

CITY OF THOMASVILLE COUNCIL MEETING BRIEFING AGENDA

Monday, March 13, 2023 – 4:00 P.M.

7003 Ball Park Road, Thomasville, NC 27360

Mayor Raleigh York, Jr. ~ Mayor *Pro Tem* D. Hunter Thrift

1. Call to Order
2. Additions and Deletions to the Agenda
3. Recognitions and Presentations
 - A. Presentation to Retired Police Chief Mark Kattner and Consideration of Resolution Awarding Badge and Service Sidearm to Retired Police Chief Mark G. Kattner
 - B. Proclamation: American Red Cross Month (March 2023)
 - C. Proclamation: Child Abuse Prevention Month (April 2023)
 - D. Proclamation: Second Chance Month (April 2023)
4. Public Forum –Please sign up in person to speak for two minutes on any topic. *The two-minute time limit will be enforced.*
5. Consent Agenda
 - A. Consideration of Approval of Minutes – Briefing Meeting on 02/13/23
 - B. Consideration of Approval of Minutes – Council Meeting on 02/20/23
6. Regular Agenda
 - A. Consideration of Request for Leave of Absence from City Council Duties by Council Member Jeannette Shepherd
 - B. Appeal of Code Enforcement Action – 917 Liberty Drive
 - C. Consideration of Fiscal Policy Revision
 - D. Consideration of Purchasing Policies and Procedures Revisions
 - E. Consideration of Revised Grant Project Ordinance: Nucor – Golden Leaf Foundation Grant
 - F. Consideration of Revised Grant Project Ordinance: Nucor
 - G. Consideration of Budget Amendment (2023 P9 -01)
 - H. Consideration of Personnel Policy Amendments:
 - o Article VII Section 2 & 18 - Compensatory Time Revisions &
 - o Article XII Section 1 - Consideration of Employee Health Benefit Changes, Reducing Waiting from 60 Days to 30 Days
 - I. Consideration of Resolution Providing for the Payment of Exempt Comp Time
 - J. Consideration to Change Title from Assistant Fire Chief to Deputy Fire Chief (No Change in Duties, Classification, or Salary Grade)
 - K. Consideration of Amendment to Council Advisory Board Member Policy: Re-Attendance Requirements
 - L. Consideration of Temporary Road Closure Ordinance – Memorial Day Parade (05/29/23)
7. Committee Reports and Appointments, Mayor's Report and Appointments, City Manager's Report, City Attorney's Report
8. Additional Items
9. Adjournment

OFFICE OF THE MAYOR



Resolution of Appreciation

WHEREAS, Mark Kattner dedicated his life to protect and serve as a member of law enforcement in Thomasville since 1998; and he served the City of Thomasville and its citizens as Chief of Police from 2019 to 2023; and

WHEREAS, it is the desire of the Mayor of the City of Thomasville to recognize and honor Mark Kattner for his dedication to the safety of our community; and

WHEREAS, the City of Thomasville, its employees and its citizens extend sincere appreciation to Mark Kattner for his dedication and leadership and wish him the very best on his retirement.

NOW, THEREFORE, BE IT HEREBY RESOLVED by Raleigh York, Jr., Mayor of the City of Thomasville, that this Resolution of Appreciation be presented to Mark Kattner upon his retirement in acknowledgement of and in gratitude for his commitment to protect and serve the citizens of Thomasville.

Presented this 20th day of March, 2023.

Raleigh York, Jr.,
Mayor of Thomasville, NC

Attest:

Wendy S. Martin
City Clerk

**CITY OF THOMASVILLE
RESOLUTION AWARDDING BADGE AND SERVICE SIDEARM
TO RETIRING POLICE CHIEF MARK G. KATTNER**

WHEREAS, North Carolina General Statutes 20-187.2 provides that retiring members of municipal law enforcement agencies may receive, at the time of their retirement, the badge worn or carried by them during their service with the municipality; and

WHEREAS, NCGS 20-187.2 further provides that the governing body of the municipal law enforcement agency may, in its discretion, award to a retiring member the service side arm of said member; and

WHEREAS, Police Chief Mark G. Kattner has served the City of Thomasville Police Department for 25 years.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Thomasville, North Carolina that the City Manager is hereby authorized, in accordance with the provisions of NCGS 20-187.2 to transfer to Police Chief Mark G. Kattner the badge worn by him as well as his service side arm, a Sig Sauer 9mm, model P365, serial number 66B562421.

Duly adopted this 20th day of March, 2023 while in regular session.

Raleigh York, Jr., Mayor

ATTEST:

Wendy S. Martin
City Clerk

Proclamation

American Red Cross Month March 2023

WHEREAS, During American Red Cross Month in March, we celebrate the humanitarian spirit of Thomasville and reaffirm our commitment to help ensure no one faces a crisis alone.

WHEREAS, Caring for one another is at the heart of our community and is exemplified through the American Red Cross, which provides help and hope in people's most difficult moments — continuing the lifesaving legacy of Clara Barton, who founded the organization more than 140 years ago to prevent and alleviate human suffering.

WHEREAS, Last year, Piedmont Triad Chapter volunteers in Thomasville and Davidson County helped 201 people affected by 51 home fires and supported 150 blood drives collecting over 3,400 units of lifesaving blood.

WHEREAS, Every day, the American Red Cross lends a helping hand to make an extraordinary difference for neighbors in need by:

- providing emergency shelter, food and comfort for families displaced by disasters;
- donating lifesaving blood;
- supporting military members, veterans, and their families;
- helping others survive medical emergencies;
- delivering international humanitarian aid; and
- reconnecting loved ones separated by crises around the world.

WHEREAS, American Red Cross's volunteers and donors are critical to our community's resilience. We hereby recognize this month of March in honor of all those who fulfill Clara Barton's noble words, "You must never think of anything except the need and how to meet it," and ask everyone to join in this commitment.

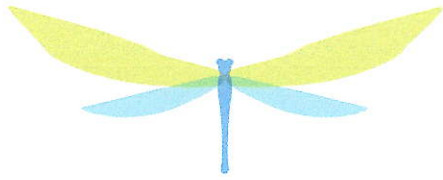
NOW, THEREFORE, I, Raleigh York, Jr., Mayor of Thomasville, North Carolina do hereby proclaim March 2023 as

American Red Cross Month

and encourage all citizens to support this organization and its noble humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of March, 2023.

Raleigh York, Jr., Mayor



The Dragonfly House
CHILDREN'S ADVOCACY CENTER

Child Abuse Prevention Month Proclamation

Whereas, children are vital to our state's future success, prosperity and quality of life as well as being our most vulnerable assets;

Whereas, all children deserve to have the safe, stable, nurturing homes and communities they need to foster their healthy growth and development;

Whereas, child abuse and neglect is a community responsibility affecting both the current and future quality of life of a community;

Whereas, communities that provide parents with the social support, knowledge of parenting and child development and concrete resources they need to cope with stress and nurture their children ensure all children grow to their full potential;

Whereas, effective child abuse prevention strategies succeed because of partnerships created among citizens, human service agencies, schools, faith communities, health care providers, civic organizations, law enforcement agencies, and the business community;

Therefore, I do hereby proclaim April as Child Abuse Prevention Month and call upon all citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to wear blue on Friday, April 7th, become aware of NC Mandated Reporting Laws, and increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

Signature

Date

April is Child Abuse Prevention Month



PROCLAMATION

Second Chance Month – April 2023

WHEREAS, every person is endowed with human dignity and value; and redemption and second chances are American values; and

WHEREAS, individuals returning from prison (and those who have otherwise completed their sentences after committing a crime) face significant barriers; and

WHEREAS, individuals with a criminal history often struggle to find housing, employment, or educational opportunities; these barriers can contribute to recidivism, which increases victimization and decreases public safety, and

WHEREAS, the stigma and legal barriers associated with a criminal record results in lost human capital and lost economic output; and

WHEREAS, the designation of April as Second Chance Month contributes to increased public awareness about the re-entry needs of returning citizens and opportunities for individuals, employers and communities to extend second chances.

NOW, THEREFORE, I, Raleigh York, Jr., Mayor of the City of Thomasville, North Carolina, do hereby proclaim April 2023 as

Second Chance Month

in Thomasville and encourage all citizens to join me in this worthy observance.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of March, 2023.

Raleigh York, Jr., Mayor

MINUTES FOR THE THOMASVILLE CITY COUNCIL BRIEFING MEETING ON MONDAY, FEBRUARY 13, 2023 AT 4:00 PM AT 7003 BALLPARK ROAD, THOMASVILLE, NC.

Elected officials in attendance: Mayor Raleigh York, Jr.; Mayor *Pro Tempore* Wendy Sellars; and Council Members Ron Bratton; Doug Hunt; Lisa Shell; Jeannette Shepherd; Hunter Thrift; and Payton Williams.

The following staff members attended the meeting: City Manager Michael Brandt; Assistant City Manager Eddie Bowling; Finance Director Thomas Avant; Recreation Director Cory Tobin; Interim Police Chief Dustin Carter; and City Clerk Wendy Martin.

1. **Call to Order** - Mayor York called the Briefing meeting of the Thomasville City Council to order.
2. **Additions and Deletions to the Agenda** – City Manager Brandt asked that item 6. *Discussion of Recreation Programming/Facilities* be moved to item 8, so that the current items 7. and 8. could be discussed first.

Council Member Thrift moved to approve the agenda as amended. Council Member Hunt seconded. *Motion unanimously approved 7 – 0.*

3. **Recognitions and Presentations**

- A. **Black History Month** (February 2023)
- B. **National Developmental Disability Awareness Month** (March 2023)

4. **Public Forum** – A public forum will be held at the Council Meeting on February 20, 2023. Sign up sheets will be provided at the meeting.

5. **Public Hearings** – The following public hearings will be held on February 20, 2023:

- A. **Request for Rezoning** **(Z-23-01)**
Applicant: Stephanie Barber
Owner: Rhonda Murphy
Location: 107 Leonard St.
Parcel Number: 16078000D0011
Existing Zoning: R-6 High Density Residential
Requested Zoning: OI-CZ Office and Institutional
Conditional Use: Daycare

The Planning Board held a public hearing on January 31, 2023 and voted unanimously 6-0 in favor of this request because they found that:

- *The site already has structures and land that would be suitable for a daycare;*
- *It is consistent with the 2035 Comprehensive Plan;*
- *The proposed daycare would fit in better with the neighborhood and would be a safe area; and*
- *The rezoning is reasonable and in the public interest due to its consistency with the*

comprehensive plan and, as a result, its furtherance of the goals and objectives of the comprehensive plan.

B. Request for Rezoning (Z-23-02)

Applicant: TSH Acquisition, LLC
Owner: Scott Y. Curry, Executor under the Last Will and Testament of Elizabeth Clifton Myers (DC, NC File: 21-E-1809)
Location: 726 Lake Road
Parcel Number: 1633900000050
Existing Zoning: RA3 Rural Agricultural & R-10 Low Density Residential
Parcel Number: 1633900000087
Existing Zoning: M-1 Light Industrial District
Requested Zoning: R6-CZ High Density Residential
Conditions: Uses shall be limited to multi-family residential and permitted accessory uses.
Development
Conditions: The maximum density shall be 442 units.
Other Conditions: 1) The apartment buildings shall be limited to 3 stories and the town home buildings shall be limited to 2 stories;
2) Dumpsters shall be screened;
3) The recommended improvements found in the TIA submitted with the application shall be constructed by applicant; and
4) Fencing is required around all storm ponds.

The Planning Board held a public hearing on January 31, 2023 and voted 4-2 in favor of this request because they found that:

- *Rezoning the property is the highest and best use of the property;*
- *This rezoning does not conflict with the adjacent properties in any way;*
- *The conditional use of the property keeps the area stable and protects the essential characteristics of the area; and*
- *The rezoning is reasonable and in the public interest due to its consistency with the comprehensive plan and, as a result, its furtherance of the goals and objectives of the comprehensive plan.*

Interim Police Chief Dustin Carter reported that a traffic study they did on Lake Road in a 35 mph zone revealed an average speed of 42 mph outbound and 41 mph inbound. During a 7-day study, 16,092 cars came in and 16,284 went out.

