

**AGENDA ROXBORO CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 11, 2018 at 7:00 P.M.
CITY HALL COUNCIL CHAMBER**

CALL TO ORDER		Mayor Marilyn P. Newell
INVOCATION:		Police Chief David Hess
PLEDGE OF ALLEGIANCE:		Mayor Marilyn P. Newell
AGENDA ADOPTION:		Mayor Marilyn P. Newell
CONSENT AGENDA		Mayor Marilyn P. Newell
Minutes		
Fire Department		
Police Department		
Public Services		
Fuel Expenditures		
Planning/RDG Report		
RECOGNITIONS:	Proclamation – Embrace Christian Center Day Letter of Commendation, Detective Jason Howe- Chief David Hess & Creedmoor Chief Keith King Squad Commendation – Sgt. Cash's Squad Meritorious Conduct Award, Sergeant Shawn Williams- Chief David Hess Promotion, Detective Trey Wright- Chief David Hess	
PUBLIC COMMENT:	<i>(5 minutes per Citizen)</i>	Mayor Marilyn P. Newell
PUBLIC HEARINGS AND ORDINANCE MATTERS:		
1. Demolition Order – 222 Bryce Street		Planning Director Lauren Johnson
2. Special Use Permit – 619 Jean Street – <i>Quasi Judicial Hearing</i>		Planning Director Lauren Johnson
3. Text Amendments - Business Regulations – Chapters 110,111, 114, & 117		City Manager Brooks Lockhart
NEW BUSINESS:		
4. Marlow's Creek Contract – Engineering		Public Services Director Andy Oakley
5. Resolution to Approve Grant Application		Public Services Director Andy Oakley
6. Fire Truck Loan Approval – Piedmont Electric		Chief Kenneth Torain
7. Tourism Report		TDA Director Margaret McMann
OLD BUSINESS:		
8. Operations "Slow Down" Update		Chief David Hess
COMMITTEE REPORTS:		Mayor Marilyn P. Newell
ADMINISTRATIVE REPORTS:		
9. Financial & Tax Report		Finance Director Dan Craig
10. Assistant Manager's Report		Assistant Manager Tommy Warren
11. Manager's Report		City Manager Brooks Lockhart
COUNCIL DISCUSSION:		
CLOSED SESSION:	Per NCGS 143.318.11(a)(1) Attorney/Client Privilege	
ADJOURNMENT:	Motion	Second

Mission Statement: "To create an inviting environment with opportunities that will add value to the Community of Roxboro"

Consent Agenda

CITY OF ROXBORO, NC Consent Agenda

The Regular meeting of the Roxboro City Council was held in the Council Chamber of City Hall at 7:00 p.m. Tuesday, September 11, 2018.

The following members of the Roxboro City Council were present:

The following members of the Roxboro City Council were absent:

Mayor Marilyn P. Newell presented the consent agenda and asked if any item should be added or removed before calling for action. After some discussion, a **motion was offered by _____ to approve the Consent Agenda as presented with a second by _____** and upon being put to a vote, was carried unanimously.

- Minutes of August 14, 2018 (*Regular Meeting*)
- Fire/EMS Monthly Report (*August 2018*)
- Police Dept. Monthly Report (*August 2018*)
- Public Services Monthly Report (*August 2018*)
- Fuel Expenditures Monthly Report (*August 2018*)
- Planning/RDG Monthly Report (*August 2018*)

Trevie Adams, MMC/NCCMC
City Clerk

Mission Statement: "To create an inviting environment with opportunities that will add value to the Community of Roxboro"

**MINUTES/MEETING OF THE ROXBORO CITY COUNCIL
TUESDAY AUGUST 14, 2018 – 7:00 P.M. CITY COUNCIL MEETING
CITY HALL IN THE COUNCIL CHAMBERS - ROXBORO, NC**

Members Present: Mayor Marilyn P. Newell
Mayor Pro-Tem Tim Chandler
Council Member Mark Phillips
Council Member Byrd Blackwell
Council Member Reggie Horton
Council Member Sandy Stigall

Members Absent: City Clerk Trevie Adams

Others Present: City Manager Brooks Lockhart
Assistant Manager Tommy Warren
Brough Law Firm – Bob Hornick

CALL TO ORDER:

Mayor Marilyn P. Newell called the meeting to order at 7:00 p.m. welcoming everyone in attendance. **Public Services Director Andy Oakley** provided the invocation.

PLEDGE OF ALLEGIANCE:

Mayor Marilyn P. Newell then led Council and those in attendance in reciting the Pledge of Allegiance to the Flag.

AGENDA ADOPTION:

Mayor Marilyn P. Newell presented the agenda and asked that item #5 be removed from the agenda. A **motion to approve the agenda with the proposed change by the Mayor was offered by Mayor Pro Tem Tim Chandler with a second by Council Member Sandy Stigall** and upon being put to a vote was carried unanimously.

CONSENT AGENDA ADOPTION:

Mayor Marilyn P. Newell presented the consent agenda and asked if anyone had any comments. Council Member Reggie Horton asked that in the minutes on page 4 the name be changed from Charles to Charlene. Mayor Marilyn P. Newell offered a thank you to Pam Rodgers and Lauren Johnson for filling in for City Clerk Trevie Adams who is attending the Clerk's Annual Conference. Also, a thank you to Mr. Bob Hornick of the Brough Law Firm for filling in for Mr. Nick Herman. A **motion was offered by Council Member Mark Phillips to approve the consent agenda with the correction on page 4 of the minutes with a second by Council Member Byrd Blackwell**, and upon being put to a vote, was carried unanimously.

RECOGNITION:

PUBLIC COMMENT:

Mayor Marilyn P. Newell invited anyone interested in addressing Council to sign-up for the public record and to limit his/her comments to five minutes.

- 1) **Mr. Clyde Kelly of Cedarcrest Lane, Semora, N. C.** stated that he was representing four families in regards to a large sink hole located at 122 S. Foushee, 207 & 209 S. Foushee, 213 S. Foushee and 128 Academy Streets. Mr. Kelly stated that he had called the City and

was told the storm drain in question was not the property of the City and that it belongs to the property owners. Mr. Kelly called a private engineering firm and they had told him the storm water drain is the City's. Mr. Kelly reported that he called the City Manager and was referred to Andy Oakley who told him the drain was not the City's. Mr. Kelly wanted to fill with concrete and was told he could not do that by Mr. Oakley. Mr. Kelly had picture of hole and foundation of Mother's home on Academy Street and stated that the hole was big enough for a small child. Mr. Kelly wanted to lodge an official complaint with the City for negligence and wants to be put on future agenda. Talked to Donald Ashley and wants to put water line on his property on School Street. Mayor Newell informed Mr. Kelly that his time was up.

2) **Ms. Sybil Knapp of 425 S. Main and owns 501 S. Main Street, Roxboro, N.C.** thanked the City for placing the electronic speed limit sign on S. Main St. Ms. Knapp stated that the neighbors of S. Main Street have met and come up with the general consensus that they would like to see property located at 608 S. Main Street remain zoned for business.

3) **Ms. Pecolia Beatty of 610 S. Main Street, Roxboro, N.C.** stated to Council that she would also like to leave B1 zone at the property 608 S. Main Street stating there is not enough room between her house and this house to put parking for cars and feels that this is spot zoning. Ms. Beatty also does not see how this fits future land use. "Would you want an apartment complex next to your house"? Ms. Beatty asked the Council to be fair and just in their decision.

4) **Ms. Charlene Emory of 508 S. Main Street, Roxboro, N.C.** stated she had attended the neighborhood meeting. Ms. Emory stated she was told not an act of spot zoning at the last meeting and Mrs. Johnson gave her some information on zoning and planning. It would be arbitrary to change zoning on one parcel. This is not in the current land use plan in place for zoning in this district and asked Council for a plan to be put in place before anything drastic is done.

5) **Mr. James Reardon** – Declined to speak.

6) **Ms. April Evans of 203 S. Foushee Street, Roxboro, N.C.** asked if Mr. Clyde Kelly to come back and speak on her behalf. Mayor Merilyn P. Newell stated that this would be inappropriate.

7) **Ms. Deborah Ownens of 123 Nichols Avenue, Roxboro, N.C.** stated that she owns the property behind Ms. Pecolia Beatty and supports neighbors in opposing spot zoning.

PUBLIC HEARINGS & ORDINANCE MATTERS:

1. Rezoning Request – 608 S. Main Street

Planning Director Lauren Johnson reported that no additional information has been provided since the July meeting. Mayor Pro Tem Tim Chandler asked for the definition of Spot Zoning. City Attorney Bob Hornick offered the definition of spot zoning stating: Not all spot zoning is detrimental, feels that is not spot zoning and all surrounding property is residences. Council Member Mark Phillips asked about updating the land use plan and Mrs. Johnson stated that she had been in contact with Kerr-Tar to help with this. After some further discussion, **Council Member Mark Phillips offered a motion to approve the rezoning request presented in Docket #RZ2018-04 for the parcel identified as Tax Map 16 Lot 12, from B-1 (Highway Commercial) to R-6 (High Density Residential), is consistent with the City's Comprehensive Land Use Plan in that it:**

- **Provides opportunity for a variety of housing types, densities, and price ranges within the City of Roxboro; and**
- **Identifies an area that is prime for and in need of redevelopment.**

Furthermore, this plan is in the public interest of the City of Roxboro as it will appropriately zone this area for development residential use that will keep with the existing nature and character of the area, while providing housing that is within

walking distance of the basic necessities, with a second by Mayor Pro Tem Tim Chandler and upon being put to a vote not all members offered a vote of yes or no and Mayor Marilyn P. Newell explained that no one had been excused from voting therefore a non-vote is counted as a yes and the motion would be carried unanimously.

2. Budget Amendment

Finance Director Dan Craig presented Council with Budget Amendment #1. After a brief discussion, Council Member Mark Phillips offered a motion to approve the Budget Amendment #1 as presented with a second by Council Member Reggie Horton and upon being put to a vote, was carried unanimously. Clerk's Note: A copy of said Budget Amendment #1 is hereby incorporated into the minutes of this meeting.

3. Special Use Permit – 907 Ridge Road – Quasi-Judicial

Mayor Marilyn P. Newell opened the hearing at 8:02 p.m. and swore in Mrs. Lauren Johnson for the Quasi-Judicial hearing. Mrs. Johnson presented the Mayor and Council with an application for a Special Use Permit for allowing a "church" as an accessory use at the property located at 907 Ridge Road, Tax Map 132 6. Mrs. Johnson presented Findings of Fact as follows:

The property in question formerly housed a hair salon. The applicant wishes to utilize the existing building for church services for their approximately 50 members on Sundays and Wednesdays. Services will be conducted from 9:00am to 12:00pm and 6:00pm to 7:00pm on Sundays. Services will be held from 7:00pm to 8:00pm on Wednesdays. The applicants indicate no plans to host weddings or funeral services at this location. They did, however, indicate the possibility of some fundraisers taking place on-site, depending on the type of fundraiser and availability of another location.

Staff's review of the request included consultation with other City departments to determine accessibility issues, water/sewer capacity issues, compliance with Fire and Building Code, etc. Staff also contacted a local appraiser to determine if this proposed development would have any bearing on neighboring property values. The appraiser, who was present at the meeting to confirm, indicated no issues with this use as it pertains to the property values of the adjacent parcels. Public Services Director, Andy Oakley submitted the attached comments (Exhibit 1 and 2). RFD Battalion Chief, Wayne Wrenn stated this was a change of use and may require up-fits to meet required building code. Building Inspections Director, Dale Tillman has been notified of the request, but has not submitted any specific comment at this time.

Roxboro Nursing and Rehabilitation Center is adjacent to this property to the left. NC Eye, Ear, Nose, and Throat is adjacent to this property to the right, and Roxboro Stor N' Lock abuts this property to the rear. Across Ridge Road is Person High School. There are several other medical offices along Ridge Road, as well as some residential and commercial uses.

The property has an existing asphalt lot, as well as additional graveled area to the side and rear. Staff estimates this area could accommodate at least 14 regulation size spaces, based on the dimensions of the lots. The City's Unified Development Ordinance requires 1 space for every 4 fixed seats of a church. By this standard, the applicant would need a minimum of 13 spaces to meet regulation. Based on the measurements of the lot, this property would exceed the minimum required parking allowance for this use for this number of individuals.

Because this property is located on a NCDOT maintained road, the Division 5 office in Durham received notification of the proposal. A new driveway permit must be issued for a change of use on a NCDOT road. On August 2, Jason Watson, Assistant District Engineer with the Division 5 office, advised that DOT has no issues with the request and no additional comments.

The interior of the building is designed to accommodate the previous use of hair salon. The applicants intend to make minor changes to the interior to accommodate their use and allow room for seating. A permit for any such changes has not been obtained as of August 7, 2018. This property is identified in the City's Comprehensive Land Use Plan on the Future Land Use Map for Commercial use.

The City Council shall issue a Special Use Permit only if it has evaluated an application through a quasi-judicial process, and determined that the following statements are found in the affirmative.

- (a) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.
- (b) The special use will be in harmony with the existing development and uses within the area in which it is to be located.
- (c) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- (d) Adequate utilities, access roads, drainage, parking or necessary facilities have been or are being provided.
- (e) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- (f) The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.
- (g) Public access shall be provided in accordance with the recommendations of the city's land use plan and access plan or the present amount of public access and public parking as exists within the city now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.
- (h) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the City Council.

Conditions:

Prior to granting any Special Use Permit, the Council may require, conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the "special use", as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified above. The reasons/justifications for special conditions must be stated and tied to one or more of the findings above.

Staff recommends the following conditions:

- Applicant must meet all necessary requirements of the NC Building Code and Fire Code as a part of the construction of this addition. This condition pertains to findings (a) and (f) ensuring regulations are met and the public health, safety, and welfare are protected.

Mayor Marilyn P. Newell closed the hearing and after a brief discussion, **Mayor Pro Tem Tim Chandler offered a motion to approve the Special Use Permit request for 907 Ridge Road for the proposed use of "church", as described in the application**

packet, with the proposed conditions, outlined in the hearing packet for Docket #SUP2018-04, as it meets the required findings outlined in Section 4.9.4.5. of the City's UDO, with a second by Council Member Byrd Blackwell and upon being put to a vote was carried unanimously.

4. Demolition Order – 222 Bryce Street – Public Hearing

Mayor Marilyn P. Newell opened the Public Hearing. Planning Director Lauren Johnson reported to the Mayor and Council that the residence at 222 Bryce Street has been in disarray for a while and beginning on June 22, 2016 the owner has been notified on several occasions regarding the living conditions of the property. On July 10, 2018 the Administrator mailed a notice of intent to abate the minimum housing violation by means of demolition. Mayor Newell asked for any Public comment at this time.

- 1) **Mr. Lindsay Hester Carver of 75 Lindsay Carver Road** spoke on behalf of Mr. Raymond Johnson (owner of said property). Mr. Johnson is unable to understand and did not realize or understand what he was told to do. Mr. Carver is asking for more time so that Mr. Johnson's daughter can work on correcting the problems.
- 2) **Ms. Linda King of 225 Bryce Street, Roxboro, NC** lives next to this property stating that no one has ever lived in the house and she has been calling the City since 2010 and that the property was being used for a "dumping ground". Ms. King stated that she has been calling and e-mailing the City to make the neighborhood look better.
- 3) **Mr. Lindsay Hester Carver of 75 Lindsay Carver Road** also stated to the Mayor and Council that the house is 81 years old and is a good house from the bottom up. Mr. Carver stated that he thought Mr. Johnson had permits and would like to ask for more time to see if he can get the property into compliance.

Mayor Marilyn P. Newell closed the Public Hearing. Council Member Mark Phillips asked what does Mr. Johnson want to do with the property, taxes have to be dealt with and the situation seems to be coming to head and Mr. Johnson needs a working plan. **Mayor Pro Tem Tim Chandler** stated that foundation issues are going to be expensive and is not opposed to giving a month for Mr. Johnson and Mr. Carver to bring back estimates of how to fix the property and if Mr. Johnson can pay for the renovations needed.

After some discussion, **Mayor Pro Tem Tim Chandler offered a motion to table this for thirty days and come back to the next meeting on September 11, 2018 with detailed estimates from someone other than themselves with work and cost of each repair. (Mr. Chandler also asked that Lauren provide a list of items needed to bring into compliance), with a second by Council Member Reggie Horton** and upon being put to a vote was carried unanimously.

5. Demolition Order – 248 N. Lamar Street – Public Hearing

Item removed from agenda – property has already been demolished.

6. Demolition Order – 823 Durham Road – Public Hearing

Mayor Marilyn P. Newell opened the Public Hearing. Planning Director Lauren Johnson reported to the Mayor and Council that on February 23, 2017, the City of Roxboro Code Administrator conducted a thorough inspection of the dwelling located on the property identified in the Person County Tax Records as Record Number 14980, Tax Map 18, Lot 54 and PIN 0905-10-47-3459.000 and having a street address of 823 Durham road. The property is owned by Amy L. Henderson. On March 1, 2017 the Administrator mailed complaints to the Owner enumerating the violations of the Minimum Housing Standards Code. The March complaint also contained a notice of hear. On March 2, 2017 the owner

contacted the Administrator by phone at which time she agreed to allow this conversation to constitute the required hearing on the subjects listed in the complaint. On March 9, 2017 the Administrator issued a Findings of Fact and Order. In the Order, the Administrator determined that the house was in violation of the Minimum Housing Standards Code ordered that the violation be corrected by June 9, 2017. On July 27, 2018 the Administrator found no change to the property and mailed a notice of intent to abate the minimum housing violation by means of demolition as ordered by the Roxboro City Council.

