasky stated that the March 15 Council meeting falls on the Primary Election Day and as you know, the Lloyd Andrews City Meeting Hall is a polling precinct. She stated at this time, we are not aware of any agenda items for this meeting and would request that Council consider cancelling the March 15 meeting.

Motion was made by Councilman Bobbitt, seconded by Mayor Pro Tem Ferebee and unanimously carried to cancel the March 15, 2016 Council meeting.

***Consideration of Rules of Procedure for the Roanoke Rapids Area Planning Board***

Planning & Development Director Lasky stated during one of the training sessions the Planning Board held about a year ago, the guest speaker asked if the Board had adopted Rules of Procedure. She stated after looking through files and conferring with City Clerk Vincent, we found that the Board did not have such a document. She stated one of the Board’s priorities was to develop a Rules of Procedure which includes setting a date, time and location of meetings, the organizational structure, the order of business and procedural motions, among other things.

Planning & Development Director Lasky pointed out that the draft prepared is very similar to the City Council’s Rules of Procedure. She stated on February 18, 2016, the Planning Board unanimously voted to recommend to City Council the approval of the Rules of Procedure for the Roanoke Rapids Area Planning Board.

Planning & Development Director Lasky stated in accordance with Land Use Ordinance Section 151-25, the Planning Board may develop rules and regulations governing its procedures and operations not inconsistent with the Land Use Ordinance, and these rules and regulations shall be subject to review and approval by City Council before becoming effective for the Planning Board.

Motion was made by Councilman Smith, seconded by Councilman Bobbitt and unanimously carried to approve the following Rules of Procedure for the Roanoke Rapids Area Planning Board:

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**City of Roanoke Rapids Area Planning Board Rules of Procedure**

*Adapted from the Rules of Procedure of the Roanoke Rapids City Council*

*Cross References: NC State Law, City Code of Ordinances, City Land Use Ordinance*

# RULE 1. REGULAR MEETINGS

The board shall hold a regular meeting on the **third Thursday of each month**, except that if a regular meeting day is a legal holiday, the meeting shall be held as soon thereafter as possible so that it can take action in conformity with Section 151-67 (Applications to be Processed Expeditiously). The **meeting shall begin at 5:30 p.m. and shall be held at the Lloyd Andrews City Meeting Hall, 700 Jackson Street**, Roanoke Rapids, NC. A copy of the board’s current meeting schedule shall be filed with City Clerk. Notice of meeting location changes shall be posted at City Hall and on the main entrance to the Lloyd Andrews City Meeting Hall.

**RULE 2. SPECIAL, EMERGENCY, AND RECESSED MEETINGS**

1. ***Special Meetings.*** The Chair or a majority of the members may at any time call a special meeting of the board. A special meeting may also be called or scheduled by vote of the board in open session during another duly called meeting. At least forty‐eight (48) hours before a special meeting, written notice of the meeting stating its time and place and the subjects to be considered shall be (1) given to each board member; (2) posted on the board’s principal bulletin board; and (3) mailed, emailed or delivered to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with the City Clerk. Notice shall also be mailed, emailed or delivered at least forty‐eight (48) hours before the meeting to each board member who either did not call for the special meeting or was not present at the meeting at which the special meeting was called. Only those items of business specified in the notice may be discussed or transacted at a special meeting, unless all members are present or have signed a written waiver of notice.
2. ***Emergency Meetings.*** The Chair or a majority of the members may at any time call an emergency meeting of the board by signing a written notice stating the time and place of the meeting and the subjects to be considered. Written or oral notice of the meeting shall be given to each board member and to each local newspaper, local wire service, local radio station, and local television station that has filed a written emergency meeting notice request with the City Clerk and whose request includes the telephone number of the newspaper, wire service, radio station, or television station. Emergency meetings may be called only because of generally unexpected circumstances that require immediate consideration by the board. Only business connected with the emergency may be considered at an emergency meeting.
3. ***Recessed Meetings.*** A properly called regular, special, or emergency meeting may be recessed to a time and place certain by a motion made and adopted as provided in **Rule 16(B), Motion 2**, in open session during the regular, special, or emergency meeting. The motion shall state the time and place when the meeting will reconvene.
4. ***Website Notice of Meetings****.* The regular meeting schedule of the Planning Board shall be posted on the City of Roanoke Rapids website (www.roanokerapidsnc.com). Notice of any special or recessed meeting shall be posted on the City of Roanoke Rapids website prior to the beginning of the meeting, and if practicable, notice of any emergency meeting shall be posted on the City of Roanoke Rapids website prior to the beginning of the meeting.

