

**CITY COUNCIL
AGENDA**

**April 14, 2015
7:30 p.m.**

- 1. Opening of meeting by Mayor Steve Morris.**
- 2. Invocation by Reverend Ronnie McLean, Pastor of Freedom Baptist Church.**
- 3. Amendments and Changes to Agenda.**
- 4. Consent Agenda:**
 - A. Disposition of Minutes of the March 10, 2015 Regular Meeting and Closed Session.**
 - B. Tax Collector's Report. (See Pages 4-8)**

Informational Items:

 - 1.) Monthly Collection Report**
 - 2.) Uncollected Taxes as of March 31, 2015.**

Action Items:

 - 1.) Refunds per County Assessor's Office.**
 - 2.) Discovery bills added to Tax Scroll.**
 - 3.) Releases per County Assessor's Office.**
- 5. Business by Planning Board.**
 - A. Set Public Hearing. (none)**
 - B. Hold Public Hearing.**
 - 1.) UDO Text Amendment:** Hold public hearing for an amendment to the City's Unified Development Ordinance to delete Article 12: Telecommunication Regulations in its entirety and replace with a revised Article 12: Telecommunication Regulations. **(See Pages 9-11 & Article 12: Telecommunication Regulations included separately.)**
 - C. Minutes from Various Boards (included separately)**

- 6. Business by Visitors.**
- 7. Business by City Clerk.**
- 8. Business by City Manager.**
- 9. Business by City Attorney.**
- 10. Items of discussion by City Council Members.**
- 11. Business by Mayor.**
 - A. Issue Proclamation designating May as "Motorcycle Safety Awareness Month". (See Page 12)**
 - B. Issue Proclamation recognizing May 3-9, 2015 as "Municipal Clerk's Week". (See Page 13)**
- 12. Adjournment.**

Rockingham, NC

City Council Agenda

SUPPORT DOCUMENTS

CITY OF ROCKINGHAM
MONTHLY TAX COLLECTION REPORT

MONTH: March

YEAR: 2015

YEAR	PRIOR YEAR RECORD							
	AD VALOREM TAXES	COST AND INTEREST	TOTAL COLLECTED	PERCENT THIS DATE	YEAR TO DATE COLLECTIONS	SAME MONTH COLLECTIONS	PERCENT OF TOTAL	
2015	2,024.55		2,024.55		3,106.38	1,186.48		
2014	44,317.32	1,385.28	45,702.60	95.48%	2,665,947.75	44,153.39	94.62%	
2013	1,129.58	168.40	1,297.98	98.82%	22,521.15	1,172.08	98.69%	
2012	691.91	297.81	989.72	99+%	6,953.89	754.50	98.97%	
2011	400.60	223.55	624.15	99+%	4,890.50	324.66	99+%	
2010	1,089.34	422.14	1,511.48	99+%	3,322.39	167.18	99+%	
2009	416.67	285.67	702.34	99+%	3,140.90	74.26	99+%	
2008	87.57	0.66	88.23	99+%	2,666.01	-	99+%	
2007	-	100.00	100.00	99+%	5,943.82	-	99+%	
2006	86.30	187.85	274.15	99+%	1,268.11	298.75	99+%	
2005	-	-	-	99+%	633.20	26.53	99+%	
2004	48.38	1.62	50.00	99+%	348.04	-	99+%	
	50,292.22	3,072.98	53,365.20		2,720,742.14	48,157.83		

UNCOLLECTED TAXES

YEAR	AMOUNT	March 2015
2014	126,077.00	
2013	33,211.10	
2012	24,726.85	
2011	20,676.66	
2010	15,548.97	
2009	11,971.89	
2008	9,729.55	
2007	5,943.82	
2006	4,529.45	
2005	3,999.38	
2004	3,063.87	
	126,077.00	Total Current Year
	133,401.54	Total Past Years
	259,478.54	Total All Years

CITY OF ROCKINGHAM
MONTHLY RELEASES REGISTER
March 31, 2015

DATE	ACCOUNT	NAME	EXPLANATION	YEAR	BILL #	VALUE	CITY TAX	CITY LATE	INTEREST	RELEASED
3/3/15	15861101	The Hairgirls Salon	Business closed 3/13	2014	2879	5,000	24.00	2.40	0.93	27.33
										0.00
										0.00
										0.00
										0.00
										0.00
										0.00
										0.00
										0.00
										0.00
										0.00
										0.00
										0.00
										0.00
										0.00
										0.00
TOTALS						5,000	24.00	2.40	0.93	\$27.33