Council Member Sellars asked what the anticipated change would be after the 442 units were added.

City Manager Brandt advised that the standard estimate is that each additional unit would add 10 trips. It may be a bit more for multi-family housing. Therefore, an

additional 3,000 – 4,000 trips could be added on a daily basis, so it would have a substantial impact. However, the Transportation Impact Analysis already has turn lanes into and acceleration lanes out of the development, as well as a left-turn lane into Baptist Children's Home, as required by the NCDOT, since this is a State-owned road. Lighting will also be added, which will help with visibility.

Council Member Williams asked if the pump station would be inspected before the City takes responsibility of it. City Manager Brandt said it would be built to our standard and inspected by our engineers.

C. **"Generic" First Public Hearing – North Carolina Department of Commerce Community Development Block Grant Program**

City Manager Brandt explained that this is required annually to get the public's input regarding the CDBG program, in order for the City to be able to hear requests for CDBG grants throughout the year.

6. **Discussion of Recreation Programming/Facilities** - Cory Tobin spoke regarding:

- A. **Old Plant B Site** – On January 24th, there was a meeting at the Bethel Church for the public's input regarding the Old Plant B Site. This site is in a floodplain for the 100 year and 500 year levels.

City Manager Brandt explained that this meant there is a 1.0% (100) or 0.5% (500) chance that this site will flood every year. He added that floodplains can change, and there is a lot of potential state and federal funding available for environmental improvements.

Mr. Tobin advised that the public would like it to be used for an 11-acre public park space near the heart of town.

This couldn't happen until after NCDOT straightens out the sharp curve on Fisher Ferry Road in that area. It is anticipated that this project will be completed by 2024.

He said the public wanted green space, trails, open space, gathering areas and a creekside park.

He explained that this would be a costly project, but there is potential that we could receive grant funding and some environmental money and local funding, as well, if the City were willing to provide matching funds.

He said there aren't a lot of lakes/creeks in this area, so PTRC recommended getting the cement industrial walls out of the creek and restoring it back to its normal state.

He also said it was suggested that the rail trestles be left and perhaps turned into a bridge.

Mr. Tobin was happy to report that the Baptist Children's Home gave permission for the public to come on their campus. They have a wonderful wooded area that would be a fabulous part of the trail system. That would give another area for people to get on the walking trail.

NC State's RRS helps local governments find grants. That would be necessary, if Council goes forward with this project, because it will be very expensive.

City Manager Brandt explained that after next year, the Aquatic and Community Center won't take up as much of the 3-cent tax set-aside for Recreation, so reserves will start to grow. Council may want to begin planning for this project now so that they will be ready when the opportunity arises.

Mr. Tobin said that early planning could also help acquire grant money. They like to give money to people who are actively working on a project. He added that there are a lot of opportunities for 'urban stream restoration,' and Plant B would qualify for that.

Council Member Williams asked if we have to wait to plan anything until after the Fisher Ferry road straightening. Mr. Tobin said the meeting on February 14th would give him more information. He added that, "If funding comes, we have to be ready for matching grants." Therefore, it would be helpful if the planning began as soon as possible.

Mr. Tobin said Recreation is accomplishing great changes! In 2019/2020, the gym renovations were completed. In 2023, the Aquatic and Community Center will be completed. It is a good time for Council to decide what they want to do next. He suggested using some ARPA funds for landscaping to enhance the facilities that already exist. Within a month, he is going to request quotes for services and interview architects for ideas. He plans to review existing conditions and survey where dog parks can go.

He doesn't plan on letting Recreation's Master Plan sit on a shelf and get ignored. He will be reaching out to the community and stakeholders to see what they want. Then, in 4 – 5 months, the plan can move forward.

Council Member Bratton wanted the tennis courts to be updated to pickleball courts. Mr. Tobin said that could be done if they were resurfaced and the fencing and lighting were fixed. He said it would also be possible to fit three pickleball courts on one tennis court and leave the other as a tennis court.

Both Council Members Bratton and Thrift wanted to fix up current spaces and discuss new ones. Mr. Tobin said other things that need improvements are our 40-year-old ball field at Myers Park and the metal building from the 1940's at

Carver Park. It has a brick façade, but it needs repair.

Recreation Director Tobin said greenways and trails are a definite "wish," but they would be expensive. The ultimate goal is to get a sidewalk that connects with the greenway that goes to the YMCA for a 3-mile walking path. That would enable the City to have 5Ks and other events.

Council Member Bratton asked how we could get to the trails if the right-of-way is across private property? Mr. Tobin said that is an issue to consider.

B. Finch Field Update

City Manager Brandt asked Cory to advise how the City could get more use out of Finch Field.

Recreation Director Tobin said this baseball field can be used for many things, in addition to the Hi-Toms. JuCo (Junior Colleges) have expressed interest in using the field in the spring; colleges in the summer; and high school in the fall. It could also be used for drive-in movies and weekend tournaments. He did say it is important for the field to be cared for properly, so we wouldn't want to use it for carnivals or anything. And it gets winterized in the winter, so there aren't any heated bathrooms or activities on the field in the winter.

Wilson-Flemming Stadium, a similar stadium to Finch Field, gets paid \$17,000 annually for the use of their stadium from May 15 to July 31st. That's a base fee of \$9,500, a flat \$4,600 for utilities, \$2,900 for concessions. They charge additional fees for fall. Our current lease is from May 1st to October 1st for the stadium and field, plus the building 12 months a year.

City Manager Brandt said our current lessee is also making money on our field by subletting it out at much higher rates.

Mr. Tobin said we could get rid of a single lessee, but then we would be responsible for maintaining the field all the time. He said, "It is possible, but it would take work."

Council Member Bratton was in favor of getting rid of solo lessees and taking back the stadium, as well as all aspects of the golf course. He asked why we give so much for so little.

City Manager Brandt said if we took back the fall season, perhaps we could get help from the County to maintain it and Cushwa Stadium, since they fund the stadium in Lexington.

Council Member Hunt thought we should charge our lessee more for his exclusive use in the fall.

Mr. Tobin said we currently only charge \$300 per day, plus extra for lights, if needed. He feels we would have more opportunities out there if it were available.

Council Member Thrift asked him to continue negotiations.

Council Member Bratton said we need to get compensated at a fair rate.

Mr. Brandt said our lessee wanted a lease for 10 years with exclusive use all-year. That was denied to him. We are now negotiating a 3-year lease. Another question addressed by the new lease is what the lessee is allowed to do with our facility.

Mr. Tobin pointed out that we currently can use the field even during "exclusive" time – with notice.

Mr. Brandt said he would continue negotiations.

The following items were put on the Consent Agenda by the Council members for consideration on February 20, 2023:

7. **Consent Agenda**

- A. Consideration of Approval of Minutes – Briefing Meeting on 01/09/23
- B. Consideration of Approval of Minutes – Council Meeting on 01/17/23
- C. Consideration of General Fund Budget Amendment: Project Rabbit (2023-P8-01)
- D. Consideration of CDBG Grant Project Ordinance – Project Rabbit
- E. Consideration of CDBG Grant Project Ordinance – Project JT
- F. Consideration of ARPA Grant Budget Amendment – Financial Analyst Position

8. **Regular Agenda** - No items were put on the Regular Agenda.

9. **Committee Reports and Appointments, Mayor's Report and Appointments, City Manager's Report, City Attorney's Report** – To be done on February 20, 2023.

10. **Closed Session** – on February 13, 2023 for Personnel

Council Member Thrift moved to go into closed session for personnel matters. Council Member Shepherd seconded. *Motion unanimously approved 7 – 0.*

They returned to open session. No action was taken in closed session.

Council Member Sellars moved to return to closed session for personnel matters. Council Member Shepherd seconded. *Motion unanimously approved 7 – 0.*

They returned to open session. No action was taken in closed session.

11. **Additional Items** – N/A

12. **Adjournment** – Council Member Sellars moved to adjourn. Council Member Hunt seconded. *Motion unanimously approved 7 – 0.*

Raleigh York, Jr., Mayor

Wendy S. Martin, City Clerk

MINUTES FOR THE THOMASVILLE CITY COUNCIL MEETING ON MONDAY, FEBRUARY 20, 2023 AT 6:00 PM AT 7003 BALLPARK ROAD, THOMASVILLE, NC.

Elected officials in attendance: Mayor Raleigh York, Jr.; Mayor *Pro Tempore* Wendy Sellars; and Council Members Doug Hunt; Hunter Thrift; Jeannette Shepherd and Payton Williams. Council Members Ron Bratton and Lisa Shell had excused absences.

1. Call to Order – Mayor York called the meeting of the Thomasville City Council to order and welcomed everyone in person and online.
2. Additions and Deletions to the Agenda – City Manager Michael Brandt requested that Council add item 3.C. Special Recognition by Mayor York.

Council Member Thrift moved to approve the agenda as amended. Council Member Hunt seconded. *Motion unanimously approved 5 – 0.*

3. Recognitions and Presentations

- A. Proclamation: Black History Month (February 2023) – Presented by Mayor *Pro Tempore* Sellars.
- B. Proclamation: National Developmental Disability Awareness Month (March 2023) – Council Member Thrift presented this proclamation to Director of Programs Tracy Hatcher and other ARC of Davidson County representatives.
- C. Special Presentation by Mayor York – Mayor York read a letter from the IIMC and congratulated City Clerk Wendy Martin on achieving her Master Municipal Clerk certification.

4. Public Forum

Steve Cline, District Chairman of the Fairgrove Lions Club, came forward to request that Council proclaim May 4th as 'Lions Brighter Vision Day' to raise money for the visually and hearing impaired. He said the local goal is to raise \$125,000 for the Thomasville/Fairgrove/Pilot District. The State goal is \$750,000. 100% of the funds raised will go to the purpose.

Mayor York announced that Council agreed to proclaim May 4th as 'Lions Brighter Vision Day' at the April Council meeting.

5. Public Hearings

A. Request for Rezoning(Z-23-01)

Applicant:	Stephanie Barber
Owner:	Rhonda Murphy
Location:	107 Leonard St.

Parcel Number: 16078000D0011
Existing Zoning: R-6 High Density Residential
Requested Zoning: OI-CZ Office and Institutional
Conditional Use: Daycare

The Planning Board held a public hearing on January 31, 2023 and voted unanimously 6-0 in favor of this request because they found that:

- The site already has structures and land that would be suitable for a daycare;
- It is consistent with the 2035 Comprehensive Plan;
- The proposed daycare would fit in better with the neighborhood and would be a safe area; and
- The rezoning is reasonable and in the public interest due to its consistency with the comprehensive plan and, as a result, its furtherance of the goals and objectives of the comprehensive plan.

Mayor York opened the hearing.

Nobody came forward to speak for or against this rezoning.

Mayor York closed the hearing.

Council Member Hunt moved to approve the rezoning, citing the Planning Board's reasons above.

Mayor *Pro Tempore* Sellars seconded. *Motion unanimously approved 5 – 0.*

B. Request for Rezoning(Z-23-02)

Applicant: TSH Acquisition, LLC
Owner: Scott Y. Curry, Executor under the Last Will and Testament of Elizabeth Clifton Myers (DC, NC File: 21-E-1809)
Location: 726 Lake Road
Parcel Number: 1633900000050
Existing Zoning: RA3 Rural Agricultural & R-10 Low Density Residential
Parcel Number: 1633900000087
Existing Zoning: M-1 Light Industrial District
Requested Zoning: R6-CZ High Density Residential
Conditions: Uses shall be limited to multi-family residential and permitted accessory uses.
Development Conditions: The maximum density shall be 442 units.
Other Conditions: 1) The apartment buildings shall be limited to 3 stories and the town home buildings shall be limited to 2 stories;
2) Dumpsters shall be screened;
3) The recommended improvements found in the TIA

submitted with the application shall be constructed by applicant; and
4) Fencing is required around all storm ponds.