# RULE 3. OATHS OF OFFICE AND ORGANIZATIONAL MEETING

1. A newly appointed board member shall take and subscribe to the oath of office as the first order of new business of the first meeting following the appointment of the member to the Planning Board.
2. Except when an oath of office is required pursuant to subsection (A), the first order of new business of the first meeting on or after June 1 of each year shall be to elect the Chair and Vice‐Chair. The board shall, by majority vote of its membership (excluding vacant seats) elect one of its members to serve as Chair and one member to serve as Vice‐Chair. The board should follow the nomination and voting procedures set out in **RULE 22**. The people so elected shall serve in these capacities for terms of one (1) year and shall be eligible for reelection, unless their terms of appointment to the board expire sooner. Vacancies in these offices may be filled for the unexpired terms only by majority vote of the board membership.

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# RULE 4. QUORUM

A majority of the actual membership of the board, excluding vacant seats, shall constitute a quorum. A majority is more than half. A quorum is necessary for the board to take official action. The chair shall be considered a member of the board for the purposes of determining the number on which a majority is based and in counting the number of members actually present. A member who has withdrawn from a meeting without being excused by majority vote of the remaining members present shall be counted as present for purposes of determining whether or not a quorum is present.

# RULE 5. CONFLICTS OF INTEREST

1. ***Mandatory Recusal.*** A member of the board s hall not participate in or vote on a matter if he or she has a *direct, substantial and readily identifiable financial interest* in the matter being considered. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.
2. ***Optional Recusal.*** At the request of the affected member, the board may but is not required to, excuse a member of the board from participating in and voting on a non‐quasi‐judicial matter due to any other conflict of interest other than the conflict identified in subsection (A). Any such request must disclose the basis for the request. It is the chairman’s responsibility to determine if a conflict of interest does exist and to excuse or not excuse the member from participation.

# RULE 6. AGENDA

1. ***Proposed Agenda.*** The Director of the Planning and Development Department shall prepare a proposed agenda for each meeting. A request to have an item of business placed on the agenda must be received at least thirty (30) days before the meeting with the required fee. The Chair or Planning Director may waive this advance requirement for any proposed agenda item as long as proper meeting notice is given no later than 10 days before the meeting. Any board member may, by a timely request, have an item placed on the proposed agenda. A copy of all proposed agenda items, including attachments, shall be included with the proposed agenda. An agenda package shall be prepared that includes, for each item of business placed on the proposed agenda, as much background information on the subject as is necessary to a full understanding of the issue. Each board member shall receive a copy of the proposed agenda and agenda package and they shall be available for public inspection when they are distributed to the board members.
2. ***Adoption of the Agenda.*** Except when other matters must be considered first in accordance with **RULE 3**, as its first order of business at each meeting, the board shall, as specified in **RULE 7**, discuss and revise the proposed agenda and adopt an agenda for the meeting. The board may by majority vote add items to or subtract items from the proposed agenda, except that the board may not add items to the agenda of a special meeting unless all members are present or have signed a written waiver of notice.
3. ***Open Meetings Requirements.*** The board shall not deliberate, vote, or otherwise take action on any matter by reference to a letter, number or other designation, or other secret device or method, with the intention of making it impossible for persons attending a meeting of the board to understand what is being deliberated, voted, or acted on. However, the board may deliberate, vote, or otherwise take action by reference to an agenda, if copies of the agenda sufficiently worded to enable the public to understand what is being deliberated, voted, or acted on, are available for public inspection at the meeting.

# RULE 7. ORDER OF BUSINESS

Items shall be placed on the agenda according to the order of business. By general consent of the board, items may be considered out of order. The order of business for each regular meeting shall be as follows:

* + 1. ***Call to Order/Attendance;***
    2. ***Adoption of the Business Agenda;***
    3. ***Approval of Planning Board minutes;***
    4. ***Old Business;***
    5. ***New Business;***
    6. ***Planning Director’s Report;***

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* + 1. ***Informal Discussion and Public Comment on matters not otherwise scheduled;***
    2. ***Adjournment.***

# RULE 8. PUBLIC ADDRESS TO THE BOARD

All board meetings shall be open to the public, and whenever feasible the agenda for each board meeting shall be made available in advance of the meeting. The Planning Board will allow public address at regular meetings. The board chair may limit the time allowed for public address in accordance with **RULE 9 (B)**. Any individual or group who wishes to address the Planning Board *in addition to the public comment section of the agenda* shall, prior to the meeting, submit a request to be on the agenda to the Director of the Planning and Development Department.

