

CITY OF THOMASVILLE COUNCIL MEETING BRIEFING AGENDA

Monday, May 8, 2023 – 4:00 P.M.
7003 Ball Park Road, Thomasville, NC 27360

Mayor Raleigh York, Jr. ~ Mayor *Pro Tem* Doug Hunt

1. Call to Order
2. Additions and Deletions to the Agenda
3. Recognitions and Presentations on May 15, 2023
 - A. Proclamation – National Peace Officers Memorial Day (May 15) & National Police Week (May 15 – 21)
 - B. Proclamation - National Public Works Week (May 21 – 27)
4. Public Forum on May 15, 2023 – Please sign up in person to speak for two minutes on any topic. *The two-minute time limit will be enforced.*
5. Regular Agenda on May 8, 2023
 - A. Consideration of Approval of Contract with Hi-Toms Baseball Club, LLC for Use of City Facilities
6. Consent Agenda on May 15, 2023
 - A. Consideration of Approval of Minutes – Briefing Meeting on 04/10/2023
 - B. Consideration of Approval of Minutes – Council Meeting on 04/17/2023
7. Regular Agenda on May 15, 2023
 - A. Consideration of Proposed Amendment to City Ordinance – Appendix A, Zoning, Article V, Section 3, Note 22 - Flea Markets/Open Air Sales
 - B. Award of Contract – Demolition of 200 Kern Street
 - C. Consideration of Grant Project Ordinance – CDBG Project NR (Neighborhood Revitalization – 11 Pine Street)
 - D. Consideration of Budget Amendment 2023-P11-01
 - E. Consideration of Revised Recreational Organizational Chart and Grades
 - F. Consideration of Amendment to Personnel Policy Article XVII Section 4, Implementation of Career Development Program
 - G. Presentation of Manager's Budget Message and Call for Public Hearing on June 5, 2023 at 20 Stadium Drive at 6:00 PM regarding the Proposed FY 2023/2024 Budget
8. Committee Reports and Appointments, Mayor's Report and Appointments, City Manager's Report, City Attorney's Report on May 15, 2023
9. Additional Items
10. Adjournment

PROCLAMATION

WHEREAS, in 1962, President Kennedy proclaimed May 15th as National Peace Officers Memorial Day to pay special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others; and

WHEREAS, also in 1962, Congress established the entire week of May 15th as National Police Week to commemorate police officers, past and present, who - by their faithful and loyal devotion to their responsibilities - have rendered dedicated service to their communities; and

WHEREAS, in conjunction with National Peace Officers Memorial Day, the Thomasville Police Department has laid a wreath out in memorium of Thomasville Police Officers and Davidson County Law Enforcement Officials who have passed away in the line of duty.

NOW, THEREFORE, I, Raleigh York, Jr., Mayor of Thomasville, call upon all citizens of Thomasville to observe **Monday, May 15, 2023, as National Peace Officer Memorial Day** in honor of those peace officers who, through their courageous deeds, have lost their lives in the performance of their duties; and

I FURTHER call upon all citizens of Thomasville and upon all patriotic, civil and educational organizations to observe the week of **May 15th through 21st, 2023, as National Police Week** with ceremonies and celebrations in recognition of those who preserve the rights and security of all citizens.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Thomasville to be affixed.

This the 15th day of May, 2023.



Raleigh York, Jr., Mayor



Proclamation

NATIONAL PUBLIC WORKS WEEK
MAY 21-27, 2023

- Whereas:** Public Works services provided in our community are an integral part of our citizens' everyday lives; and,
- Whereas:** the support of an understanding and informed citizenry is vital to the efficient operation of Public Works systems and programs such as streets, public buildings and grounds, parks, solid waste collection, and snow removal; and,
- Whereas:** the health, safety, and comfort of this community greatly depends on these facilities and services; and,
- Whereas:** the quality and effectiveness of these facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skill of Public Works employees; and,
- Whereas:** the efficiency of the qualified and dedicated personnel who staff Public Works departments is materially influenced by the community's understanding of the work they perform.
- Therefore:** I, Raleigh York, Jr., Mayor of the City of Thomasville, North Carolina, do hereby designate the week of May 21-27, 2023 as National Public Works Week, and further extend appreciation to our Public Works department for the vital service they perform and their exemplary dedication to our community.

Proclaimed this the 15th day of May, 2023.


Raleigh York, Jr., Mayor

ATTEST:


Wendy S. Martin, City Clerk



City of Thomasville I HPT HiTOMS LLC Lease Agreement

This Lease Agreement, (the "Lease") is made effective as of the 17th day of April, 2023, by and between the City of Thomasville (herein after referred to as the "City") and the HPT HiTOMS LLC (herein referred to as the HiToms).

