

**CITY COUNCIL
AGENDA
September 12, 2023
6:30 p.m.**

- 1. Opening of meeting by Mayor John P. Hutchinson.**
- 2. Invocation by Pastor Gene Alexander, First Assembly of God Church.**
- 3. Amendments and Changes to Agenda.**
- 4. Consent Agenda:**
 - A. Disposition of Minutes of the August 8, 2023 Regular Meeting.**
 - B. Tax Collector's Report. (See Pages 4-9)**

Informational Items:

 - 1.) Monthly Collection Report**
 - 2.) Uncollected Taxes as of August 31, 2023**

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 Hearings. (none)**
 - B. Hold Public Hearings: (none)**
 - C. Minutes from Various Boards. (Enclosed)**

**City Council Agenda
September 12, 2023**

- 7. Consideration of an amendment to Section 111.02(D) of the Rockingham City Code to extend the duration of itinerant merchant licenses from 90 to 120 days; and Section 111.03 (D) to delete the requirements for a statement from a licensed physician for those itinerant merchants handling foodstuffs. (See Pages 10-13)**
- 8. Business by Visitors.**
- 9. Business by City Clerk.**
- 10. Business by City Manager.**
- 11. Items of discussion by City Council Members.**
- 12. Business by Mayor.**
 - A. Recognition of Proclamation issued in Observance of Adult Education and Family Literacy Week. (See Page 14)**
- 13. Adjournment.**

Rockingham, NC

City Council Agenda

SUPPORT DOCUMENTS

**CITY OF ROCKINGHAM
MONTHLY TAX COLLECTION REPORT**

MONTH: AUGUST

YEAR: 2023

YEAR	AD VALOREM TAXES	COST AND INTEREST	TOTAL COLLECTED	PERCENT THIS DATE	YEAR TO DATE COLLECTIONS	PRIOR YEAR RECORD	
						SAME MONTH COLLECTIONS	PERCENT OF TOTAL
PREPAID 2024	155.82		155.82		339.36	350.72	
2023	493,087.59	-	493,087.59	20.86%	738,437.19	768,041.77	21.16%
2022	3,639.94	360.76	4,000.70	99+%	7,436.13	9,321.79	99+%
2021	229.43	29.63	259.06	99+%	237.67	1,429.77	99+%
2020	40.12	20.92	61.04	99+%	129.60	157.66	99+%
2019	-		-	99+%	-	90.65	99+%
2018	-	-	-	99+%	39.57	98.98	99+%
2017	-		-	99+%	-	58.42	99+%
2016	-	-	-	99+%	-	64.31	99+%
2015	-	-	-	99+%	-	64.31	99+%
2014	-	-	-	99+%	-	64.31	99+%
2013	-	-	-	99+%	-	174.56	99+%
	497,152.90	411.31	497,564.21		746,619.52	779,917.25	

UNCOLLECTED TAXES

YEAR	AMOUNT	'AUGUST 2023
2023	2,816,675.85	
2022	53,664.70	
2021	17,215.68	
2020	9,329.74	
2019	6,416.81	
2018	5,113.79	
2017	4,565.91	
2016	4,341.98	
2015	4,727.27	
2014	5,107.53	
2013	7,027.35	
	2,816,675.85	Total Current Year
	117,510.76	Total Past Years
	2,934,186.61	Total All Years

CITY OF ROCKINGHAM
MONTHLY DISCOVERIES REGISTER
AUGUST 2023

<u>ACCT #</u>	<u>NAME</u>	<u>BILL #</u>	<u>TAX RATE</u>	<u>YEAR OF DISCOVERY</u>	<u>DESCRIPTION</u>	<u>VALUE</u>	<u>CITY TAX</u>	<u>CITY LATE</u>	<u>INTEREST</u>	<u>TOTAL AMOUNT</u>
80992102	WELLS FARGO FINANCIAL LEASING	21974	0.58	2023	EQUIPMENT ADDED PER COUNTY	66,157	383.71			383.71
										0.00
										0.00
										0.00
										0.00
										0.00
										0.00
										0.00
										0.00
	TOTALS					66,157	383.71	0.00	0.00	\$383.71