# RULE 9. PRESIDING OFFICER

1. **Conduct of the Meeting.**
2. The Chair shall preside at Board meetings if he or she is present. If the Chair is absent or has been excused from voting, the Vice‐Chair shall preside, and if both the Chair and Vice‐Chair are absent, another member designated by vote of the board shall preside. In the event that both the Chair and Vice‐Chair are absent from a meeting, either the Planning Director or any member of the board may direct a vote to determine which remaining Board member shall preside over the meeting. The presiding officer retains the right to vote on all matters.
3. In order to address the board, a member must be recognized by the presiding officer.
4. If the presiding officer becomes actively involved in debate on a particular matter, he or she may designate another board member to preside over the debate. The presiding officer shall resume presiding as soon as action on the matter is concluded.
5. **Powers.** The presiding officer (Chair or acting Chair) shall have the following powers:
6. \*To rule motions in or out of order, including any motion patently offered for obstructive or dilatory purposes;
7. \*To determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground;
8. \*To entertain and answer questions of parliamentary law or procedure;
9. To call a brief recess at any time; and
10. To adjourn in an emergency.

\*A decision by the presiding officer under any of the first three powers listed in **RULE 9(B)(1-3)** may be appealed to the board upon motion of any member, pursuant to **RULE 16(B), Motion 1**. Such a motion is in order immediately after a decision under those powers is announced and at no other time. The member making the motion need not be recognized by the presiding officer, and the motion, if timely made, may not be ruled out of order.

# RULE 10. ACTION BY BOARD

1. The board shall proceed by motion, except as otherwise provided for in **RULE 3, RULE 6** and **RULE 24**. Any member, including the Chair, may make a motion.
2. Notwithstanding subsection (A), no motion shall be required for the board to discuss any item.
3. A second shall be required before the board may vote on any motion, and a motion shall fail if there is no second.

# RULE 11. ONE MOTION AT A TIME

A member may make only one motion at a time.

# RULE 12. SUBSTANTIVE MOTIONS

A substantive motion is out of order while another substantive motion is pending. For the purposes of these rules, a "substantive motion" is any motion other than the procedural motions **listed in RULE 16**. Substantive motions are the same as "main motions" or "principal motions," as those terms are used in *Robert’s Rules of Order*.

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# RULE 13. ADOPTION BY MAJORITY VOTE

All motions, including substantive motions, shall be adopted by a majority of the votes cast, with a quorum being present, unless otherwise required by these rules or the laws of North Carolina. A majority is more than half.

# RULE 14. DEBATE

The Chair shall state the motion and then open the floor to debate. The Chair shall preside over the debate according to the following general principles:

1. The introducer (the member who makes the motion) is entitled to speak first;
2. A member who has not spoken on the issue shall be recognized before someone who has already spoken; and
3. To the extent possible, the debate shall alternate between proponents and opponents of the measure.
4. Members of the public, including applicants, who have participated in discussion before a motion is made shall not participate in discussion on a motion after it is made and will be ruled out of order.

# RULE 15. RATIFICATION OF ACTIONS

To the extent permitted by law, the board may ratify actions taken on its behalf but without its prior approval. A motion to ratify is a substantive motion.

# RULE 16. PROCEDURAL MOTIONS

1. ***Certain Motions Allowed.*** In addition to substantive proposals, only the following procedural motions, and no others, are in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority of the votes cast, a quorum being present, for adoption. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted.
2. To Appeal a Procedural Ruling of the Presiding Officer.
3. To Adjourn or Recess.
4. To Take a Brief Recess.
5. To Follow the Agenda.
6. To Suspend the Rules of Procedure.
7. To Divide a Complex Motion and Consider it by Paragraph.
8. To Defer Consideration.
9. To Call the Previous Question.
10. To Postpone to a Certain Time and Day.
11. To Refer to a Committee.
12. To Amend.
13. To Revive Consideration.
14. To Reconsider.
15. To Rescind or Repeal.
16. To Prevent Reconsideration for Six (6) Months.
17. ***Order of Priority of Motions.*** In order of priority (if applicable), the following are the allowable procedural motions:

**Motion 1. To Appeal a Procedural Ruling of the Presiding Officer.** A decision of the presiding officer ruling a motion in or out of order, determining whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks, or entertaining and answering a question of parliamentary law or procedure may be appealed to the board, as specified in **RULE 9**. This appeal is in order immediately after such a decision is announced and at no other time. The member making the motion need not be recognized by the presiding officer and the motion, if timely made, may not be ruled out of order.