Recitals

- A. The HiToms desire to continue their operation in Thomasville and desire to lease the baseball stadium, parking lot, clubhouse (AKA locker rooms), concession stands, and stadium storage areas referred to as Finch Field, (herein referred to as the "stadium"). In addition, the HiToms desire to rent areas of the adjoining Ball Park Community facility. The "office" is considered a separate space and consists of the office spaces and maintenance/storage area of the adjoining Ball Park Community Center.
- B. The City and the HiToms desire to provide the citizens of Thomasville and other persons the opportunity to attend and view collegiate summer baseball and other amateur baseball games, including American Legion Baseball and Club Baseball teams.
- C. The City and the HiToms desire to enter into a written agreement to effectuate the above purposes and to set forth in detail their respective rights and obligations in connection with the lease of the stadium by the HiToms.
- D. The parties recognize that the City may utilize the premises for other recreation or City Council or Recreation Committee approved purposes during the term of this lease, but that use shall not interfere with the game schedule provided by the HiToms.
- E. The HiToms agree to indemnify and hold harmless the City of Thomasville for any claim of any person for injury to life, person, or property or for any claim or cause whatsoever not caused by the negligence of the City of Thomasville. (This includes any flying objects leaving the stadium in the course of any activity by the HiToms organization)
- F. The parties contemplate that improvements may be made to Finch Field, and the real property which is the subject of this Lease, and are eager to insure that the laws of the state of North Carolina with respect to the bidding and the management of the construction process with respect to government property are complied with. To that end, Appendix A is attached to this agreement and incorporated herein.

NOW, THEREFORE, the parties hereto agree as follows:

In consideration of the mutual covenants and agreements set forth herein, and other good and valuable consideration, the City leases to the HiToms, and the HiToms leases from the City, Finch Field Stadium and other facilities as described for the primary purposes of providing a home for the HiToms baseball team and hosting collegiate summer baseball and related activities pursuant to the terms and conditions set forth and explained in this Lease.

1. Terms of Lease — The term of this Lease shall be three years commencing on the date of signing. If the HiToms Baseball Club ceases to function as a viable member of the Coastal Plains League, then this Lease will automatically terminate and be null and void.
2. Rent – Rent of Finch Field will be as follows: During the period of exclusive use (defined below) shall be \$9,200 (92 days x \$100 per day). Rent during the non-exclusive use (as defined below) shall be \$100 per day of use, with additional charge for athletic lights at current rates. During the remaining period of the year (City Possession), the rate is the established in Section 6, below.

During the exclusive use period, the rent shall be rendered in three equal installments on the May 25, June 25, and July 25. A late fee of \$900 will apply if payment is received after the due date. The HiToms will be responsible for 1/2 of the electric bill for May, and all of the electric bills for June and July and 1/2 for August. An invoice will be sent to the HiToms and if not paid within 10 days of invoice date the HiToms will be charged a late fee of 10%. Any instances of late payments of rent or electrical bills may result in termination of this agreement.

During the non-exclusive use period, payment for field usage will be made on a monthly basis and will be due 10 days after invoice date. The HiToms must inform the P&R Director of any changes, including rainouts or additional games as soon as reasonable.

Office Rental – The office rental rate is \$789.50 per month. The rate is based on 1,579 square feet of space @ \$0.50 per square foot per month. [The water in the kitchen and the restroom adjacent to it within the office will be restored by the City by or prior to May 15, 2023.](#) Rent is due on the 25th of every month. A late fee of 10% will be assessed on the 26th day. Any instances of late payments may result in termination of this agreement. The office rental fee does not include the clubhouse as shown in Appendix B. The lessee may choose to terminate this portion of the lease agreement with 30 days notice to the City.

The Maintenance Garage is a separate space for the purpose of this lease. [During the period of May – October, no rent will be charged for the use of this area, due to the HiToms maintaining Finch Field. For the period of November through April, the rental rate is \\$400 per month, paid with the Office rental payment.](#)

The clubhouse is considered part of the stadium rental during the exclusive and non-exclusive period (May 15 – October 31). The City has the right to utilize the clubhouse space for the purpose of allowing teams to prepare for games as part of a City rental agreement. Due to this allowable use, the City is not charging HiToms for the clubhouse use. The HiToms may continue to use the space during the City Possession period not inconsistent with this paragraph. See Appendix B for floorplan of Office, Clubhouse, and Maintenance Garage.

The clubhouse may be used by the HiToms during the period November – April, with the understanding that the City may utilize the space when Finch Field is in use by a 3rd party or City event.

3. Annual Rent Increase

Exclusive Use period: year two \$110 per day; year three \$120; plus utilities.

Non-Exclusive Use period: year two \$105 per day; year three \$110 per day; plus field lighting.

Office Rental: year two \$0.60 per square foot; year three \$0.70 per square foot.

Maintenance Garage Rental: will remain \$400 for the length of the lease.

4. Exclusive Use - During the period from May 15 through August 15 of each year, the HiToms shall have exclusive use of all of the stadium premises to operate the HiToms baseball team and American Legion teams. The HiToms shall have exclusive use of the field facility during this period for HiToms and American Legion teams, not inconsistent with of this agreement. The rent encompasses the use of all of the stadium premises (including the clubhouse and Maintenance Garage) during the Exclusive Use period.

During the Exclusive Use period, the City will be entitled to have one Recreational Department Little League Camp at the stadium, and one session for Recreation Department Day Camp. During these visits, the HiToms shall make available players and staff to set up drills, provide tours of the facility, and generally to build up goodwill with the minors who are enjoying the benefits of the City of Thomasville Recreation Department.

Further, should the Thomasville City School baseball teams qualify for the playoffs, the school teams are entitled to utilize the facility during the Exclusive Use, consistent with the HiToms home schedule.

5. Non-Exclusive Use – During the period August 16 – October 31 of each year, the HiToms will have preferred booking rights to the stadium. The HiToms will provide a proposed schedule of games and practices by August 15 of each year to the Parks and Recreation Director to reserve dates as needed. The Hitoms will be charged \$100 per day of usage for games and practices. HiToms have the right to provide concession services to both their own and any other booked event or usage during this period. Ballfield lighting will be charged at current City rates.
6. City Possession - During the period from November 1 through April 30 of each year, the City of Thomasville will have possession of all of the premises located at Finch Field, excepting the office space and maintenance garage.