There being no public discussion, **Mayor Newell closed the Public Hearing. Council Member Sandy Stigall offered a motion to approve the Ordinance ordering the City of Roxboro Code Administrator to proceed to effectuate the purposes of the Roxboro Minimum Housing Standards Code and G.S. §160A-443 with a second by Council Member Byrd Blackwell** and upon being put to a vote was carried unanimously. **Clerk's Note: Copy of said ordinance is hereby incorporated into the minutes of this meeting.**

7. Rezoning Request – Annexed Properties – Patterson Drive – Public Hearing

Mayor Merylyn P. Newell opened the Public Hearing. Planning Director Lauren Johnson reported to the Mayor and Council that a request had been received to rezone parcels located off Patterson Drive, identified as Tax Map 102 81, 102 2, 107 78. Upon review the City of Roxboro Planning Board met on August 6, 2018 and offered a favorable recommendation to approve the request for rezoning of said properties.

Trabar Homes, LLC requests a rezoning for the properties located off Patterson Two of the parcels, were recently annexed into the City limits, and are currently zoned County Residential. The applicant would like all parcels rezoned to R-6, High Density Residential. Ms. Johnson reported that it is staff's opinion that this rezoning is not inconsistent with the Future Land Use Plan, despite the fact that the designation for this area's future land use is low-density residential. The map is a rigid document, but the strategies and goals that coincide with the map are more alive in that they offer guidance and direction for decision-making as the area changes. Consideration should be given to all elements of the City's comprehensive Land Use Plan, as it is a document designed to work in tandem to aid in Land Use planning decisions.

Mayor Newell asked if anyone from the public would like to speak on this matter and there being no one at this time, the Mayor closed the Public Hearing.

Council Member Mark Phillips offered a motion to approve the Rezoning Request as presented along with the Consistency Statement as follows:

The rezoning request presented in Docket #RZ2018-05 for the parcels identified as Tax map 102 Lot 2, Map 102 Lot 81, and Map 107 Lot 78 to City Zoning R-6 (High Density Residential), is consistent with the City's Comprehensive Land Use Plan in that it;

- **Allows for infill development within the corporate limits;**
- **Provides opportunity for increasing the variety of housing types, densities, and price ranges within the City of Roxboro; and**
- **Is compatible with the established character of the area.**

Furthermore, this plan is in the public interest of the City of Roxboro as it allows for much-needed residential development within the corporate limits. With a second offered by Mayor Pro Tem Tim Chandler and upon being put to a vote was carried

unanimously. **Clerk's Note:** A copy of said Ordinance is hereby incorporated into the minutes of this meeting.

NEW BUSINESS

OLD BUSINESS:

COMMITTEE REPORTS:

Mayor Merilyn P. Newell offered some dates: Kerr- Tar Annual Banquet – September 27 (please let City Clerk Trevie Adams know if you would like to attend), Focus Group – Kerr-Tar COG – August 27, and City Vision Conference in Hickory, N.C. September 19-21.

Council Member Reggie Horton reported that he had attended the Kerr-Tar meeting, the Community Watch – Dolly Street meeting and National Night Out.

Mayor Merilyn P. Newell reminded Council of the groundbreaking to be held at the Wastewater Treatment Plant on August 22 at 11:00 a.m.

ADMINISTRATIVE REPORTS

8. Financial & Tax Report

Finance Director Dan Craig presented Council with Financial reports for months ending June 30, 2018 and no tax reports. **Clerk's Note: A copy of said financial report is hereby incorporated into the minutes of this meeting.**

9. Assistant Manager's Report

Assistant Manager Tommy Warren presented the Mayor and Council a video of the Wastewater Treatment Plant prior to construction and as of August 13, 2018 explaining that work on the ammonia removal project has started. The site has been cleared and is ready for grading. The contractor has a logging company come in and remove the trees and chip the logs and haul them away. The contractor has also built the haul road and is constructing the sediment basins in the area where the excavated material will be placed.

Continuing, Mr. Warren reported that the NCDOT is resurfacing several streets in and around the City. Most noticeable is Johnson Street. Road construction signs have been placed on Chub Lake Street and a section of Ridge Road. Usually NCDOT notifies Public Services of street improvements to co-ordinate the locating of utilities such as valve boxes and manholes. It did not happen this time and caused a few issues on Johnson Street. Staff has been in touch with NCDOT to resolve these issues and part of the problem is that it was not our local NCDOT office working on the project, but the NCDOT office in Durham.

Mr. Warren also reported that Public Works has been working to repair and replace sections of sidewalks and curb and gutters. Most of the work in this round covers areas where there were utilities repairs made. Staff will be surveying the sidewalks uptown to assess the areas that are in need of repair, so a plan can be developed.

10. Manager's Report

City Manager Brooks Lockhart reported to the Mayor and Council some upcoming dates: Rox N' Roll Cruise-In – August 17th, Manager Vacation – August 15th – 19th, and Personality Festival – August 24th & 25th. Mr. Lockhart drew Council's attention to the packet provided by Police Chief David Hess regarding data from speed limit sign. The next area the sign will be placed will be at Ridge Road.

Mr. Lockhart stated that staff is still training on the new software and hope for full implementation in September.

Many concepts were discussed at the recent City Council work Session on City Code Title XI: Business Regulations. Most of the proposed changes to the Code would serve to update the ordinances to comply with new state laws and create consistency between the City Code to the UDO. Staff is working with legal counsel to address all questions from Council and staff anticipates having a Public Hearing in September to consider adoption. Staff has informed the local business owner who requested the consideration of the brunch bill that the item has been tabled until Council sees more support for the provision within the community.

Staff is working with the USDA Rural Development to submit our first reimbursement for expenses on the Wastewater Treatment Plant Upgrades. This first payment will include engineering and design work that has been undertaken. Staff is working to determine if USDA RD will allow additional expenses related to the project like the constructability improvements made by the CMAR and legal expenses related to the financing of the project to be submitted for reimbursement. Staff anticipates reporting the full amount of the initial reimbursement at the September City Council meeting.

COUNCIL DISCUSSION:

Mayor Newell asked for any discussion or concerns from Council Members. Mayor Pro Tem Tim Chandler asked for a Resolution to Honor Carl Garrett. Mayor Newell also recognized Mr. Bill Wilcox with the Courier Times, noting this will be his last meeting with us and wished him the best in his new endeavors. Council Member Mark Phillips asked about 608 S. Main Street and Mrs. Lauren Johnson responded that the next step would be a Quasi-judicial and shouldn't discuss at this time. City Manager Brooks Lockhart stated there has been a change of process that was brought to Council to give more authority and power. There being no more discussion, **Council Member Reggie Horton offered a motion to enter into closed session per NCGS 143.318.11(a)(6) Personnel, per NCGS 143.318.11(a)(1) Attorney/Client Privilege and per NCGS 143.318.11(a)(5) Negotiation of Contract with a second by Council Member Mark Phillips** and upon being put to a vote was carried unanimously.

Council Member Mark Phillips offered a motion to return to open session with a second by Council Member Byrd Blackwell and upon being put to a vote was carried unanimously.

ADJOURNMENT:

There being no further business to discuss, **A motion was offered by Council Member Mark Phillips with a second by Council Member Byrd Blackwell to adjourn this meeting and** upon being put to a vote, was carried unanimously.

Submitted by:

Trevie Adams, MMC/NCCMC
City Clerk

August 14, 2018



**City of Roxboro
Fire and Rescue Department**

Date: September 5, 2018
To: Mayor Newell
Roxboro City Council
From: Kenneth M. Torain, Fire Chief

Highlight

- **Responses** - During the month of August the City of Roxboro Fire Department responded to 28 fire calls within the city limits, and 38 fire calls outside the city limits. Also, the department responded to 94 first responder calls within the city, and 47 first responder calls in our county response district. Over the course of August, we had to call back off-duty personnel and auxiliary personnel for a total of 1 full alarms.
- **Funeral** – The Roxboro fire Department Honor Guard was asked to coordinate the honor guard part of the funeral for Chief Holden of the Orange Rural fire department which was known as Hillsborough fire department. There where fire department represented from as far away as FDNY and Chicago Fire. I was a three day prep time and worked with the Fallen Firefighters association. The truck wrapped for the funeral was done by Lt. Blalock and Lt. Horton.
- **Training** – Roxboro fire department has been training on a vacant building set to be demolished on Oak Street. The structure was to close to the powerlines to burn but we were able to use the building for wall breaches and ventilation training.
- **Piedmont Electric Corporation** Roxboro Fire Department and the City of Roxboro were voted to receive the money for the Air Truck in the budget by the Board of Directors of Piedmont Electric Corporation. It will be a zero percent interest loan. During the Council Meeting I will be presenting the request to except the loan.
- **Personality** Several of Roxboro Firefighters volunteered to unload some of the vendor of Personality. We also showed the fire department to a lot of kids and open the station restrooms up for anyone that needed to use it or have a place to change their babies.

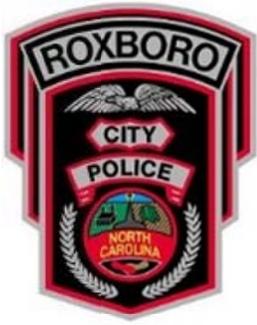


City of Roxboro
Fire and Rescue Department

Date: September 5, 2018
To: Mayor Newell
Roxboro City Council
From: Kenneth M. Torain, Fire Chief

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ROXBORO POLICE DEPARTMENT



109 North Lamar Street
Roxboro, North Carolina 27573

Office 336 599 8345

www.cityofroxboro.com

City Council Report

August 2018

Patrol Division

Highlighted Events

- The homicide suspect from the July 27th shooting was arrested with the assistance of the US Marshall's Service.
- Patrol seized another illegally possessed handgun. The gun was seized pursuant to foot pursuit and believed to have been possessed by the person they were chasing. The gun was reported stolen from an investigation in Roxboro.
- Operation Slow Down was successful. A short presentation will be provided to council.
- Sgt. Furstenau and members of the SBI executed a search warrant at a house in Cavel Village yielding an arrest for 12 counts of Second Degree Sexual Exploitation of a Minor and 12 counts of Third Degree Sexual Exploitation of a Minor. The suspect allegedly possessed child pornography on an electronic device which led to the charges. The suspect was held under a one million dollar secured bond.



Community Policing

- Hosted Cops C.A.R.E event at Hucks Sansbury. Approximately 30 families with autistic children were ministered to through the event. The event organizer was Police Management Assistant Lori Davis. We extend our appreciation to CPA Graduates Tara Smith, Bonnie Carver, Nell Suitt, and Renee Dickerson for assisting.





- Det. Howe was the keynote speaker for the “Aging With Gusto” event at the Person County Senior Center.
- We posted school bus safety reminders to social media ahead of both Charter and Public School start dates.
- Sgt. Cash attended Open House at South Elementary.
- Lt. Walker hosted a booth at the “Share the Road” event at Advanced Auto.
- Lt. Hughes and Lt. Walker participate in a Back to School Community Event in Weatherly Heights.

- Officer Tyler Gray completed Crisis Intervention Training. The course equips officers to recognize when someone is having a mental health crisis and ways the officer can assist them.
- We were the host site for an American Red Cross blood drive.
- We were the host site for the MADD Victims Impact Program (VIP).
- Participated in National Night Out at Helena Park.

Monthly Activities

Calls for Service: 1474

Traffic Enforcement Requests: 23

Traffic Crashes: 53

Total Arrests: 74

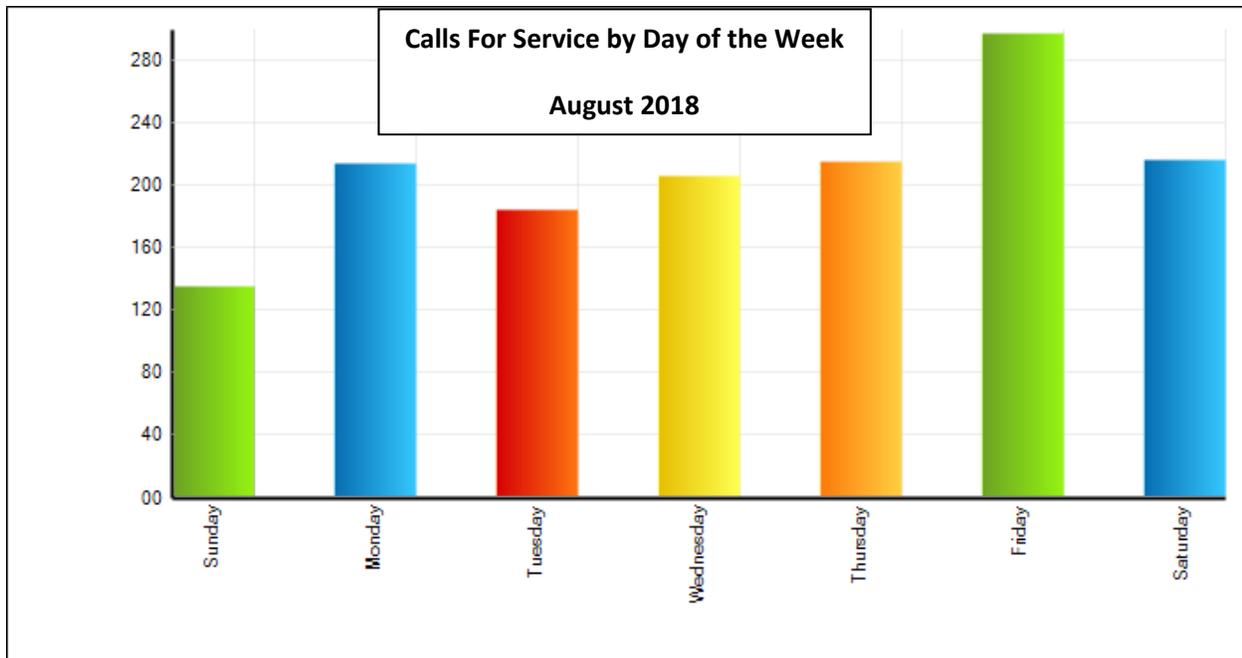
Directed/Foot Patrol: 187

Incident Reports: 187

Traffic Stops: 397

Citations Issued: 157

Warnings: 92



Criminal Investigations Division

- Sgt. Williams was the lead investigator in the homicide case. He invested nearly 200 investigative hours to assure justice was administered for the Harris family. He oversaw this investigation with supreme precision, often following up on leads on his days off when tips were received.
- Det. Wright has made an immediate impact to CID closing out several cases with arrests.
- Lt. Hughes assisted the NC Child Fatality Board with case reviews.

Total Numbers for the Month

Cases Assigned: 21

Hours Completing Paperwork: 145

Call Outs: 9

Felony Warrants Obtained: 30

Total Arrests: 6

Cases Closed: 12

Background Investigations for New Hires: 0

Search Warrants Executed: 4

Follow Up Hours in the Field: 210

Follow Up Hours by Phone: 45

Out of Town Follow Ups: 5

Misdemeanor Warrants Obtained: 2

Interviews Conducted: 20

Total Forensics Cases: 2

Court Hours: 5

Street Crimes Unit

- Finalizing case files to prepare for indictments related to undercover drug operations.

Administrative Services Unit

- Thanks to the diligent work of Lt. Walker and generosity of Capital Power Plant Manager Terry Nealy, the police department was awarded a grant through their company to use for Community Policing outreach. Logistics and processes are still being finalized.
- Sgt. Ford was instrumental deploying the Radar Speed sign and providing the analytical data reports.
- Evidence Custodian Tanya Thomas submitted (78) articles of evidence to the Crime Lab for analysis and queried 178 firearms controlled in evidence through an ATF database.
- Evidence Custodian Tanya Thomas created a crime analysis Hot Spot report to assist investigators with some of the violent crime that occurred during August.
- The department's eight man Honor Guard team received training on September 6th from the Old Guard in Washington DC. The Old Guard is the Army's official ceremonial unit and escort to the President, and it also provides security for Washington, D.C., in time of national emergency or civil disturbance.
 - The team viewed the Changing of the Guard at Arlington National Cemetery and were approved for a photography event at the US Capital Building. The team was going to be allowed a special privilege to tour the Marine 1 Presidential Helicopter hanger and "White Top" helicopters, however, a presidential trip cancelled this opportunity for them.
 - This training is exceptionally rare for local law enforcement to receive. We are honored our team was selected for the training and thank everyone involved for allowing the opportunity.

Administration

Meetings

- Met with concerned citizens.
- Daily meetings with Command Staff.
- Attended various community events.
- Deputy Chief Hawkins conferred with Sheriff Jones on public safety matters related to the Personality Event planning.
- Phone conferences for various NC Chiefs of Police Association business.
- Meetings: District Attorney Perez; Roxboro Housing Authority; Judicial Stakeholders; Business lunch with the soon to be District Attorney Mike Waters; Chamber- Personality Public Safety planning, Rotary; City Manager; Human Resources; 911 Director; Chief attended a Training & Standards Job Task Analysis committee meeting; Strategic Planning; Staff meetings; department head meeting; City Council.
- Chief was appointed to the North Carolina League of Municipalities Risk Management Chief's Advisory Board.

Upcoming Events

- The Honor Guard provided a 3 Gun Volley at the Patriots Day event on September 8th
- Patrol participated in Fun Day at Zion Level Missionary Baptist Church on September 8th
- Citizen's Police Academy 11th Session begins Tuesday September 18th. We extend our appreciation to Councilman Mark Phillips for joining this session.

Police Department Strategic Planning- Community Input forums

The Roxboro Police Department is preparing to set goals for the next three years as we begin drafting our next Strategic Plan. A Strategic Plan is a document outlining organizational goals and benchmarks as a means of accountability. As part of our commitment to community policing, the department is seeking input from community groups.

- September 13th at noon, the department will solicit input from the Rotary Club for our 2019-2021 Strategic Plan.
- September 20th at 7 PM, at New Mount Zion Baptist Church, the department will solicit input from the BASIC group for our 2019-2021 Strategic Plan.
- We are waiting confirmation dates from: NAACP Person County Chapter, Ministerial Alliance and the Citizen's Police Academy Alumni.
- Council will be informed of other civic group strategic plan meetings through weekly reports.
- Manager Lockhart will schedule a date with council for input into the department's strategic plan.





