

**CITY COUNCIL
AGENDA
April 13, 2021
6:30 p.m.**

- 1. Opening of meeting by Mayor Steve Morris.**
- 2. Invocation by Mayor Steve Morris.**
- 3. Amendments and Changes to Agenda.**
- 4. Consent Agenda:**
 - A. Disposition of Minutes of the March 9, 2021 Regular Meeting.**
 - B. Tax Collector's Report. (See Pages 4-9)**

Informational Items:

- 1.) Monthly Collection Report**
- 2.) Uncollected Taxes as of March 31, 2021.**

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:** Set public hearing for a request to rezone approximately 4.8 acres located at 195 and 201 US Highway 74 Business West and identified as Richmond County PIN 7463-03-44-3216, 7463-03-44-2337, and 7463-03-34-8330 from Residential Mill Village (R-7A) and Highway Business (B-3) to Light Industrial (I-1).
(See Pages 10-11 & map inserts)
 - B. Hold Public Hearing: (None)**
 - C. Minutes from Various Boards : (enclosed separately)**

- 6. Consideration of Approval of Audit Contract for Fiscal Year End June 30, 2021 with Anderson Smith & Wike, PLLC (Contract included separately in packet).**
- 7. Discussion and Consideration of Approval of Tolling Agreement. (See Pages 12-14)**
- 8. Business by Visitors.**
- 9. Business by City Clerk.**
- 10. Business by City Manager.**
- 11. Business by City Attorney.**
- 12. Items of discussion by City Council Members.**
- 13. Business by Mayor**
- 14. Adjournment.**

Rockingham, NC

City Council Agenda

SUPPORT DOCUMENTS

UNCOLLECTED TAXES

YEAR	AMOUNT	Mar-21
2020	76,195.28	
2019	10,609.04	
2018	9,103.14	
2017	8,209.42	
2016	6,863.06	
2015	7,103.13	
2014	7,258.41	
2013	8,676.74	
2012	6,299.31	
2011	5,870.15	
2010	5,163.08	
	76,195.28	Total Current Year
	75,155.48	Total Past Years
	151,350.76	Total All Years

CITY OF ROCKINGHAM
 PAYMENT REVERSAL REGISTER
 MARCH 31, 2021

DATE	ACCOUNT	NAME	EXPLANATION	YEAR	REVERSE PAYMENT	REVERSE INTEREST PMT	REVERSE INTEREST	REVERSE ADVERTISING	TOTAL REVERSAL
3/4/21	18061303	BUNDY, JOY	CC # TRANSPOSED	2020	91.37	2.52			93.89
3/4/21	18061304	BUNDY, JOY	CC # TRANSPOSED	2020	89.10	2.45			91.55
3/4/21	18061305	BUNDY, JOY	CC # TRANSPOSED	2020	103.80	2.86			106.66
3/25/21	5338	KCL MEDIA LLC	REPOST PAYMENT	2020		0.13			0.13
3/25/21	7207320	MCRAE, BEULAH	REPOST PAYMENT	2020	44.02				44.02
									0.00
									0.00
									0.00
		TOTALS			\$328.29	7.96	0.00	0.00	\$336.25

Staff Report to Planning and Zoning Board
Agenda Item: IV.A
April 6, 2021

Issue:

Rezoning Request: Hudson Paving, Inc. has submitted a request to rezone approximately 4.8 acres located at 195 and 201 US Highway 74 Business West and identified as Richmond County PIN 7463-03-44-3216, 7463-03-44-2337, and 7463-03-34-8330 from Residential Mill Village (R-7A) and Highway Business (B-3) to Light Industrial (I-1).

Background:

On March 24, 2021, Hudson Paving, Inc. submitted a request to rezone approximately 4.8 acres (three parcels) located at 195 and 201 US Highway 74 Business West from Residential Mill Village (R-7A) and Highway Business (B-3) to Light Industrial (I-1). Two of the three parcels are currently vacant and zoned R-7A). The third parcel is zoned B-3 and includes a commercial building and single-wide mobile home, which are intended for demolition by the applicant. The applicant intends to expand their business operations to the subject properties.

As set forth in Section 3.01 of the UDO, the Residential Mill Village (R-7A) zone is generally intended to be applied to the existing mill village areas and is intended to accommodate the historic development patterns created in the mill village areas and thereby minimize the creation of nonconforming situations while still maintaining quiet, livable neighborhoods. The Highway Business (B-3) zone is generally intended to accommodate and provide for the development of a variety of commercial activities where municipal services are available or anticipated. The Light Industrial (I-1) zoning district is generally intended to accommodate and provide areas for wholesale activities, industrial research, warehousing and light manufacturing operations.