To incentivize scholastic play in the community and bring visitors to our community, the HiToms may book the facility for High School and Middle School games at a rate of \$150 per day, IF NO GATE FEE IS CHARGED FOR ANY SPECTATOR.

Additional games or other events run by the HiToms, or any party associated with the HiToms, during the City possession period must be scheduled in advance with the City Parks and Recreation department at current City rates for field and ballfield lighting. The HiToms may operate the concessions at no additional charge. Reservation of dates for games and events must be accompanied by a 50% nonrefundable deposit for each day reserved.

Fees for the additional games are due in full 10 days after the event. If not paid within 10 days a 10% penalty shall apply. If unpaid after 30 days, an additional 25% penalty shall apply. If there are unpaid fees after 30 days all scheduled games will be canceled without refund and no additional games will be scheduled until all fees are paid in full. In addition, the City reserves the right to lockout the tenant from their Exclusive Use or Non-Exclusive Use period until all fees are paid in full.

Unauthorized Use During City Possession Period

It is of the essence of this agreement that there be a clear understanding as to the use of the field, due to the high priority that the City places on the recreational use of the premises. Therefore, if it is discovered that a game or other event not specifically provided for in this lease is nevertheless conducted by the HiToms, the City will have the option to automatically terminate this lease. In the alternative, the City may provide to the HiToms the right to continue the lease in exchange for the payment of a penalty by the HiToms to the City in the amount of \$1,000.00. For the second violation, the payment shall be \$1,500.00. A third, or any additional violations, during the lease period will result in a penalty of \$2,000 per instance. In any case, the regular charge for said use must be paid by the HiToms.

7. Staffing — The HiToms, at its sole expense, shall be responsible for staffing of all stadium, parking lot and related facilities for HiToms and HiToms sponsored events.
8. Stadium Improvements — Any and all improvements to the real property of Finch Field or Ball Park Community Center must be made in strict compliance with Appendix A to this Agreement. The City will annually review requests for improvements to the facilities as part of the City Capital Improvement Plan and budget process. The City may make facility changes to Finch Field or Ball Park Community Center for any reason. Any resulting changes to the area available for lease under this agreement will be addressed through a contract amendment. All improvements to the real property of the facilities are owned by, and may not be removed by the leasee, without approval of the City.
9. Concessions and Concession Facilities — The HiToms shall have the exclusive right to operate the concessions facilities, including but not limited to, food, candy, drinks and novelty sales for all HiToms sponsored events in the Stadium. The HiToms Baseball Club is solely responsible for all product costs and staffing. The HiToms Baseball Club is solely responsible for obtaining all necessary permits and licenses. Concession equipment and non-attached restaurant equipment purchased by the HiToms are the sole property of the HiToms Baseball Club and will remain with the club in the event the HiToms organization or the City of Thomasville does not renew the two parties' stadium agreement. All use of the HiToms concession equipment and restaurant facilities by the City of Thomasville or other stadium

leasers must be authorized, in advance, by the HiToms Baseball Club. The HiToms shall maintain and return the concession / restrooms building and equipment to the City of Thomasville in clean and working order. The HiToms shall be responsible for damage to City property and equipment due to actions by an employee or agent of the HiToms. The HiToms shall not permit patrons to bring food, beverages, cans, bottles, coolers, or containers inside the outermost fence of the Finch Field facility.

10. Advertising and Promotion — The HiToms shall have certain, exclusive advertising rights including, but not limited to: outfield fence signage, scoreboard signage, dugout roof signage, grill signage, picnic shelter signage, grass berm signage and concession signage in designated areas of the Stadium and revenues generated through this advertising as approved by the Director of Parks and Recreation. The City shall retain advertising and revenue rights in other areas of the Stadium, such as the grandstands and field light poles.

The HiToms shall have the exclusive radio and television broadcast rights and privileges for HiToms and Coastal Plain League games and all other HiToms sponsored events at the Stadium. The City will be entitled to have promotional spots for the City of Thomasville during radio and television broadcasts. The HiToms shall not place or allow to be placed any advertising on the outside of the Finch Field fence. [During the Exclusive Use Period, the HiToms may have signs advertising alcohol. Any and all alcohol advertising signs must be covered during the non-exclusive use periods.](#) A penalty of \$50 per sign, per day, will be charged for each instance where this is requirement is violated.

11. Scoreboard, Lights and PA System — The City shall present the Stadium to the HiToms 10 days prior to the season with a safe and operational scoreboard, field lights and PA system.
12. Insurance — During the term of this Lease, and any extension thereof, the HiToms and its contractors shall obtain and keep in force all necessary insurance, including spectator liability, and product liability.
13. Utilities — During the Exclusive Use period, the HiToms will be responsible for all utilities, excepting any use of the stadium lights for Recreation Department events, as described in Section 15, below. During the City Possession period, the HiToms will be responsible for the lights during any of their events, as per Section 6.
14. Use of Storage Room and Office — The HiToms shall be able to rent the offices and maintenance garage as provided for in this lease agreement. They may also use the clubhouse portion of the facility as provided for in this lease agreement.
15. Responsibilities of Parties
- Prior to the HiToms season opener, the City will deliver the infield/outfield in edged condition.
 - During the exclusive use and non-exclusive use periods, on an as needed basis, the City will mow and maintain all areas outside of the stadium, at the discretion of the Parks & Recreation Director. The HiToms will be responsible for all mowing inside the stadium fence.