The Planning Board held a public hearing on January 31, 2023 and voted 4-2 in favor of this request because they found that:

- Rezoning the property is the highest and best use of the property;
- This rezoning does not conflict with the adjacent properties in any way;
- The conditional use of the property keeps the area stable and protects the essential characteristics of the area; and
- The rezoning is reasonable and in the public interest due to its consistency with the comprehensive plan and, as a result, its furtherance of the goals and objectives of the comprehensive plan.

Mayor York opened the hearing.

Jennifer Fountain, Attorney for the Applicant, spoke in favor of this rezoning. She handed out an information packet regarding the proposed development. She said Tom Holderby, the managing member of TSH Acquisition, LLC has a lot of experience building quality multi-family housing.

She advised that this 54-acre site, which was recently annexed into the City, will become a first-class rental development called Weddington of Thomasville. It will be convenient to the interstate and schools and will include:

- 130 two-story townhomes with 5 six-bay garage/storage units;
- 312 apartments in 13 three-story buildings with 4 six-bay garage/storage units;
- 2 community clubhouses;
- 2 large swimming pools;
- Playgrounds;
- Dog parks; and
- Garage/storage buildings.

The buildings will be connected by sidewalks and grass walkways and will have natural buffers from its neighbors. The entrances will be gated for comfort and security.

She added that a new lift station will be constructed for the wastewater, and the water line on Lake Road will be extended.

She reported that per the Traffic Impact Analysis (TIA) study, the Developer will construct a left-turn lane on Lake Road at each access point into the site, and the traffic signal at the intersection of Lake Road and West Holly Hill Road will be modified to provide for a protected left turn onto Lake Road. She said, "The Developer will bear the cost of constructing the turn lanes."

The TIA did not indicate that this development would overburden the road. However, due to citizen concerns regarding traffic conditions on Lake Road, the Developer "is willing to assist the neighbors with petitioning the DOT for any changes that may be needed to Lake Road."

John Leguardia, a resident from Lake Road, spoke against the rezoning. He said one of the two access roads would face his driveway, and the headlights would shine into his living room at night. He added that construction trucks would turn around in his wide gravel driveway and cause damage to it.

He said there aren't any speed limit signs in the area, so the traffic through there is already way too fast. So additional cars there would cause more safety issues.

Additionally, he was concerned about the additional kids overcrowding the local schools.

No further speakers came forward. Mayor York closed the hearing.

Council Member Williams asked if the driveway could be moved and if the speed could be reduced.

Vince Townsend, Civil Engineer for the Developer, said the driveway could be moved about 50 – 100 feet. It is currently in the best spot for the grade of the site, but he could move it a little. Mr. Leguardia asked if it could be moved toward Boggs Road. Mr. Townsend said he would check with NCDOT to find a safe spot to move it to.

Mayor York said all unmarked roads in the County are 55 mph roads. City Manager Brandt said the City could petition NCDOT to have the speeds through there reduced to 35, since they are part of the City now. We could ask to have the speed scaled down from 55 to 45 and then 35 as it gets closer to that area.

Council Member Shepherd asked about the impact on schools. City Manager Brandt said the County is responsible for providing schooling and adequate space for all the children, and they would have to address that concern.

Council Member Thrift moved to approve the rezoning because it is consistent with the Comprehensive Plan. Council Member Hunt seconded. *Motion unanimously approved 5 – 0.*

C. "Generic" First Public Hearing – North Carolina Department of Commerce Community Development Block Grant Program

City Manager Brandt explained that by holding this public hearing, the City is indicating its intent to apply for and enter into approved CDBG block grant programs

for economic and community development projects. These projects are typically supporting redevelopment of under-utilized buildings and expansions of existing or new industrial businesses.

6. Consent Agenda – City Manager Brandt spoke briefly about each of these items, as follows:

A. Consideration of Approval of Minutes – Briefing Meeting on 01/09/23

B. Consideration of Approval of Minutes – Council Meeting on 01/17/23

C. Consideration of General Fund Budget Amendment – 2023-P8-01

This will increase General Fund Revenue by \$24,207 and increase expenditures of \$24,207, as follows:

The N.C. Dept. of Commerce has awarded the City two Rural Economic Development Grants for the A.M. Haire Manufacturing & Service Corporation at 516 Pineywood Road and Imaflex, USA building reuse/expansion projects at 1201 Unity Street in Thomasville.

The City's total contribution to the grants is \$16,500, which is 5% of the total grant awards. This budget amendment appropriates the City's contribution from the Economic Development Reserve Fund to fund the administration of the grant awards.

The remaining balance in the Economic Development Reserve is currently \$229,418.

The amendment also appropriates insurance proceeds for damage to a police vehicle.

D. Consideration of CDBG Grant Project Ordinance – Project Rabbit

The N.C. Dept. of Commerce awarded the City a \$155,000 Rural Economic Development building reuse grant for A.M. Haire's expansion at their 516 Pineywood Road manufacturing facility.

The City's contribution is \$7,750 for the administration of the grant award.

The company plans to create up to 31 jobs and invest approximately \$1.7 million into the facility.

E. Consideration of CDBG Grant Project Ordinance – Project JT

The N.C. Dept. of Commerce awarded the City a \$175,000 Rural Economic Development building reuse grant for Imaflex, USA's expansion at their 1201 Unity Street manufacturing facility.

The City's contribution is \$8,750 for the administration of the grant award.

The company plans to create up to 24 jobs and invest approximately \$2 million in the facility.

F. Consideration of ARPA Grant Budget Amendment

The amendment transfers funds from the Administration Department to the Finance Department in the amount of \$148,712 for the purposes of reclassifying a position.

The amendment transfers payroll funding for the grant-funded Financial Analyst position from the Administration Department to the Finance Department, which is where the new position will report.

Initially, Council approved funds for an "ARPA Grant Administrator" in the Administration Department. The decision was made to restructure that position into a "Financial Analyst" position in the Finance Department.

This amendment transfers the funding for this position from one department to another department.

Mayor *Pro Tempore* Sellars moved to approve the Consent Agenda. Council Member Williams seconded. *Motion unanimously approved 5 – 0.*

7. Committee Reports and Appointments, Mayor's Report and Appointments, City Manager's Report, City Attorney's Report

Mayor Pro Tem Sellars announced that there would be several events in Thomasville in celebration of Black History Month, including:

- A. 02/21/23: Thomasville Parks and Rec Department distributed goodie bags to children in celebration of Black History Month at a drive-thru event from 5:00 – 7:00 PM at the Clock Tower parking lot.
- B. 02/23/23: The Strickland Recreation Center held a community viewing and discussion of the documentary "Unchained Memories: A Reading from Slave Narratives" from 6:30 – 9:00 PM.
- C. 02/24/23: At 6:00 PM, the Strickland Recreation Center presented Black History Month displays on loan from the Thomasville Library; and at 6:30, the Honorable Rosalind Baker, the first African American Judge in Davidson County, spoke.

Council Member Williams thanked Mr. Leguardia for coming forward to speak. She said we cannot solve problems that we don't know about, so it's always helpful for people to come to the table and share their concerns.

She announced that on February 25th, some Downtown businesses would be offering a 10% discount on certain items during "10% off Thomasville Day". Tourism put this event together.

PACE is currently offering a façade improvement grant program again to Downtown businesses that are looking to do improvements. Check their website for more details.

Council Member Thrift moved to appoint the following advisory board members:

ABC Board	Neal Grimes
Beautification Committee	Crystal Hodges & Larry Darr
Historic Preservation Commission	Amanda Cox & Jennifer Mayhall
Lake Thom-A-Lex Committee	Scott Styers
Planning & Adjustment Board	Jane Hill & Carl Shatley
Recreation Committee	Jarrold Dunbar, Justin Finch, Scott Styers & Tony Vizzini

Council Member Hunt seconded. *Motion unanimously approved 5 – 0.*

Mayor York reported that the 7 West Guilford Committee recently held a cleanup day at the former Police building. Additional cleaning will be done. They will be working with the Historic Preservation Commission to see about removing some partition walls. He said, "We are making progress on that project. Hopefully before long we'll be making recommendations to City Council as to how to use that building."

This past month, he also attended the Chamber of Commerce's annual meeting where community and business leaders were recognized for their outstanding contribution to our city over the past year.

He reappointed Wayne Herrick to the Davidson County Economic Development Commission. No Council action was taken.

City Manager Brandt said the City recently held onboarding training where the City welcomed a dozen recently hired employees in 6 different departments. He announced that job openings were still available, and he encouraged people to review the city's job board on the website.

He reported that beginning in early March, a City contractor would begin the process of repaving 6 miles of City streets, including northern Ball Park Road, East & West Guilford Streets, Culbreth Avenue and streets in the Millstone subdivision.

He announced that City staff has applied for a planning grant to study the Jimmy's Creek area, which has been an area of concern for flooding and watershed issues. We should find out if the City will be receiving those funds in a couple of months. If granted, he said the City will review properties and see what measures can be taken to acquire property or install watershed devices that can lower the risk of flooding in that area.

Assistant City Manager Bowling reported that the United Way is going to recognize the City of Thomasville and its employees on March 1st for the "Spirit of North Carolina" Award.

8. Additional Items – n/a

9. Adjournment – Mayor *Pro Tempore* Sellars moved to adjourn. Council member Williams seconded. *Motion unanimously approved 5 – 0.*

Raleigh York, Jr., Mayor

Wendy S. Martin, City Clerk



APPEAL TO THE CITY COUNCIL

Case No.: 23-210 Date: 2-28-23

Applicant Name: Daniel Abshari Phone: 336-410-2005

Address: 917 Liberty Drive

Property Owner Name: Courtney Loonstyn Phone: 336-410-2005

Address: _____

Location of Property: 917 Liberty Drive. Thomasville, NC 27360

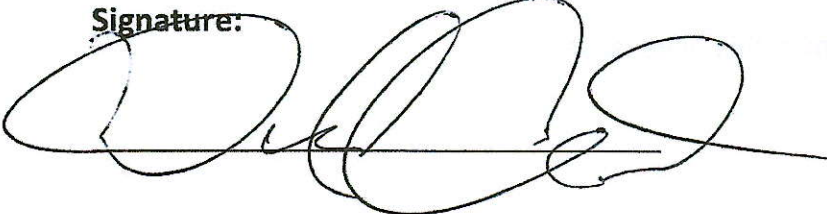
TYPE OF APPEAL

Appeal of Notice of Violation for Offensive conditions on private property by Code Enforcement Officer.

Section 46-31

Public Hearing Date: 3-20-23 6:00 P.M.

City Council Action: _____

Signature: 



February 28, 2023

Courtney Loonstyn
917 Liberty Drive
Thomasville, NC 27360

NOTICE OF VIOLATION

Re: Case #: 23-210
Recheck Date: March 10, 2023

To: Courtney Loonstyn

An inspection was completed on February 28, 2023 of the property at 917 Liberty Drive, Thomasville, NC

Upon inspection of property, it reveals violation(s) of City of Thomasville Municipal Code (as described below).

Violation Detail

Sec. 46-31 Prohibited Conditions

Date Est: May December 19, 2022, 2021 Location:

All Trash, metal in woods and around drive way area must be hauled off. All cars must have a valid Tag, Property is an eye soar for other residents. If property has not been cleaned up within 10 days. City of Thomasville will hire a private contractor on site to clean and charge the Property Owner for this Service.