Staff Comments:

1. A zoning map and an aerial map illustrating the location of the subject property is included in the agenda packet for the Board's reference.
2. There is some overlap in the uses allowed in the I-1 zone and B-3 zone. The applicant's current use (Hudson Paving office and equipment yard) is allowed as a permitted use in both the I-1 and B-3 zone. The lot zoned B-3 is requested to be rezoned for consistency since the applicant's current facility is zoned I-1.
3. It should be noted the applicant also owns two lots fronting on Barrett Street (also zoned R-7A) adjacent to the landlocked lot included in the rezoning request.

Plan Consistency Statement:

The requested rezoning is not consistent with the future land use map set forth in Shaping Our Future: 2023. The two lots with frontage on US Highway 74 Business West were identified on the future land use map as an area to encourage commercial development. The landlocked lot was identified as an area to encourage higher density residential development. However, one objective set forth under Goal 1 in the plan is to "ensure adequate amounts of land in desirable locations for commercial and industrial development with access to water and sewer infrastructure and appropriate zoning exist in the community. While the request may not be exactly consistent with the future land use map, approval of the request is consistent with a stated objective in the plan and would allow an existing business the

opportunity to grow and expand if approved. It should be noted that as set forth in NCGS 160D-6-4(d), inconsistency with the comprehensive plan shall not preclude consideration or approval by the governing Board.

Statement of Reasonableness: Each of the three parcels included in the rezoning request are adjacent to existing Light Industrial (I-1) zoning, so the request does not constitute spot zoning. It seems unlikely that the two tracts currently zoned R-7A would be desirable for any type of residential development considering the adjacent nonresidential uses, residential growth patterns in the community, the frontage of two lots on a major US highway, and one lot being landlocked. Thus, in the opinion of City staff, the request is reasonable.

Staff Recommendation:

City staff recommends the Board review the proposed rezoning request and recommend the City Council rezone the property as requested by the applicant.

Planning Board Recommendation:

The Planning Board reviewed the requested rezoning on April 6, 2021 and recommended unanimously that the City Council rezone the property as requested.