- The HiToms will clean the restrooms for all events.
 - The HiToms shall be responsible for ballpark clean up following HiToms events including the field, grandstands, under grandstands, roofs and gutters, dugouts, office space, storage space, parking lot, and all areas used by the HiToms. The HiToms shall be responsible for getting all trash into dumpster. The City will provide dumpster and be responsible for having dumpster emptied as needed.
 - Any City equipment used by the HiToms shall be properly maintained and secured. Any loss of equipment or damage to equipment shall be replaced or repaired, at the choice of the City, and at the HiToms expense.
 - The City shall furnish the HiToms, during games and practices, the necessary equipment needed to execute these games and practices as follows: Two sets of Hollywood style bases, batting cage, Score board with lights.
 - The HiToms will be responsible for the following supplies: Toilet paper, Paper Towels, Trash Bags, lime, paint, and Turface (drying agent).
 - The HiToms will be responsible for all Pre-game maintenance and field preparation and Turf management as well as in stadium mowing.
 - The HiToms will be responsible for all stadium utility expenses during the Lease period of May 1 –August 15, (including field lights, concession/restroom building).
 - \$75 credit will be applied to HiToms electrical usage bill for each two-hour period that field lights are used by another agency. In the event that the light usage exceeds two hours, an additional \$75 credit will be applied.
 - The HiToms will be responsible for security at all HiToms events.
16. Scheduling — During the term of the Lease, the HiToms shall work in good faith with other involved parties on scheduling, with Parks and Recreation to serve as liaison. Once the Coastal Plain League schedule is set, no HiToms or CPL games will be rescheduled so as to conflict with previously scheduled Recreation Department events once said CPL and HiToms events are scheduled and approved by Parks and Recreation.
17. Default or Breach — If either of the parties hereto shall breach any of the covenants herein contained, and shall fail to remedy, or commence to remedy, within ten (10) days after receipt of written notice of such breach from the other party by registered mail, then said party shall have the option to cancel this lease agreement.
18. Transfer — This Lease may be transferred from the HiToms to another entity only with written approval from the City. The HiToms shall submit the request for any such transfer to the City in writing. In case of approval of such a transfer, the parties to the Lease remain bound by all the conditions and stipulations of this Lease.
19. Sale of Alcohol — The HiToms may sell beer subject to the rules and regulations set forth by the North Carolina Alcohol Beverage Commission and North Carolina General Statute 18b — 100 (6), and the City of Thomasville. The HiToms Baseball franchise shall be permitted to serve beer at Finch Field for the following HiToms sponsored events limited to HiToms Coastal Plain League games or professional exhibition or professional regular season games and college games.

20. Entire Agreement — This Lease, including Appendixes A and B, contains and represents the entire agreement between the City and the HiToms Baseball Club, LLC.

21. Notices — Any notice required by the City or the HiToms by the terms of this Lease, shall be in writing and be deemed given and received on the date of the mailing of such notice in writing to the City or the HiToms by registered mail.

In witness whereof, the parties hereto by their duly authorized representatives have executed this Lease as of this the 8 day of May , 2023

CITY OF THOMASVILLE

BY: _____

Raleigh York, Jr., Mayor

Attest: _____

Wendy S. Martin, City Clerk

HPT HiToms LLC

By: _____

Manager

Appendix A

Construction--Improvements to Real Property

1. No improvements or additions may be made to the real property and the current buildings and other improvements located on the premises of Finch Field, which is the subject of this lease, without the express written approval of the City.
2. Each and every improvement to the real property of Finch Field shall be undertaken in the name of and under the control of the City of Thomasville. Any plans or designs for said improvements will be approved in writing by the City. All bidding for construction shall be conducted by the City according to law, and the actual construction to conclusion will be supervised and accepted by the City.
3. The Lessee shall not solicit funds from any third party for making improvements to Finch Field or Ball Park Community Center. The Lessee shall not discuss facility improvements to Finch Field or Ball Park Community Center with anyone other than the Thomasville City Manager or their assigns. If the lessee violates this provision, the lease agreement may be void at the end of the CPL season or in 30 days if CPL is not in season at the discretion of the Thomasville City Council. Soliciting funds is defined as requesting funds to be donated to the City for the express purpose of improvements at Finch Field or Ball Park Community Center. The sale of advertising space or sponsorship of the HiToms or other teams controlled by the HiToms is not considered soliciting funds for improvements.