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CITY OF ROCKINGHAM
MONTHLY REFUNDS REGISTER
AUGUST 2023

	A	B	C	D	E	F	G	H	I	J	K
1	DATE	ACCOUNT	NAME	EXPLANATION	YEAR	AMOUNT	LATE LIST	TAGS	INTEREST	REFUNDED	CHECK #
2	8/8/23	45928095	EVERETT, THERESA D	VEH TAX REFUND	2023			20.99		20.99	84839
3	8/8/23	66454005	SMITH, TYLER L	VEH TAX REFUND	2023			5.14		5.14	84869
4	8/8/23	58573469	SORRELL, CHASTITY	VEH TAX REFUND	2023			132.38		132.38	84870
5	8/8/23	66007546	WILBURN, GREGORY	VEH TAX REFUND	2023			4.11		4.11	84881
6	8/30/23	70016662	MANIVANH, KHAMSENG	VEH TAX REFUND	2023			47.76		47.76	84981
7	8/30/23	66717354	OVER THE RAINBOW CDC, INC	VEH TAX REFUND	2023			235.15		235.15	84982
8										0.00	
9										0.00	
10										0.00	
11										0.00	
12										0.00	
13										0.00	
14			TOTALS			\$0.00	\$0.00	\$445.53	\$0.00	\$445.53	

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MEMORANDUM

To: Mayor John P. Hutchinson and City Council Members

From: John R. Massey, Jr., Assistant City Manager

Date: September 5, 2023

Re: Proposed Amendment to Chapter 111 of the Rockingham City Code

In an effort to better streamline the licensing process for peddlers and itinerant merchants, City staff has drafted two amendments to Chapter 111 of the Rockingham City Code. In Section 111.02 (D), City staff proposes to extend the duration of licenses for peddlers and itinerant merchants from 90 days to 120 days. In Section 111.03, City staff proposes to delete subsection (D) in its entirety which will eliminate the requirement for a statement from a licensed physician for those merchants engaged in the handling of foodstuffs.

The timeline extension reduces paperwork for those applicants operating year-round in the City and the City Clerk (responsible for issuance and tracking of licenses). The current license fee is \$50 per 90-day period. If this amendment is approved by City Council, City staff will increase the license fee to \$75 per 120-day period.

The current requirement in Section 111.03 (D) for the submission of a statement from a licensed physician is redundant since the Richmond County Health Department is responsible for overseeing the health and sanitation of all entities involved in food service including peddlers and itinerant merchants.

CHAPTER 111: PEDDLERS AND SOLICITORS

Section

- 111.01 Definitions
- 111.02 License requirements
- 111.03 Application procedure
- 111.04 Standards for issuance
- 111.05 Revocation procedure
- 111.06 Standards for revocation
- 111.07 Appeal procedure
- 111.08 Exhibition of identification
- 111.09 City policy on soliciting
- 111.10 Notice regulating soliciting
- 111.11 Duty of solicitors to ascertain notice
- 111.12 Prohibited solicitation
- 111.13 Soliciting from streets or medians

§ 111.01 DEFINITIONS.

For the purposes of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BUSINESS. The business carried on by any person who is an itinerant merchant, peddler, or solicitor as defined in this section.

GOODS. Merchandise of any description whatsoever, and includes, but is not restricted to, wares and foodstuffs.

ITINERANT MERCHANT. Any person, whether as owner, agent, or consignee, who engages in a temporary business of selling goods within the city and who, in the furtherance of such business, uses any building, structure, vehicle, or any place within the city.

PEDDLER. Any person, not an itinerant merchant, who:

- (1) Travels from place to place by any means carrying goods for sale, or making sales, or making deliveries; or
- (2) Without traveling from place to place, sells or offers goods for sale from any public place within the city.

SOLICITOR. Any person who travels by any means from place to place, taking or attempting to

take orders for sale of goods to be delivered in the future or for services to be performed in the future. A person who is a solicitor is not a peddler. (Ord. passed - -01)

§ 111.02 LICENSE REQUIREMENT.

(A) Any person who is an itinerant merchant, peddler, or solicitor shall obtain a license before engaging in such activity within the City.

(B) The fee for the license required by this chapter shall be as set from time to time by the City Council.

(C) No license issued under this chapter shall be transferable.