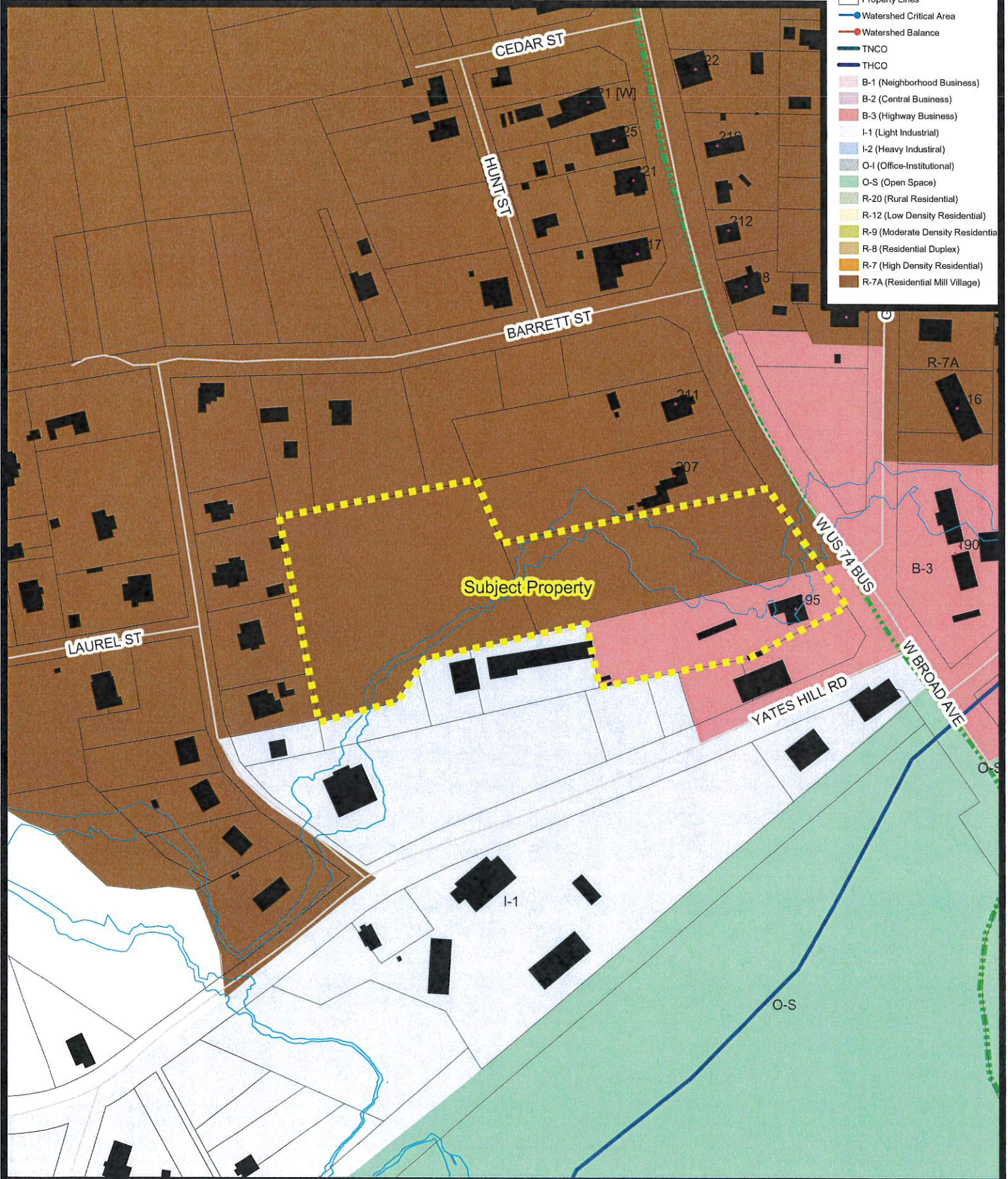
Hudson Paving Rezoning Request

Residential Mill Village (R-7A) and Highway Business (B-3)
to Light Industrial (I-1)

Scale:
1" = 200'



- Subject Property
- AE (Floodplain)
- SHADED X (Floodplain)
- AEFW (Floodway)
- Street Names
- Address Data
- City Limits
- Property Lines
- Watershed Critical Area
- Watershed Balance
- TNCO
- THCO
- B-1 (Neighborhood Business)
- B-2 (Central Business)
- B-3 (Highway Business)
- I-1 (Light Industrial)
- I-2 (Heavy Industrial)
- O-1 (Office-Institutional)
- O-S (Open Space)
- R-20 (Rural Residential)
- R-12 (Low Density Residential)
- R-9 (Moderate Density Residential)
- R-8 (Residential Duplex)
- R-7 (High Density Residential)
- R-7A (Residential Mill Village)





Hudson Paving Rezoning Request

Residential Mill Village (R-7A) and Highway Business (B-3)
to Light Industrial (I-1)



Scale:
1" = 200'

- Subject Property
- AE (Floodplain)
- SHADED X (Floodplain)
- AEFW (Floodway)
- Street Names
- Address Data
- Property Lines
- City Limits
- Watershed Critical Area
- Watershed Balance
- TNCO
- THCO



THIS TOLLING AGREEMENT (the "Agreement"), is made effective as of this 11th day of March, 2021, by and between the City of Hamlet, a North Carolina municipal corporation ("Hamlet"); the City of Rockingham, a North Carolina municipal corporation ("Rockingham"); and Richmond County, a political subdivision of the State of North Carolina (the "County"), all of which are collectively referred to herein as the "Parties.";

WITNESSETH:

WHEREAS, in 2015 Hamlet entered into an Interlocal Agreement with the County for the consolidation of public safety dispatch and 911 services and for the creation of a joint emergency management agency; and

WHEREAS, in 2015 Rockingham also entered into an Interlocal Agreement with the County for the consolidation of public safety dispatch and 911 services and for the creation of a joint emergency management agency; and

WHEREAS, in 2020 a dispute arose between the Parties as to the terms and interpretation of the 2015 Interlocal Agreements. Hamlet and Rockingham have alleged, among other things, that the County breached the 2015 Interlocal Agreements, which the County denies; and

WHEREAS, Hamlet and Rockingham have alleged that the breach occurred on April 6, 2020 when the Richmond County Board of Commissioners voted to change the method of sales tax distribution in Richmond County from *per capita* to *ad valorem*; and

WHEREAS, on March 11, 2021 the Parties participated in a mediation in a good-faith attempt to resolve the issues pertaining to 2015 Interlocal Agreements prior to the initiation of litigation;

NOW THEREFORE, the Parties have agreed to the following:

1. Hamlet and Rockingham shall not file suit in either North Carolina state court or the United States District Court for claims arising from the alleged breach of the 2015 Interlocal Agreements prior to September 13, 2021.