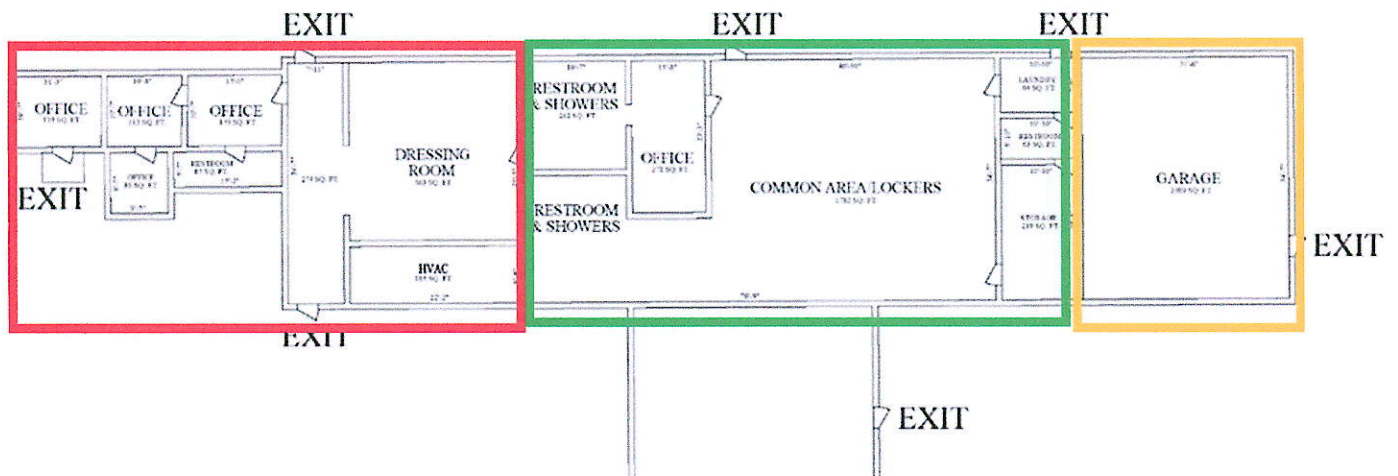
Appendix B

Ball Park Community Center Rental Area

OFFICE	1,579 SQ. FT.
CLUBHOUSE	2,661 SQ. FT.
GARAGE	1,089 SQ. FT.
TOTAL	5,329 SQ. FT.

ROOM DIMENSIONS PROVIDED BY
CITY OF THOMASVILLE POLICE DEPT.

DATED: 5-4-2023



MINUTES FOR THE THOMASVILLE CITY COUNCIL BRIEFING MEETING ON MONDAY, APRIL 10, 2023 AT 4:00 PM AT 7003 BALLPARK ROAD, THOMASVILLE, NC.

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

The following staff members attended the meeting: City Manager Michael Brandt, Assistant City Manager Eddie Bowling, Finance Director Thomas Avant, Planning Director Chuck George, Utilities Director Morgan Huffman, Recreation Director Cory Tobin 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 Council add the following items to the regular agenda on April 17, 2023:
 - A. Consideration of Resolution of Support for NCDEQ State Revolving Grant/Loan Program for 2023 Waterline Improvement Project
 - B. Consideration of Equal Employment Plan, Equal Procurement Plan, Section 504 Plan, Section 3 Plan, Language Access Plan, Fair Housing Plan, and Analysis of Impediments Plan re: CDBG - NR Grant for 11 Pine Street

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

3. Recognitions and Presentations – to be presented on April 17, 2023.
 - A. Proclamation: Week of the Student Leader (April 24-28, 2023)
 - B. Proclamation: Public Health Month (April 2023)
 - C. Proclamation: Lions Brighter Vision Day (May 4, 2023)
4. Public Forum – A public forum will be held at the Council Meeting on *April 17, 2023*. Sign up sheets will be provided at the meeting.
5. Public Hearing – on April 17, 2023:

CDBG - NR Environmental Review for 11 Pine Street Redevelopment
(Public Comment Only – No Action Required)
6. Regular Agenda on April 10, 2023
 - A. Consideration of Salary Increase for City Council Members

Council Member Bratton said that last year the City Council voted to increase the Mayor's salary to \$10,000. He said it had been many years since the City Council received raises. He moved to increase City Council's salary to \$9,000 a year so that it would be \$1,000 less than the Mayor's salary.

Council Members Williams and Sellars both said that was too much.

City Manager Brandt explained that Council's current salary was \$6,326 annually. They hadn't received a raise since 2008. If they were given cumulative COLA increases equal to what employees have received since that time, it would total \$8,413. That's a 33% raise. He added that the average salary for cities with 24,000 citizens was about \$6,869 and cities with 25,999 citizens is \$10,000. Thomasville has just over 27,000 residents.

Council Member Sellars suggested that Council just get the same percentage of COLA increases as the employees starting this year.

Council Member Williams asked that Council wait until the results of the Pay Study come back. She wanted to take the employees into consideration first.

Council Member Bratton said the City Council has always taken the employees into consideration. They have given them COLA raises almost every year; they voted to give employees bonuses with the ARPA funds last year; and they would be voting on a \$1,200 retention bonus next week. They hadn't given themselves a raise in 15 years.

Council Members Hunt, Shell and Sellars agreed to \$8,413.

Council Member Bratton revised his motion to request an increase in Thomasville City Council salary to \$8,413 annually. Council Member Hunt seconded. *Motion approved 4 – 1* with Council Member Williams voting against the raise.

Finance Director Avant confirmed that this would add \$16,500 to the coming year's budget expenses.

City Manager Brandt advised Council that if they wanted to start receiving COLA raises, they would have to amend the current policy.

The following items were put on the Consent Agenda by the Council members for consideration on April 17, 2023:

7. Consent Agenda

- A. Consideration of Approval of Minutes – Briefing Meeting on 03/13/2023
- B. Consideration of Approval of Minutes – Council Meeting on 03/20/2023
- C. Consideration of Budget Amendment (2023-P10-01)

- D. Consideration of Resolution of Support for Piedmont Legacy Trails
- E. Consideration of Resolution of Commitment to the NC Main Street & Rural Planning Center to Participate in the Downtown Associate Community Program IF Selected
- F. Consideration of Resolution of Support for NCDEQ State Revolving Grant/Loan Program for 2023 Waterline Improvement Project

Utilities Director Huffman explained that this Resolution is required by the State to apply for funding for water lines. He said this is for an \$8.1M grant/loan to fund 17,500' of water lines on 16 different road sections that have undersized lines.

