



ROCKINGHAM
A CITY LOOKING FORWARD

September 11, 2012
Agenda Packet

ROCKINGHAM
A CITY LOOKING FORWARD
CITY COUNCIL
AGENDA

September 11, 2012
7:30 p.m.

- 1. Opening of meeting by Mayor Eugene B. McLaurin, II.**
- 2. Invocation by Reverend Gene Alexander, Pastor of First Assembly of God Church.**
- 3. Amendments and Changes to Agenda.**
- 4. Consent Agenda:**
 - A. Disposition of Minutes of the August 14, 2012 Regular Meeting.**
 - B. Tax Collector's Report. (See Pages 6-13)**

Informational Items:

 - 1.) Monthly Collection Report**
 - 2.) Uncollected Taxes as of August 31, 2012.**

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. (none)**
 - C. Minutes from Various Boards. (none)**
- 6. Consideration of Appointments to the Land Use Plan Steering Committee (See Page 14).**
- 7. Presentation of Advanced Law Enforcement Certificate to Police Lt. Creed Freeman by Police Chief Billy Kelly.**

- 8. Consideration of Approval of Taxicab Ordinance Amendments.
(See Manager's Comments & Pages 15-17)**
- 9. Consideration of Approval of City of Rockingham's Sewer Use Ordinance.
(Enclosed Separately)**
- 10. Business by Visitors.**
- 11. Business by City Clerk.**
- 12. Business by City Manager.**
- 13. Business by City Attorney.**
- 14. Items of discussion by City Council Members.**
- 15. Business by Mayor.**
- 16. Adjournment.**

MEMO TO: Mayor Gene McLaurin & City Council

FROM: Monty R. Crump, City Manager

DATE: September 5, 2012

RE: Agenda Items & Items of Interest

CONSENT AGENDA:

(No Comments)

REGULAR AGENDA:

**8. Consideration of Approval of Taxicab Ordinance Amendments.
(See Pages 15-17)**

At last month's meeting proposed changes to the current taxicab ordinance were distributed to Council. Police Chief Kelly had requested the proposed changes as it relates to reporting charges and convictions by taxicab permit holders to the Police Department. Under the new proposed changes a taxicab permit holder must report charges and convictions to the Police Department within 3 days. If a permit holder is charged with a larceny he/she may have permit suspended for up to 120 days and permit may be revoked for three (3) years upon conviction of larceny. Under (D) if a holder is determined to be a habitual violator his/her permit may be revoked for up to (3) three years. I concur with the Chief's recommendation to strengthen the taxicab ordinance with the amendments as proposed.

9. Consideration of Approval of City of Rockingham's Sewer Use Ordinance. (Enclosed Separately)

Municipal wastewater systems are required to update and readopt its Sewer Use Ordinance every five (5) years. Larry Cobler has completed the required updates and has prepared an updated Sewer Use Ordinance that meets State approval and requirements of the Clean Water Act. The enclosed Sewer Use Ordinance is submitted for approval by Mayor and Council. The proposed Sewer Use Ordinance is very similar to current Sewer Use Ordinance; in fact, the overwhelming majority of changes are verbage/technical changes. Please find an enclosed worksheet/checklist that outlines changes that have been incorporated into new ordinance. Additionally please find evidence that the City Attorney has reviewed and approved new proposed Sewer Use Ordinance. It is my recommendation that Council adopt new proposed Sewer Use Ordinance as presented. The deadline for adoption of ordinance is December 31, 2012.

Rockingham, NC

City Council Agenda

SUPPORT DOCUMENTS

UNCOLLECTED TAXES

YEAR	AMOUNT	DATE: August 2012
2012	2,278,041.94	
2011	69,719.48	
2010	34,569.22	
2009	22,811.46	
2008	16,526.22	
2007	9,724.91	
2006	8,315.08	
2005	7,302.13	
2004	5,680.84	
2003	4,422.71	
2002	3,568.25	
	2,278,041.94	Total Current Year
	182,640.30	Total Past Years
	2,460,682.24	Total All Years