CITY OF ROCKINGHAM
MONTHLY REFUNDS REGISTER
March 31, 2015

DATE	ACCOUNT	NAME	EXPLANATION	YEAR	AMOUNT	CITY LATE	INTEREST	REFUNDED	CHECK #
3/2/15	24215842	Butler, Melissa Myers	Over assessed value - vehicle tax refund	2014	6.77			6.77	61196
3/2/15	22116675	Clarke, Preston Austin	Vehicle tax refund	2014	22.39			22.39	61199
3/2/15	22768117	Ellerbe, Wanda Ingram	Vehicle tax refund	2014	2.80		0.23	3.03	61206
3/2/15	21301158	Griffin Nissan, Inc.	Vehicle tax refund	2014	42.34		2.12	44.46	61207
3/2/15	20169513	McKenzie, Huey Luke	Vehicle tax refund	2014	16.26			16.26	61209
3/2/15	8484100	Sale, Misty Dawkins	Vehicle tax refund	2014	72.76			72.76	61216
3/2/15	19041833	Whittemore, Adam D.	Registered out-of-state - vehicle tax refund	2014	16.96		0.85	17.81	61227
3/2/15	19044736	Whittemore, Adam D.	Registered out-of-state - vehicle tax refund	2014	13.27			13.27	61227
3/18/15	21624271	Branch, David	Vehicle tax refund	2014	59.68			59.68	61352
3/18/15	19044963	Fields, Audrea	Vehicle tax refund	2014	25.49			25.49	61354
3/18/15	19957564	Fisher, Fred	Vehicle tax refund	2014	6.20			6.20	61355
3/18/15	221121177	Griffin Nissan, Inc.	Vehicle tax refund	2014	42.34			42.34	61356
3/18/15	19958420	Griffin Nissan, Inc.	Vehicle tax refund	2014	66.68			66.68	

CITY OF ROCKINGHAM
MONTHLY REFUNDS REGISTER
March 31, 2015

DATE	ACCOUNT	NAME	EXPLANATION	YEAR	AMOUNT	CITY LATE	INTEREST	REFUNDED	CHECK #
3/18/15	19043372	Hodges, Frances	Vehicle tax refund	2014	20.40		1.02	21.42	61358
3/18/15	6257306	Samuels, Linda	Vehicle tax refund	2014	14.61			14.61	61365
3/18/15	16301962	Samuels, Linda	Vehicle tax refund	2014	12.25			12.25	
3/24/15	6137101	Conner Home Improvement	Overpayment	2014	5.00			5.00	61382
3/24/15	7269302	Veach, Larry & Donna	Overpayment	2014	2.45			2.45	61389
3/24/15	9113309	Martin, Tony & Martha	Overpayment	2014	11.38			11.38	61385
3/24/15	9113313	Martin Holdings	Overpayment	2014	207.92			207.92	61384
3/24/15	9852301	Potts, Walter & Bessie	Overpayment	2014	7.26			7.26	61386
3/24/15	10336301	Sinclair, Henry & Carol	IN/OUT	2014	395.02			395.02	61388
3/24/15	16531301	Ford, Ronald J.	Overpayment	2014	10.00			10.00	61383
3/24/15	121616301	Short, Leela & John	Overpayment	2014	6.28			6.28	61387
			TOTALS		\$1,086.51	0.00	4.22	\$1,090.73	

Staff Report to Planning and Zoning Board
Agenda Item: IV.A
March 3, 2015

Issue:

UDO Text Amendment: Consideration of an amendment to the City's Unified Development Ordinance to delete Article 12: Telecommunication Regulations in its entirety and replace with a revised Article 12: Telecommunication Regulations.

Background:

The City's current telecommunication regulations set forth in Article 12 of the UDO were originally adopted in January of 2003. These regulations have not been amended since the original adoption. Changes in state and federal laws in combination with new technology have necessitated a comprehensive revision of the City's wireless telecommunication regulations.