THANK YOU FOR YOUR CONTINUED SUPPORT

Public Services Department Monthly Report



City of Roxboro

August 2018

Public Utilities Department	Public Works Department																																																									
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City of Roxboro, Nor1 LM
 Distribution of Gas T WD
 31-Jul-18 CS
 GC

Shell
 Account Number: 80-001-3945-4

Gas 0.5350
 Diesel 0.5940

Card Number	Dept Number	Make	Gallons	Total Cost	Tax Adjust	0.05 per gallon Discount	2.00% 2.00% Discount	Net Cost	Average Cost Per Gallon
Summary									
1	4120	City Hall	39.73	100.72	21.26	1.99	0.79	76.68	2.535
2	4130	Finance	15.77	40.21	8.44	0.79	0.32	30.67	2.550
3	4160	Public Buildings	122.18	357.22	65.37	6.11	2.44	283.30	2.924
4	4180	Purchasing	-	-	-	-	-	-	#DIV/0!
17	4910	Planning & Zoning	-	-	-	-	-	-	#DIV/0!
		Total Administrative	177.68	498.15	95.06	8.88	3.55	390.65	2.804
5	4310	Police	2,278.22	5,897.09	1,218.85	113.91	45.56	4,518.77	2.588
6	4311	CID	135.34	351.11	72.41	6.77	2.71	269.23	2.594
26	4312	Narcotics	-	-	-	-	-	-	#DIV/0!
9	4380	Animal Control	-	-	-	-	-	-	#DIV/0!
		Total Police	2,413.56	6,248.20	1,291.25	120.68	48.27	4,788.00	2.589
7	4340	Fire	1,389.92	3,798.44	802.24	69.50	27.80	2,898.90	2.733
8	4341	Fire Inspections	52.56	137.34	28.12	2.63	1.05	105.54	2.613
		Total Fire Dept.	1,442.48	3,935.78	830.36	72.12	28.85	3,004.44	2.728
10	4510	Public Services	83.93	218.48	44.90	4.20	1.68	167.70	2.603
11	4511	Streets	334.86	937.63	187.38	16.74	6.70	737.64	2.800
12	4512	Street Cleaning	-	-	-	-	-	-	#DIV/0!
13	4513	Garage	281.98	831.65	154.31	14.10	5.64	657.60	2.949
14	4710	Residential Garbage	1,138.57	3,405.07	676.31	56.93	22.77	2,649.06	2.991
15	4711	Commercial Garbage	860.43	2,578.41	511.10	43.02	17.21	2,007.08	2.997
16	4740	Cemetery	129.36	432.72	69.21	6.47	2.59	354.46	3.345
		Total Public Services	2,829.13	8,403.96	1,643.21	141.46	56.58	6,573.54	2.971
		Total General Fund	6,862.85	19,086.09	3,859.88	343.14	137.26	14,756.64	2.781
18	7112	Meter Reading	252.53	701.89	135.10	12.63	5.05	549.11	2.779
19	7114	Lake Warden	58.34	159.17	31.21	2.92	1.17	123.87	2.728
25	7118	Pump Stations	-	-	-	-	-	-	#DIV/0!
20	7120	Water Plant	137.31	354.83	73.46	6.87	2.75	271.76	2.584
21	7121	Water Line Maintenanc	533.79	1,440.58	293.99	26.69	10.68	1,109.23	2.699
22	7130	WWTP	87.05	227.03	46.57	4.35	1.74	174.36	2.608
23	7131	Sewer Line Maintenanc	669.01	1,826.59	368.62	33.45	13.38	1,411.14	2.730
24	7132	WWTP II	170.63	490.17	91.29	8.53	3.41	386.94	2.873
		Total Enterprise Fund	1,908.66	5,200.26	1,040.24	95.43	38.17	4,026.41	2.725
		Total All Funds	8,771.51	24,286.35	4,900.12	438.58	175.43	18,783.05	2.769



September 6, 2018

To: Mayor Newell
Roxboro City Council

From: Lauren Johnson, Planning & Development Director

Subject: September Council Report

Uptown Development/Roxboro Development Group:

- **RDG Name Change Reveal:** Staff has been working with a local attorney to change the name of the non-profit organization that manages the Main Street Program for Roxboro. As a result of the branding project that has taken place over the past year, the group realized the importance of their name reflecting the mission of the organization. As such, a decision made earlier in the summer is now official; “Roxboro Development Group” will be transforming to “Uptown Roxboro Group” over the next several months , with a public roll-out scheduled for the holiday season. More details to come.
- **Uptown Branding Project:** The Uptown brand development work is nearing completion and the implementation of the results are underway. Signage and other promotional materials in the works for a launch the first of 2019. Citizens can expect to see “teasers” of the new Uptown Roxboro logo throughout the holiday event season in Uptown, with a full launch scheduled for the first of the new year. Efforts include the overhaul of the Uptown website, new marketing materials, Uptown “swag” for promotion efforts, and more!
- **Small Business Symposium:** The EDC, Chamber, RAMA, and RDG have joined forces to host a Small Business Symposium on the 22nd of September. The event will provide small business owners, or those wanting to open a small business, the opportunity to speak with a variety of “experts” in various fields. The event will be held upstairs at the Kirby Cultural Arts Complex from 10am-2pm.
- **Uptown Developments:**
 - Dunevant’s Insurance is in their new location in the former ReMax office.
 - Newsletter list over 300.
 - October 11th Merchants Meeting to be held in an available space inside Hall’s Way.
 - SWAB Fitness relocated to 102 N Main Street
 - Business As Unusual Co-working space has opened at 100 N Main Street.
 - Latina Festival to be held September 22nd by Safe Haven
 - Jim Tolin’s son, James W. Tolin, III, has officially moved into the same building as his father. The law offices are now known as Tolin & Tolin Attorneys At Law.



Planning & Development:

- Minimum Housing Updates: Staff is pleased to report that additional progress is underway with the back-log of minimum housing violations. Title searches were conducted on the next six properties for demolition consideration. Staff is currently working with the City Attorney and State Code Enforcement to verify all required notifications have been made for each property, and to prepare demolition ordinances for the Council's review. Barring no major issues, staff feels confident all six properties will come before Council by the year's end, which will bring the approved demolitions total to ten over the past twelve months.
- Nuisance Abatement: Staff continues to see a steady intake of grass, housing, and junk complaints. Since August 14th, staff has intercepted approximately 50 individual complaints for Code Enforcement investigation. State Code Enforcement will be flexing hours in the contract between the fall and winter months to keep up with the demand of services during grass-growing season.
- Department Updates: Staff continues to work on updates to the Planning Office. This month, the Planning Director offered board training for the Planning Board members, to better acclimate them to the basics of Land-Use Regulation and the role of the Planning Board. Staff has also completed the organization of all digital files for the department. Hard-filing updates are on-going, but steadily progressing. Staff appreciates the assistance of other department members in this process.

Additional Updates:

- Desert Sands preliminary design sketch meeting scheduled for Wednesday, September 12th with Coulter, Jewell, Thames, PA representatives.
- Asbestos inspection scheduled for 823 Durham Road on Monday, September 10th.
- Deadline for property owner to remove all debris at 248 N Lamar Street set for September 10th.
- Planning Director attending Public Information Officer training in Kernersville, NC on November 13th and 14th.
- Kerr-Tar TAC/TCC meeting scheduled for October 25th at 3:00pm.
- Staff waiting for feedback from Kerr-Tar COG regarding updating existing Future Land-Use Plan for the City.
- Community Planner 6-month probation period will end on September 20th
- Staff working with Building/Grounds Maintenance and local vendors on some minor improvements to City Hall.

PROCLAMATION
EMBRACE CHRISTIAN CENTER DAY

WHEREAS, Embrace Christian Center was established on September 15, 2013 and held services first at Southern Middle School located in Roxboro, North Carolina; and

WHEREAS, founder and current Pastor Harold Drumwright along with his congregation celebrate the fifth anniversary for Embrace Christian Center on September 9, 2018; and

WHEREAS, Pastor Harold Drumwright continues to provide grace and leadership to his congregation at the present location, 495 Burlington Road, Roxboro, North Carolina;

NOW, THEREFORE, I, Merilyn P. Newell, Mayor of the City of Roxboro and on behalf of the Roxboro City Council and Citizens, do hereby proclaim September 15, 2018 as Embrace Christian Center Day in Roxboro, North Carolina and urge all citizens to join in the fifth anniversary celebration of Embrace Christian Center.

Dated this the _____ day of _____, 2018.

Mayor Merilyn P. Newell

RESOLUTION OF RECOGNITION

Mr. Carl Radford Garrett

April 22, 1966 – August 7, 2018

WHEREAS, Mr. Carl Radford Garrett was born on April 22, 1966 with physical and mental disabilities to Bubba and Nancy Garrett. Because of the person he was, and the parents he was born to, he not only lived but he thrived, and Roxboro/Person County is a much better place today because of Carl Garrett; and

WHEREAS, Mr. Carl Radford Garrett had many accomplishments including: Poster child for Person County ARC, 1975, Participated in Person County Special Olympics many years, NC Special Olympics (one year), Received the NC Spirit of Special Olympics award in 1979, Graduated in 1987, went to work at Person Industries, was employed at Clarksville Station for ten years, Person High Rockets greatest supporter, sat with the band and directed the music. Carl loved ACC clothing, Myrtle Beach, Dukes of Hazzard, bidding on his mother's cake for Relay for Life, studying his Bible, loving his family, Janet, Dale, Tyler Brittany and Blake, and he never met a stranger; and

WHEREAS, Mr. Carl Radford Garrett brought joy and light to everyone he met.

NOW, THEREFORE, BE IT RESOLVED on behalf of the Roxboro City Council, City of Roxboro Staff and the Citizens of the City of Roxboro we commend him for his many achievements and the legacy of always being loving and supportive to a community he loved.

This 11th day of September 2018.

Mayor Marilyn P. Newell

1. Demolition Order - 222 Bryce Street

Drawn by and Return to:
Albert M. Benshoff
The Brough Law Firm, PLLC
1526 E. Franklin St., Suite 200
Chapel Hill, NC 27514

Owner(s): Raymond Daniel Johnson
PIN: 0905-05-28-1777.000

**AN ORDINANCE ORDERING THE CITY OF ROXBORO CODE ADMINISTRATOR
TO PROCEED TO EFFECTUATE THE PURPOSES OF THE ROXBORO MINIMUM
HOUSING STANDARDS CODE AND G.S. § 160A-443**

WHEREAS, on July 7, 2016, the City of Roxboro Code Administrator conducted a thorough inspection of the dwelling located on the property identified in the Person County Tax Records as Record Number 15074, Tax Map 22, Lot 23 and PIN 0905-05-28-1777.000 and having a street address of 222 Bryce Street, (the "Property"). Said Property is owned by Raymond Daniel Johnson (the "Owner"), as evidenced by that deed recorded in the Person County Registry at Deed Book 932, Page 733, and

WHEREAS, the City of Roxboro Housing Administrator (the "Administrator) found that the dwelling unit was unfit for human habitation; and

WHEREAS, on July 21, 2016 the Administrator mailed complaints to the Owner enumerating the violations of the Minimum Housing Standards Code. The July complaint also contained a notice of hearing; and

WHEREAS, on August 4 2016 the Administrator held a hearing at Roxboro City Hall on the subjects listed in the complaint, and

WHEREAS, on August 4, 2016 the Administrator issued a Findings of Fact and Order (the "Order"). In the Order, the Administrator determined that the house was deteriorated and ordered the violations be abated by November 3, 2016; and

WHEREAS, on November 3, 2016 the Administrator mailed a notice to conduct a follow-up inspection of the premises on November 17, 2016; and

WHEREAS, on January 19, 2017 the Administrator mailed a notice to conduct a follow-up inspection of the premises on February 2, 2017; and

WHEREAS, on June 1, 2017 the Administrator mailed a notice to conduct a follow-up inspection of the premises on June 15, 2017; and

WHEREAS, on June 14, 2017 the Administrator mailed a notice to reschedule the follow-up inspection of the premises on June 29, 2017, per the request of the property owner; and

WHEREAS, on October 26, 2017 the Administrator mailed a notice to conduct a follow-up inspection of the premises on November 2, 2017; and

WHEREAS, on July 10, 2018 the Administrator mailed a notice of intent to abate the minimum housing violation by means of demolition as ordered by the Roxboro City Council; and

WHEREAS, on July 25, 2018 and August 1, 2018 the Administrator published a notice in the Courier Times that the Roxboro City Council would hold a public hearing at 7 PM on Tuesday August 14 at Roxboro City Hall to consider adopting an ordinance directing the Administrator to demolish and remove the dilapidated structure at the Property; and

WHEREAS, the Administrator placed a sign on the property giving notice of the pending hearing on July 17, 2018; and

WHEREAS, the Owner has failed to timely comply with any of the Orders; and

WHEREAS, the City Council held the duly advertised Public Hearing and considered the testimony presented (if any);

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Roxboro, North Carolina that:

1. By the authority granted by Roxboro Code of Ordinances Chapt. 151, "Minimum Housing Standards," and by G.S. § 160A-443, the City of Roxboro Code Administrator is hereby ordered to cause the Property to be removed or demolished, as provided in the original Orders of the Administrator;

2. The City of Roxboro Administrator shall place a placard on The Property with the following words: "This building is unfit for human habitation, the use or occupation of this building for human habitation is prohibited and unlawful";

3. This ordinance shall be recorded in the Person County Registry; and

4. As provided by G.S. § 160A-443(6), the cost of any vacation, closing and/or demolition of the house caused to be made by the Officer shall be a lien against the real property upon which such cost was incurred and upon any other real property of the Owner located within

the City limits, except for the Owner's primary residence, and be collected in the same manner as the lien for special assessments in Article 10 of NCGS Chapter 160A.

5. After the dwelling on the Property is demolished and removed, the Administrator shall sell the materials of such dwelling and shall credit the proceeds of such sale against the cost of the demolition and removal and any balance remaining shall be deposited in the Superior Court by the Administrator.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this ____ day of _____, 2018.

Ayes: _____
Merilyn P. Newell, Mayor

Noes: _____
Attest:

Absent or Excused: _____

Dated: _____
Trevie Adams, City Clerk

SEAL

STATE OF NORTH CAROLINA COUNTY OF _____

This Instrument was signed before me on the ____ day of _____ 2018

By: _____
(Print all names of persons who signed this document before the Notary Public)

Print Notary Name: _____

Notary Signature

AFFIX SEAL or STAMP

2. Special Use Permit - 619 Jean Street - Quasi Judicial

Memo



To: Mayor Newell and Roxboro City Council
From: Lauren Wrenn/ Planning & Development Director
cc: Trevie Adams City Clerk (for City Records)
Date: September 11, 2018
Re: Special Use Permit Request for 619 Jean Street

Madam Mayor and Council,

Please be advised that staff received an application for a Special Use Permit request to place a Class A Manufactured Home (aka doublewide) at the property located at 619 Jean Street. This requires a quasi-judicial review process.

Application for

Special Use Permit



Roxboro Planning & Development
105 S Lamar Street Roxboro, N.C. 27573 336-322-6018

TO THE PLANNING BOARD AND THE CITY COUNCIL;

I/We, the undersigned, do hereby make application and petition to the City Council of the City of Roxboro for a SPECIAL USE PERMIT for the property listed below. I hereby certify that I have full legal right to request such action. (Type or Print Clearly)

Petitioner(s): Clayton Homes

Address: 3970 Durham Rd., Roxboro NC 27574

Telephone Number: 336-597-5538 Fax Number: 336-597-5822

Interest in Property: Owner
(I.e., Owner, Part Owner, Option holder, Governmental Agency, Etc.)

Property Information:

Address: 619 Jean St., Roxboro NC 27573

Watershed: Neuse (Falls Lake) Lot Size: 0.25 + 0.28

Township: City of Roxboro Tax Map/Lot #: 264 and 2610 to be combined.

Zoning District: R-J 10779 and 18377

Available Utilities: (check all that apply)

City Water City Sewer Well Septic System None

Special Use Request:

Existing Use: _____

Proposed Use: Placement of a 28x56 Doublewide with 4x4 on front and 4x4 on rear

The undersigned hereby certifies that the application material is complete and accurate. Furthermore, the undersign hereby authorizes the City of Roxboro's Zoning Administrator or designated representative to enter upon the above referenced property for the purpose of evaluating this request.

Debbie Hicks
Applicant Signature

7/20/2018
Date

Staff Use Only:

Date Received:
8-1-2018

Docket #:
SUP2018-05

Planning Board Meeting Date:
N/A change to policy for review

City Council Meeting Date:
9-11-2018



July 31, 2018

TO: City of Roxboro, City Council

RE: Special Use Permit -- Property 619 Jean St., (Lot 11) Roxboro, NC 27573

Dear Council Members:

Clayton Homes of Roxboro would like to place a 28 x 56 doublewide on 619 Jean Street, Roxboro NC. This doublewide will be placed in the center of Tax Map/Parcel -- 26 4 and 26 10/10779 and 18377. The front and rear entrance of home will have a 4x4 landing. We request a Special Use Permit to place this home.

- (a) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety or general welfare.
- (b) The special use will be in harmony with the existing development and uses within the area in which it is to be located.
- (c) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- (d) Adequate utilities, access roads, drainage, parking or necessary facilities have been or are being provided.
- (e) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- (f) The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.
- (g) The public access shall be provided in accordance with the recommendations of the city's land use plan and access plan or the present amount of public access and public parking as exists within the city now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.
- (h) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the City Council.

Thank you for your consideration.

A handwritten signature in blue ink that reads "Roger McCarter".