There was some discussion about Cox Avenue. Mr. Huffman said that Cox was not included in this round. He added that ARPA funds threw off the normal course of replacing water lines. City Manager Brandt asked that he include Cox Avenue ASAP. Mr. Huffman said one block of Cox needs a new main installed. He would make sure the rest of Cox got connected to it.

Council Member Williams asked what the estimated timeline was for this project. Mr. Huffman said the construction could be complete as soon as June 2024.

- G. Consideration of Equal Employment Plan, Equal Procurement Plan, Section 504 Plan, Section 3 Plan, Language Access Plan, Fair Housing Plan, and Analysis of Impediments Plan re: CDBG - NR Grant for 11 Pine Street

Assistant City Manager Eddie Bowling said PTRC wrote these plans to make sure that every State requirement is met, including:

- i. Equal Employment Plan
- ii. Equal Procurement Plan
- iii. Section 504 Plan (without discrimination)
- iv. Section 3 Plan (equal opportunities for lower income residents)
- v. Language Access Plan (equal opportunities for residents who don't speak English)
- vi. Fair Housing Plan (equal, equitable housing for all)
- vii. Analysis of Impediments Plan

The following items were put on the Regular Agenda by the Council members for consideration on April 17, 2023:

8. Regular Agenda

- A. Consideration of Award of Contract to Axon Enterprise, Inc. for Purchase of Police Department Body and Car Cameras
- B. Consideration of Approval of Contract Between City of Thomasville and HiToms for Use of City Facilities

- C. Consideration of Amendment to City Ordinance - Appendix A, Zoning, Article V, Section 3, Note 22. Flea Markets/Open air sales
- D. Consideration of Amendment to City Ordinance - Chapter 46, Article II, Section 46-34. Offensive Conditions on Private Property
- E. Consideration of Ordinance of Condemnation for 200 Kern Street; Pneuma Pentecostal Church of Deliverance, Inc. Property Owner
- F. Consideration of Ordinance of Condemnation for 207 Brown Street; Filetha & Letonya Hackley, Property Owner
- G. Consideration of Ordinance of Condemnation for 306 Martin Luther King Drive; Rosa Mae Oliver, Property Owner
- H. Consideration of Resolution Amending the Thomasville Police Personnel Policy
- 9. Committee Reports and Appointments, Mayor's Report and Appointments, City Manager's Report, City Attorney's Report – to be presented on April 17, 2023.
- 10. Additional Items – N/A
- 11. Adjournment – Council Member Sellars moved to adjourn. Council Member Williams seconded. *Motion unanimously approved 5 – 0.*

Raleigh York, Jr., Mayor

Wendy S. Martin, City Clerk

MINUTES FOR THE THOMASVILLE CITY COUNCIL MEETING ON MONDAY, APRIL 17, 2023 AT 6:00 PM AT 7003 BALLPARK ROAD, THOMASVILLE, NC.

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

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 7. Closed Session – Attorney/Client Matter;
 - Remove 8.C. Consideration of Amendment to City Ordinance - Appendix A, Zoning, Article V, Section 3, Note 22. Flea Markets/Open Air Sales from the agenda and send it back to the Public Safety Council Committee in May; and
 - Add new 8.C. on request of Council Members Williams and Sellars: Consideration of Resolution in Support of the Davidson County Board of Health

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

3. Recognitions and Presentations

- A. Proclamation: The Week of the Student Leader (April 24-28, 2023) Mayor York presented this Proclamation to Megan Silvey, Principal of the Thomasville High School, and a group of student leaders.
- B. Proclamation: Public Health Month (April 2023) Council Member Williams presented this Proclamation to Lillian Koontz, Davidson County Health Department Director.

Ms. Koontz thanked Mayor York and Council for their continued support. She reminded everyone that their health is their wealth, and she encouraged everyone to keep up with their preventative care appointments.

- C. Proclamation: Lions Brighter Vision Day (May 13, 2023) Council Member Shell presented this Proclamation to Lions Club Members Steve Cline, David Yemm and David Calendar.

Mr. Cline said the Fairgrove, Thomasville and Pilot Lions Clubs are working with the district (made up of 50 Lions Club organizations) to raise \$125,000 for Lions Brighter Vision. He explained that there are 28 visually and/or hearing impaired

people in Thomasville, 120 in Davidson County, and 13,000 in the state. He said, "All of these people depend on the Lions and the Brighter Vision fundraiser." Please donate to Lions volunteers at Food Lion, Walmart, and other local businesses around town on May 13th. He said 100% of the donations will go to Brighter Vision.

4. Public Forum

James Edwards, Heidi Benz, Angie Allred and Melanie Delp spoke regarding poor animal welfare at the 11-Acre Flea Market. They said many of the animals sold at the Flea Market are sick and die. Many carry a contagious, and many times fatal, virus known as parvo that can live in the dirt for 9 – 20 years. They claimed that the virus can even get on people's shoes while they are walking around at the Flea Market and be transmitted to their pets at home. They asked that all animal sales be banned at the Flea Market. In addition, they asked that City Council impose a fee for breeders.