City staff contracted with Cityscape Consultants, Inc. to provide assistance with revising and updating the regulations. Cityscape specializes in providing technical assistance to local governments on all telecommunication-related issues. They are not associated or affiliated with any wireless providers or private tower owners. The proposed regulations are based on a model ordinance modified to meet Rockingham's specific needs and preferences. Cityscape has drafted similar ordinances for other cities and counties in North Carolina.

Staff Comments:

1. A copy of the proposed regulations are included in the agenda packet for the Board's review. Identifying and discussing every minor change or adjustment will be nearly impossible; therefore, City staff will focus on identifying notable and significant changes. Although the proposed regulations are a complete and total rewrite, the net effect is not a major departure from the current regulations. The primary intent of the re-write is to bring the current regulations into compliance with changes in federal and state laws; and address new technology.
2. In terms of permitting, the proposed regulations establish four permit levels to address the various types of regulated facilities. Levels I and II permits include those type facilities approved administratively. Levels III and IV permits include those type facilities approved by the Board of Adjustment. A notable change is that collocations of wireless facilities on existing towers/structures will be approved administratively under the proposed regulations. This change is made to comply with state and federal laws. (Sections 12.15 and 12.16 define the four permit levels.)
3. The order of preferred siting for telecommunication facilities in the proposed regulations will remain essentially the same as the current regulations. The proposed regulations continue to encourage collocations on existing towers and structures as the highest preferred siting option; and the construction of new non-concealed towers as the lowest preferred siting option. Only after an applicant adequately demonstrates no collocation options are available, can new tower construction be considered. (Sections 12.17, 12.18, and 12.19 set forth the preferred siting alternatives and associated requirements.)
4. A notable change is that the proposed regulations distinguish between concealed and non-concealed towers; and allow concealed towers as a conditional use in all zones. The current regulations do not distinguish between concealed and non-concealed towers. Examples of concealed towers are church steeples, windmills, bell towers, clock towers, light standards, flagpoles and/or trees. City staff is

recommending this change as part of the proposed regulations because these type structures containing a concealed personal wireless service facility (PWSF) may be appropriate in any zoning district depending upon the specific location and the specific design/appearance. The Board of Adjustment would make the final determination as to the suitability of a specific location and the design/appearance of the concealment during the conditional use permitting process.

5. Another notable change is that non-concealed towers will be allowed in the R-20 zone (as a conditional use). The current regulations allow new towers as a conditional use in the I-1, I-2, and B-3 zones. The proposed regulations will allow non-concealed towers as a conditional use in the I-1, I-2, B-3, and R-20 zones. City staff is recommending this change because there are a number of large undeveloped tracts zoned R-20 in the ETJ where a non-concealed tower could potentially be located with minimal impact on the surrounding community. (Section 12.20 sets forth which type facilities are allowed in each zoning district and the type of permit required.)
6. The proposed regulations address amateur radio towers, which are not addressed in the current regulations. Under the proposed regulations, amateur radio towers are permitted in all zoning districts; limited to 70 feet in height; must be setback from all property lines a distance at least equal to the height of the tower; and approved administratively. (Section 12.21 sets forth the requirements for amateur radio towers.)
7. The proposed regulations address and allow for "mitigation", which is not addressed in the current regulations. Essentially, "mitigation" allows for the replacement of an existing PWSF tower as a permitted use provided such mitigation does at least one of the following: reduces the number of PWSF support structures or towers; or replaces a non-concealed tower with a PWSF concealed tower (or reduces the visual impact of a PWSF); or replaces an existing PWSF tower with a new PWSF tower to improve network functionality. (Section 12.26 sets forth the requirements for "mitigation".)
8. The proposed regulations establish requirements for distributed antenna systems (DAS), which are not addressed in the current regulations. DAS is relatively new technology. (Section 12.27 sets forth the requirements for DAS facilities.)
9. The maximum allowable tower height also increases in the proposed regulations. The maximum allowable height for a concealed PWSF tower is 150 feet. The maximum allowable height for a non-concealed PWSF tower is 199 feet. The current regulations limit the maximum allowable tower height to 140 feet. In 2006, the current 140-foot maximum height limit proved too restrictive for the only tower constructed under the current regulations. The Board of Adjustment granted a variance to allow a maximum height of 180 feet so the tower could provide adequate service and collocation opportunities. (Section 12.28 (B) sets forth tower height requirements.)
10. The proposed regulations address the use of "breakpoint" technology as it relates to tower design and setback requirements. Essentially, this technology insures that in the event of a structural failure of the monopole, the failure will occur at the breakpoint rather than at the base plate, anchor bolts, or any other point on the monopole. The use of this technology allows for a reduction in tower setback requirements since the risk of a collapse onto adjacent property is significantly reduced. The current regulations do not address "breakpoint" technology. (Section 12.28 (C) sets forth tower setbacks and the use of breakpoint technology.)
11. The requirement for all PWSF towers to be a "monopole" type construction is unchanged between the current and proposed regulations (as opposed to allowing lattice or guyed towers).
12. The proposed regulations include requirements for broadcast towers (radio and television towers), which are not addressed in the current regulations. In the proposed regulations, broadcast towers are allowed as a conditional use in the I-1, I-2, B-3, and R-20 zones – the same as PWSF towers.