Roger McCarter

Clayton Homes of Roxboro



Adjacent Properties to 619 Jean Street, Roxboro NC 27573

- Vickie W. Hester
625 Jean St.
Roxboro, NC 27573
Property location: 26 15

- Rachel E. Johnson
621 Jean St.
Roxboro, NC 27573
Property location – 26 14

- Phillip J. Hall
P. O. Box 1266
Roxboro, NC 27573
Property location: 26 3

- Sandman Properties
10339 Virgilina Rd.
Roxboro NC 27573
Property location- Jean St., 26 5

- Henry O. Newell, Jr.
P. O. Box 949
Roxboro, NC 27573
Property location: 611 Jean Street -- 26 6

- Stephen S. Rimmer & Ila Travis
607 Jean St.
Roxboro NC 27573
Property location: 26 6 1

- Deal of NC, LLC
34 Lochridge Dr.
Roxboro NC 27573
Property location: 245 Semora Rd., Roxboro -- 26 7

- Bright Leaf Supply Co. Inc.
P. O. Box 1212
Roxboro NC 27573
Property location: Semora Rd., Roxboro -- 26 2

- Pepsi Cola Bottling Co.
P. O. Box 1359
Roxboro NC 27573
Property location: 605 S. Morgan St., Roxboro -- 25 9

- CHG MPH Roxboro LLC
4605C Oleander Dr., Suite 301
Myrtle Beach, SC 29577
Property location: Lehigh Mobile City, 711 Leasburg Rd.
Roxboro NC 27573 – 25 7

- WCH Properties LLC
315 Semora Rd.
Roxboro, NC 27573
Property location: 26 9

July 31, 2018



Person County GIS

325 S Morgan St, Suite D
Roxboro, NC 27573

Sallie Vaughn

GIS Manager
svaughn@personcounty.net
336-597-2242

Zack Wynne

GIS Technician
zwynne@personcounty.net
336-597-2242

To: FULLER JAMES D
CC: USPS, PC Development Services, PC Emergency Services, PC
Tax Office
Date: 7/16/2018
Re: E-911 Address Assignment

Contact Us

www.personcounty.net

Please be advised, Person County has assigned an E-911 address for the following as:

Tax Parcel: 10779 and 18377
Tax Map: 26 4 and 26 10
Verified As: LOT 11 HARRIS EST
Per: Deed Book 183 Page 463

619 Jean St, Roxboro, NC 27573

If the structure location, orientation, access, or parcel information changes during construction, this address is subject to change.

This address is based on a calculation of the approximate location of the structure to the roadway. Address assignment is based on the Ordinance Regulating Addressing and Road Naming in Person County that was adopted by the Board of Commissioners, September 23, 2013.

The Post Office will advise you where your mailbox is to be erected. If your home is more than 100 feet from the road, please place an address sign at your driveway entrance.

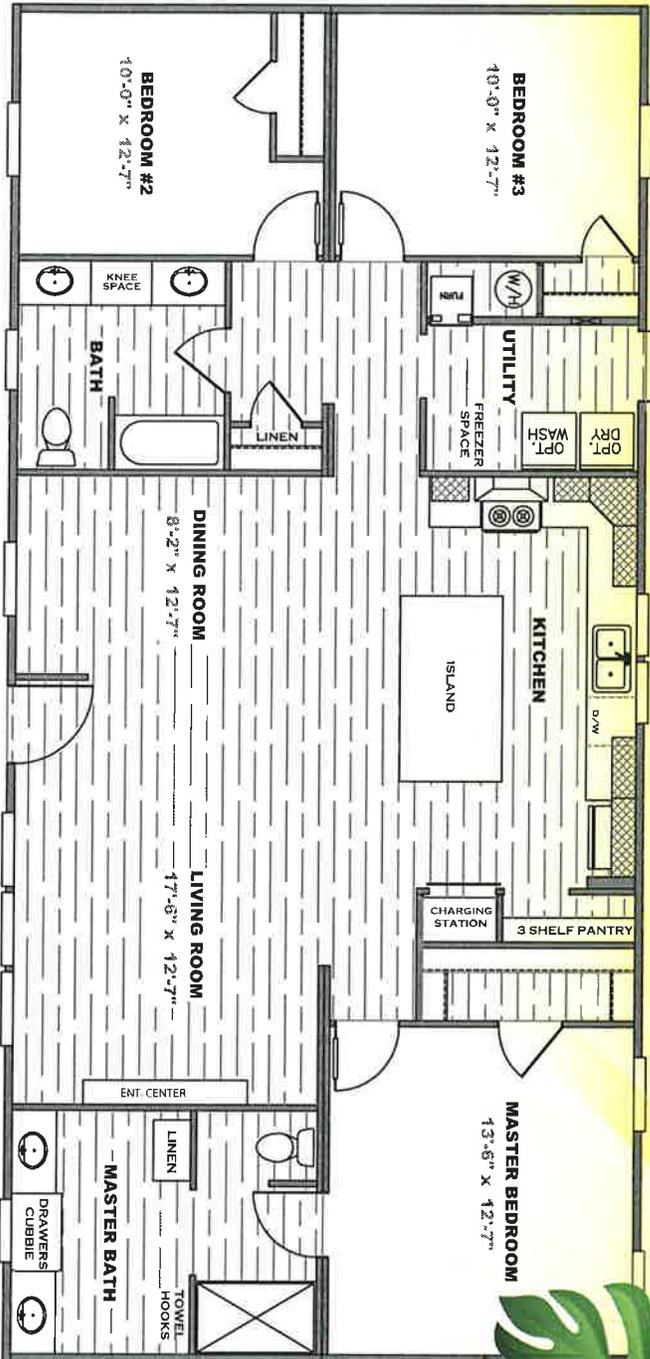
If you have further questions or concerns regarding this matter, please feel free to contact GIS Department staff with the contact information provided.

Best regards,

Zack Wynne

The Island Breeze

- » Huge Island
- » Farm House Sink
- » Energy Smart Package
- » Mega Drawer Bank
- » DuraCraft Cabinets
- » Premium Beauflor®* Flooring
- » Glamour Master Bath
- » LED Lighting
- » Charging Station
- » Built-In Entertainment Center



*Trademarks of companies other than Clayton are the property of those other companies.



CITY OF ROXBORO STAFF REPORT

Prepared by: Lauren Johnson, Planning & Development Director

Meeting Dates: City Council: September 11, 2018	Request: <input type="checkbox"/> Rezoning <input checked="" type="checkbox"/> Special Use Permit
Property Location: 619 Jean Street	Current Zoning: R-6, Residential
Tax Map#: 26 4 & 26 10 (combined)	Proposed Use: Placement of Class A Manufactured Home
Applicant Information: Clayton Homes 3970 Durham Road Roxboro, NC 27574	

Summary:

Clayton Homes of Roxboro requests a Special Use Permit for the placement of a Class A Manufactured Home (otherwise described as a “double-wide”) on the lot at 619 Jean Street. The property, consists of two combined parcels identified as Person County Tax Map 26, Lot 4 and Tax Map 26, Lot 10. The parcels were authorized by the Review Officer for the City of Roxboro, but a new Tax Map and Lot number were not assigned prior to the development of this report. The property constitutes .29 acres.



The surrounding properties are zoned R-6 and R-12 (Residential), as well as B-1 (Commercial).

Special Use Permit Review Process:

The City of Roxboro Unified Development Ordinance allows some uses as a “special use” subject to issuance of a Special Use Permit by the City Council. City Council consideration of Special Use Permits are quasi-judicial decisions. The purpose of these “special uses” requiring board review and approval is to ensure they will be compatible with surrounding development and in keeping with the purposes of the general zoning district in which they are located. In approving an application for a special use permit, in accordance with G.S. 160A-381, the City Council may impose reasonable and appropriate conditions and safeguards upon the approval. The petitioner will have a reasonable opportunity to consider and respond to any additional requirements prior to approval or denial by City Council.

Staff collects comments from each City department as a part of the comprehensive review of the requests. Those comments are incorporated into the staff report below, with each department’s response included as an individual exhibit.

Findings:

The location on Jean Street constitutes 12, 632 square feet of undeveloped property. To the immediate right of this property are three single-wide mobile homes on a .32 acre lot. There are two single-family dwellings at the end of Jean Street, on two lots constituting .20 acres each, as well as two small, single-family dwellings at the beginning of Jean Street, as you turn from NC Highway 57 Semora Road. Directly across Jean Street, from the proposed site of this development, is a gravel drive that leads to the commercially-zoned property housing Westgate Self-Storage facility and a multi-office building (See Exhibit A). The 10 acre tract of land behind the 619 Jean Street location is virtually un-developed, with only a 5,000 square foot office building (currently home to Horner Financial) to the very north of the property, adjacent to NC Highway 57, Semora Road.

The City of Roxboro UDO requires a minimum of 2 off-street parking spaces be provided for a manufactured home dwelling, with a minimum clearance of 18’ in length for each vehicle. The site plan provided by the applicant shows an approximate 54’ driveway on the property.

According to Section 6.5.3 of the City of Roxboro’s UDO, the setback requirements for a single-family residential unit (and/or Class A Manufactured Home) are 25’ in front, 10’ on either side, and 15’ in the rear. Uncovered decks and porches attached to the principal structure may be located in side or rear yards, provided such uses shall not be less than 5 feet from any lot line. This does not allow the encroachment of these uses into front or corner lot yard setbacks, nor does it include covered decks, porches, or sunrooms. The site plan provided by the applicant (see application packet) shows a 50.2’ setback from the front 4’ X 4’ porch to the front property line, a 21.15’ setback on either side of the proposed manufactured home, and a 50.2’ setback from the back 4’ X 4’ porch to the rear property line. Based on the survey map provided by the applicant, the total length of the property from front setback to rear setback is only 132.8’. As such the setbacks proposed do not add up to the width of the property. On September 6, 2018, I spoke with Roger McCarter at Clayton Homes, who advised the rear setback should be corrected to reflect the proper dimensions of the lot. As such, the rear setback should be 46.6’. These setbacks meet all minimum requirements.

This property is located in the Falls of the Neuse Watershed, which requires special regulation for development and area disturbance. Andrew Oakley is the City of Roxboro Stormwater Administrator, and therefore must sign off on all development within the Falls Watershed. Mr. Oakley requested a condition be placed on any approval for this proposal, requiring the applicant submit a site plan that shows the disturbed area for the proposed development to be less than 12,000 square feet. If the disturbed area exceeds this amount, then further steps will be necessary to meet the requirements of the City's Stormwater Ordinance. (See Exhibits B & C for all comments from Mr. Oakley.)

A part of the review for this development included seeking input from the Roxboro Fire Department, Person County Building Inspections Department, and a local appraiser regarding any concerns of development at this location. Exhibits D, E, and F, respectively, will indicate there were no concerns expressed by any of these entities regarding the proposed placement of a Class Manufactured Home on the site at 619 Jean Street.

The City Council shall issue a Special Use Permit only if it has evaluated an application, through a quasi-judicial process, and determined that the following statements are found in the affirmative.

- (a) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.**
- (b) The special use will be in harmony with the existing development and uses within the area in which it is to be located.**
- (c) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.**
- (d) Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.**
- (e) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.**
- (f) The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.**
- (g) Public access shall be provided in accordance with the recommendations of the city's land use plan and access plan or the present amount of public access and public parking as exists within the city now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.**
- (h) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the City Council.**

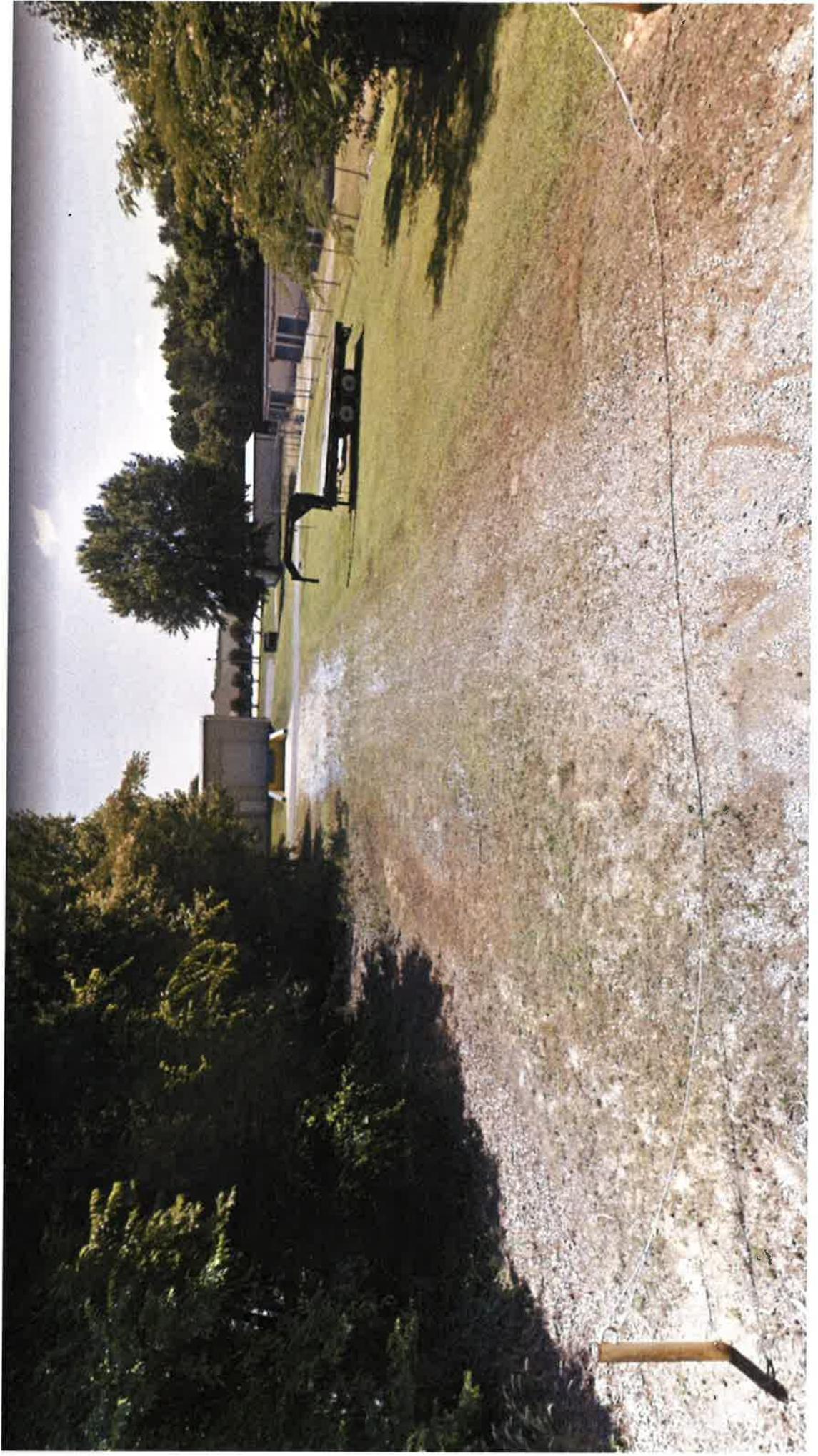
Conditions:

Prior to granting any Special Use Permit, the Council may require, conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the “special use,” as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified above. The reasons/justifications for special conditions must be stated and tied to one or more of the findings above.

Staff recommends the following conditions;

(1) Applicant must provide a detailed site plan, showing the total disturbed area for the project, and any other documentation necessary to satisfy the requirements of the City’s Stormwater Ordinance and Administrator. This condition is assigned to ensure the project will meet finding (f) “The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located,” as outlined in the City’s UDO.

Exhibit A



Lauren Johnson

Exhibit B

From: Lauren Johnson
Sent: Wednesday, August 22, 2018 3:12 PM
To: Andrew Oakley
Subject: RE: Application for Special Use Permit to place Doublewide at 619 Jean Street

Thanks, Andy!

Lauren W. Johnson, CZO
Director, Planning and Development Department
City of Roxboro
P.O. Box 128
Roxboro, NC 27573
[336.322.6018](tel:336.322.6018)



All e-mail correspondence to and from this address is subject to the North Carolina Public Records Law, which may result in monitoring and disclosure to third parties, including law enforcement.

From: Andrew Oakley
Sent: Wednesday, August 22, 2018 3:01 PM
To: Lauren Johnson
Subject: RE: Application for Special Use Permit to place Doublewide at 619 Jean Street

This project should not have any impact as long as they follow City Policy for water, sewer, and driveway connections.

Sent from [Mail](#) for Windows 10

From: [Lauren Johnson](#)
Sent: Wednesday, August 22, 2018 9:56 AM
To: [Andrew Oakley](#); [Wayne Wrenn](#); [Dale Tillman](#)
Cc: [Wayne Ross](#)
Subject: FW: Application for Special Use Permit to place Doublewide at 619 Jean Street

Good morning, all!

I received the attached application for a special use permit from Clayton Homes to place a Doublewide MH on the property located at 619 Jean Street.

Please provide any comments you have regarding this proposed development, as it pertains to the findings listed below. This will be a quasi-judicial hearing, so it will require your presence to back up your testimony, or if anyone challenges the information you submit.

(a) That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.

Lauren Johnson

Exhibit C

From: Andrew Oakley
Sent: Friday, August 31, 2018 5:00 PM
To: Lauren Johnson
Cc: Hicks, Jackie
Subject: Re: 22810 70-29 & 22811 70-30 -- Zoning Application

It is in the Falls Watershed, so it will need a site plan that shows disturbed area. If it is less than 12,000 sq ft then that is all we need.

Sent from my iPad

On Aug 31, 2018, at 4:11 PM, Lauren Johnson <ljwjohnson@cityofroxboro.com> wrote:

Hi Jackie,

I am afraid that I will have to defer to Andy Oakley on this question. He is our stormwater administrator.

I've copied him on this email so that he may be able to respond to your question below.

Thanks,

Lauren W. Johnson, CZO
Director, Planning and Development Department
City of Roxboro
P.O. Box 128
Roxboro, NC 27573
[336.322.6018](tel:336.322.6018)

<image001.png>

All e-mail correspondence to and from this address is subject to the North Carolina Public Records Law, which may result in monitoring and disclosure to third parties, including law enforcement.