CITY OF ROCKINGHAM
MONTHLY TAX RELEASE REGISTER
FOR THE MONTH OF AUGUST, 2012

ACCOUNT	REL#	NAME	EXPLANATION	BILL #	CITY TAX	CITY LATE	INTEREST	RELEASED
082254301	1	Barry Altman (Badcock Furniture)	Prepaid	3803	2,600.40			2600.40
005604304	2	Guy Cecil Bryant	Prepaid	705	52.47			52.47
013036301	3	Velma Butler	Prepaid	2823	1.26			1.26
013036302	4	Velma Butler	Prepaid	2824	73.89			73.89
113963101	5	Cagle, Inc.	Prepaid	4880	3.81	5.37		9.18
012105301	6	Thomas A. & Jonna Carter	Prepaid	2687	2.20			2.20
017026302	7	Barbara Clark	Prepaid	3069	87.49			87.49
017026201	8	Barbara Clark	Prepaid	3068	12.25	1.23		13.48
017026304	9	Ronald & Barbara Clark	Prepaid	3071	128.16			128.16
017026303	10	Ronald & Barbara Clark	Prepaid	3070	19.68			19.68
005542311	11	Country Hills Prop.	Prepaid	685	209.08			209.08
011424301	12	Steven Dunn/Sultan Alshayef	Prepaid	2546	213.82			213.82
006706301	13	Ruben (Est.) & Ada Everett	Prepaid	1088	58.13			58.13
006810302	14	Delores Foster	Prepaid	1130	151.62			151.62
088309301	15	Sherry D. Hinson	Prepaid	3994	2.92			2.92
116717301	16	Jerry & Leguinia Ingram	Prepaid	5048	1.38			1.38
107502302	17	Lonnie & Shirley Jackson	Prepaid	4558	150.00			150.00
007324101	18	H. Bright Lindler, LLC	Prepaid	1283	0.00	6.93		6.93
008239302	19	Anita (Jones) Loundermon	Prepaid	1612	31.50			31.50
083301301	20	Jimmy Martin	Prepaid	3849	11.63			11.63
008818302	21	Charles & Barbara McInnis	Prepaid	1772	7.54			7.54

CITY OF ROCKINGHAM
 MONTHLY TAX RELEASE REGISTER
 FOR THE MONTH OF AUGUST, 2012

ACCOUNT	REL #	NAME	EXPLANATION	BILL #	VALUE	CITY TAX	CITY LATE	INTEREST	RELEASED
042485102	39	ADP, INC	BILL LESS THAN \$1.00	3554	203	0.97			0.97
112971303	40	BENNETT, ORLANDO	BILL LESS THAN \$1.00	4846	177	0.85			0.85
005996101	41	BILTMORE DRIVE THRU CONV.	BILL LESS THAN \$1.00	853	150	0.72	0.07		0.79
003615101	42	DEBS	BILL LESS THAN \$1.00	270	138	0.66	0.07		0.73
007236101	43	FRAGRANCE OUTLET	BILL LESS THAN \$1.00	1255	106	0.51	0.05		0.56
007589101	44	HAINES CONSTRUCTION & REALTY	BILL LESS THAN \$1.00	1427	168	0.81			0.81
02562304	45	HALTIWANGER, LEONARD & KIMB.	BILL LESS THAN \$1.00	4351	66	0.32			0.32
07718308	46	HATCHER, MILES & BETTY	BILL LESS THAN \$1.00	1468	34	0.16			0.16
116711101	47	INSIGHT FINANCIAL	BILL LESS THAN \$1.00	5046	154	0.74	0.07		0.81
005888101	48	LIBERTY AUTO SALES	BILL LESS THAN \$1.00	817	51	0.24			0.24
087326302	49	LONG, LORI	BILL LESS THAN \$1.00	3965	151	0.72			0.72
016504101	50	PATSY'S BEAUTY SHOP	BILL LESS THAN \$1.00	3040	192	0.92			0.92
012301307	51	PENINGER, JAMES & MARGARET	BILL LESS THAN \$1.00	2738	6	0.03			0.03
116940101	52	PEPSI COLA BOTTLING CO.	BILL LESS THAN \$1.00	5054	149	0.72	0.07		0.79
109384101	53	RAINWATER BAIL BONDS	BILL LESS THAN \$1.00	4639	120	0.58	0.06		0.64
008485101	54	ROCKINGHAM GUNS & AMMO	BILL LESS THAN \$1.00	1702	96	0.46			0.46
102821301	55	SWEATT, ALICE GIBSON	BILL LESS THAN \$1.00	4354	170	0.82			0.82
096966101	56	UNIQUE DESIGNS	BILL LESS THAN \$1.00	4147	109	0.52			0.52
007244101	57	WINMARK CAPITAL CORP.	BILL LESS THAN \$1.00	1262	142	0.68			0.68
		TOTAL RELEASES			\$2,382	11.43	0.39	0.00	\$11.82