Mr. Edwards added that the vendors at the 11-Acre Flea Market don't take good care of their dogs or provide them with basic necessities like sufficient food, water, shots, bedding, blankets or shade. He asked that Council ban or put controls on puppy mills in Thomasville. He said the tethering law needs to be changed.

Ms. Benz said that over the past year, there have been a large number of sick and underage puppies sold at the 11-Acre Flea Market. She asked that Council stop the sale of animals at the flea market and implement a heavy breeding fee in the City to reduce the amount of sick animals that are being sold from there. She said, "Our shelters are overrun and the rescues cannot keep up with what is happening."

Angie Allred held a protest a year ago for the basic common sense needs for outside dogs, such as shade in the summer, bedding in the winter, and proper hydration and food. Animal control officers can't do anything if there aren't any ordinances. She said the City Council makes the decisions that determine the quality of life for every outdoor dog in our community, so she asked them to consider making rules to help make their lives better.

Melanie Delp added that people are losing hundreds of dollars on pets that die, and their hearts get broken. She said the Health Department would shut down a restaurant if it were selling food that made people sick, so she asked Council to shut down the sales of animals because they are sick. She said allowing these sales without penalty just encourages breeders to continue breeding more, even though they are sick.

She also spoke regarding the homeless issue in Thomasville. She said there are many different causes for homelessness other than substance abuse, such as mental illness, escaping abuse, disabilities, losing a job, and the rising cost of rent. She said Social Services can't help everyone, so people are falling through the cracks and aren't receiving help even though they desperately need it. She said a homeless

shelter would get people off the streets, would connect the people with social workers and other resources that they need to transition to a permanent residence.

Lisa Edwards and Michael Edwards spoke regarding the Hi-Toms. They both have worked for the Hi-Toms for many years, and they asked that Council do whatever it takes to make sure that the team stays in Thomasville.

5. Public Hearing – CDBG: NR Environmental Review for 11 Pine Street Redevelopment

Assistant City Manager Eddie Bowling said this \$950,000 Community Development Block Grant project would rehabilitate an existing historic structure at 11 Pine Street. It would transform the old hospital into a 37-unit apartment community that would target families between 40% and 80% of area median income.

Mayor York opened the hearing. Nobody came forward to speak. Mayor York closed the hearing. No action was taken.

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

A. Consideration of Approval of Minutes – Briefing Meeting on 03/13/2023

B. Consideration of Approval of Minutes – Council Meeting on 03/20/2023

C. Consideration of Budget Amendment (2023-P10-01)

The amendment appropriates funding for compliance with GASB 96 requirements to report and budget the full cost of capital software leases in the first year of the lease. Funding is appropriated for subscription leases in the Police, Fire, and MIS Depts. We are also transferring \$66,205 in the Police Dept. to the appropriate account for the annual cost of body/dash cameras and associated services, as outlined in the 5-year agreement with Axon Enterprises, Inc. \$54,255 is being transferred from the PD to the FD to purchase a vehicle through our 2023 installment financing agreement with Truist Bank.

The amendment also appropriates \$1,119 of insurance proceeds for damage to a police vehicle and \$12,000 from the Police Restitution/Forfeiture Fund balance for the cost of a fenced area behind the police department property to provide the K-9 units a place to train the dogs and provide a secure outside facility for the animals.

Surplus interest revenue of \$43,500 is appropriated for a vehicle inspection machine replacement in the Fleet Services Division of Public Works, computers for the Aquatics Center, and necessary sewer repairs at City Hall.

\$356,660 of surplus interest revenue is appropriated to fund retention payments to

employees in the General Fund and Golf Course Fund. \$70,000 of surplus water/sewer tap fee revenue is appropriated to fund retention payments for Employees in the Water/Sewer Fund.

\$144,000 of General Fund contingency is appropriated to fund capital improvements and repairs at Police Dept. (which includes a cover for the RV police command unit,) City Hall repairs, and Parks & Recreation maintenance facilities. If approved, the contingency balance would become \$97,323.

D. Consideration of Resolution of Support for Piedmont Legacy Trails

This resolution provides support to the Triad regional effort to develop trails in partnership with neighboring communities that connects communities, people, and regional points of interest across the Triad.

E. Consideration of Resolution of Commitment to the NC Main Street & Rural Planning Center to Participate in the Downtown Associate Community Program IF Selected

Thomasville has an opportunity to apply for the NC Main Street program this spring. We have been preparing for this moment over the past couple of years – going through the Downtown Strong Program in 2019, coordinating with the PACE Group for downtown enhancements, and hiring a Downtown Economic Developer this past fall. Only 2 or 3 cities will be considered, but we believe that we have a very strong application.

F. Consideration of Resolution of Support for NCDEQ State Revolving Grant/Loan Program for 2023 Waterline Improvement Project

The City is requesting funding to replace over 17,000 linear feet of 2" waterlines with 6" waterlines in various areas throughout the City. This is both a grant and loan program with an estimated cost of \$8.1 million.

G. Consideration of Equal Employment Plan, Equal Procurement Plan, Section 504 Plan, Section 3 Plan, Language Access Plan, Fair Housing Plan, and Analysis of Impediments Plan re: CDBG - NR Grant for 11 Pine Street

The City is participating in a grant program with a private 3rd party developer to seek \$950,000 in funding from the NC Affordable Housing program. These various plans are required by the State and Federal government to qualify for the grant.