From: Hicks, Jackie [<mailto:Jackie.Hicks@ClaytonHomes.com>]
Sent: Thursday, August 30, 2018 3:51 PM
To: Lauren Johnson
Subject: Spam 22810 70-29 & 22811 70-30 -- Zoning Application

Hi Lauren: I have a question you may have answered -- If the City Council approves placement of double wide on 619 Jean Street property, will we need a Stormwater Survey? The properties combined is less than an 1/2 acre -- It is 0.29.

Thanks for your help

Jackie Hicks
Administrative Assistant
Clayton Homes of Roxboro

Lauren Johnson

Exhibit D

From: Wayne Wrenn
Sent: Thursday, September 06, 2018 1:04 PM
To: Lauren Johnson
Subject: RE: Application for Special Use Permit to place Doublewide at 619 Jean Street

I do not have a problem with it.
Thanks Wayne

From: Lauren Johnson
Sent: Wednesday, September 05, 2018 9:25 AM
To: Wayne Wrenn; Dale Tillman
Subject: RE: Application for Special Use Permit to place Doublewide at 619 Jean Street

Good morning!

Looking through my inbox, I do not see a response from either of you about the placement of a double-wide at 619 Jean Street. I am putting together my packet for the board today, so I just wanted to verify that this means you have no issues to convey at this time.

If you would, please respond back to just confirm this. I appreciate it!

Thanks!!

Lauren W. Johnson, CZO
Director, Planning and Development Department
City of Roxboro
P.O. Box 128
Roxboro, NC 27573
[336.322.6018](tel:336.322.6018)



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From: Lauren Johnson
Sent: Wednesday, August 22, 2018 9:58 AM
To: Andrew Oakley; Wayne Wrenn; Dale Tillman
Cc: 'Wayne Ross'
Subject: FW: Application for Special Use Permit to place Doublewide at 619 Jean Street

Good morning, all!

I received the attached application for a special use permit from Clayton Homes to place a Doublewide MH on the property located at 619 Jean Street.

Lauren Johnson

Exhibit E

From: Dale Tillman
Sent: Wednesday, September 05, 2018 1:39 PM
To: Lauren Johnson
Subject: RE: Application for Special Use Permit to place Doublewide at 619 Jean Street

We have no issues.

Dale L Tillman

Director of Inspections
Person County Inspections
dtillman@personcounty.net
Phone 336 597 0570
Fax 336 598 6838

From: Lauren Johnson
Sent: Wednesday, September 05, 2018 9:25 AM
To: Wayne Wrenn; Dale Tillman
Subject: RE: Application for Special Use Permit to place Doublewide at 619 Jean Street

Good morning!

Looking through my inbox, I do not see a response from either of you about the placement of a double-wide at 619 Jean Street. I am putting together my packet for the board today, so I just wanted to verify that this means you have no issues to convey at this time.

If you would, please respond back to just confirm this. I appreciate it!

Thanks!!

Lauren W. Johnson, CZO
Director, Planning and Development Department
City of Roxboro
P.O. Box 128
Roxboro, NC 27573
[336.322.6018](tel:336.322.6018)



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From: Lauren Johnson
Sent: Wednesday, August 22, 2018 9:58 AM

Exhibit F

Lauren Johnson

From: Lauren Johnson
Sent: Thursday, August 23, 2018 9:43 AM
To: 'Wayne Ross'
Subject: RE: FW: Application for Special Use Permit to place Doublewide at 619 Jean Street

Thanks, Wayne!! I truly appreciate all of your help!!

Lauren W. Johnson, CZO
Director, Planning and Development Department
City of Roxboro
P.O. Box 128
Roxboro, NC 27573
[336.322.6018](tel:336.322.6018)



All e-mail correspondence to and from this address is subject to the North Carolina Public Records Law, which may result in monitoring and disclosure to third parties, including law enforcement.

From: Wayne Ross [<mailto:wayne@rossappraisals.net>]
Sent: Thursday, August 23, 2018 9:40 AM
To: Lauren Johnson
Subject: Re: FW: Application for Special Use Permit to place Doublewide at 619 Jean Street

Good morning Lauren,

I visited the proposed construction site this morning. I also conducted a general neighborhood analysis. The construction will have no affect on property values in the area.

Thank you,

Wayne

On Wed, Aug 22, 2018 at 9:56 AM, Lauren Johnson <lwjohnson@cityofroxboro.com> wrote:

Good morning, all!

I received the attached application for a special use permit from Clayton Homes to place a Doublewide MH on the property located at 619 Jean Street.

Please provide any comments you have regarding this proposed development, as it pertains to the findings listed below. This will be a quasi-judicial hearing, so it will require your presence to back up your testimony, or if anyone challenges the information you submit.

(a) That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.

(b) That the special use will be in harmony with the existing development and uses within the area in which it is to be located.

(c) That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

(d) That adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.

(e) That the special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.

(f) That public access shall be provided in accordance with the recommendations of the city's land use plan and access plan or the present amount of public access and public parking as exists within the city now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

(g) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the City Council.

Let me know if you have any questions. The hearing will take place on September 11, at 7pm. I will need to have your information no later than September 4th to prepare the packets for the hearing.

Thanks for all of your input!

Best,

Lauren W. Johnson, CZO

Director, Planning and Development Department

City of Roxboro

P.O. Box 128

Roxboro, NC 27573

336.322.6018



All e-mail correspondence to and from this address is subject to the North Carolina Public Records Law, which may result in monitoring and disclosure to third parties, including law enforcement.

From: Cityhall@cityofroxboro.com [mailto:Cityhall@cityofroxboro.com]

Sent: Wednesday, August 22, 2018 9:51 AM

To: Lauren Johnson

Subject: Attached Image

File name
Sign Posting Image.jpg

Date:
Monday, August 20, 2018 3:26 PM

Size
7.5 MB

Dimensions
4032 x 3024

Sheet
1/125 sec (1/1.7 4.2mm)

ISO
50

Device
SM-G935V

Folder Path
C:\Users\lweem\Desktop\Department Documents\Council Meeting Documents\Special Use Permit Hearings\619 Jean Street - Tax Map

Source
This PC

Location
Roxboro





Memo

To: Mayor Newell, Roxboro City Councilmen
From: Lauren Johnson
cc: City Clerk, Trevie Adams
Date: August 22, 2018
Re: Certification of Written Notice

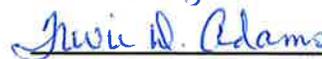
Please be advised letters were mailed First Class to the following property owners notifying same of the pending Special Use Permit Request, Docket #: SUP2018-05, for the property located at 619 Jeans Street on today's date. This list includes all property owners with land adjacent to the parcels within 200 feet, as well as the listed owners of the property under consideration. The applicant was CC'd regarding this matter.

1. Vickie Hester
2. Rachel Johnson
3. Phillip Hall
4. Sandman Properties
5. Henry Newell, Jr. & Others
6. Stephen & Travis Rimmer
7. Bright Leaf Supply Co., Inc.
8. Pepsi-Cola Bottling Co.
9. CHG MHP Roxboro, LLC
10. WCH Properties, LLC.
11. Clayton Homes


Lauren W. Johnson, CZO
Planning & Development Director

ATTEST:

Witness my hand and notarial seal, this 22nd day of August 2018.


Trevie D. Adams
Notary Public

My Commission Expires: February 11, 2022





City of Roxboro
August 22, 2018



Phillip Hall
PO Box 1266
Roxboro, NC 27573

Dear sir or madam,

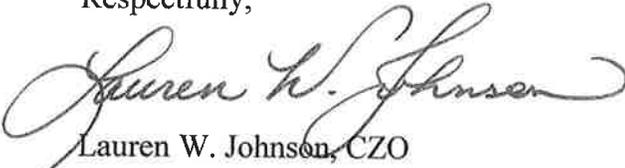
This letter is to inform you that a site adjacent to your property (see attached) is under consideration for a *Special Use Permit for placement of a double-wide mobile home.*

The application for 619 Jean Street, identified as the recently combined Tax Map and Lot numbers 26 4 and 26 10, is pending review by the Roxboro City Council. The applicant requests permission to place a new double-wide mobile home on the site.

The application will be reviewed by the Roxboro City Council at 7 p.m. on September 11, 2018. This meeting is a Public Hearing and will be held at 105 S. Lamar Street, Roxboro, N.C. 27573 in the Council Chambers. Comments made by the public must be factual testimony pertaining to the hearing item.

If you have any questions regarding this matter please contact the Roxboro Planning and Development Office at 336.322.6018.

Respectfully,


Lauren W. Johnson, CZO
Planning & Development Director
City of Roxboro

Enclosure





City of Roxboro
August 22, 2018

Clayton Homes
3970 Durham Road
Roxboro, NC 27574



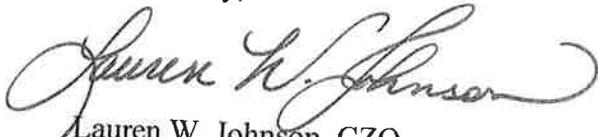
Dear sir or madam,

This letter is to inform you of the pending Public Hearing for the request for *a Special Use Permit for placement of a double-wide mobile home.*

The application will be reviewed by the Roxboro City Council at 7 p.m. on September 11, 2018. This meeting is a Public Hearing and will be held at 105 S. Lamar Street, Roxboro, N.C. 27573 in the Council Chambers. Comments made by the public must be factual testimony pertaining to the hearing item.

If you have any questions regarding this matter please contact the Roxboro Planning and Development Office at 336.322.6018.

Respectfully,


Lauren W. Johnson, CZO
Planning & Development Director
City of Roxboro

Motion Format Samples:

FAVORABLE: I make a motion we approve the Special Use Permit request for 619 Jean Street for the proposed placement of a Class A Manufactured Home on the undeveloped site, as described in the application packet, with the proposed conditions outlined in Docket #SUP2018-05, as it meets the required findings outlined in Section 4.9.4.5. of the City's UDO.

UNFAVORABLE: I make a motion we deny the Special Use Permit request for 619 Jean Street for the proposed placement of a Class A Manufactured Home on the undeveloped site, as described in the application packet, as it will not meet the required findings outlined in Section 4.9.4.5. of the City's UDO.

3. Text Amendments - Business Regulations Chapters 110,111,114 & 117

Business Regulations – Chapters 110, 111, 114 and 117

Chapter 110 General Licensing, Taxation and Regulations

Effective July 2015, the NC General assembly removed the ability for municipalities to tax business for the privilege of operating. We need to amend of ordinance to reflect this law change.

This change has not eliminated our ability to regulate business we have been given direct authority to regulate like taxis and door-to-door sales. We also have the ability to access fees to defray the expense of any services we provide. This amendment leaves a framework for the Council to utilize if there is ever a decision to exercise our abilities.

Chapter 111 Alcoholic Beverages

We have received a request from two local restaurants and a petition with over 105 signatures that the City consider expanding the hours of alcoholic beverage sales on Sunday beginning at 10am. The NC General Assembly passed the “Brunch Bill” in the 2017 session which allows the authority for this amendment. Person County has already adopted the provision for the unincorporated areas of the County.

There are two ordinance options before you. One that would permit all sales and one that limits sales to On-Premises permittees.

Chapter 114 Cable Telecommunications

Our authority to issue cable franchise agreements was eliminated by the state in 2006. The franchise agreements are now held with the State. This section is proposed to be repealed in its entirety and reserved for future use in our Code.

Chapter 117 Tattooing and Body Piercing

Minor changes are needed to update definitions and create consistency with the UDO. The UDO regulates the location and hours of operation through supplemental regulations; having that in two places creates potential for conflict. The ordinance before you provides that the establishments covered by this ordinance properly post their state, county health department, zoning compliance statement. It further mentions a business registration fee and references the annual budget ordinance; at this time there is no established fee in the budget, so this would not have an immediate impact to the businesses.

AN ORDINANCE AMENDING THE CITY OF ROXBORO'S CODE OF ORDINANCES, CHAPTER 110: GENERAL LICENSING, TAXATION AND REGULATION

THE BOARD OF COMMISSIONERS OF THE CITY OF ROXBORO ORDAINS:

Section 1: Roxboro Chapter 110 is amended to read as follows:

The heading "LICENSING AND TAXATION" is amended to "LICENSING.

Section §110.15 DEFINITIONS is amended to delete the definition "GROSS RECEIPTS OF THE BUSINESS".

Section §110.16 PURPOSE is amended to read as follows:

§ 110.16 PURPOSE

(A) This chapter is enacted primarily for regulatory purposes. The purpose of this chapter is to prevent the operation of covered businesses until the person or entity applying for the license has complied with certain city ordinances and other local governmental and state regulations. Issuance of a license pursuant to this chapter does not excuse the licensee from compliance with any other ordinance or statute. This chapter does not prevent the city from increasing or decreasing the amount of any license fee or regulating any business.

(B) A license issued pursuant to this chapter reflects that the appropriate fee has been paid. Issuance of a license constitutes regulatory approval and does not excuse a licensee from compliance with any other applicable ordinance, regulation, or statute. Therefore, issuing a license, does not authorize the carrying on of a business for which additional licenses or qualifications are required by any applicable local, state or federal regulation or law or that the recipient is otherwise engaged in a legal activity or operating a business in a legal manner.

Section §110.17 LICENSE AND PAYMENT OF TAX REQUIRED is amended to read as follows:

§ 110.17 LICENSE AND PAYMENT OF FEE REQUIRED

Subject to § [110.18](#), no person or entity may conduct any business within the city until it has paid the fee required by this chapter and has been issued a valid license pursuant to this chapter. Licenses shall be renewed, and license fee shall be paid, annually in accordance with this chapter.

Section §110.18 EXEMPTIONS is amended to read as follows:

§110.18 EXEMPTIONS

Persons or entities who pick up or deliver goods within the city are not required to obtain a peddlers license based solely on the pick up or delivery of goods as part of a transaction for the purchase and sale of such goods, (For example, a soft drink distributor not located in Roxboro may deliver a truck load of soft drinks to a grocery store in Roxboro without becoming liable to pay peddlers license fee.)

Section §110.19 LICENSE TAX AMOUNT is deleted. The section number is RESERVED.

Section §110.20 LICENSES AS PERSONAL PRIVILEGES AND NON-ASIGNABLE; EXCEPTIONS EXEMPTIONS is amended to read as follows:

§ 110.20 LICENSES ARE NON-ASSIGNABLE and PERSONAL

Every license issued under this chapter shall be personal and shall not be assignable.

Section §110.21 NOTICE TO TAXPAYERS PRESUMED is amended to read as follows:

§ 110.21 NOTICE TO LICENSEES PRESUMED.

Each person who conducts a business regulated under this Article may be subject to licensing requirements. It is the duty of such person to verify the applicable requirements of this chapter. If licenses are not obtained and/or fees not paid, the proceedings allowed by law may be taken against such person or business. This notice shall be conclusively presumed, whether or not such persons or businesses have actual notice.

Section §110.22 LICENSE, YEAR; WHEN TAX DUE and PAYABLE is amended to read as follows:

§ 110.22 LICENSE, YEAR; WHEN LICENSE FEE DUE AND PAYABLE.

(A) Unless other specified, the license issued is valid for the 12-month period beginning July 1 and ending June 30.

(B) The license fee is due on July 1 of each year.

(C) If a person begins a business after July 1, the license fee due for that year shall be due and payable before the business begins.

(D) A person may not commence a business conducted within the city which is licensed pursuant to this chapter until the application is approved and fee is paid and may not continue such business beyond the period for which the license is issued.

(E) The beer and wine license tax is due and payable after a permit is issued by the state and no later than by June 2 of each year to avoid any late penalty.

Section §110.23 PENALTIES FOR LATE PAYMENT OF TAXES is amended to read as follows:

§ 110.23 PENALTIES FOR LATE PAYMENT OF FEES.

(A) If fees imposed by this chapter, except those for beer and wine, are not paid on or before August 2 of each year, there shall be assessed an additional fee equal of \$10.00 for the license per month or fraction thereof until paid, not to exceed 25% of the amount so prescribed, but in any event not less than \$10.00.

(B) Upon discovering any business which has been operating within the city without applying for a license and paying the fee imposed by this chapter, the City Manager is authorized to assess and collect the delinquent fees plus penalties due for each taxable year that the same has remained unpaid, not exceeding three years including the current year for which the license fee may be required.

(C) No license shall be granted until the license fee has been paid.

(D) All fees imposed on businesses shall be paid before the business is begun. If not paid within 30 days after the business has begun, the penalties provided in divisions (A) and (B) of this section shall apply from the date such business began.

Section §110.24 SEPARATE BUSINESSES; MULTIPLE BUSINESSES is amended to read as follows:

§ 110.24 SEPARATE BUSINESSES; MULTIPLE BUSINESSES.

(A) A separate license is required, and a separate fee must be paid for each separate place of business operated within Roxboro's corporate limits by the license.

(B) If two or more separate regulated businesses are operated at the same location by the same license, the City Manager may issue two or more licenses upon the payment of the total amount of fees due for all businesses operated at the same time.

Section §110.25 NEW LICENSE REQUIRED UPON ALTERATION IN NATURE OF BUSINESS is amended to read as follows:

§ 110.25 NEW LICENSE REQUIRED UPON ALTERATION IN NATURE OF BUSINESS.

When a license is issued to carry on a certain line of business and, after the issuance of such license, the licensee shall so change or alter his business as to bring it under a classification for which a different kind of license fee is required, the licensee shall, before making such change, deliver its license to the City Manager, together with an application for a license applicable to the proposed change, and shall pay to the City Manager the proper license fee. The City Manager shall thereupon cancel the old license and shall issue to the licensee a new and appropriate license.