The maximum height for a broadcast tower will be evaluated on a case-by-case basis with consideration given to the determination of height contained in an applicant's FCC construction permit. The minimum setback is equal to the tower height. (Section 12.30 sets forth the requirements for broadcast towers.)

13. The proposed regulations continue to allow for the retention of expert assistance in reviewing and evaluating any type facility. However, one notable change is that there is no longer a requirement for an escrow account to be set up by the applicant to cover the cost of the expert assistance. The cost of expert assistance will now be funded by requiring a one-time application fee in an amount adequate to cover the cost. City staff has entered into a contract with Cityscape to provide this expert assistance on an as-needed basis for a fixed fee depending on the type of facility.
14. As a part of this amendment, the Planning and Inspections Department Fee Schedule will need to be amended to reflect application costs for "substantial" collocations and new towers (\$6,500); and "non-substantial" collocations, modifications, and upgrades (\$1,000). The term "substantial" collocation is defined in NCGS 160A-400.51.

Staff Recommendation:

City staff recommends the Board review and discuss the proposed regulations. If the Board is satisfied with the proposed revisions, then City staff recommends the Board recommend the City Council amend Article 12 as proposed.

Planning Board Recommendation:

The Planning Board reviewed the request on March 3, 2015 and recommended unanimously that the City Council amend Article 12 of the UDO as proposed.

PROCLAMATION

“Motorcycle Safety Awareness Month”

May, 2015

WHEREAS, motorcycle riding is a popular form of recreation and transportation in our region and local community; and

WHEREAS, according to the figures issued by the Department of Motor Vehicles, North Carolina has more than 193,000 registered motorcycles and more than 400,000 licensed drivers who have either a motorcycle endorsement or a motorcycle learner’s permit; and

WHEREAS, it is vital that all drivers are aware of motorcycles on our roadways and recognize the importance of motorcycle safety and sharing of the roadways; and

WHEREAS, May is traditionally the seasonal “kick-off” month for the return of recreational bikers to our highways which serves to remind all vehicle operators to be cautious and to observe these riders; and

WHEREAS, we encourage motorcyclists to drive defensively, wear proper safety equipment and obey all driving rules.

NOW, THEREFORE, I, M. Steve Morris, Mayor of Rockingham, NC do hereby proclaim May 2015 as “MOTORCYCLE SAFETY AWARENESS MONTH” and urge all motor vehicle operators to join in the effort to keep our highways safe.

This the 14th day of April, 2015

Signed: _____

M. Steven Morris
Mayor

Attest:

Gwendolyn F. Swinney, CMC, City Clerk

PROCLAMATION

**Municipal Clerks Week
May 3-9, 2015**

WHEREAS, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

WHEREAS, The Office of the Municipal Clerk is the oldest among public servants; and

WHEREAS, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality rendering equal service to all; and

WHEREAS, The Municipal Clerk serves as the information center on functions of local government and community; and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk,

NOW, THEREFORE, I, M. Steven Morris, Mayor of Rockingham, NC, do recognize the week of May 3, through May 9, 2015, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerks, Gwendolyn F. Swinney and Deputy City Clerk Sabrina Y. McDonald and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this _____ day of _____, 2015

M. Steven Morris, Mayor

Attest: _____
City Clerk

**DEPARTMENTAL
ACTIVITY REPORTS
for
COUNCIL'S INFORMATION**

To: Monty Crump, City Manager

From: Dave Davis, Recreation Director

Date: April 6, 2015

Subject: Activity Report

The following are activities involving our department this month.