CITY OF ROCKINGHAM
 MONTHLY TAX RELEASE REGISTER
 FOR THE MONTH OF AUGUST, 2012

	VALUE	CITY TAX	CITY LATE	INTEREST	RELEASED
TOTAL RELEASES	\$286,042	1,373.81	0.00	95.98	\$1,469.79
TOTAL PREPAID RELEASES		6,949.56	14.33		6,963.89
TOTAL LESS THAN \$1.00 RELEASES	2,382	11.43	0.39		11.82
TOTAL OF ALL RELEASES FOR AUGUST	\$288,424	\$8,334.80	14.72	95.98	\$8,445.50

CITY OF ROCKINGHAM

MONTHLY TAX DISCOVERIES REGISTER
FOR THE MONTH OF AUGUST, 2012

DATE	NAME	BILL #	TAX RATE	YEAR OF DISCOVERY	DESCRIPTION	VALUE	CITY TAX	CITY LATE	INTEREST	TOTAL AMOUNT
8/10	HAMLET HMA PPM, LLC #007531103	5278	0.48	2012	Bus. Pers. Property	12,089	58.03			58.03
8/10	DAVIS, CHARLES EUGENE #111167301	5279 5280	0.48 0.48	2012 2011	747205283247 747205283247	72,491 72,491	347.96 347.96		32.03	347.96 379.99
		5281	0.48	2010	747205283247	72,491	347.96		63.95	411.91
8/30	HAMLET HMA PPM, LLC #007531104	5294	0.48	2012	Bus. Pers. Property	32,580	156.38			156.38
	TOTAL					\$262,142	1,258.29	0.00	95.98	\$1,354.27

MEMORANDUM

To: Mayor Gene McLaurin and City Council Members

From: John Massey, Planning Director

Date: September 4, 2012

Re: Appointment of Land Use Plan Steering Committee

As part of the update to the City's Land Use Plan, City staff recommends the City Council appoint a steering committee to guide and oversee the planning process. City staff suggests a 16-member committee that includes all eight Planning Board members, and at least one City Council member. The choice of remaining appointees should ensure the collective steering committee represents a diverse cross section of the community.

The current Planning Board members include Dr. John Stevenson, Wilson Moore, Anne Edwards, Tom Ingle, Jerry Goodman, Terry Greene, Paul Prelipp, and Ryland Wilbun.

Tim Hayden and Eric Thompson have both expressed an interest in serving on the steering committee.

(F) Has passed a physical examination by a licensed physician within 30 days of the date of the application.

('88 Code, § 20-24) (Ord. 1-87-2, passed 1-27-87)

§ 112.19 REVOCATION.

(A) A permit to drive a taxicab may be revoked by the City Manager at any time after its issuance for the following reasons:

- (1) The holder is convicted of a felony;
- (2) The holder is convicted of a violation of any federal or state statute relating to the sale, use or possession of alcoholic beverages, narcotic or barbiturate drugs or prostitution;
- (3) The holder becomes an addict or habitual user of alcoholic beverages or narcotic or barbiturate drugs;
- (4) The holder is habitually convicted of violations of traffic laws or ordinances.

(B) For the first offense of division (A) of this section, conviction of a felony, the permit shall be revoked for a period of three years. For a second conviction, the permit shall be revoked permanently.