(D) All licenses under this chapter shall expire ~~90~~ **120** days after the date of issuance thereof.

§ 111.03 APPLICATION PROCEDURE.

(A) All applicants for licenses required by this chapter shall file an application with the Clerk. This application shall be signed by the applicant if an individual, or by all partners if a partnership, or by the president if a corporation. The applicant may be requested to provide information concerning the following items:

- (1) The name and address of the applicant;
- (2) The name of the individual having management authority or supervision of the applicant's business during the time that it is proposed to be carried on in the city; the local address of such individual; the permanent address of such individual; and the capacity in which such individual with act;
- (3) The name and address of the person, if any for whose purpose the business will be carried on, and, if a corporation, the state of incorporation;
- (4) The time period or periods during which it is proposed to carry on applicant's business;

- (5) The nature, character, and quality of the goods or services to be offered for sale or delivered; if goods, their invoice value and whether they are to be sold by sample as well as from stock; and if goods, where and by whom such goods are manufactured or grown, and where such goods are at the time of application;
- (6) The nature of the advertising proposed to be done for the business;
- (7) Whether or not the applicant, or the individual identified in division (A)(2) above, or the person identified in division (A)(3) has been convicted of any crime or misdemeanor and, if so, the nature of each offense and the penalty assessed for each offense.

(B) Applicants for peddler or solicitor licenses may be required to provide further information concerning the following items, in addition to the requested under division (A) above:

- (1) A description of the applicant;
- (2) A description of any vehicle proposed to be used in the business, including its registration number, if any.

(C) All applicants for licenses required by this chapter shall attach to their application, if required by the city, credentials from the person. If any, for which the applicant proposes to do business, authorizing the applicant to act as such representative.

~~(D) Applicants who propose to handle foodstuffs shall also attach to their application, in addition to any attachments required under division (C), a statement from a licensed physician, dated not more than ten days prior to the date of application, certifying the applicant to be free of contagious or communicable disease.~~
(Ord. passed - -01)

§ 111.04 STANDARDS FOR ISSUANCE.

(A) Upon receipt of an application, an investigation of the applicant's business reputation and moral shall be made.

(B) The application shall be approved unless such investigation discloses tangible evidence that the conduct of the applicant's business would pose a substantial threat to the public health, safety, morals, or general welfare. In particular, tangible evidence that the applicant has done any of the following will constitute valid reasons for disapproval of an application:

- (1) Has been convicted of a crime of moral turpitude;
- (2) Has made willful misstatements in the application;
- (3) Has committed prior violations of ordinances pertaining to itinerant merchants, peddlers, solicitors, and the like;
- (4) Has committed prior fraudulent acts; or
- (5) Has a record of continual breaches of solicited contracts.
(Ord. passed - -01)

§ 111.05 REVOCATION PROCEDURE.

Any license or permit granted under this chapter may be revoked by the Clerk after notice and hearing, pursuant to the standards in § 111.06. Notice of hearing for revocation shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be mailed to the licensee at his last known address, at least ten days prior to the date set for the hearing.
(Ord. passed - -01)

§ 111.06 STANDARDS FOR REVOCATION.

A license granted under this chapter may be revoked for any of the following reasons:

- (A) Any fraud or misrepresentation contained in the license application;
- (B) Any fraud, misrepresentation, or false statement made in connection with the business being conducted under the license;
- (C) Any violation of this chapter;

(D) Conviction of the licensee of any felony, or conviction of the licensee of any misdemeanor involving moral turpitude; or

(E) Conducting the business licensed in an unlawful manner of in such a way as to constitute a menace to the health, safety, morals, or general welfare of the public.

(Ord. passed - -01)

§ 111.07 APPEAL PROCEDURE.

(A) Any person aggrieved by a decision under § 111.04 or § 111.06 shall have the right to appeal to the City Manager. The appeal shall be taken by filing with the City Manager, within 14 days after notice of the decision has been mailed to such person's last known address, a written statement setting forth the grounds for appeal. The City Manager shall set the time and place for a hearing and notice for such hearing shall be given to such person in the same manner as provided in § 111.05.

(B) The order of the City Manager after the hearing shall be final.