Section §110.26 APPLICATION FOR LICENSE sub-sections (A) and (C) only are amended to read as follows:

§ 110.26 APPLICATION FOR LICENSE.

(A) Every application for a license required by this chapter shall be made in writing to the City Manager on a form provided by the city. Such application shall be signed by either the applicant or its agent and furnish all the information provided on the form, which shall include:

- (1) The name and nature of the business for which the license is sought;
- (2) Whether the applicant is an individual, a partnership, corporation, or some other entity;

- (3) The address where the business is conducted and a mailing address for the business, if different;
- (4) The name and address of the person filling out the application and his or her relationship to the business;
- (5) All telephone numbers applicable to business;
- (6) The start date in which the business began or is to begin in the city, along with the application date;
- (7) Any other information which the City Manager determines to be necessary.

(C) To the extent permitted by law, all information furnished or obtained under authority of this chapter shall be kept in confidence by the City Manager and used solely for the administration of this chapter, provided that summaries of the information may be shared with other city officials for purposes of research, analysis, and budgetary matters.

Section §110.27 TAX BASED ON GROSS RECEIPTS is deleted. The section number is RESERVED.

Section §110.28 DUTIES OF LICENSEES is amended to read as follows:

§ 110.28 DUTIES OF LICENSEES.

(A) Each person who conducts business in the city shall permit the City Manager to inspect the business premises during normal business hours to determine the nature of the business conducted and to examine the books and records to determine the nature and amount of business transacted.

(B) Every license must be prominently displayed at the place of business of the licensee named therein or, if such licensee has no fixed place for doing business, such licensee must keep such license wherever such business is being operated and, in a place where it can be seen at any time by an official to inspect the same.

(C) A licensee shall report a change in the information contained in the application for a license required by this chapter within ten days after the change occurs. If the change results in a separate or additional application and/or fee, the City Manager shall reissue a license reflecting the change with payment. If the change does not result in a separate or additional fee, but the change affects the information on the face of the license, the City Manager shall reissue a license reflecting the change in information upon a payment of \$5.00.

(D) If a licensee sells, transfers or goes out of business, the licensee must give notice to the City Manager of such intended event at least 48 hours prior to the date of the actual sale, transfer, or termination of business.

(E) The license fee shall not be abated nor shall a refund of any part of the license fee be made in any case where the licensee fails to begin operations, surrenders the license, discontinues business or has a license revoked before the end of the period for which such license is issued.

Section §110.30 REASONS FOR REFUSAL OR REVOCATION OF A LICENSE sub-sections (A) and (B) only are amended to read as follows.

§ 110.30 REASONS FOR REFUSAL OR REVOCATION OF A LICENSE.

The City Manager shall refuse to issue a license, or shall revoke a license already issued, for any of the following reasons.

- (A) The applicant misrepresents a fact in the application.
- (B) The applicant refuses to provide information necessary to issue a license .

Section §110.31 RIGHT TO A CONFERENCE UPON REFUSAL OF A LICENSE sub-sections (A) only is amended to read as follows.

§ 110.31 RIGHT TO A CONFERENCE UPON REFUSAL OF A LICENSE.

(A) If, after receipt of the completed application, the City Manager believes that a reason exists to deny a license, he shall refuse to accept payment of the fee and shall not issue the license. At the applicant's request, the City Manager shall give the applicant a written statement of the reasons for refusing the license. The applicant may, within ten days after receipt of such statement, request a conference to discuss the denial. Such request shall specify why the application should not have been denied. The City Manager shall arrange the conference within a reasonable time, not to exceed 30 days after receipt of the request for a conference.

Section §110.32 CITY MANAGER TO ISSUE LICENSE; PAYMENT OF TAX A PREREQUISITE is amended to read as follows.

§ 110.32 CITY MANAGER TO ISSUE LICENSE; PAYMENT OF FEE A PREREQUISITE.

If, after receipt of the completed application and fee, the City Manager determines that the application meets the standards of this ordinance, he shall issue a license.

Section § 110.33 AMOUNT OF TAX DISPUTED is deleted.

Section §110.35 FORM AND CONTENTS OF LICENSE is amended to read as follows.

§ 110.35 FORM AND CONTENTS OF LICENSE

Every license issued shall show on the face thereof the name of the licensee, the nature of the business and the location thereof (provided such business has a fixed location), the time for which issued, the amount of the fee and the penalty, if any, paid. Any license requiring the approval of the City Council or of any other local government board, commission or official, shall indicate such approval on its face. The City Manager shall keep an exact copy of each license issued, including the approval of the City Council or of any board, commission or official endorsed on the face of the same.

Section § 110.39 REVOCATION OF PRIOR LICENSE FOR LATE PAYMENT OF TAX; REFUSAL TO ISSUE NEW LICENSE UNTIL TAX PAID is amended to read as follows:

Section § 110.39 REVOCATION OF PRIOR LICENSE FOR LATE PAYMENT OF FEE; REFUSAL TO ISSUE NEW LICENSE UNTIL FEE PAID.

The license fee is due each year. If a business fails to pay the license fee when due, its license shall not be renewed, and no new license shall be issued to the licensee for that business until all past due privilege license taxes owed by the licensee are paid.

Section §110.40 DUTY TO DETERMINE WHETHER LICENSE REQUIRED AND TAX DUE sub-section (A) only is amended to read as follows.

§ 110.40 DUTY TO DETERMINE WHETHER LICENSE REQUIRED AND FEE DUE

(A) Each person has the duty to determine whether the business he or she conducts is subject to a license and fee under this chapter and if so, whether the license has been obtained and the tax fee been paid for the current tax year.

Section § 110.41 NOTICE OF DEFICIENCY is amended to read as follows:

§ 110.41 NOTICE OF DEFICIENCY

If the City Manager determines that a person has not paid the fee due under this chapter, either for the current license year or for a prior license year, he or she shall give the person written notice of the deficiency. The notice of deficiency shall specify: the total amount of fees due; the section of this chapter upon which the fee is based; the amount of fee paid; any penalty due; the balance owed; the manner and time period in which the person may respond to the notice of deficiency; and the consequences to the person if he or she fails to respond as specified.

Section § 110.42 REQUEST FOR A CONFERENCE is amended to read as follows:

§ 110.42 REQUEST FOR A CONFERENCE

A person who receives a notice of license deficiency may, within ten days after the day on which the notice is served, request in writing a conference. The request shall specify the person's objections to the notice of deficiency.

Section § 110.43 WHEN DEFICIENCY BECOMES FINAL is amended to read as follows:

§ 110.43 WHEN DEFICIENCY BECOMES FINAL

If the licensee fails to request a conference about the notice of deficiency, the City Manager's determination of deficiency becomes final and the City Manager shall proceed to collect the deficiency.

Section § 110.44 CONFERENCE HELD is amended to read as follows:

§ 110.44 CONFERENCE HELD

If the licensee requests a conference, the City Manager shall not proceed to collect the deficiency until he hears the licensee's objections and determines that the deficiency should become final. The City Manager shall maintain, for three years, records of each conference held with a licensee.

Section § 110.45 COLLECTION OF DEFICIENCY is amended to read as follows:

§ 110.45 COLLECTION OF DEFICIENCY

The City Manager may use any one, or a combination, of the following methods to collect a deficiency:

- (A) Criminal prosecution in accordance with §110.47.
- (B) Civil penalties in accordance with § 110.47.
- (C) Equitable relief in accordance with § 110.47.

Section § 110.46 APPEALS sub-section (A) only is amended to read as follows:

§ 110.46 APPEALS

(A) Subject to the provisions of this chapter, a person may appeal to the City Council a decision by the City Manager:

- (1) That an applicant is not entitled to a license;
- (2) That a licensee's license should be revoked;
- (3) Concerning the amount of fees owed by an applicant; and/or
- (4) That a person has not paid the amount of fees due for current license year or any prior years.

Section § 110.47 ENFORCEMENT OF CHAPTER sub-sections (B), (D) and (F) only are amended to read as follows:

§ 110.47 ENFORCEMENT OF CHAPTER.

(B) A violation of § shall subject the offender to a civil penalty as provided for in §10-99. A violation of § [110.28](#) shall subject the offender to a civil penalty of \$10.00. If the offender does not pay the penalty within ten days after he or she has been cited for a violation, the city may attempt to recover the penalty by filing a civil action in the nature of debt. Payment of this civil penalty does not relieve a person of his liability for taxes imposed under this chapter.

(D) Each day that a violation of §§ [110.17](#) or [110.28](#) exists after the person has been notified of the violation shall constitute a separate and distinct offense.

(E) This chapter may be enforced by any one, all, or a combination of the remedies authorized and prescribed by this chapter.

Section § 110.48 TAX SCHEDULE is deleted.

Section 2. All provisions of any Town ordinance in conflict with this Ordinance are repealed.

Section 3. This Ordinance shall be effective upon adoption.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this _____ day of _____, 2018.

Ayes: _____

Noes: _____

Absent or Excused: _____

Dated: _____

Marilyn P. Newell, Mayor

Attest:

Trevie Adams, City Clerk

THIS VERSION WOULD PERMIT ALL SALES

AN ORDINANCE AMENDING THE CITY OF ROXBORO'S CODE OF ORDINANCES, CHAPTER 111 ALCOHOLIC BEVERAGES

THE BOARD OF COMMISSIONERS OF THE CITY OF ROXBORO ORDAINS:

Section 1: Roxboro Chapter 111 is amended to add the following new section:

§ 111.02 SUNDAY SALES

Any establishment located in the City limits and holding an ABC permit pursuant to N.C. Gen. Stat. § 18B-1001 is permitted to sell beverages allowed by its permit beginning at 10:00 AM on Sundays.

Section 2. All provisions of any Town ordinance in conflict with this Ordinance are repealed.

Section 3. This Ordinance shall be effective upon adoption.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this _____ day of _____, 2018.

Ayes: _____

Noes: _____

Absent or Excused: _____

Dated: _____

, Mayor

Attest:

, Town Clerk

THIS VERSION WOULD ONLY PERMIT ON-PREMISES SALES

AN ORDINANCE AMENDING THE CITY OF ROXBORO'S CODE OF ORDINANCES, CHAPTER 111 ALCOHOLIC BEVERAGES

THE BOARD OF COMMISSIONERS OF THE CITY OF ROXBORO ORDAINS:

Section 1: Roxboro Chapter 111 is amended to add the following new section:

§ 111.02 SUNDAY SALES

Any establishment located in the City limits and holding an On-Premises Malt Beverage Permit and/or an On-Premises Unfortified Wine Permit and/or an On-Premises Fortified Wine Permit and/or a Mixed Beverages Permit pursuant to N.C. Gen. Stat. § 18B-1001 is permitted to sell beverages allowed by its permit beginning at 10:00 AM on Sundays.

Section 2. All provisions of any Town ordinance in conflict with this Ordinance are repealed.

Section 3. This Ordinance shall be effective upon adoption.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this _____ day of _____, 2018.

Ayes: _____

Noes: _____

Absent or Excused: _____

Dated: _____

, Mayor

Attest:

, Town Clerk

AN ORDINANCE AMENDING THE CITY OF ROXBORO'S CODE OF ORDINANCES, CHAPTER 114: CABLE
TELECOMMUNICATIONS

THE BOARD OF COMMISSIONERS OF THE CITY OF ROXBORO ORDAINS:

Section 1: Roxboro Chapter 114 is deleted and repealed in its entirety and the chapter number is reserved.

Section 2. All provisions of any Town ordinance in conflict with this Ordinance are repealed.

Section 3. This Ordinance shall be effective upon adoption.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this _____ day of _____, 2018.

Ayes: _____

Noes: _____

Absent or Excused: _____

Dated: _____

Marilyn P. Newell, Mayor

Attest:

Trevie Adams, City Clerk

AN ORDINANCE AMENDING THE CITY OF ROXBORO'S CODE OF ORDINANCES, CHAPTER 117 TATTOOING AND BODY PIERCING

THE BOARD OF COMMISSIONERS OF THE CITY OF ROXBORO ORDAINS:

Section 1: Roxboro Chapter 117 is amended as follows:

Section 117.01 INTENT is amended to read as follows:

The purpose of this chapter is to regulate tattoo and body piercing artists doing business in the city, and to thereby promote the public safety, health and welfare. The regulations of this Part are to be applied in conjunction with the requirements of the Unified Development Ordinance, including § 7.38 Tattoo / Body Piercing Parlors.

Section 117.02 DEFINITIONS is amended to read as follows:

For purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

(A) **BODY PIERCING ARTIST.** As used in this chapter, the term "body piercing" means the creation of an opening in the body of a human being so as to create a permanent hole for the purpose of inserting jewelry or other decoration. Body piercing includes piercing an ear, lip, tongue, nose, navel, or eyebrow. Body piercing does not include piercing an ear lobe with a disposable, single-use stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear lobe.

(B) **TATTOO ARTIST.** Any person who engages in tattooing. (See N.C. Administrative Code 15 NCAC 18A.3201.)

(C) **TATTOO ESTABLISHMENT** Any location where tattooing is engaged in or where the business of tattooing is conducted or any part thereof. "Tattoo Parlor" falls within this definition. (See N.C. Administrative Code 15 NCAC 18A.3201).

(D) **TATTOOING** means the inserting of permanent markings or coloration, or the producing of scars, upon or under human skin through puncturing by use of a needle or any other method. (See N.C. Gen. Stat. § 130A-283.

Section 117.03 PERMIT REQUIRED is amended to read as follows:

(A) No person shall conduct any business within the city as a tattoo artist, until such person has obtained a permit from the State of North Carolina, Person County Department of Environmental Health and a zoning compliance permit and certificate of occupancy issued pursuant to the Unified Development Ordinance.

(B) A copy of the permit from the State of North Carolina and/or Person County Department of Environmental Health must be filed with the city, within 24 hours of date of issue.

(C) A business registration fee as stated in the annual budget ordinance is required to be paid to the City and prominently displayed in an area of the business open to the public.

Section 117.04 LICENSE is deleted, and the section number is RESERVED.

Section 117.06 REVOCATION OF PERMIT is deleted, and the section number is RESERVED.

Section 117.07 RULES FOR OPERATION is amended to read as follows:

In addition to the provisions contained within this chapter, the following rules shall be observed by all operators of tattooing and/or body piercing business within the city:

(A) All tattooing and/or body piercing business shall observe the stated hours of operation found in the Unified Development Ordinance at §7.38 Tattoo/Body Piercing Parlors.

(B) No services shall be conducted during the time when the business is required by this chapter to remain closed.

(C) There must be an adult 18 years of age or older managing the business during hours of operation.

Section 117.99 PENALTY is deleted, and the section number is RESERVED.

Section 2. All provisions of any Town ordinance in conflict with this Ordinance are repealed.

Section 3. This Ordinance shall be effective upon adoption.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this _____ day of _____, 2018.

Ayes: _____

Noes: _____

Absent or Excused: _____

Dated: _____

Marilyn P. Newell, Mayor

Attest:

Trevie Adams, City Clerk

4. Marlow's Creek Contract - Engineering

INTEROFFICE MEMO

September 11, 2018

To: Mayor and City Council

From: Andrew M. Oakley, Public Services Director

Subject: Marlowe's Creek Outfall Replacement Engineering Services Contract

As previously reported to Council, Marlowe's Creek has been identified as being in need of replacement. Council approved \$250,000 for the Engineering Services for the project during the 2018-2019 annual budget.

A Request for Qualifications was published on March 17, 2018 and we received three submittals from consultants by the deadline of April 10, 2018. City staff reviewed the submittals and Alley Williams Carmen and King, Inc was ranked highest among the participating consultants.

Alley Williams Carmen and King, Inc. has submitted the attached contract for your approval.

Staff Recommends: Awarding the contract to Alley Williams Carmen and King, Inc.



alley, williams, carmen & king, inc.

Engineering • Architecture • Land Surveying

July 27, 2018

Mr. Andy Oakley, P.E.
Public Services Director
City of Roxboro
779A Mountain Road
Roxboro, N.C. 27573

Subject: Marlowe's Creek Outfall Replacement

Dear Mr. Oakley,

Alley, Williams, Carmen & King, Inc. is pleased to provide the City of Roxboro with this letter of agreement to provide engineering and surveying services for the Marlowe's Creek Sewer Outfall Replacement project for the City of Roxboro. This proposal is to assist the City with determining the current condition of the Marlowe's Creek Outfall, including available sewer capacity and identification of limitations within the existing sewer system that may impede future development.

Background Information and Scope of Services

The City has identified approximately 16,000 feet of gravity sewer and 4,000 feet of force main that is in need of evaluation and possible replacement, as well as two pump stations that may have limited capacity for future anticipated flows. City staff also anticipates portions of the gravity system are currently undersized and may present capacity issues with continued growth. As a result, we recommend identifying anticipated drainage areas to Duncan and South Side pump stations, as well as the gravity system and developing anticipated flows to each. These anticipated flows will be modeled throughout the system to identify bottlenecks limiting available capacity for future growth.

Much of the gravity outfall identified was installed in the 1960s-1970s and record drawings are unavailable. As a result, we recommend field locating each manhole, obtaining elevation data, pipe size and pipe material data for each manhole within the study area. This information will provide the City with a record of the as-built conditions of the outfall as well as provide a basis for determining the most cost effective construction method for sewer mains in need of replacement.

As mentioned above, many of the gravity mains in Marlowe's Creek outfall were installed roughly 50 years ago. In addition to undersized mains, we typically find that mains of this age have varying levels of structural failure at some point within the system that can also create capacity issues. Anticipating much of the same in Roxboro, we have provided a budget number for providing sewer video for a portion of the outfall. If bypass pumping is required we need to obtain the services of another sub-consultant to provide those services, at additional cost.

After completing the analysis of the system, we will provide the City with construction cost estimates to assist with budgeting for the construction project. AWCK can assist the City with evaluating possible sources of funding including the Clean Water State Revolving Fund (CWSRF) program but this is not within the scope of this contract.