(C) For a conviction of any of the offenses set forth in subsection (2) or (3) above, the permit shall be revoked for three years.

(D) For three convictions by the holder of violations of traffic laws within a 12 month period, the holder of a permit shall be adjudged to be an habitual violator, and the permit shall be revoked for a period of three years.

('88 Code, § 20-25) (Ord. 1-87-2, passed 1-27-87)

Statutory reference:

Grounds for refusal of permit, see G.S.

§ 160A-304

§ 112.20 POSTING.

At all times while operating his or her taxicab or a taxicab belonging to any other person, the driver shall prominently post and display so as to be visible to the passengers therein his or her permit to drive a taxicab.

('88 Code, § 20-26)

Statutory reference:

Authority of city to require posting of permit, see G.S. § 160A-304(a)

§ 112.21 PHOTOGRAPH FINGERPRINTS TO BE ATTACHED TO PERMIT.

Each permit to drive a taxicab shall have attached thereto the picture and fingerprints of the person to whom the permit is issued. The photographs and fingerprints shall be so attached to the permit as to be visible to anyone examining the front of the permit.

('88 Code, § 20-27)

Statutory reference:

Authority of city to require posting of identification in cab, see G.S. § 160A-304(a)

PROPOSED AMENDMENTS TO

CHAPTER 112: TAXICABS

SECTION 112.19 of the Code of Ordinances, City of Rockingham, North Carolina, is hereby amended as follows:

§112.19 REFUSAL; SUSPENSION; REVOCATION

(A) Upon consideration of the application for a permit under the section, the Chief of Police shall either approve or reject the application. The Chief of Police may refuse to grant or renew or may revoke or suspend the taxicab driver's permit for any applicant or driver who fails or refuses to comply with the provisions of this section or otherwise ceases to be qualified. In cases of suspension, revocation or refusal to grant or renew a holder's permit, the holder shall be notified of the reasons for such action in writing. A permit to drive a taxicab may be rejected, suspended or revoked by the Chief of Police at any time for the following reasons:

- (1) The holder is convicted of a felony;
- (2) The holder is convicted of a violation of any federal or state statute relating to the sale, use or possession of alcoholic beverages, narcotics or other habit forming substance or prostitution;
- (3) The holder becomes an addict or habitual user of alcoholic beverages or narcotics or other habit forming substances ;
- (4) The holder is or has been a habitual violator of local or state traffic laws, ordinances or criminal laws;
- (5) The holder does not possess a valid driver's license issued by the state.
- (6) The holder is not physically or mentally capable of operating a taxicab in a safe manner.
- (7) The holder has knowingly made a false statement or given false information on the application for the permit.
- (8) The holder has accumulated a sufficient number of points against his driving record under the schedule in N.C.G.S. Chapter. 20 to justify the suspension or revocation of a driver's license.
- (9) The holder must report all charges and convictions to the police department within 3 days as long as the permit is active. Failure to report charges and convictions may result in a three (3) year revocation of permit.
- (10) If the holder is charged with larceny, the Chief of Police may suspend the

up to 120 days

permit for _____; if the holder is convicted of larceny, the Chief of Police may revoke the permit for three (3) years.

(11) The holder has been convicted of or has entered a plea of guilty to any of the following offenses within a period of ten years immediately prior to the date of application:

- a. A crime involving a motor vehicle resulting in death.
- b. Driving a motor vehicle while intoxicated.

(B). For the first offense of (A)(1), conviction of a felony, the permit shall be revoked for a period of three years. For a second conviction of a felony, the permit shall be revoked permanently.

(C). For an occurrence or conviction of any of the offenses set forth in subsection (2) through (9) above, the permit shall be revoked for three years.

(D). The holder of the permit shall be adjudged to be an habitual violator for three convictions by the holder of violations of traffic laws within a 12 month period and the permit shall be revoked for a period of three years. If the holder is charged with a violation of a local or state criminal offense and the charge(s) was dismissed, the Chief of Police has the authority to investigate said charge and if there was sufficient evidence to convict, the Chief of Police may consider that charge in determining whether the holder is a habitual violator. The holder may appeal this decision to the City Manager if the permit is revoked, suspended or denied for this reason.