**Motion 2. To Adjourn or Recess.** This motion may be made only at the conclusion of action on a pending substantive matter; it may not interrupt deliberation of a pending matter. A motion to recess to a time and place certain shall also comply with the requirements of **RULE 2(C).** If the board wants to recess or adjourn before completing a final action on a matter, it may use a motion to defer consideration (***see*, Motion 7**), to refer to a certain committee (***see*, Motion 10**), or to suspend the rules of procedure (***see*, Motion 5**).

**Motion 3. To Take a Brief Recess.** A motion to take a brief recess is in order at any time except when a motion to appeal a procedural ruling of the presiding officer or a motion to adjourn is pending. Also, the Chair has the power to call a brief recess at any time pursuant to **RULE 9**.

**Motion 4. To Follow the Agenda.** If adopted, this motion prevents the board from deviating from a proposed agenda. The motion must be made at the first reasonable opportunity or the right to make it is waived for the out-of-order item in question.

**Motion 5. To Suspend the Rules of Procedure.** For adoption, this motion requires an affirmative vote equal to two‐thirds (2/3) of the entire membership of the board. The board may not suspend

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provisions of the rules that state requirements imposed by law on the board.

**Motion 6. To Divide a Complex Motion and Consider It by Paragraph.** The motion is in order whenever a member wishes to consider and vote on subparts of a complex motion separately.

**Motion 7. To Defer Consideration.** A substantive motion that the consideration of which has been deferred expires after 45 days have elapsed following the day of deferral unless a motion to revive consideration is adopted. An expired deferred motion is presented to the City Council as “no recommendation” from the Planning Board.

**Motion 8. To Call the Previous Question.** The motion is used to bring the board to an immediate vote on a pending question. The motion is not in order until there have been at least twenty (20) minutes of debate and every member has had an opportunity to speak once.

**Motion 9. To Postpone to a Certain Time and Day.** This motion is also sometimes referred to as a "motion to table." If the board approves a motion to postpone to a certain time and day, the substantive matter under consideration will be suspended until a time and date in the future, as determined by the board. A person who wishes to revisit the substantive matter must either wait until the specified time and day or move to suspend the rules of procedure (***see*, Motion 5**).

**Motion 10. To Refer a Motion to a Committee.** The board may vote to refer a substantive matter to a committee for its study and recommendations. Sixty (60) days or more after a substantive motion has been referred to a committee, the introducer of the substantive motion may compel consideration of the measure by the entire board, whether or not the committee has reported back to the board on the matter.

# Motion 11. To Amend.

1. An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the motion with that amendment added would have the same effect as rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment shall be treated as a motion to amend.
2. Only a single proposed amendment to a motion may be considered at a time. The board shall vote on a pending motion to amend before considering another motion to amend.

# Motion 12. To Revive Consideration. The motion must be made by a member who voted with the prevailing side, and only at the meeting during which the original vote was taken, including any continuation of that meeting through recess to a time and place certain. The motion cannot interrupt deliberation on a pending matter, but is in order at any time before final adjournment of the meeting.

# Motion 13. To Reconsider. The board may vote to reconsider its action on a matter. The motion to do so must be made by a member who voted with the prevailing side (the majority, except in the case of a tie. In the case of a tie, the "no’s" prevail) and only at the meeting during which the original vote was taken, including any continuation of that meeting through a recess. The motion cannot interrupt deliberation on a pending matter but is in order at any time before final adjournment of the meeting.

**Motion 14. To Rescind or Repeal.** The board may vote to rescind actions it has previously taken or to repeal items that it has previously adopted. The motion is not in order if rescission or repeal of an action is forbidden by law.

# Motion 15. To Prevent Reconsideration for Six (6) Months.

# The motion shall be in order immediately following the defeat of a substantive motion and at no other time. The motion requires for adoption a vote equal to a majority of the entire membership of the board, excluding vacant seats. If adopted, the restriction imposed by

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# the motion remains in effect for six (6) months or until the next organizational meeting of the board, whichever occurs first.