With sewer outfalls typically following streams, it may be necessary to impact streams or wetlands during construction. Identifying existing streams and wetlands may also play a role in determining the type of rehabilitation or replacement method chosen. We have teamed with Pilot Environmental to

provide stream and wetland determination/delineation services on the project. If it is determined during the evaluation that impacts requiring permitting are a possibility, Pilot Environmental will delineate these areas as necessary.

The attached Exhibit #1 includes a list of tasks and associated fees to evaluate the current condition and future needs of Duncan and South Side pump stations, their associated force mains and Marlowe's Creek Outfall. Due to unknown conditions of the sewer system, individual tasks may be altered, with your approval, during the project. Scope of services changes will be evaluated and approved prior to work beginning on the revised task.

It should be noted that final engineering design and bid documents are not included within this scope of services but can be provided as an addendum to the proposed scope of services at the conclusion of the study phase of the project.

Independent Contractor

Consultant shall at all times remain an "Independent Contractor" with respect to the services to be performed under this Agreement. The City shall be exempt from payment of all Unemployment Compensation, FICA, retirement, life and/or medical insurance, and Worker's Compensation Insurance since the Consultant is an Independent Contractor.

Professional Services

Alley, Williams, Carmen, & King, Inc. (AWCK) shall perform the professional Consulting Services required under this Agreement in accordance with standard of care, skill, training, diligence and judgment normally provided by competent professionals who perform work of a similar nature, in the same geographical regions as the work described in this Agreement and any Work Authorization. AWCK agrees to correct, at its own expense, any service provided under this Agreement that does not conform to the standard of care herein for a period of one (1) year following the completion of that Service.

Prohibited Interest

AWCK affirms that it has neither an interest, nor shall acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of services under this Agreement. AWCK may still provide private engineering design within the City of Roxboro but any private work will be reviewed by either another entity or by City staff.

Discrimination Prohibited

AWCK shall not discriminate against any person in the performance of this Agreement because of race, creed, sex, handicap, color, age, national origin, or familial status.

Insurance

AWCK shall maintain for the term of this Agreement insurance policies covering:

- Worker's Compensation and Employer's Liability insurance, statutory limits.
- Comprehensive General Liability insurance, a total of \$2,000,000 each occurrence and \$2,000,000 in aggregate.
- Comprehensive Automobile Liability insurance, a total of \$2,000,000 each occurrence and \$2,000,000 in aggregate.
- Umbrella Liability insurance, a total of \$5,000,000 each occurrence.

- Professional errors and omissions insurance with a per claim limit of not less than \$3,000,000.

Additionally, the City shall be named as an additional insured on Comprehensive General Liability and Comprehensive Automobile Liability, and the policies shall provide that the City shall be given at least thirty (30) days advance written notice in the event of cancellation.

Hold Harmless

AWCK shall perform the work as provided herein as an independent contractor. The City shall not be liable for any and all claims, actions, suits, charges, and judgments whatsoever arising out of the performance or nonperformance of this Agreement by AWCK.

Summary of Fees

We propose to provide the above described services for a fee of \$250,000.00. The individual fees are attached within Exhibit #1 – Scope of Services.

We appreciate the opportunity of submitting this letter of agreement for your review and acceptance. We look forward to working with you and should you have any questions or require additional information, please contact me at 336-226-5534.

Sincerely,

ALLEY, WILLIAMS, CARMEN & KING, INC.



Joshua S. Johnson, P.E.
Principal Engineer

The scope of services, terms and conditions of this Letter of Agreement are accepted.

Signature of Authorized Representative

Date

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Finance Officer Approval

Date

**EXHIBIT – 1
SCOPE OF SERVICES**

Task 1 – Investigation of Duncan & Southside Pump Stations (Duncan Currently Limiting Development)

- Review of data provided by the City of Roxboro (GIS Data, Sewer Study from 2006, Pump Station Data from Charles Underwood, Pump Run Times, etc.).
- Develop watershed limits of future development to pump station.
- Develop anticipated flows to pump station within watershed limits using zoning and/or anticipated land uses.
- Evaluate existing condition of pump station using data from Charles Underwood (Condition 1).
- Evaluate the impact of 450 lot subdivision on Duncan Pump Station (Condition 2).
- Evaluate pump station for anticipated maximum flow achievable with existing wet well and force main. Assume increasing capacity of pumps to maximize flow through existing force main (Condition 3).
- Evaluate pump station for anticipated future flows and necessary improvements to station/force main to achieve anticipated flows. (Condition 4)
- Model existing force main for all conditions.

Task 1 Fixed Fee: \$30,000

Task 2 – Evaluate Existing Gravity Sewer Outfall

- Evaluate the available capacity of Marlowe's Creek Outfall from approximately 1,200 LF north of 15-501 to Hwy 158.
- Evaluation will include current hydraulic condition of the outfall based on flows from Duncan and Southside Pump Stations; future hydraulic condition based upon maximum flow through existing force main; future hydraulic condition based upon anticipated flows. (Conditions 1-4)
- Provide a written report detailing system limitations and recommended improvements.
- Provide Exhibits using GIS of possible improvement scenarios.
- Provide Estimates of Probable cost for recommended improvement scenario (Dig & Replace, Pipe Burst, CIPP, etc).
- Create Plan/Profile sheets of existing outfall identifying varying pipe size and slopes (using data obtained in task 3).

Task 2 Fixed Fee: \$55,000

Task 3 – Survey Marlowe's Creek Outfall

- Field survey approximately 16,000 LF of gravity sewer from approximately 1,200 LF north of 15-501 to Hwy 158.
- Locate each manhole along outfall. Provide rim elevation, invert elevation, pipe size, and pipe material. Provide limited spot elevations along alignment of sewer outfall to provide contour data within limits of sewer easement (30' wide).

Task 3 Fixed Fee: \$75,000

Task 4 – Sewer Video

- Assume the use of a sub-contractor to video existing sewer mains.
- Budget number not to exceed. Costs to video will vary based on flow conditions. Bypass pumping will likely be required for mains 12" and larger with moderate flow.

Not to Exceed Budget: \$55,000

Task 5 – Wetland Determination/Delineation

- Provide wetland and stream determination/delineation services along wooded portions of the existing sewer outfall. Meet with USACE to verify limits of delineation.
- Field survey wetland/stream flags.

Not to Exceed Budget: \$35,000

Summary of Tasks/Fees:

Task 1 – Investigation of Duncan & Southside Pump Stations:	\$ 30,000.00
Task 2 – Evaluate Existing Gravity Sewer Outfall:	\$ 55,000.00
Task 3 – Survey Marlowe's Creek Outfall:	\$ 75,000.00
Task 4 – Sewer Video:	\$ 55,000.00
Task 5 – Wetland Delineation:	\$ 35,000.00
Total All Tasks:	\$ 250,000.00

EXHIBIT - 2
SCHEDULE OF FEES
HOURLY CHARGE RATE SCHEDULE – JULY 1, 2018

This information is confidential and is intended for use by the recipient only.

1. Engineers:
 - a. EI – Engineering Intern \$ 70.00 - \$ 90.00/Hr.
 - b. Registered Professional Engineer 100.00 - 130.00/Hr.
 - c. Associate/Registered Professional Engineer 115.00 - 155.00/Hr.
 - d. Principal/Registered Professional Engineer 175.00 - 205.00/Hr.

2. Architects:
 - a. Architects in Training \$ 70.00 - \$ 90.00/Hr.
 - b. Registered Architect 85.00 - 125.00/Hr.
 - c. Associate/Registered Architect 135.00 - 155.00/Hr.
 - d. Principal/Registered Architect 165.00 - 175.00/Hr.

3. Surveyors:
 - a. Surveyor in Training \$ 60.00 - \$ 80.00/Hr.
 - b. Registered Land Surveyor 80.00 - 100.00/Hr.
 - c. Associate/Registered Land Surveyor 90.00 - 117.00/Hr.

4. Technical Staff:
 - a. Project Manager \$ 80.00 - \$120.00/Hr.
 - b. CADD Designer/Technician 65.00 - 95.00/Hr.
 - c. Stormwater Program Coordinator 65.00 - 95.00/Hr.

5. Survey Parties:
 - a. 2-Man Party \$140.00 - \$155.00/Hr.
 - b. 3-Man Party 190.00 - 205.00/Hr.

6. Construction Observer \$ 75.00 - \$100.00/Hr.

7. Clerical \$ 50.00 - \$ 65.00/Hr.

8. Other:
 - a. Employees' overtime (when authorized in advance): 1.50 times Hourly Charge Rate.
 - b. Professional Consultants: 1.10 times the amount billed to AWCK, Inc.
 - c. Printing and Mailing: 1.10 times the amount billed to AWCK, Inc.
 - d. Mileage: Travel to job site No Charge, but time is included from our office to job site and return.
 - e. Overnight or extended travel: 1.10 times the amount billed to AWCK, Inc.
 - f. The above rates are subject to adjustment in accordance with normal salary and rate review practices on an annual basis.
 - g. Where ranges of hourly charge rates are listed, the rate charged will be the actual charge rate associated with the individual performing the services.
 - h. Payment will be made monthly based on invoices submitted by Alley, Williams, Carmen & King, Inc.

5. Resolution to Approve Grant Application

RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of (state whether a wastewater treatment works, wastewater collection system, stream restoration, stormwater treatment, drinking water treatment works, and/or drinking water distribution system or other “green” project), and

WHEREAS, The City of Roxboro has need for and intends to conduct an asset inventory and assessment its sewer collection system according to the NC Division of Water Infrastructures’ Asset Inventory and Assessment grant program. The project is described as a sewer asset inventory and assessment to gather additional condition data on sewer mains and manholes within the system to develop a phased asset management plan to ultimately reduce inflow and infiltration and improve system reliability; and

WHEREAS, The City of Roxboro intends to request state grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE (GOVERNING BODY) OF THE (UNIT OF GOVERNMENT):

That City of Roxboro, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State grant award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Roxboro to make scheduled repayment of the loan, to withhold from the City of Roxboro any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Andrew M. Oakley, PE Public Services Director the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a grant to aid in the construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.
Adopted this the (date adopted) at (place), North Carolina.

Mayor Marilyn P. Newell

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Roxboro does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the City of Roxboro duly held on the _____ day of _____, 20____; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 20____.

Trevie Adams, MMC/NCCMC
City Clerk

6. Fire Truck Loan Approval - Piedmont Electric



Roxboro Fire Department
"Customer Service, Pride, Teamwork"

September 7, 2018

To: Mayor and Council

In 2018-2019 budget was an air truck for the fire department. The truck is used to fill out air bottles on a fire scene due to the department expending all the bottles of air we had on several large fires. This truck also has a remote light tower and serves as a rehab truck and can carry rescue equipment. The stipulation during the budget process was, we had to get the zero percent interest loan from Piedmont Electric Corporation. During Piedmont's August meeting we were notified we received the loan. During budget process the truck was \$145,000.00, but during the wait for Piedmont, I talked the department down to \$125,000.00.

I am coming forth to council to ask for a vote to accept the zero percent interest loan from Piedmont Electric Corporation.

**105 COURT STREET
ROXBORO, NORTH CAROLINA**

7. Tourism Report

Information will
Be Distributed
At the
Council Meeting

8. Operations "Slow Down" Update



ROXBORO POLICE DEPARTMENT



109 North Lamar Street
Roxboro, North Carolina 27573

Office 336 599 8345

www.cityofroxboro.com

Operation Slow Down Report

September 5, 2018

Council,

During the month of August, local law enforcement partnered for "Operation Slow Down". The campaign was to address concerns of speeding in the city and county. In addition to traditional enforcement actions, the police department was able to deploy the newly purchased Radar Speed Sign. The Police Department extends their appreciation for the fiscal support to purchase the sign. The first deployment of the the sign was on South Main Street near Gentry Street from July 30th to August 8th. During this time, the police department did not conduct any enforcement in the area in an effort to get true data readings from the sign.

The second deployment of the sign was on Ridge Road near Windsor Drive. The sign was deployed on August 17th at 11:30 AM in "Stealth Mode" until August 27th. Stealth Mode is a setting that allows the sign to track speed data without displaying a speed to the motorist. The purpose was to try and track actual daily driving speeds. The display was activated on August 28th until the sign was retrieved on September 4th. During this time, the police department did not conduct enforcement in the area. The data between the two modes showed no difference in speeding habits. Motorist exceeded the posted speed limit by an average of 12-15 mph while the sign was deployed in this area.

The data from both deployments indicates the motoring public, on average, exceeds the posted speed limit by more than 12-20 mph in these areas. Both areas are primarily residential and both lead into a mixed business area.

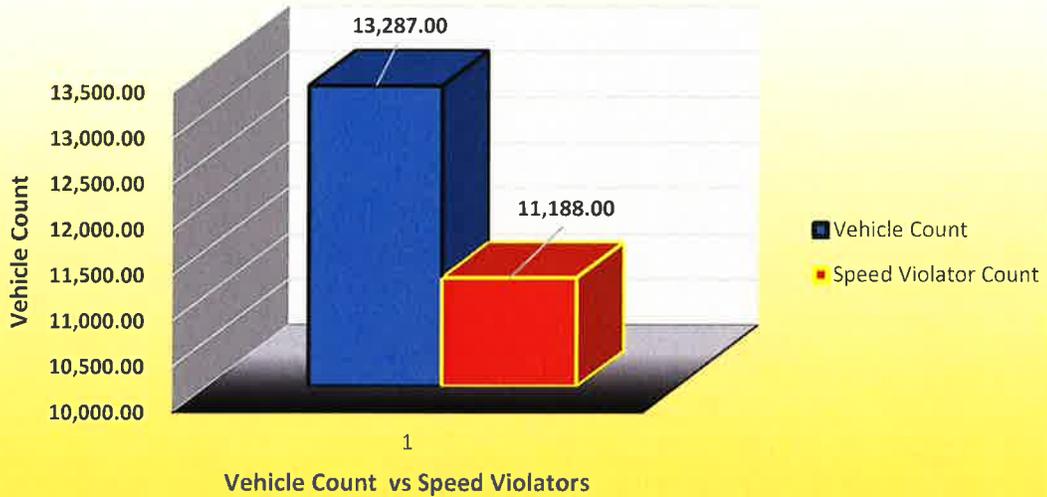
Operation Slow Down proved to be a successful endeavor. A total of 884 speeding citations were issued by local law enforcement. The message to the public, "speeding is a problem throughout our County", "Obey the Sign or the Pay the Fine". Time to slow down.

Respectfully,

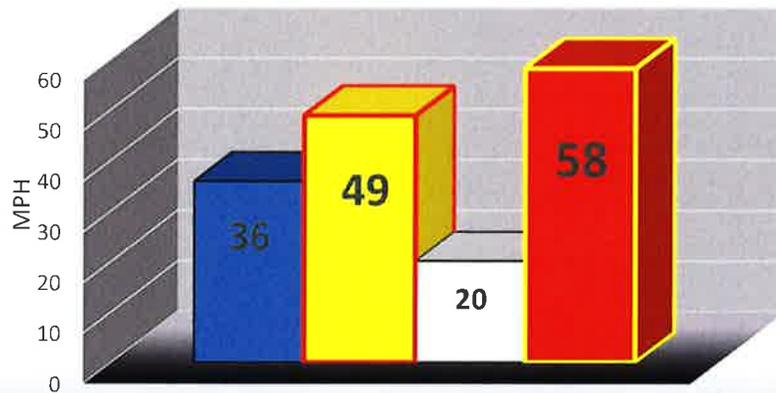
David L. Hess
Chief of Police



**Radar Speed Sign Data
South Main Street
7/30/2018 thru 8/8/2018**

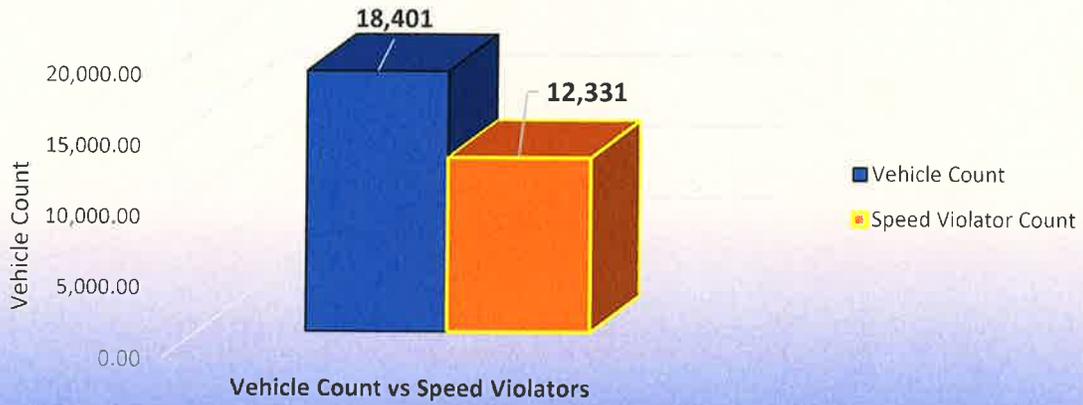


Speed Data



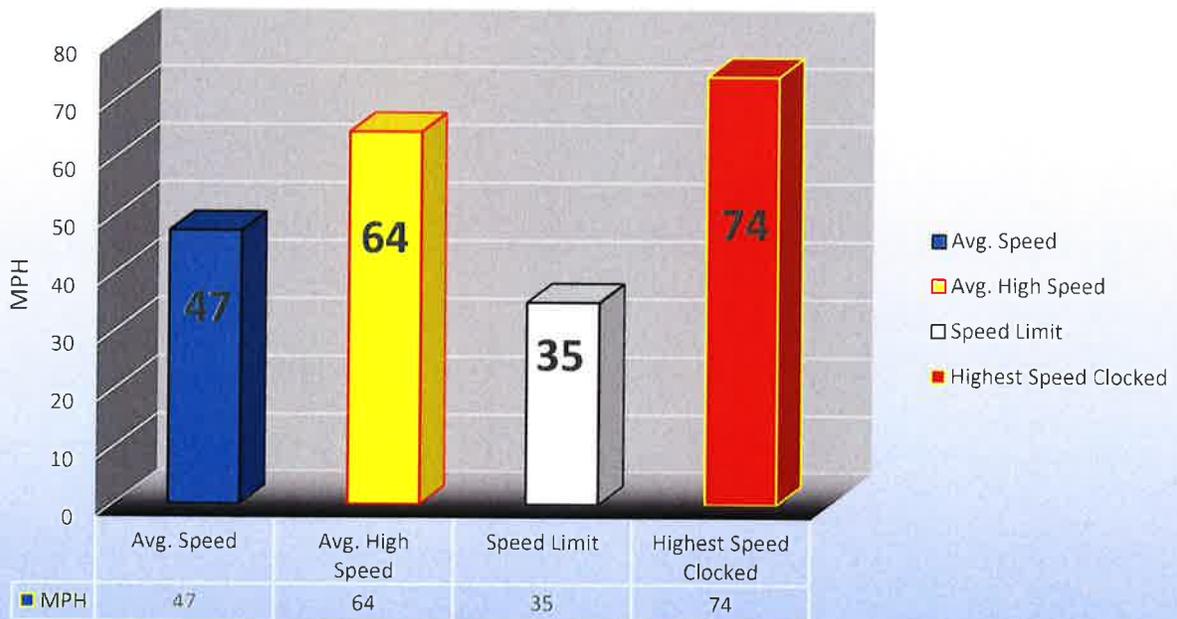
	1
■ Avg. Speed	36
■ Avg. High Speed	49
□ Speed Limit	20
■ Highest Speed Clockted	58

Radar Speed Sign Data
Ridge Road
8/17/2018 thru 09/05/2018



NOTE: Ridge Road is a primary emergency route for hospital response and other emergency response routes. The high speed of 74 mph is likely a responding emergency vehicle. If the 74 mph speed was excluded from the average high speed, the final result would still have an average speed above the posted speed limit of 35 mph, indicating that motorist exceed the posted speed limit by more than 15 mph.