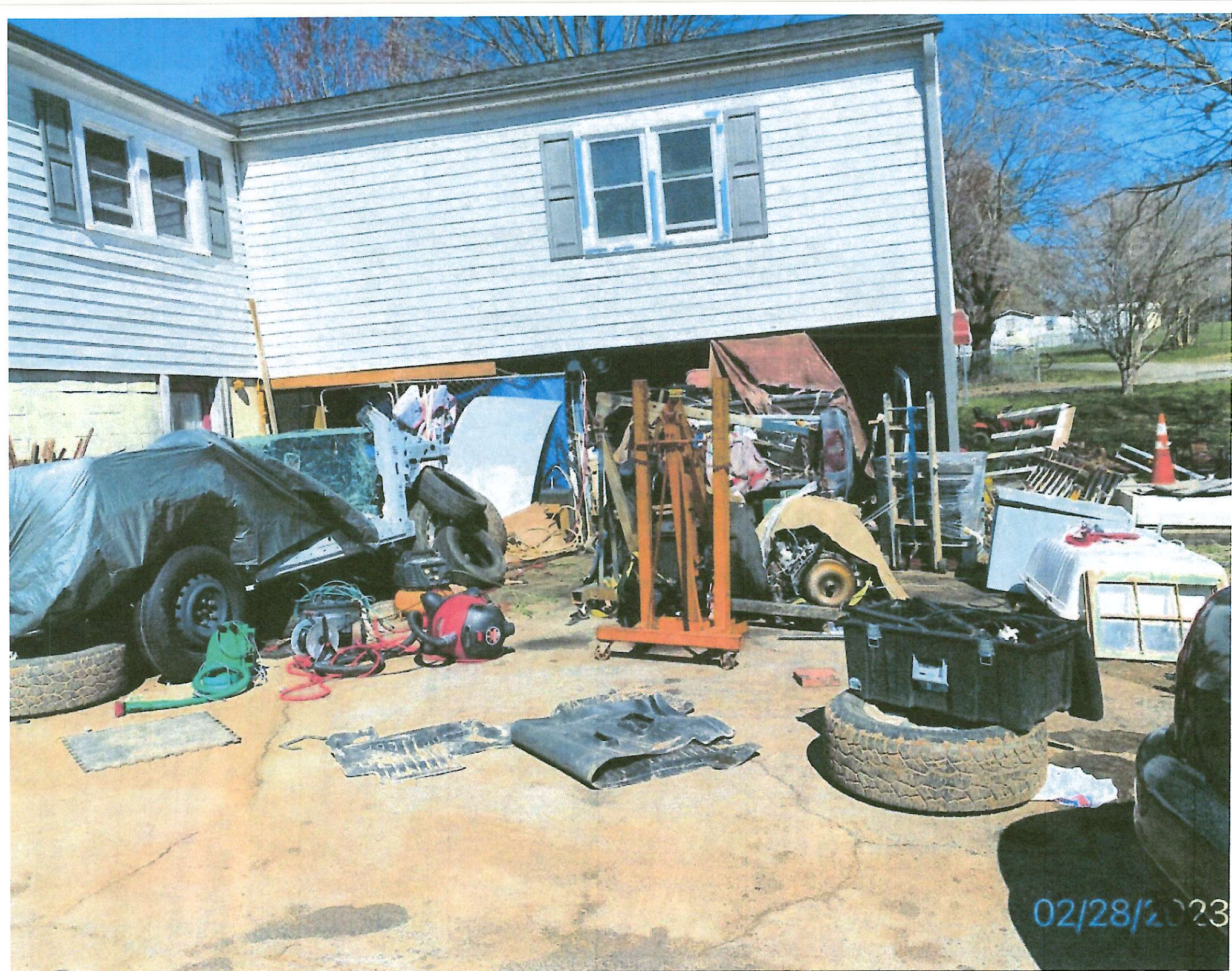
check the property no earlier than **Ten (10) Days** to determine if the violation has been corrected. If the violation has been corrected, then no further action will be taken.

If the violation has ***not*** been corrected, the city will proceed with its legal option to clean up the property. The property owner will be charged for this service. If the property owner does not pay this fee, then a lien(s) is placed on the property in violation.

Should you not be able to comply with this notice before the above date, or if you have any questions, please contact me at the telephone number indicated below.

There will be no further notices concerning this case issue.

Josh Parks
Code Enforcement Officer
Joshua.parks@thomasville-nc.gov
(336) 475-4212

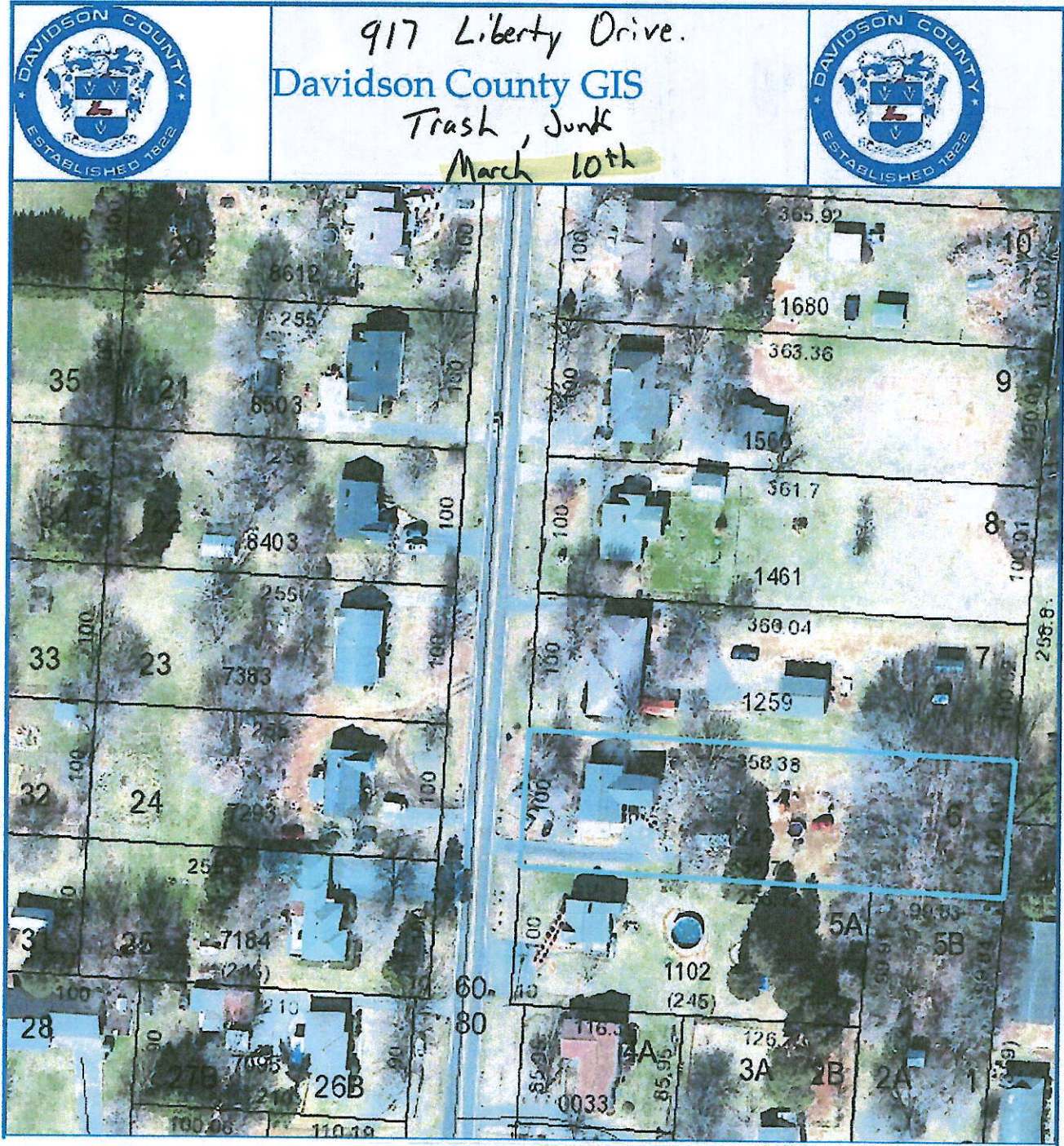




02/26/2023



02/28/2023



Parcel Number :	1619100000006	Land Units:	0 LT
Pin Id :	6787-03-42-1241	Deed Book:	2147 Pg: 2488
Owner :	LOONSTYN COURTNEY 917 LIBERTY DR THOMASVILLE NC 27360	Deed Date:	07/03/2014
Property Address:	917 LIBERTY DR	Account Number:	9212577
Township:	16	Exempt Code:	
Building Value:	\$94,540	Other Building Value:	\$1,080
Land Value:	\$17,500	Market Value:	\$113,120
Assessed Value:	\$113,120	Deferred Value:	\$0
Legal Description : P=7-61 L6 BK2147-2488 ROLLING AC			

Additional Attributes

Fire Service Districts

Sq.Miles 16.4
Name THOMASVILLE

Townships

Sq. Miles 64.87
Name THOMASVILLE

County Zoning Districts

Zone

Soil Types

DSL Name

Soil Name

Type

Percent Sl

Hydric

Municipal Boundary

Name THOMASVILLE
SQ Miles 16.33

1 inch = 111 feet



The information contained on this map does not replace information that may be obtained by consulting the official source of the information. In no event shall Davidson County, NC or the consultants of Davidson County, NC be liable for any damages, direct or consequential, from the use of the information contained on this map.

PART II - CODE OF ORDINANCES
Chapter 46 - HEALTH AND SANITATION
ARTICLE II. OFFENSIVE CONDITIONS ON PRIVATE PROPERTY

ARTICLE II. OFFENSIVE CONDITIONS ON PRIVATE PROPERTY¹

Sec. 46-31. Prohibited conditions.

- (a) *Duty to abate and remedy and public health considerations.* It shall be the duty of every person owning or leasing, renting or occupying any lot within the city to keep such lot free from certain offensive conditions which might constitute a threat, either immediate or in the future, to the health, safety and welfare of surrounding properties, or any offensive aesthetic condition, upon a finding that the abatement or removal thereof, would bestow aesthetic benefits to the community that outweigh the burden imposed on the private property owner. Such finding shall be in writing and shall be based on a balancing of the monetary loss to the apparent property owner against the corresponding gain to the public by promoting or enhancing community, neighborhood or area appearance.
- (b) *Offensive conditions defined.* In determining the existence of offensive conditions, the following among other relevant facts may be considered:
- (1) Direct or indirect protection of public health and safety which may be indicated when one or more of the following exist:
 - a. A breeding ground or harbor for mosquitoes, insects, snakes, rats or other pests, or
 - b. A point of heavy growth of weeds or other noxious vegetation, or
 - c. A point of collection of pools or ponding water, or
 - d. A point of concentration or source of fire hazard due to flammable or explosive solids or liquids, or
 - e. A danger from any exposed surfaces of metal, glass or other jagged materials.
 - (2) Protection of property values;
 - (3) Promotion of tourism and other economic development opportunities;
 - (4) Preservation of the character and integrity of the community;
 - (5) Promotion of the comfort, happiness and emotional stability of area residents.

The cleaning up of any lot in accordance with the procedure prescribed by this article shall not prevent the city from proceeding in a criminal action against any person violating the provisions of this section.

- (c) *Specific conditions declared to be public nuisance.* The following enumerated and described conditions, or any combination thereof, are hereby found, deemed, and declared to constitute a detriment, danger and hazard to the health, safety, morals and general welfare of the inhabitants of the city and are found, deemed and declared to be public nuisances wherever the conditions may exist and the creation, maintenance or failure to abate any nuisances is hereby declared unlawful:
- (1) Any weeds or other vegetation having an overall height of more than 12 inches above the surrounding ground provided that the following shall not be considered to be a part of this condition: trees and

¹Cross reference(s)—Creating offensive or dangerous condition by keeping of dogs, § 10-40.