1. Notwithstanding subsection (1), a motion to prevent reintroduction is not in order with regard to any matter referred to the board by the Board of Commissioners.

# RULE 17. RENEWAL OF MOTION

A motion that is defeated may be renewed at any later meeting unless a motion to prevent reconsideration has been adopted.

# RULE 18. WITHDRAWAL OF MOTION

A motion may be withdrawn by the introducer at any time before it is amended or before the Chair puts the motion to a vote. *The introducer of the motion may accept proposed amendments before a vote.*

# RULE 19. DUTY TO VOTE

Every member must vote unless excused by the remaining members of the board. A member who wishes to be excused from voting shall so inform the Chair, who shall take a vote of the remaining members present. No member shall be excused from voting except on matters involving his own financial interest or the member’s official conduct. In all other cases, a failure to vote by a member who is physically present in the board chamber, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote. *If a board member is excused from voting, he/she should neither vote nor participate in any way in the deliberations leading up to the vote.*

# RULE 20. MINUTES

Full and accurate minutes of the board proceedings shall be kept. These minutes and general accounts shall be open to inspection of the public. The exact wording of each motion and the results of each vote shall be recorded in the minutes, and on the request of any member of the board, the entire board shall be polled by name on any vote. Members’ and other persons’ comments may be included in the minutes. The written minutes shall be approved, or amended and approved, at the following meeting.

# RULE 21. VACANCIES

Vacancies occurring for reasons other than the expiration of membership term shall be filled by the City Council for the remainder of the unexpired term.

# RULE 22. APPOINTMENTS

# The City Council may appoint one or more individuals to assist the planning board to carry out its planning responsibilities with respond to a particular subject area. The board may consider and make recommended appointments to other bodies, including its own committees only in open session. The board shall use the following procedure to make appointments to various other boards and committees: The chair shall open the floor for nominations, whereupon the names of possible appointees may be put forward by the board members. The names submitted shall be debated, and when the debate ends, each member shall cast his or her vote. The nominee(s) receiving the highest number of votes shall be appointed. If more than one appointee is to be selected, then each member shall have as many votes as there are slots to be filled. A member must cast all of his or her votes and cast them for different nominees. The board shall make all formal recommendations to the council.

# RULE 23. COMMITTEES

1. The board may establish and appoint members for such temporary and standing committees as are required by law or needed to help carry on the board’s work. Any specific provisions of law relating to particular committees shall be followed, including the North Carolina open meetings law which shall apply to the meetings of committees.
2. Members of such advisory committees shall sit as nonvoting members of the planning board when such issues are being considered and lend their talents, energies, and expertise to the planning board. However, the planning board shall make all formal recommendations to the council.

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# RULE 24, AMENDMENT OF THE RULES

These rules may be amended at any regular meeting or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting, unless a statute, ordinance or other law provides otherwise. Adoption of an amendment shall require an affirmative vote equal to a majority of the actual membership of the board, excluding vacant seats. These rules and regulations shall be subject to review and approval by the council and, upon approval, shall become effective for the planning board.

# RULE 25. SEPARABILITY

Whenever any provision of the Rules of Procedure should be found to be illegal, the lawful **RULES** shall remain in effect. Whenever any provision of the Rules of Procedure, adapted or referenced from North Carolina General Statutes and/or a City Ordinance, is later amended or superseded, the Rules of Procedure shall be deemed amended to refer to the amended section, or the section that most nearly corresponds to the superseded section.

**RULE 26. REFERENCE TO *ROBERT’S RULES OF ORDER***

To the extent not provided for in these rules, and to the extent it does not conflict with North Carolina law, City Ordinances or with the spirit of these rules, the board shall refer to the current edition of *Robert’s Rules of Order Newly Revised,* to answer unresolved procedural questions.

**THESE RULES AND REGULATIONS SHALL BE SUBJECT TO REVIEW AND APPROVAL BY THE COUNCIL AND, UPON APPROVAL, SHALL BECOME EFFECTIVE FOR THE PLANNING BOARD.**

**The Roanoke Rapids Area Planning Board recommended approval this 18th day of February, 2016.**

**Approved this 1st day of March, 2016 by the Roanoke Rapids City Council.**

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



**Lisa B. Vincent, MMC, NCCMC City Clerk**

4/5/2016

**Approved by Council Action on:**