(Ord. passed - -01)

HONORARY PROCLAMATION

**National Adult Education & Family Literacy Week
September 18-24, 2023**

WHEREAS, more than 51.4 million Americans can't read or write at the most basic level while 75.1 million lack basic math skills, as well as the credentials and skills necessary to succeed in post-secondary education; and

WHEREAS, every year, one in three young adults drops out of high school; and

WHEREAS, American Action Forum estimates that America is short an estimated 7.5 million private sector workers across all skill levels; and

WHEREAS, Adult Education programs contribute to solving these challenges by helping Americans move along the continuum in their educational journey to achieve basic skills and get prepared for career and college; and

WHEREAS, Adult Education programs in high schools and adult schools, community colleges and community centers offer low cost, high value programs that upgrade the skill set of our citizens; and

WHEREAS, Richmond Community College celebrates Adult Education and Family Literacy Week as a proud participant in the national Educate & Elevate Campaign which helps our citizens learn about all of their Adult Education options to attain their professional and personal goals; and

NOW, THEREFORE, I, John Hutchinson, Mayor of the great city of Rockingham, North Carolina, do hereby proclaim September 18 - 24, 2023, as

ADULT EDUCATION AND LITERACY WEEK

and encourage all people to work together to increase literacy among the residents of Rockingham.

GIVEN under my hand and the Executive
Seal of the city of Rockingham, this
_____ day of _____, 2023

John Hutchinson
Mayor

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



To: Monty Crump

From: G.C. Gillenwater
Chief of Police

Date: September 5, 2023
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: 1508
Public Service Calls - INCLUDES 298
(Alarms, Escorts)

Charges Generating Arrest:
Felonies: 58
Misdemeanors: 38

Drug Violations: 10
Juvenile: 12
Citations: 93

Accidents Reported/Investigated:

Property Damage only: 52
Personal Injury: 01

Officer Hours Spent in Court: 09
Officer Training Hours Logged 201

To: Monty Crump, City Manager
From: Dave Davis, Parks and Recreation Director
Date: September 5, 2023
Subject: Activity Report

The following is an update on current Parks and Recreation activities.

Youth Soccer – All aspects of this very popular sport are falling into place as we begin our 30TH season on Wednesday, September 13th.

Over 450 children are registered to participate and if everything progresses accordingly we should complete our season the latter part of October.

Youth Volleyball – Registration begins on Monday, September 18th. After eight seasons of solid enrollment this program has established a good foundation for continued growth.

Flag Football – Additionally, registration also begins on Monday, September 18th for this second year program. In just a short period of time this program has generated a great deal of interest and is becoming one of our most popular offerings.

Hinson Lake – Reservations are in place for every week-end through the end of this calendar year. Additionally, this facility will play host to the annual ultra-marathon race the last week-end of this month.



FIRE CHIEF
HAROLD ISLER
ADMIN. ASST.
KRISTY PLAYER

August

We are pleased to submit the monthly fire report on the activities undertaken by the Rockingham Fire Department during the month of August, 2023.

Total Alarms:	<u>53</u>	In Town:	<u>53</u>	Out of Town:	<u>0</u>
Turn In Alarms:	<u>1</u>	Silent Alarms:	<u>52</u>	Structure:	<u>1</u>
Wrecks:	<u>10</u>	Alarm Malf:	<u>17</u>	Good Intent:	<u>9</u>
Smoke/Odor:	<u>0</u>	Vehicle fire:	<u>1</u>	Outside fire:	<u>2</u>
Illegal burn:	<u>0</u>	Co Detector:	<u>0</u>	Assit Police:	<u>0</u>
Service call:	<u>8</u>	Assit EMS:	<u>0</u>	Water Rescue:	<u>0</u>
Electrical:	<u>2</u>	Power Line Down:	<u>2</u>	Spill/Leak:	<u>1</u>

Hours Spent on Calls: 10 hours and 32 minutes

Total Property Exposed to Fire:	<u>\$1,700,000.00</u>
Total Property Damaged by Fire:	<u>\$37,000.00</u>
Total Property Save:	<u>\$1,663,000.00</u>

During the month of August full time members of the fire department averaged 63 training hours per person; part-paid members averaged 5 hours per person for the month.

Respectfully Submitted,

Fire Chief
Harold Isler