-
- ornamental shrubs; cultured plants; natural vegetation on undeveloped property that is not a threat to the character of surrounding properties; and flowers and growing and producing vegetable plants.
- (2) Any accumulation of trash and/or garbage which is the result of the absence or of overflowing or improperly closed trash or garbage containers.
 - (3) Accumulation in an open place of hazardous or toxic materials and chemicals.
 - (4) An open place of concentration of combustible items such as mattresses, boxes, paper, automobile tires and tubes, garbage, trash, refuse, brush, old clothes, rags, or any other combustible materials or objects of a like nature.
 - (5) Any accumulation of garbage, rubbish, trash, or junk causing or threatening to cause a fire hazard, or causing or threatening to cause the accumulation of stagnant water, or causing or threatening to cause the inhabitation therein of rats, mice, snakes, mosquitoes, or vermin prejudicial to the public health.
 - (6) Any accumulation of animal or vegetable matter that is offensive by virtue of odors or vapors or by the inhabitation therein of rats, mice, snakes, or vermin of any kind which is or may be dangerous or prejudicial to the public health.
 - (7) The open storage of any discarded ice box, refrigerator, stove, washer, dryer, other "white goods," glass, building materials, building rubbish or similar items.
 - (8) Any building or other structure which has been burned, partially burned or otherwise partially destroyed and which is unsightly or hazardous to the safety of any person, is a continuing fire hazard or which is structurally unsound to the extent that the City Manager or his designee can reasonably determine that there is a likelihood of personal or property injury to any person or property entering the premises.
 - (9) Any condition which blocks, hinders, or obstructs in any way the natural flow of branches, streams, creeks, surface waters, ditches, or drains, to the extent that the premises is not free from standing water.
 - (10) Nuisance vehicle: A vehicle on public or private property that is determined and declared to be a health or safety hazard, a public nuisance, and unlawful, including a vehicle found to be:
 - a. A breeding ground or harbor for mosquitoes, other insects, rats or other pests; or
 - b. A point of heavy growth of weeds or other noxious vegetation which exceeds eight inches in height; or
 - c. In a condition allowing the collection of pools or ponds of water; or
 - d. A concentration of quantities of gasoline, oil, or other flammable or explosive materials as evidenced by odor; or
 - e. Having an area of confinement which cannot be operated from the inside, such as, but not limited to, trunks or hoods; or
 - f. So situated or located that there is a danger of it falling or turning over, or
 - g. Having a collection of garbage, food waste, animal waste, or any other rotten or putrescent matter of any kind; or
 - h. One which has sharp parts thereof which are jagged or contain sharp edges of metal or glass.
 - (11) Any condition detrimental to the public health which violates the rules and regulations of the county health departments.

Sec. 46-35. Abatement and collection procedure when property owner unknown.

If the owner of any lot upon which noxious weeds, grass or undergrowth, trash or other offensive animal or vegetable matter has been allowed to accumulate cannot be ascertained by the exercise of reasonable diligence, it shall not be necessary to give the notice otherwise required by section 46-32, and the director of inspections, upon failure to ascertain the name of the owner, shall proceed to have such lot cleaned up. The statement of the cost of cleaning such lot, as made to the city clerk by the director of inspections, shall show the location of the lot so that it can be subsequently identified. In such case it shall not be necessary for the city clerk to send out a bill for the cost involved, but the bill shall be kept on file until the name of the owner of the lot can be ascertained. When the name of the owner of the lot is ascertained, such bill shall be sent to the owner, and upon his failure to pay the bill it shall become a lien upon the lot as provided in section 46-34(b).

(Code 1983, § 9-61)

Sec. 46-36. Offensive conditions—Misdemeanor.

If any person owning or leasing, renting, or occupying any lot within the limits of the city shall create or shall permit the creation of an offensive or dangerous menace or threat to public health or safety by virtue of the presence of noxious weeds, grass or undergrowth, trash or any other form of offensive animal or vegetable matter, said person shall be deemed to be in violation of this section and the maintenance of such condition shall be a misdemeanor. Every day on which a violation of this section exists shall constitute a separate violation and separate offense, and the violation of this section shall be punishable as provided in section 1-7.

(Ord. of 3-17-97(2))

7022 2410 0001 7835 0035

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Domestic Mail Only

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OFFICIAL USE

Certified Mail Fee \$

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage \$

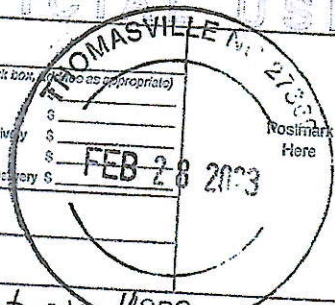
Total Postage and Fees \$

Sent To Courtney USBS

Street and Apt. No., or PO Box No. 917 Liberty Drive

City, State, ZIP+4® Thomasville, NC 27360

PS Form 3800, April 2013 PSN 7530-02-000-9001 See Reverse for Instructions



Memo

To: Mayor, City Council, and City Manager

From: Finance Director

Date: 2/14/2023

Re: Consideration of Revision to Fiscal Policies – Budget Transfer Threshold

We are requesting a revision to our Fiscal Policies. Item B.5. states: "The City Manager is granted the authority to transfer funds from one line item to another within departments the maximum of \$10,000 without having to bring the transfer before the City Council – this is exclusive of all salary accounts." After a detailed discussion with Council at the February 2023 Budget Workshop, we suggest revising the item to clearly state: **"The City Manager is granted the authority to transfer funds from one line item to another within departments. The City Manager is granted the authority to transfer funds from one line item to another between departments the maximum of \$30,000 without having to bring the transfer before the City Council."**

Our current budget transfer threshold is extremely low comparatively with our annual budget, which is almost \$50,000,000, and line item appropriation transfers within a fund are very common. Revising this provision will reduce administrative burden on staff to bring routine budget transfers before Council instead of being able to immediately transfer these funds with the authorization of the City Manager. It will also allow staff to more expeditiously acquire necessary goods and services on behalf of the city and can save us money in the case of price increases in the time it takes to bring a transfer request before the City Council at a regularly scheduled meeting. It will also reduce unnecessary board oversight of routine financial operations and allow Council to focus on broader strategic objectives and items which legally require Council approval.

Thank you for your consideration.

- i) The Water & Sewer Fund will reimburse the General Fund quarterly for expenditures paid on its behalf. The basis for this reimbursement is costs which are charged to the General Fund that are associated and performed on behalf of the Water & Sewer Fund. The City will use the previous year Water & Sewer Fund budget stated as a percentage of the total City budget to allocate these costs. This percentage will be applied to the annual proposed budget for the next fiscal year for the departmental budgets of Governing Body, Administration, Personnel, Finance, MIS, Legal, City Hall, Inspections, Engineering, Public Works Building, Radio, and Fleet Services.
- j) If Golf Fund revenues are not sufficient to meet debt service obligations the General Fund will transfer to the Golf Fund an amount sufficient to meet annual debt service requirements.

B. Operating Budget Policy

- 1. Current operating revenues will be sufficient to support current operating expenditures. Fund balance may be appropriated to fund capital items valued over \$10,000 in any fiscal year in which the unassigned fund balance exceeds the 24% policy amount.
- 2. The City will prepare a five-year operating budget projection that will include projections of annual growth plus allowances for operating costs of new capital facilities.
- 3. The City will maintain a designation on its fund balance for Economic Development. The equivalent of one half of one cent of the tax rate will be appropriated annually to this designation less any contribution to the Davidson County Economic Development Commission.
- 4. The City will maintain an unassigned Capital Reserve Fund to replace capital outlay items with a life of more than one year and a value of \$10,000.00 or greater. All General Fund unassigned fund balance exceeding 24% may be earmarked for capital reserve purposes. This is in addition to assigned projects in the Capital Reserve Fund.
- 5. The City Manager is granted the authority to transfer funds from one line item to another within departments. The City Manager is granted the authority to transfer funds from one line item to another between departments the maximum of \$30,000 without having to bring the transfer before the City Council.
- 6. It is the City's policy not to fund requests from outside agencies which provide health and human services.
- 7. It is the City's policy that the operating budget must be prepared in accordance with Generally Accepted Accounting Principles and adopted at the departmental level by the City Council.

Memo

To: Mayor, City Council, and City Manager

From: Finance Director

Date: 9/16/2022

Re: Consideration of Revisions to Purchasing Policy and Purchasing Policy for Federal Funds

We are requesting several revisions to the city's Purchasing Policy and Purchasing Policy for Federal Funds. All of the suggested revisions are included and highlighted in your agenda packets. The revisions further clarify and outline N.C. General Statute (G.S.) requirements, allow for improved staff efficiency in the RFP and formal bidding processes, and eliminate unnecessary board oversight for routine contracts for the acquisition of goods and services on behalf of the city. All revisions align us better with current G.S. requirements, and adherence to these policies and procedures ensures our legal compliance with G.S.

Department directors have expressed concern that formal bid advertisements only included in the local newspaper do not generate a sufficient number of respondents. Therefore, we have revised our Purchasing Policies and Procedures Manual to allow electronic-only means of advertisement (including city website) for formal bids at the discretion of department directors.

In addition, we have revised the Purchasing Policies and Procedures Manual to clarify the procurement requirements and formal bidding exception for the acquisition of information technology goods and services. The formal bidding exception (i.e., option to use an RFP procedure instead of formal bidding) is authorized under N.C. General Statute 143-129.8. We have also revised our Purchasing policy for Federal Funds to allow electronic-only means of bid, RFP, and RFQ advertisement. The policy already stated that electronic-only advertising must be authorized by the governing board. These revisions simply include language stating that the board does authorize electronic-only advertising through approval of the revised policy manual.

We are also requesting to increase the threshold for contracts requiring City Council approval from \$10,000 to \$90,000 and above. The threshold is outlined in Section VII.E. of the manual. This will bring us in line with the N.C. General Statutes, which only require Council approval of bid awards and contracts for apparatus/supplies/materials/equipment and construction and

repair contracts of \$90,000 or more. Per the General Statutes, no purchase contract of less than \$90,000 requires Council approval. Increasing the threshold to \$90,000 or more will also align with the matrix in Section IX. (Bidding Process) of the manual, which states that no contract of less than \$90,000 requires Council approval, thus removing contradictory information in the manual. The matrix shows that any purchase of less than \$90,000 can be approved by the Finance Officer and/or City Manager, without Council approval. Again, the \$90,000 or more threshold aligns with the N.C. General Statutes as well.

For years, our Purchasing Policy has included a much lower threshold of \$10,000, which is more restrictive, less efficient for city management, and adds additional and unnecessary items to our Council agenda monthly. Our current city budget is almost \$50,000,000; \$90,000 is .18% of a total budget of \$50,000,000. Increasing the threshold will not undermine fiscal accountability or weaken internal controls in any way, as staff and management are ensuring all state and federal purchasing guidelines are followed and are awarding contracts to the lowest bidder whenever possible and required by law. The change will simply allow management to more efficiently and expeditiously process standard contracts and purchase goods and services on behalf of the city without unnecessary oversight/board approval. The change will reduce unnecessary Council agenda items and reduce administrative burden on staff to bring routine purchasing contracts before Council for approval.

In addition to my research of current G.S. requirements, I also consulted with Jeff Moore, the former Finance Director for the City of High Point, who, prior to retirement, served as a N.C. local government finance director for decades. He confirmed that the City of High Point uses the \$90,000 or more threshold for contracts requiring Council approval. They do so based on the G.S. requirement, as mentioned previously.

Thank you for your consideration of these revisions to improve our policies, procedures, and overall city operations.

Policy No.:	Policy Name: Purchasing Policies and Procedures Manual	Page 19 of 42
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contracts committing City funds for any purpose. The authority is given to:

- The Mayor of the City of Thomasville or the City Manager, when they are authorized to do so by the Thomasville City Council in a public meeting for contracts including construction, services, or purchase contracts in the amount of **\$90,000 or more**.
- The City Manager of the City of Thomasville, as authorized by the Thomasville City Council, which formally delegated contractual authority for construction, service, or purchase contracts in amounts **less than \$90,000**. The Assistant City Manager may sign in the City Manager's absence per his delegation.

F. Legal Approval of Contracts

The City Attorney's Office must review and sign off on the legal form and sufficiency of a contract before the contract is valid.

The Local Government Budget and Fiscal Control Act requires the Finance Director or authorized Deputy Finance Officer to sign all contracts calling for the expenditure of City funds; certifying that sufficient funds are available (the preaudit certificate) and encumbered (a requisition has been entered) to cover the contract as required by G.S. 159-28. The Finance Director or Deputy Finance Officer verifies that the requisition and amount quoted in the contract for services are the same.

The Contract must be signed by one of the authorized persons outlined above under heading F. Authorized Signatures for Contracts.

The City Clerk will attest the signature and attach the City Seal on contracts signed by the Mayor and/or City Manager or Assistant City Manager as necessary.

Once all signatures have been obtained, signed contracts are electronically distributed to the Finance Department and originating department. All approved contracts are reported to the City Council at the next regularly scheduled meeting.

G. Contract Change Orders

Change orders may be needed from time to time.