Spring Soccer – Our sixth spring campaign came to a close the past Friday, and although March has proven in the past to be a challenging month, our new scheduling format proved to be very beneficial. We played the majority of our games during the week and utilized weekends for weather related cancellations.

Youth Baseball/Softball – We’ve experienced another strong enrollment with over 600 players registered to participate in these two programs. Try-outs and practices will begin shortly after the spring vacation concludes.

Sr. Games – Our department will once again play host to several events involving Sr. Games of Richmond Co. Our department has been involved with these events since their inception which spans almost 25 years.

Hinson Lake – This area has experienced a spike in activity over the past couple of weeks as weather conditions have improved and people start moving about. It appears that sometimes it may take a cold winter to fully appreciate what the spring months have to offer.



FIRE CHIEF
HAROLD ISLER
ADMIN. ASST.
KRISTY PLAYER

ASST. CHIEF
DAVID MULLIS
CAPTAIN
VIC MCCASKILL

March-15

We are pleased to submit the monthly fire report on the activities undertaken by the Rockingham Fire Department during the month of March 2015.

Total Alarms:	<u>55</u>	In Town:	<u>53</u>	Out of Town:	<u>2</u>
Turn In Alarms:	<u>5</u>	Silent Alarms:	<u>50</u>	Structure:	<u>2</u>
Wrecks:	<u>30</u>	Alarm Malf:	<u>5</u>	Good Intent:	<u>4</u>
Smoke Scare:	<u>1</u>	Vehicle fire :	<u>2</u>	Trash:	<u>2</u>
Power line down:	<u>0</u>	Haz Mat: (meth lab):	<u>1</u>	Gas Leak/Spill:	<u>3</u>
Illegal burn:	<u>2</u>	Co detector:	<u>0</u>	Assist Police:	<u>1</u>
Electrical:	<u>2</u>	Assist EMS:	<u>0</u>	Mutual Aid:	<u>0</u>

Hours Spent on Calls: 22 hours 19 minutes

Total Property Exposed to Fire:	<u>\$41,755,000.00</u>
Total Property Damaged by Fire:	<u>\$56,500.00</u>
Total Property Saved:	<u>\$41,698,500.00</u>

During the month of March full time members of the fire department averaged 41 training hours per person; part-paid members averaged 12 hours per person for the month.

Public Life & Safety:

- ~Installed 4 car seats
- ~Inspections: 70
- ~Sparky visited Wal Mart's garden center grand opening
- ~Station tour from the cub scouts with 25 kids and 4 adults
- ~Participated in helped with the Richmond County Special Olympics Bowling

Respectfully Submitted,

Fire Chief
Harold Isler



W.D. Kelly, Chief of Police

To: Monty Crump

WJK From: W. D. Kelly
Chief of Police

Date: April 1, 2015
Ref: March Activity Report

On behalf of the Rockingham Police Department, I am pleased to submit this report for your consideration. The following activities have been undertaken by officers of the Rockingham Police Department.

Total Calls for the Month:	<u>1234</u>
Animal Control Calls:	<u>47</u>
Alarm Calls	<u>141</u>
Escorts:	<u>96</u>
Unlock Vehicles:	<u>121</u>

Charges Generating Arrest:

Felonies:	<u>20</u>
Misdemeanors:	<u>108</u>
Drug Violations:	<u>9</u>
Juvenile:	<u>3</u>
Warrants Served:	<u>112</u>
Citations:	<u>277</u>

Accidents Reported/Investigated:

Property Damage only:	<u>65</u>
Personal Injury:	<u>07</u>

Officer Hours Spent in Court:	<u>46</u>
Officer Training Hours Logged	<u>669</u>

Items of Interest:

We have started In Service Training early this year and expect all training to be complete by May.