Speed Data



9. Financial & Tax Report

City of Roxboro, North Carolina
Financial Statement - Unadjusted
Modified Accrual Basis
For the One Month Ended July 31, 2018

	Original Budget	Actual	Annual Variance Favorable (Unfavorable)	8.33% Percent of Budget
General Fund (10)				
Ad Valorem Taxes	\$ 4,768,851	\$ 243,309.71	\$ (4,525,541.29)	5.10%
Local Option Sales Tax	1,721,816	148,944.35	(1,572,871.65)	8.65%
Other Taxes and Licenses	12,000	1,391.98	(10,608.02)	11.60%
Unrestricted Intergovernmental	973,408	17,164.65	(956,243.35)	1.76%
Restricted Intergovernmental	637,276	32,725.31	(604,550.69)	5.14%
Permits and Fees	7,000	965.00	(6,035.00)	13.79%
Sales and Services	667,120	56,112.50	(611,007.50)	8.41%
Miscellaneous	20,247	1,211.45	(19,035.55)	5.98%
Investment Earnings	2,500	648.93	(1,851.07)	25.96%
Interfund Transfers	1,206,817	82,651.42	(1,124,165.58)	6.85%
Sale of Fixed Assets	15,000	187.88	(14,812.12)	1.25%
Total Revenues	10,032,035	585,313.18	(9,446,721.82)	5.83%
Expenditures:				
Governing Body - City Council	177,805	108,749.56	69,055.44	61.16%
City Hall Administration	544,510	48,570.57	495,939.43	8.92%
Finance	278,083	48,784.34	229,298.66	17.54%
Sales Tax	88,100	6,577.18	81,522.82	7.47%
Tax Collections	64,843	3,670.53	61,172.47	5.66%
Buildings & Grounds	220,644	11,069.84	209,574.16	5.02%
Safety / Purchasing	34,275	80.00	34,195.00	0.23%
Police	3,209,292	270,139.16	2,939,152.84	8.42%
Fire	2,218,717	183,908.89	2,034,808.11	8.29%
Emergency Communications 911	95,800	61.71	95,738.29	0.06%
Transportation - Streets	1,836,440	124,895.71	1,711,544.29	6.80%
Environmental Protection	1,142,526	69,673.77	1,072,852.23	6.10%
Economic Development	399,580	21,260.91	378,319.09	5.32%
Cultural & Recreational	750	-	750.00	0.00%
Debt Service	531,420	-	531,420.00	0.00%
Interfund Transfers	75,000	-	75,000.00	0.00%
Total Expenditures	10,917,785	897,442.17	10,020,342.83	8.22%
Excess of Revenues Over (Under) Expenditures	(885,750)	(312,128.99)	573,621.01	
Other Financing Sources				
Proceeds of Capital Lease	488,750	-	(488,750.00)	0.00%
Fund Balance Appropriated	397,000	-	(418,250.00)	0.00%
Total Other Financing Sources	885,750	-	(907,000.00)	0.00%
Excess of Revenues Over (Under) Expenditures	\$ -	(312,128.99)	\$ (333,378.99)	
Fund Balance Beginning of Year		5,163,077.30		
Fund Balance Current Period		\$ 4,850,948.31		

**City of Roxboro, North Carolina
Financial Statement - Unadjusted
Modified Accrual Basis
For the One Month Ended July 31, 2018**

	Original Budget	Actual	Annual Variance Favorable (Unfavorable)	8.33% Percent of Budget
Enterprise Funds				
Revenues:				
Water & Sewer Fund 60				
Charges for Services	\$ 5,383,752	\$ 454,868.25	\$ (4,928,883.75)	8.45%
Assessments	-	-	-	#DIV/0!
Tapping Fees	20,000	4,400.00	(15,600.00)	22.00%
Other Operating Revenues	35,519	820.75	(34,698.25)	2.31%
Nonoperating Revenues	500	-	(500.00)	0.00%
Interfund Transfers-MERP	-	-	-	
Interfund Transfers	1,082,589	-	(1,082,589.00)	0.00%
Sale of Fixed Assets	15,000	85.00	(14,915.00)	0.57%
Total Water & Sewer Fund 60	6,537,360	460,174.00	(6,077,186.00)	7.04%
Triple Tier Fund 61				
Operating Revenues	6,965	628.96	(6,336.04)	9.03%
Nonoperating Revenues	100	5.02	(94.98)	5.02%
Rural Center Engineering Grant	-	-	-	#DIV/0!
Capital Reserve Fund 69				
Operating Revenues	742,040	67,135.88	(674,904.12)	9.05%
Nonoperating Revenues	1,500	241.69	(1,258.31)	16.11%
Interfund Transfers	-	-	-	#DIV/0!
Total Revenues	7,287,965	528,185.55	(6,759,779.45)	7.25%
Expenditures:				
Public Utilities: Administration	-	-	-	#VALUE!
Sales Tax	-	-	-	#DIV/0!
Billing & Collection	131,911	16,272.93	115,638.07	12.34%
Meter Section	258,720	16,734.39	241,985.61	6.47%
Raw Water Supply	62,813	5,966.46	56,846.54	9.50%
Water Plant	1,568,915	94,563.47	1,474,351.53	6.03%
Water Maint and Construction	838,830	43,725.16	795,104.84	5.21%
Wastewater Plant II	149,664	9,632.35	140,031.65	6.44%
Wastewater Plant	1,163,705	88,529.00	1,075,176.00	7.61%
Pump Stations	337,268	30,675.38	306,592.62	9.10%
Wastewater Maint & Construction	593,506	36,926.47	556,579.53	6.22%
Debt Service	479,487	-	479,487.00	0.00%
Interfund Transfers-MERP	-	-	-	
Interfund Transfers	1,271,817	82,651.42	1,189,165.58	6.50%
Total Water & Sewer Fund 60	6,856,636	425,677.03	6,430,958.97	6.21%
Triple Tier Fund 61	7,065	-	7,065.00	0.00%
Capital Reserve Fund 69	743,540	-	743,540.00	0.00%
Total Expenditures	7,607,241	425,677.03	7,181,563.97	5.60%
Excess of Revenues Over (Under) Expenditures	(319,276)	102,508.52	421,784.52	
Other Financing Sources				
Proceeds of Capital Lease	319,276	-	(319,276.00)	#DIV/0!
Interfund Transfers 61 TT	-	-	-	#DIV/0!
Fund Balance Appropriated 60 WS	-	-	-	#DIV/0!
Fund Balance Appropriated 61 TT	-	-	-	#DIV/0!
Fund Balance Appropriated 69 CR	-	-	-	#DIV/0!
Total Other Financing Sources	319,276	-	(319,276.00)	#DIV/0!
Excess of Revenues Over (Under) Expenditures	\$ -	102,508.52	\$ 102,508.52	
Fund Balance Beginning of Year		2,418,479.60		
Fund Balance Current Period		\$ 2,520,988.12		

**City of Roxboro, North Carolina
 Financial Statement - Unadjusted
 Modified Accrual Basis
 For the One Month Ended July 31, 2018**

	<u>Original Budget</u>	<u>Actual</u>	<u>Variance Favorable (Unfavorable)</u>	<u>Annual 8.33% Percent of Budget</u>
<u>Central Depository</u>				
Cash		2,136,639.87		
BB&T MMA		128,249.41		
NCCMT		558,563.60		
Flexible Spending Account AFLAC		10,621.85		
Roxboro Savings Bank		519,236.62		
Gateway Bank MMA Finistar		-		
CD's		-		
Total Cash and Investments		\$ 3,353,311.35		\$3,353,311.35
<u>Breakdown by Fund:</u>				
General		\$ 3,706,066.35		
CDBG-Revolving Loan Fund		88,352.51		
Old Durham Road Project Fund		(826.62)		
Vehicle Special Revenue		4,396.09		
Ridge Road Capital Project		(589,384.44)		
Stormwater Capital Fund		147,560.39		
Enterprise		(591,373.80)		
Triple Tier Water		24,304.18		
Capital Reserve		1,131,886.20		
Wastewater Plant Capital Project		(892,716.78)		
Annexation Area Capital Project		198,770.91		
Christmas Club / Flex Fund		51,503.12		
LEO Pension Trust Fund		74,773.24		
Reserve for Interest Earned		-		
Total of Fund's Cash and Investments		\$ 3,353,311.35		\$3,353,311.35

City of Roxboro, North Carolina
Fund Balance
General Fund
As of July 31, 2018

	General Fund			
	31-Jul-18 Fund Balances	Percentage of Total Fund Balance	Percentage of Fiscal Year 2019 Budget	Percentage of Prior Year Actual Expenditures
Fund Balances				
Reserved				
Reserved for inventories	\$ 45,118	0.93%	0.41%	0.47%
Reserved by state statute	653,781	13.48%	5.99%	6.77%
Reserved for streets - Powell Bill	287,458	5.93%	2.63%	2.98%
Reserved for cemetery	30,269	0.62%	0.28%	0.31%
Reserved for drug enforcement	-	0.00%	0.00%	0.00%
Reserved for public safety	134,988	2.78%	1.24%	1.40%
Total fund balance reserved	<u>1,151,614</u>	<u>23.74%</u>	<u>10.55%</u>	<u>11.92%</u>
Unreserved				
Designated by Council	-	0.00%	0.00%	0.00%
Designated for subsequent year's expenditures	-	0.00%	0.00%	0.00%
Undesignated	3,699,334	76.26%	33.88%	38.29%
Total fund balance unreserved	<u>3,699,334</u>	<u>76.26%</u>	<u>33.88%</u>	<u>38.29%</u>
Total equity and other credits	<u>\$ 4,850,948</u>	<u>100.00%</u>	<u>44.43%</u>	<u>50.21%</u>
Budget Ordinance for June 30, 2019, as Amended			\$ 10,917,785	
Prior Year Expenditures				\$ 9,661,220

**City of Roxboro, North Carolina
Fund Balance
Enterprise Fund
As of July 31, 2018**

Enterprise Fund				
Fund Balances	31-Jul-18 Fund Balances	Percentage of Total Fund Balance	Percentage of Fiscal Year 2019 Budget	Percentage of Prior Year Actual Expenditures
Reserved				
Reserved for encumbrances	\$ 14,267	0.57%	0.26%	0.25%
Reserved by state statute	422,861	16.77%	7.57%	7.34%
Reserved for capital outlay (C89 + C91)	<u>1,784,478</u>	<u>70.78%</u>	<u>31.95%</u>	<u>30.98%</u>
Total fund balance reserved	2,221,606	88.12%	39.78%	38.57%
Unreserved				
Designated for subsequent year's expenditures	-	0.00%	0.00%	0.00%
Undesignated	<u>299,382</u>	<u>11.88%</u>	<u>5.36%</u>	<u>5.20%</u>
Total fund balance unreserved	<u>299,382</u>	<u>11.88%</u>	<u>5.36%</u>	<u>5.20%</u>
Total equity and other credits	<u>\$ 2,520,988</u>	<u>100.00%</u>	<u>45.14%</u>	<u>43.76%</u>
Budget Ordinance for June 30, 2019, as Amended			\$ 5,584,819	
Prior Year Expenditures				\$ 5,760,414

**City of Roxboro
Tax Collection Report
For the Month Ended
31-Aug-18**

	2018 Tax Levy	2017 Tax Levy	2016 Tax Levy
Original Levy	\$ 4,229,715.40	\$ 4,350,663.68	\$ 4,342,813.89
Motor Vehicles Added to Levy	0.00	0.00	0.00
Motor Vehicles Added to Levy-DMV	55,712.44	499,691.97	493,114.72
Public Utilities	-	-	-
Adjusted Original Levy	4,285,427.84	4,850,355.65	4,835,928.61
+Discoveries	6,553.65	106,561.33	123,960.93
Levy	4,291,981.49	4,956,916.98	4,959,889.54
-Releases	1,060.86	10,996.09	5,990.49
Current Levy	4,290,920.63	4,945,920.89	4,953,899.05
Collection year-to-date	\$ 675,494.96	\$ 4,882,014.86	\$ 4,925,857.65
Uncollected	\$ 3,615,425.67	\$ 63,906.03	\$ 28,041.40
Collection % of Current Levy	15.74%	98.71%	99.43%
Property Tax Rate Per \$100	\$ 0.670	\$ 0.670	\$ 0.670

10. Assistant City Manager's Report

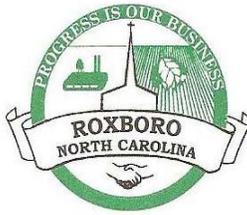
Assistant City Manger's Report

Water Plant Personnel – The water plant had two employees to resign this summer. One operator left for a job with Duke Power. The Chief Plant Operator also resigned for a job with Durham Water Plant system. In the past, we have had to hire employees and then train them, plus they had to work at the water plant for 6 months before they were eligible to sit for the state exam. During this 6 months, the employee had to be supervised by a certified operator. This time the city had certified operators apply for the vacant positions. After a short training period, to learn how Roxboro's plant operates, they will be working on their own. Plus, one candidate was qualified to be the Chief Plant Operator. This position requires an "A" certification. She has 12 years' experience as a water plant operator with the last 5 years as a certified "A" operator. She also has a degree in electronics. Her first day at work for the city will be September 10, 2018.

NC 49S Pump Station- The pump at NC49S pump station failed about 2 months ago. The impeller had to be replaced along with a couple of wear plates. Unfortunately, there is a long lead time on getting parts for these older pumps. The parts have arrived and the pump is scheduled to be repaired on Monday, September 10, 2018. The station has been operating off the portable diesel powered pump for the past two months.

Wastewater Treatment Plant – The contractor is making good progress on the grading at the wastewater treatment plant job. According to the job superintendent, the grading is ahead of schedule. They are also making good progress on the new digester. He hopes to be pouring concrete for the digester about the first of October.

11. Manager's Report



City of Roxboro

MEMORANDUM

TO: Mayor Newell and City Council
FROM: Brooks Lockhart
SUBJECT: Manager's Report
DATE: September 11th, 2018

- Please take note of several upcoming dates.
 - Good Morning Coffee Hour, 8am September 12th at Golden Corral; Person County United Way Campaign Kick-Off
 - Roxboro Area Merchants' Association, 8am on September 18th at Golden Corral
 - Small Business Symposium, 10am to 2pm on September 20th at the Kirby
 - 3rd Thursday – September 20th, 5pm to 8pm – throughout Person County with participating businesses
 - Council Work Session on Police Department Visioning and a discussion with Legal Counsel, Date TBD late September to October
 - City Council Meeting, 7pm on October 9th at City Hall
- Full implementation and our transition the new payment portal for Utility Billing is scheduled for September 20th. Staff plans to conduct an information campaign via bill inserts, social media, and local media to inform our customers of the changes to our payment portal. Layout for our payment portal is underway. We intend to have a final design completed by September 10th to allow time to create informational bill inserts for our customers in their upcoming bills. IT has recommended we utilize a friendly url instead of marketing the lengthy default url provided by Tyler. We should have a decision on the url promptly and hope to be able to share more details at our Council Meeting.
- Staff would like Council to schedule a work session to discuss the upcoming Roxboro Police Department Strategic Planning Initiative and to confer with our legal counsel about potential amendments to the Business Regulation section of the City Code of Ordinances. Chief Hess and Al Benshoff have availability on October 22nd. The Council could opt for two separate work sessions with different dates. Please advise staff on how to proceed.
- The first monthly progress meeting for the Wastewater Treatment Plant Upgrades is scheduled for the week of our Council meeting. Staff has received clear guidelines on how to proceed with our initial payment request from USDA Rural Development. USDA RD staff has advised us on how to frame our request to allow additional expenses related to the project like the constructability improvements made by the CMAR and legal expenses related to the financing of the project to be submitted for reimbursement. Staff should be able to report the amount requested by our Council Meeting date.