H. Vehicle and Equipment Repair: Outsourcing of Service

Procedures for outsourcing vehicle and equipment repairs, such as body repair, engine rebuilding, or any other related vehicle service shall be coordinated with the Fleet Maintenance Division or the Finance Department if the vehicle was involved in an accident. To provide the necessary cost and repair history of a vehicle, all repairs will be recorded on the vehicle's fleet maintenance record.

Policy No.:	Policy Name: Purchasing Policies and Procedures Manual	Page 26 of 42
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not limited to, proper advertisement and receipt of sealed bids.

After receipt of a bid, the Department Manager or his/her designee, shall review all bid responses to determine the bid deemed in the best interest of the City. The award shall be made to the "lowest responsible, responsive bidder or bidders taking into consideration quality, performance and the time specified in the proposals for the performance of the contract. The term "responsible" has been interpreted to imply "skill, judgment and integrity necessary to the faithful performance of the contract, as well as sufficient financial resources and ability." The term "responsive" has been interpreted to imply "that the bid conforms substantially to the specifications".

The Department Head or his/her designee shall make a formal recommendation of award in a staff report with supporting documentation including bid tabulation. The staff report shall be submitted to the appropriate City Council Committee and on the subsequent City Council meeting agenda.

Upon City Council approval of the recommendation, the using department shall submit an electronic purchase requisition, route contract if necessary and provide supporting documentation. The Finance Director shall generate the purchase order and distribute to the department and the vendor.

a. Requirements for Formal Bids

1. Advertisement

- Electronic advertisement of all bids under this section is hereby authorized by the City Council. At a minimum, bids shall be advertised on the city's website.
- The advertisement must be posted for at least a full seven days between the date on which the advertisement appears and the date of the opening of bids. For example, if a bid is posted on Monday, the bid opening may take place no sooner than Tuesday of the following week.
- The advertisement shall state the time and place where plans and specifications of proposed work or a complete description of the items may be obtained.
- The advertisement shall state the date, time and place for the opening of proposals.
- The advertisement shall reserve to the City the right to reject any or all proposals.

2. Bid Deposit

No bid for formal construction or repair work shall be considered or accepted unless at the time of its filing it is accompanied by a deposit equal to not less than five percent (5%) of the bid amount. The bid deposit may be in any of the following forms:

- Cash
- Cashier's Check
- Certified Check on a bank or trust company insured by the Federal Deposit Insurance Corporation

Gas, fuel and oil are not subject to formal bidding procedures, but are subject to informal bidding procedures.

Sole-source purchases. The sole source exception provides that formal bidding requirements do not apply when:

- Performance or price competition for a product is not available
- A needed product is available from only one source of supply
- Standardization or compatibility is the overriding consideration

Information and technology goods and services may be purchased through contracts awarded by the state Office of Information Technology Services; or may be purchased using a Request for Proposals procedure rather than an Invitation to Bid (ITB) or sealed bid procedure, except when using federal funds.

An RFP (request for proposals) is typically used for service or other contracts where development of detailed specifications is not practical. An RFP is usually written as a performance specification, delineating the result desired and asking the responders to propose a method of reaching that result. This is the method that is authorized under G.S. 143-129.8 for information technology goods and services. Since responses to an RFP may vary widely, a sealed bid process is generally not used with an RFP. RFPs can also be used for contracts that are not subject to the competitive bidding requirements, particularly service contracts. For these contracts, the RFP procedure can be structured in whatever manner the local government deems appropriate and may include negotiations following receipt of the proposals. The procedure to be used, as well as the standard by which contracts will be awarded, should be clearly described in the RFP.

G.S. 143-129.8 gives local governments more flexibility in purchasing information technology goods and services. As stated in the statute, this provision recognizes "the complex and innovative nature of information technology goods and services, and the desirability of a single point of responsibility for contracts that include combinations of purchase of goods, design, installation, training, operation, maintenance, and related services. The statute authorizes local governments to use a request-for-proposals procedure rather than an invitation for bids. This provision is available as an alternative to the traditional bidding methods, which may be used at the option of the local government.

For purposes of this statute, information technology is defined as "electronic data processing goods and services, telecommunications goods and services, security goods and services, microprocessors, software, information processing, office systems, and services related to the foregoing, and consulting or other services for design or redesign of information technology supporting business processes." Note that this definition includes some types of contracts, such as services, that are not subject to competitive bidding. Local governments are not obligated to use either the competitive bidding or the request for proposals procedures for contracts that consist only of services. The definition also includes some contracts, such as computer hardware and other "goods," that could easily be purchased as commodities under the traditional competitive bidding requirements. As noted, however, both computer software contracts and other contracts that involve a combination of goods and services can be complicated and are not necessarily well-suited to the traditional bidding process called for under G.S. 143-129.

For these reasons, local governments should consider using the more flexible procedures under G.S. 143-129.8 for information technology contracts.

Solicitations under this statute must be advertised in the same manner as is required for contracts that are subject to bidding under G.S. 143-129(a). The statute provides for a range of procurement methods and a flexible standard for awarding contracts which allows the unit to choose the contract that best meets its needs, even if it is not the lowest cost proposal. Factors to be used in evaluating proposals must be included in the request for proposals. Another important aspect of this statute is the provision that allows the local government to negotiate with any proposer in order to obtain a final contract that best meets the needs of the unit. In order to preserve the fairness of the competitive process, the statute limits the scope of these negotiations. Negotiations "shall not alter the contract beyond the scope of the original request for proposals in a manner that: 1) deprives the proposers or potential proposers of a fair opportunity to compete for the contract; and 2) would have resulted in the award of the contract to a different person or entity if the alterations had been included in the request for proposals." This limitation prevents the owner from substantially changing the terms of the solicitation after proposals have been received in a way that would be unfair to actual or potential participants in the process, while still providing the flexibility that is important given the potential range of differences among proposals that might be received in the information technology field.

In order to preserve the confidentiality of proposals during the evaluation and negotiation process, the statute provides that proposals are not subject to public inspection until a contract is awarded. Note that proprietary information that meets the statutory definition of a trade secret is exempt from disclosure under a separate exception in the public records law.

The statute does not specifically require that contracts under this alternative procedure must be awarded by the governing board. Therefore, it appears that the award may be made by the board or by staff under a delegation of authority from the board. The statute also authorizes governing boards to delegate the authority to award contracts for the purchase of apparatus, supplies, materials, and equipment. Other contracts subject to the formal bidding statute must be awarded by the governing board.

Guaranteed energy savings contracts have separate statutory bidding procedures and are exempted from otherwise applicable bidding requirements.

NC State Contract purchases that are competitively bid and awarded by the North Carolina Division of Purchase and Contract.

Purchase of used apparatus, supplies, materials or equipment. This exception "does not apply to remanufactured, refabricated or demo items".

Construction manager at risk contracts

Piggybacking a formal contract that has been competitively bid and awarded by another unit of government within the past twelve months.

- O. **Geographic Preference.** No contract shall be awarded on the basis of a geographic preference.

IV. Specific Procurement Procedures

The Requesting Department shall solicit bids in accordance with the requirements under this Section of the Policy based on the type and cost of the contract.

- A. **Service Contracts** (except for A/E professional services) and **Purchase Contracts costing less than \$10,000** shall be procured using the Uniform Guidance "micro-purchase" procedure (2 C.F.R. § 200.320(a)) as follows:
1. The contract may be awarded without soliciting pricing or bids if the price of the goods or services is considered to be fair and reasonable.
 2. To the extent practicable, purchases must be distributed among qualified suppliers.
- B. **Service Contracts** (except for A/E professional services) and **Purchase Contracts costing \$10,000 up to \$90,000** shall be procured using the Uniform Guidance "small purchase" procedure (2 C.F.R. § 200.320(b)) as follows:
1. Obtain price or rate quotes from an "adequate number" of qualified sources (a federal grantor agency might issue guidance interpreting "adequate number," so the Requesting Department should review the terms and conditions of the grant award documents to confirm whether specific guidance has been issued).
 2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required under 2 C.F.R. § 200.321.
 3. Cost or price analysis is not required prior to soliciting bids.
 4. Award the contract on a fixed-price basis (a not-to-exceed basis is permissible for service contracts where obtaining a fixed price is not feasible).
 5. Award the contract to the lowest responsive, responsible bidder.
- C. **Service Contracts** (except for A/E professional services) and **Purchase Contracts costing \$90,000 and above** shall be procured using a combination of the most restrictive requirements of the Uniform Guidance "sealed bid" procedure (2 C.F.R. § 200.320(c)) and state formal bidding procedures (G.S. 143-129) as follows:
1. Cost or price analysis is required prior to soliciting bids.
 2. Complete specifications or purchase description must be made available to all bidders.
 3. The bid must be formally advertised in a newspaper of general circulation **or by electronic means** for at least seven full days between the date of the advertisement and the date of the public bid opening. Electronic-only advertising must be authorized by the governing board. **With the approval of this policy manual, Thomasville City Council authorizes electronic-only advertising at the discretion of department managers.** The advertisement must state the date, time,

and location of the public bid opening, indicate where specifications may be obtained, and reserve to the governing board the right to reject any or all bids only for "sound documented reasons."

4. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required under 2 C.F.R. § 200.321.
5. Open bids at the public bid opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed. A minimum of 2 bids must be received in order to open all bids.
6. Award the contract to the lowest responsive, responsible bidder on a fixed-price basis. City Council approval is required for purchase contracts unless the Council has delegated award authority to an individual official or employee. Any and all bids may be rejected only for "sound documented reasons."

D. Service Contracts (except for A/E professional services) costing \$150,000 and above may be procured using the Uniform Guidance "competitive proposal" procedure (2 C.F.R. § 200.320(d)) when the "sealed bid" procedure is not appropriate for the particular type of service being sought. The procedures are as follows:

1. A Request for Proposals (RFP) must be publicly advertised. Formal advertisement in a newspaper is not required so long as the method of advertisement will solicit proposals from an "adequate number" of qualified firms. **Electronic-only means of advertising are authorized.**
2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
3. Identify evaluation criteria and relative importance of each criteria (criteria weight) in the RFP.
4. Consider all responses to the publicized RFP to the maximum extent practical.
5. Must have a written method for conducting technical evaluations of proposals and selecting the winning firm.
6. Award the contract to the responsible firm with most advantageous proposal taking into account price and other factors identified in the RFP. City Council approval is not required.
7. Award the contract on a fixed-price or cost-reimbursement basis.

E. Construction and repair contracts costing less than \$10,000 shall be procured using the Uniform Guidance "micro-purchase" procedure (2 C.F.R. § 200.320(a)) as follows:

1. The contract may be awarded without soliciting pricing or bids if the price of the goods or services is considered to be fair and reasonable.
2. To the extent practicable, contracts must be distributed among qualified suppliers.

F. Construction and repair contracts costing \$10,000 up to \$150,000 shall be procured using the Uniform Guidance "small purchase" procedure (2 C.F.R. § 200.320(b)) as follows:

1. Obtain price or rate quotes from an "adequate number" of qualified sources (a federal grantor agency might issue guidance interpreting "adequate number," so

the requesting department should review the terms and conditions of the grant award documents to confirm whether specific guidance has been issued).

2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required under 2 C.F.R. § 200.321.
3. Cost or price analysis is not required prior to soliciting bids, although price estimates may be provided by the project designer.
4. Award the contract on a fixed-price or not-to-exceed basis.
5. Award the contract to the lowest responsive, responsible bidder. City Council approval is not required.

G. Construction and repair contracts costing \$150,000 up to \$500,000 shall be procured using the Uniform Guidance "sealed bid" procedure (2 C.F.R. § 200.320(c)) as follows:

1. Cost or price analysis is required prior to soliciting bids (this cost estimate may be provided by the project designer).
2. Complete specifications must be made available to all bidders.
3. Publically advertise the bid solicitation for a period of time sufficient to give bidders notice of opportunity to submit bids (formal advertisement in a newspaper is not required so long as other means of advertising will provide sufficient notice of the opportunity to bid). **Electronic-only means of advertising are authorized.** The advertisement must state the date, time, and location of the public bid opening, and indicate where specifications may be obtained.
4. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
5. Open the bids at the public bid opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed. A minimum of 2 bids must be received in order to open all bids.
6. A 5% bid bond is required of all bidders. Performance and payment bonds of 100% of the contract price is required of the winning bidder.
7. Award the contract on a firm fixed-price basis.
8. Award the contract to the lowest responsive, responsible bidder. City Council approval is not required. Any and all bids may be rejected only for "sound documented reasons."