2. The County agrees to toll the running of any and all statutes of limitations and statutes of repose that would apply to possible claims brought by Hamlet and Rockingham arising from the alleged breach of the 2015 Interlocal Agreements until and including September 13, 2021.

3. The County will make a good faith effort to discuss the sales tax issue with representatives of all the municipalities in Richmond County, including Hamlet, Rockingham, Dobbins Heights, Hoffman, Ellerbe, and Norman. Hamlet and Rockingham agree to make a good faith effort to discuss the sales tax issue with representatives of the County as well. Attorneys for the Parties shall not be present during these meetings. The County and Hamlet, and the County and Rockingham, will make a good-faith effort to hold their respective meetings in the month of April 2021, and the County will make a good faith effort to hold its meetings with the other municipalities during April 2021 as well.

4. With respect to Hamlet and Rockingham, the same confidentiality rules shall apply to meetings with the County to the sales tax issue as apply to mediation pursuant to N.C. Gen. Stat. § 7A-38.1(l). Specifically, evidence of statements made and conduct occurring during confidential discussions regarding the sales tax issue shall not be subject to discovery and shall be inadmissible in any proceeding in any civil action arising from the alleged breach of the 2015 Interlocal Agreements, except as authorized by G.S. § 7A-38.1(l)(1)-(4).

5. This Agreement constitutes the entire agreement between the Parties and supersedes any prior oral or written agreements or understandings between the Parties, their officials, employees, or agents.

CITY OF HAMLET

By: _____
William Bayless, Hamlet Mayor Date

ATTEST:

By: _____ [SEAL]
Gail Strickland, Hamlet City Clerk Date

CITY OF ROCKINGHAM

By: _____
Steve Morris, Rockingham Mayor Date

ATTEST:

By: _____ [SEAL]
Sabrina McDonald, Rockingham City Clerk Date

RICHMOND COUNTY

By: _____
Jeff Smart,
Chairman of the Board of Commissioners Date

ATTEST:

By: _____ [SEAL]
[Add Name] ,
Clerk to the Board of Commissioners Date

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



FIRE CHIEF
HAROLD ISLER
ADMIN. ASST.
KRISTY PLAYER

March

We are pleased to submit the monthly fire report on the activities undertaken by the Rockingham Fire Department during the month of March 2021.

Total Alarms:	<u>35</u>	In Town:	<u>35</u>	Out of Town:	<u>0</u>
Turn In Alarms:	<u>1</u>	Silent Alarms:	<u>34</u>	Structure fire:	<u>1</u>
Wrecks:	<u>9</u>	Alarm Malf:	<u>11</u>	Good Intent:	<u>4</u>
Service Call:	<u>3</u>	Assist Police:	<u>0</u>	Trash/outside fire:	<u>5</u>
Power line down:	<u>1</u>	Assist Ems:	<u>0</u>	Unauthorized burn:	<u>0</u>
Smoke scare:	<u>0</u>	Building Collaspe:	<u>0</u>	Vehicle fire:	<u>0</u>
Chimmney fire:	<u>0</u>	Cooking Fire:	<u>1</u>	Spill/Leak:	<u>0</u>

Hours Spent on Calls: 10 hours 13 minutes

Total Property Exposed to Fire:	<u>\$101,000.00</u>
Total Property Damaged by Fire:	<u>\$43,000.00</u>
Total Property Saved:	<u>\$58,000.00</u>

During the month of March members of the fire department averaged 38 training hours per person; part-paid members averaged 9 hours per person for the month.

Respectfully Submitted,

Harold Isler
Fire Chief



W.D. Kelly, Chief of Police

To: Monty Crump

WDK
From: W. D. Kelly
Chief of Police

Date: April 6, 2021

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>1430</u>
Public Service Calls - INCLUDES	<u>516</u>
<i>Alarms, Unlocks and Battery Boosts)</i>	

Charges Generating Arrest:	
Felonies:	<u>65</u>
Misdemeanors:	<u>45</u>
Drug Violations:	<u>03</u>
Juvenile:	<u>02</u>
Warrants Served:	<u>162</u>
Citations:	<u>28</u>

Accidents Reported/Investigated:	
Property Damage only:	<u>22</u>
Personal Injury:	<u>08</u>

Officer Hours Spent in Court:	<u>09</u>
Officer Training Hours Logged	<u>125</u>