(E). For the occurrence of (A)(1)(a) or (b) the denial, suspension or revocation of the permit shall be permanent.

(2001 Code, § 112.19)

Statutory reference: Grounds for refusal of permit, see G.S. §160A-304.

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

To: Monty Crump, City Manager
From: Dave Davis, Parks and Recreation Director
Subject: Activity Report
Date: September 2, 2012

The following is an update of recent and current recreation activities.

Youth Soccer – After several years of sustained growth this program appears to be finally pausing to catch its breath. At the mid point of the registration period our preliminary numbers projected another season of seven hundred participants. However, we did not experience the rush of last minute registration as in past years.

With that said we still have slightly over six hundred children registered for the fall season. The slight decline has not affected the continuity of the program. We still maintain nine individual leagues with approximately forty-five teams scheduled to begin play on Saturday, September 8th.

Girls Softball – Our U10 Girls Softball All-Star Team will be recognized for their accomplishments at halftime of the Richmond Raiders home game on Friday, September 7th.

Hinson Lake – On a daily basis this facility is probably the most utilized area of our park offerings.

Browder Park – A new flag pole was installed last week on the ball field at Browder Park providing a nice upgrade to this area. Also, our pool recently completed its 34th year of operation and remains a viable part of our summer programming.

August-12

We are pleased to submit the monthly fire report on the activities undertaken by the Rockingham Fire Department during the month of August 2012.

Total Alarms:	<u>53</u>	In Town:	<u>53</u>	Out of Town:	<u>1</u>
Turn In Alarms:	<u>1</u>	Silent Alarms:	<u>52</u>	Structure:	<u>1</u>
Wrecks:	<u>21</u>	Alarm Malf:	<u>12</u>	Good Intent:	<u>6</u>
Smoke/Odor:	<u>1</u>	Vehicle:	<u>0</u>	Grass/Brush:	<u>3</u>
Electrical:	<u>1</u>	Spill/Leak:	<u>3</u>	Power line down:	<u>1</u>
Confined Space:	<u>0</u>	Assist Ems:	<u>1</u>	Mutual Aid:	<u>0</u>
Co detector alarm:	<u>2</u>	Assist Police:	<u>1</u>	Illegal Brun:	<u>0</u>

Hours Spent on Calls: 28 hours and 42 minutes

Total Property Exposed to Fire:	<u>\$70,000.00</u>
Total Property Damaged by Fire:	<u>\$40,000.00</u>
Total Property Save:	<u>\$30,000.00</u>

Inspections: 20

During the month of August full time members of the fire department averaged 68 training hours per person; part-paid members averaged 19 hours per person for the month.

Public Life & Safety:

- ~Installed 4 car seats sold 4 car seats
- ~All vehicles and small engine equipment has been serviced
- ~First Baptist kids summer camp toured the station

Respectfully Submitted,



Charles C. Gardner
Fire Chief




Rockingham Police Department



W.D. Kelly, Chief of Police

To: Monty Crump

From:  W. D. Kelly
Chief of Police

Date: September 5, 2012
Ref: August 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>1290</u>
Animal Control Calls:	<u>47</u>
Alarm Calls	<u>151</u>
Escorts:	<u>109</u>
Unlock Vehicles:	<u>119</u>

Charges Generating Arrest:

Felonies:	<u>35</u>
Misdemeanors:	<u>113</u>
Drug Violations:	<u>19</u>
Juvenile:	<u>1</u>
Warrants Served:	<u>138</u>
Citations:	<u>100</u>

Accidents Reported/Investigated:

Property Damage only:	<u>57</u>
Personal Injury:	<u>3</u>

Officer Hours Spent in Court:	<u>51</u>
Officer Training Hours Logged	<u>259</u>

Items of Interest:

Congratulations to Lt. Freeman on achieving his Advanced Certificate. Rockingham Police Officers had a successful summer program at the apartment complexes on Cauthen Drive. The children were treated to a cook out, popcorn and movies weekly, and school supplies.