H. Construction and repair contracts costing \$500,000 and above shall be procured using a combination of the most restrictive requirements of the Uniform Guidance "sealed bid" procedure (2 C.F.R. § 200.320(c)) and state formal bidding procedures (G.S. 143-129) as follows:

1. Cost or price analysis is required prior to soliciting bids (this cost estimate should be provided by the project designer).
2. Complete specifications must be made available to all bidders.
3. Formally advertise the bid in a newspaper of general circulation **or by electronic means** for at least seven full days between the date of the advertisement and the date of the public bid opening. Electronic-only advertising must be authorized by the governing board. **City Council approval of this policy manual authorizes electronic-only advertising.** The advertisement must state the date, time, and

location of the public bid opening, indicate where specifications may be obtained, and reserve to the governing board the right to reject any or all bids only for "sound documented reasons."

4. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
5. Open the bids at the public bid opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed and in paper form. A minimum of 3 bids must be received in order to open all bids.
6. A 5% bid bond is required of all bidders (a bid that does not include a bid bond cannot be counted toward the 3-bid minimum requirement). Performance and payment bonds of 100% of the contract price is required of the winning bidder.
7. Award the contract on a firm fixed-price basis.
8. Award the contract to the lowest responsive, responsible bidder. City Council approval is required and cannot be delegated. The City Council may reject all bids only for "sound documented reasons."

I. Construction or repair contracts involving a building costing \$300,000 and above must comply with the following additional requirements under state law:

1. Formal HUB (historically underutilized business) participation required under G.S. 143-128.2, including local government outreach efforts and bidder good faith efforts, shall apply.
2. Separate specifications shall be drawn for the HVAC, electrical, plumbing, and general construction work as required under G.S. 143-128(a).
3. The project shall be bid using a statutorily authorized bidding method (separate-prime, single-prime, or dual bidding) as required under G.S. 143-129(a1).

J. Contracts for Architectural and Engineering Services costing under \$150,000 shall be procured using the state "Mini-Brooks Act" requirements (G.S. 143-64.31) as follows:

1. Issue a Request for Qualifications (RFQ) to solicit qualifications from qualified firms (formal advertisement in a newspaper is not required). **Electronic-only means of solicitation are authorized.** Price (other than unit cost) shall not be solicited in the RFQ.
2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided for under 2 C.F.R. § 200.321.
3. Evaluate the qualifications of respondents based on the evaluation criteria developed by the Requesting Department.
4. Rank respondents based on qualifications and select the best qualified firm. Price cannot be a factor in the evaluation. Preference may be given to in-state (but not local) firms.
5. Negotiate fair and reasonable compensation with the best qualified firm. If negotiations are not successfully, repeat negotiations with the second-best qualified firm.
6. Award the contract to best qualified firm with whom fair and reasonable compensation has been successfully negotiated. City Council approval is not required.

K. **Contracts for Architectural and Engineering Services costing \$150,000 or more** shall be procured using the Uniform Guidance "competitive proposal" procedure (2 C.F.R. § 200.320(d)(5)) as follows:

1. Publically advertise a Request for Qualifications (RFQ) to solicit qualifications from qualified firms (formal advertisement in a newspaper is not required). **Electronic-only means of solicitation are authorized.** Price (other than unit cost) shall not be solicited in the RFQ.
2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
3. Identify the evaluation criteria and relative importance of each criteria (the criteria weight) in the RFQ.
4. Proposals must be solicited from an "adequate number of qualified sources" (an individual federal grantor agency may issue guidance interpreting "adequate number").
5. Must have a written method for conducting technical evaluations of proposals and selecting the best qualified firm.
6. Consider all responses to the publicized RFQ to the maximum extent practical.
7. Evaluate qualifications of respondents to rank respondents and select the most qualified firm. Preference may be given to in-state (but not local) firms provided that granting the preference leaves an appropriate number of qualified firms to compete for the contract given the nature and size of the project.
8. Price cannot be a factor in the initial selection of the most qualified firm.
9. Once the most qualified firm is selected, negotiate fair and reasonable compensation. If negotiations are not successfully, repeat negotiations with the second-best qualified firm.
10. Award the contract to best qualified firm with whom fair and reasonable compensation has been successfully negotiated. City Council approval is not required.

V. Exceptions

Non-competitive contracts are allowed **only** under the following conditions and with the written approval of the federal agency or state pass-through agency that awarded the federal funds:

- A. **Sole Source.** A contract may be awarded without competitive bidding when the item is available from only one source. The Requesting Department shall document the justification for and lack of available competition for the item. A sole source contract must be approved by the City Council.
- B. **Public Exigency.** A contract may be awarded without competitive bidding when there is a public exigency. A public exigency exists when there is an imminent or actual threat to

CITY OF THOMASVILLE
Grant Project Ordinance

BE IT ORDAINED by the Thomasville City Council that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Grant Project is hereby adopted:

Section 1. The project authorized is the Project M - Nucor Public Sewer Extension Grant Project described in the work statement contained in the Grant Agreement between this unit and the Golden LEAF Foundation and the budget contained herein.

Section 2. The officers of this unit are hereby directed to proceed with the Grant Project within the terms of the funding agreement, the rules and regulations of the Golden LEAF Foundation and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete this project:

061-7901-322-0509	State Grants/Miscellaneous State Grant	\$1,100,000.00
061-7901-390-0109	Contribution – Nucor	\$ 55,000.00
Total		\$1,155,000.00

Section 4. The following expenditures are anticipated to be available to complete this project:

061-7901-574-7300	Construction Improvements	\$ 840,000.00
061-7901-572-4501	Administrative	\$ 55,000.00
061-7901-572-4504	Engineering	\$ 260,000.00
Total		\$1,155,000.00

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreements and federal and state regulations.

Section 6. Requests for funds should be made in an orderly and timely manner as funds are obligated and expenses incurred.

Section 7. The Finance Officer is directed to report timely on the financial status of each project element in Section 4 and on the total revenues received or claimed.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this Grant Project in every budget submission made to this Council.

Section 9. Copies of this Grant Project Ordinance shall be made available to the Budget Officer and the Finance Officer for direction in carrying out this project.

ADOPTED this 20th day of March, 2023

Mayor

ATTEST:

City Clerk

CITY OF THOMASVILLE
Grant Project Ordinance

BE IT ORDAINED by the Thomasville City Council that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Grant Project is hereby adopted:

Section 1. The project authorized is the Project M - Nucor Industrial Development Fund Utility Account Grant Project described in the work statement contained in the Grant Agreement between this unit and the North Carolina Department of Commerce and the budget contained herein.

Section 2. The officers of this unit are hereby directed to proceed with the Grant Project within the terms of the funding agreement, the rules and regulations of the N.C. Dept. of Commerce grant program and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete this project:

065-8910-322-0503	State Grants – Industrial Development	\$ 825,000.00
065-8910-390-0109	Contribution – Nucor	\$ 275,000.00
065-8910-390-0109	Contribution – Nucor	\$ 41,250.00
Total		\$1,141,250.00

Section 4. The following expenditures are anticipated to be available to complete this project:

065-8910-524-7300	Construction Improvements	\$ 825,000.00
065-8910-524-7300	Construction Improvements	\$ 275,000.00
065-8910-522-4501	Administrative	\$ 41,250.00
Total		\$1,141,250.00

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreements and federal and state regulations.

Section 6. Requests for funds should be made in an orderly and timely manner as funds are obligated and expenses incurred.

Section 7. The Finance Officer is directed to report timely on the financial status of each project element in Section 4 and on the total revenues received or claimed.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this Grant Project in every budget submission made to this Council.

Section 9. Copies of this Grant Project Ordinance shall be made available to the Budget Officer and the Finance Officer for direction in carrying out this project.

ADOPTED this 20th day of March, 2023

Mayor

ATTEST:

City Clerk

Budget Amendment

To: City Manager

From: Finance Director

Date: 3/9/2023

Council Budget Amendment Reference #: 2023 – P9 - 01

Re: 2022-2023 Budget Amendment

The budget amendment appropriates funding for one-time accrued compensatory time payouts for exempt employees – up to 160 hours – and non-exempt employees with balances over 160 hours. The Personnel Policy Manual has been revised to eliminate future payouts for exempt employee compensatory time accruals. Surplus investment revenue will fund all General Fund and Golf Course Fund payouts. The amendment also appropriates Contingency funding in the Water/Sewer Fund to cover comp. time payouts and increased overtime costs in the Waste Treatment Plant Division and unanticipated chemical costs in the Water Treatment Plant Division. \$122,000 of surplus investment revenue is appropriated to outfit 6 Dodge Chargers purchased by the Police Department through ARPA funding. The amendment appropriates necessary funding to comply with new GASB 96 requirements for recognizing a liability and asset for the use of an IT/software subscription agreement at the beginning of the subscription term. Finally, the amendment transfers \$484,836 of ARPA funding for the NaviLine enterprise asset management software upgrade project – approved by Council in September 2022 - to the appropriate MIS account.

GENERAL FUND

INCREASE REVENUE

010-0000-350.00-00	Investment Earnings/Interest	\$ 109,000.00
010-0000-350.00-00	Investment Earnings/Interest	\$ 137,000.00
010-0000-350.00-00	Investment Earnings/Interest	\$ 150,000.00
010-0000-350.00-00	Investment Earnings/Interest	\$ 25,000.00
010-0000-370.07-00	Other Financing Sources/IT Subscriptions	\$1,426,454.00
010-0000-310.03-00	Occupancy Tax	\$ 125,000.00

010-0000-383.01-00	Refunds/Insurance Proceeds	\$ 4,933.00
010-0000-390.01-09	Contribution/Donation/Misc. (Tourism)	\$ 25,000.00
Total		\$2,002,387.00

DECREASE APPROPRIATION

010-4710-514.73-00	Capital Outlay/Other Improvements	\$ 217,636.00
010-4710-512.45-01	Contracted Services/Professional	\$ 267,200.00
Total		\$ 484,836.00

INCREASE APPROPRIATION

010-4110-512.56-00	Payment to Other Agency – Tourism	\$ 125,000.00
010-4210-511.02-01	Salaries/Full Time	\$ 13,000.00
010-4210-512.45-01	Contracted Services/Professional	\$ 50,000.00
010-4210-514.72-00	Capital Outlay/Building	\$ 150,000.00
010-4410-511.02-01	Salaries/Full Time	\$ 12,000.00
010-4410-512.45-01	Contracted Services/Professional	\$ 15,000.00
010-4610-511.02-01	Salaries/Full Time	\$ 1,000.00
010-4710-511.02-01	Salaries/Full Time	\$ 15,000.00
010-4710-512.21-03	Leases & Rentals/Lease of Software	\$ 484,836.00
010-4710-514.73-00	Capital Outlay/Other Improvements	\$1,426,454.00
010-4910-521.02-01	Salaries/Full Time	\$ 8,000.00
010-5110-521.02-01	Salaries/Full Time	\$ 7,000.00
010-5110-522.15-04	Maintenance & Repairs/Vehicles	\$ 4,933.00
010-5110-522.33-98	Supplies/Police Field Operations	\$ 122,000.00
010-5310-521.02-01	Salaries/Full Time	\$ 16,000.00
010-5620-531.02-01	Salaries/Full Time	\$ 9,000.00
010-5660-531.02-01	Salaries/Full Time	\$ 5,000.00
010-5670-531.02-01	Salaries/Full Time	\$ 5,000.00

010-6210-551.02-01	Salaries/Full Time	\$ 1,000.00
010-6280-551.02-01	Salaries/Full Time	\$ 6,000.00
010-6290-551.02-01	Salaries/Full Time	\$ 1,000.00
010-9010-503.60-31	Transfers To/Golf Course	\$ 10,000.00
Total		\$2,487,223.00

GOLF COURSE FUND

INCREASE REVENUE

031-0000-380.10-00	Transfers/From General Fund	\$ 10,000.00
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INCREASE APPROPRIATION

031-6221-551.02-01	Salaries/Full Time	\$ 10,000.00
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WATER/SEWER ENTERPRISE FUND

DECREASE APPROPRIATION

030-9010-505.58-00	Unallocated/Contingency	\$ 107,000.00
030-9010-505.58-00	Unallocated/Contingency	\$ 26,000.00
Total		\$ 133,000.00

INCREASE APPROPRIATION

030-7097-572.33-02	Supplies/Chemicals	\$ 107,000.00
030-7098-571.02-01	Salaries/Full Time	\$ 26,000.00
Total		\$ 133,000.00

SCHOOL FUND

INCREASE REVENUE

040-0000-302.00-00	Current Year Property Tax	\$ 90,000.00
040-0000-303.00-00	Penalties & Interest	\$ 70,000.00
Total		\$ 160,000.00

INCREASE APPROPRIATION

040-9010-512.90-00	Contribution to Other – School Supplement	\$ 160,000.00
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Proposed Personnel Policy Revisions

Applicable Policy: Article VII. Hours of Work and Overtime (Section 2 and Section 18)

Proposal Date: February 28, 2023

Effective Date: April 1, 2023

Proposed Revisions:

Section 2. Straight Time and Compensatory Time

Each employee is to receive straight-time pay for a standard 40 hours' workweek, with the provision that an additional overtime amount equal to time and one-half worked in excess of 40 hours, or 86 hours in 14 days for law enforcement employees and 106 hours in 14 days for fire protection employees, will be added to the base pay. Such payment will be made in the form of compensatory time off.

A non-exempt employee shall be given time off on the basis of one and one-half hours for each hours worked beyond 40 hours during a week, or the maximum workweek hours established for public safety employees.

A non-exempt employee who has accumulated the maximum compensatory time must be paid for any additional overtime worked. The non-exempt employee shall also receive straight time compensation when they work any hours beyond their regularly scheduled shift, or on a scheduled off day, but the total hours for the week have not exceeded the overtime threshold requiring a rate of compensation equal to time and one-half (for each hour worked beyond the overtime threshold).

Non-exempt employees taking compensatory time off must gain department head approval. Each department head should keep records of compensatory time and submit those records at the end of each bi-weekly pay period to the Human Resources Department and the City Manager.

Non-exempt and exempt employees shall be allowed to accumulate up to 160 hours of compensatory time. If a non-exempt employee becomes eligible for more than the standard 160 hours, they will be paid directly for the amount in excess of 160 hours.

Employees exempted from overtime compensation are expected to perform the duties required in their jobs, regardless of the amount of time involved. However, the City wishes to treat all of its employees fairly and also recognizes the physical and psychological health implications created by excessive overtime. Therefore, exempt employee compensatory time is earned on an hour for hour basis for hours worked over 40 in a week. Exempt employees taking compensatory time off must gain department head approval. Each department head should keep records of compensatory time and submit those records at the end of each bi-weekly pay period to the Human Resources Department and the City Manager. Accumulated compensatory time for exempt employees is never paid.

The City of Thomasville has established a 14-day period for all employees. Law enforcement employees shall receive straight time compensation when they work over eight hours in one day or on a scheduled off day, as long as the total

Proposed Personnel Policy Revisions (Continued)

for the 14-day period does not exceed the maximum 86 hours established by the Department of Labor for payment of overtime. Fire protection employees shall receive straight time compensation when they work over eight hours in one day or on a schedule off day, as long as the total for the 14-day pay period does not exceed the maximum 106 hours established by the Department of Labor for payment of overtime.

Compensatory time accrual and use must be reported as other types of leave within the payroll system. For non-exempt employees, accrued compensatory time shall be prioritized as leave prior to exhausting any accrued sick, vacation, or accrued floating holiday time when requesting time away from work. The prioritization of exhausting compensatory leave prior to other types of leave does not apply to exempt employees. This is due to the fact that compensatory time does not have compensable monetary value for exempt employees.

Section 18. Payment of Accumulated Compensatory Leave upon Termination

Pay for accrued compensatory time (excluding FLSA exempt employees) upon termination from employment shall be at the average rate of pay for the final three (3) years of employment, or the final regular rate (whichever is higher).

Proposed Policy

Article XII. Employee Benefits

Section 1. Group Health Insurance

Health insurance premiums and employee life insurance premiums are paid by the City for full-time regular employees beginning on the first of the month after thirty (30) consecutive days of employment. The Personnel Department has a complete booklet pertaining to group insurance. Any questions or concerns should be addressed to the personnel department.

Any employee covered by the group health plan has the right to choose continuation coverage for himself and his covered dependents upon termination of employment (for reasons other than gross misconduct) for a period of 18 months at the expense of the employee (COBRA).

CITY OF THOMASVILLE, NC

RESOLUTION TO AUTHORIZE ONE TIME PAYMENT OF ACCRUED COMPENSATORY TIME FOR CERTAIN EMPLOYEES OF THE CITY OF THOMASVILLE, NC

WHEREAS, under the current personnel policy for the City of Thomasville, NC, there exists conflicting language regarding accrued compensatory time and payment for the same in Article VII. Hours of Work and Overtime (Section 2 and Section 18); and

WHEREAS, it was never intended to be policy that exempt employees would be allowed to accrue in excess of 160 hours of compensatory time; however, certain exempt employees have accrued in excess of 160 hours of compensatory time; and

WHEREAS, the City of Thomasville desires to be fair and reasonable to its employees and in an effort to further this goal, the City is authorizing a one time payout and conversion of accrued compensatory time for exempt employees; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Thomasville hereby authorizes the following:

1. Effective March 20, 2023, Exempt Employees shall be given the option to either retain their compensatory time up to 160 hours or to receive one-time payment for their accrued compensatory time up to a maximum of 160 hours.
2. If an Exempt Employee has more than 160 hours of compensatory time, said excess accrued compensatory time shall roll to vacation time up to the max amount of vacation time allowed for years of service. Any accrued compensatory time in excess of allowable vacation amount shall immediately roll to sick leave, with no limit (to be credited in the first full pay period in April of 2023).
3. Effective April 2, 2023, all exempt employees may earn up to a maximum of 160 hours of compensatory time. At no time will exempt employees be paid for compensatory time or credited vacation or sick leave in lieu of compensatory time.

Adopted this the ____ day of March, 2023.

CITY OF THOMASVILLE

By: _____

Raleigh York, Jr., Mayor

Attest: _____

Wendy S. Martin, City Clerk

[SEAL]



Thomasville Fire & Rescue

712 East Main Street
Thomasville, North Carolina 27360
Telephone 336-475-5524

Office of the Fire Chief
Jason D. Myers

To: City of Thomasville Mayor and Council Members
Cc: Michael Brandt, City Manager and Eddie Bowling, Assistant City Manager
Date: Wednesday, February 22, 2023
Re: Renaming of position

Mayor, Council Members and City Managers,

Within the City of Thomasville Fire and Rescue Department, the Assistant Fire Chief is the second in command. This position is responsible for management of the operations (suppression) division. The Assistant Fire Chief also fulfills the duties and responsibilities of the Fire Chief in their absence, as necessary. Upon Interim Assistant Fire Chief Don Crafford's retirement, this position is currently vacant. We are in the process of promoting/hiring for this vital role.

I am requesting to change the name of this position from Assistant Fire Chief to Deputy Fire Chief. This is strictly a name change. The rank insignia will remain the same as outlined in the City of Thomasville Personnel Manual in Article XVI, Section 4. The Deputy Fire Chief position would remain as Grade 36 as outlined in Appendix A: Classes to Grade Schedule. The renaming of this position would better align us with municipal departments nationwide.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink that reads "Jason D. Myers". The signature is written in a cursive style.

Jason D. Myers
Fire Chief
Thomasville Fire & Rescue
jason.myers@thomasville-nc.gov



CITY OF THOMASVILLE

P.O. Box 368

Thomasville, North Carolina 27361-0368

To: Council Advisory Board Members

Re: Requirements for City Committees, Commissions and Boards

The Thomasville City Council requires each of the City's committees, commissions and advisory boards to follow the same rules as City Council. Kindly read the below summary and return a signed copy to the City Clerk. Please contact the City Clerk if you have any questions.

All advisory boards' monthly meeting times and places are currently posted at City Hall and on the City's website. Please let the City Clerk know if this information changes or if any of your members change address, phone number or email address.

It is critical for the success of Thomasville's boards that all members attend the meetings and functions regularly. Any member of a City advisory board who misses more than three consecutive regular meetings or more than half the regular meetings in a calendar year shall lose his or her status as a member of the board and shall be replaced or reappointed by the City Council. Absence due to sickness, death or other emergencies of like nature shall be recognized as approved absences and shall not affect the member's status on the board, except that in the event of a long illness or other such cause for prolonged absence, the member shall be replaced.

N. C. State law requires:

- If your advisory board is going to change the time or place of a regular meeting, you must give the City Clerk at least seven (7) days' notice;
- If your advisory board plans on holding a special meeting, you must notify the City Clerk at least 48 hours prior to that meeting and put written notices on the door of the meeting place;
- If your advisory board needs to change a meeting due to an emergency, you must contact the City Clerk as soon as possible so that she can post the change immediately. You must also put a written notice of the new date, time and place on the door of the meeting place.

Please note that your advisory board is responsible for making sure that all your members and the council liaison are in agreement and know the new meeting information.

(OVER)

The City Council requires that each advisory board provides the City Clerk with:

- an **agenda**, which states the meeting place, date, time and topics to be discussed at least *48 hours before the meeting*. The City Clerk will post the agenda at City Hall and on the City's website. You can email your agenda to wendy.martin@thomasville-nc.gov or get it to her at City Hall at 10 Salem Street, Thomasville, NC 27360; and simultaneously provide the clerk with
- draft **minutes** from the previous meeting. Your minutes shall state the date of the meeting, which members attended, what was discussed, who made motions and seconds, the vote count, and what actions were taken.

Please note that all emails, texts and other writings regarding committee business may be considered a public record. Public records must be provided upon request and in a timely manner to anyone who requests them.

Committee meetings are public meetings and must comply with all open meetings laws. In consideration of the volunteers' time, we ask that you keep meetings to an hour or less.

Your time and commitment to these boards are greatly appreciated! If you have any questions, please do not hesitate to contact us.

Sincerely,

D. Hunter Thrift
Thomasville City Council Member and
Personnel/Finance Chair

Wendy S. Martin
Thomasville City Clerk

To Thomasville Board Chairs: Please review this with all your board members and fill out the below section before returning this page to the City Clerk.

The members of the _____
committee, commission or board have read and understand the above requirements.

Sign Name

Date

Print Name:

Chairperson

THOMASVILLE MEMORIAL DAY PARADE ROUTE ROAD CLOSURE ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THOMASVILLE that the following section is adopted as the Thomasville Memorial Day Parade Route Road Closure Ordinance, to be included in the Code of Ordinances, City of Thomasville, Section 78. Traffic and Vehicles, Article I. In General.

Sec. 78-24. Thomasville Memorial Day Parade Route Road Closure of the Code of Ordinances, City of Thomasville, North Carolina, is hereby amended. It shall read in its entirety as follows:

Article I. In General

Sec. 78-24. Thomasville Memorial Day Parade Route Road Closure

The City Council of the City of Thomasville, pursuant to the authority granted by G.S. 20-169, does hereby declare a temporary road closure during the date and time set forth below on the following described portion of a State Highway System route:

Date: Monday, May 29, 2023

Time: 7:30 A.M. – 12:00 P.M

Route Description: Streets to be closed as follows:

- West Main Street starting at Winston Street to East Main Street at Memorial Park Drive;
- Salem Street at Stadium Drive; and
- Emma Street.

This ordinance shall be in effect when signs are erected giving notice of the limits and times of the celebration and implementation of adequate traffic control to guide through vehicles around the celebration area.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Adopted this 20th day of March, 2023.

Raleigh York, Jr., Mayor

ATTEST:

Wendy S. Martin, City Clerk