Council Member Hunt moved to approve all the items on the Consent Agenda. Council Member Sellars seconded. Motion unanimously approved 7 – 0.

7. Closed Session – Attorney/Client Matter

Council Member Thrift moved that Council go into closed session for an attorney/client matter. Council Member Hunt seconded. Motion unanimously approved 7 – 0. Council returned to open session. No action was taken in closed session.

8. Regular Agenda

A. Consideration of Award of Contract to Axon Enterprise, Inc. for Purchase of Police Department Body and Car Cameras

Acting Police Chief Dustin Carter said that the police department has used body-worn cameras and fleet cameras for quite some time. Over time, they have degraded in service and technology, so it was time to order new ones. Research revealed that Axon Enterprise is a leading service provider for this technology.

He asked that Council consider their contract for 67 Axon body worn cameras, including warranties, cloud storage, camera refreshes every 2.5 years, camera docks, camera dock refreshes every 2.5 years, training and evidence management. This would nearly double the Department's current inventory of body worn cameras. The Department would also receive 40 Axon fleet cameras, including warranties, cloud storage, antenna signal units, and installation.

The total cost would be \$159,248.20 per year for 5 years.

Acting Chief Carter said in 2019, 47 of the 69 largest metropolitan law enforcement agencies in the US used Axon body worn technology. Currently, 147 agencies in NC use Axon body worn technology, including NC SBI and police departments in Charlotte/Mecklenberg, Winston-Salem, Greensboro, Wilmington, Fayetteville, Durham and Concord.

Mayor Pro Tem Bratton moved to award the contract for body and fleet cameras for the Thomasville Police Department to Axon Enterprise, Inc. Council Member Hunt seconded.

Council Member Sellars asked when the cameras would be received. Acting Chief Carter said they should arrive 30-45 days after the contract is signed.

Motion unanimously approved 7 – 0.

B. Consideration of Approval of Contract Between City of Thomasville and Hi-Toms for Use of City Facilities

City Manager Brandt explained that the City proposed a contract that provides for a rate structure for use of Finch Field and associated City properties that is fair to the lessee and the citizens of Thomasville.

He said, "It is my responsibility to negotiate on behalf of the City, and I believe that I have done so in a fair and equitable manner. We have been negotiating the offer since January."

The contract fees are based upon:

- usage of the Field during an *exclusive use period* of \$100 a day, which is a \$200 discount off our standard rate, plus utilities;
- a *non-exclusive use period* of about 45 days at \$100 per day, as reported to Thomasville Parks & Recreation;
- rental of a ~2,000 sq ft office for \$0.50 per square foot per month, which totals about \$12,000 per month; and
- rental of a maintenance room for \$400 per month for 6 months per year.

This new contract is for a period of 3 years, with rates increasing nominally every year.

Council Member Thrift moved to approve this contract if it is signed by 3:00 PM on Friday, April 21, 2023. Council Member Hunt seconded. Motion unanimously approved 7 – 0.

C. Consideration of Resolution in Support of the Davidson County Board of Health

Council Members Williams and Sellars brought this Resolution to the City Council for consideration. Council Members Williams said, "I feel like I have a responsibility as a Council Member to use my voice to speak when I think that something is going to negatively affect our City."

She explained that there is an effort underway to change the structure of the Davidson County Board of Health. Currently, the Board is made up of doctors, nurses, a veterinarian, an optometrist, an engineer, some at-large members and a County Commissioner. The change would make those professionals part of an advisory board, and all decisions made at the County Health Department would have to go through the County Commissioners.

Council Member Williams said, "I have a lot of respect for (the County Commissioners) because I know how hard it is to sit in an elected seat, but I just think that decisions for health in our County should remain in the hands of professionals who have made that their lives' work."

Council Member Sellars agreed. She said, "The Davidson County Board of Health has done an amazing job, especially with all of the issues that we had during the pandemic. The Board of Health kept us abreast of everything that was going on with our numbers. They provided vaccines, boosters, and everything that our county needed to be as healthy as possible. I appreciate that work, and I definitely would like to keep those decisions in the hands of people who have made health

their lives' work. I know I couldn't sit on that Board and advise anybody, because that's not what I do. So we put those decisions in the hands of people who know what they're doing. They've been educated. They've been in that field for years. I, personally, do not want those decisions made by County Commissioners."

Council Member Williams moved to adopt this Resolution. Council Member Sellars seconded. Motion unanimously approved 7 – 0.

D. Consideration of Amendment to City Ordinance - Chapter 46, Article II, Section 46-34. Offensive Conditions on Private Property

Planning Director Chuck George asked City Council to consider this ordinance, which would give code officials the ability to only have to notify chronic violators the first three times during a calendar year. On the fourth time, they could clean the property without further notification.

Subsequent calendar years, code officials would only have to notify the chronic violator one time per year by certified mail, and then they could maintain the property the remainder of the year without further notification, as long as it retains the same owner.

Council Member Hunt moved to approve this ordinance amendment. Council Member Williams seconded. Motion unanimously approved 7 – 0.

E. Consideration of Ordinance of Condemnation for 200 Kern Street; Pneuma Pentecostal Church of Deliverance, Inc., Property Owner

Planning Director George notified the 200 Kern Street property owner of a meeting with him at City Hall regarding the burned school at the property, but no one appeared. They were then sent the "Finding of Facts" by certified mail and were given 60 days to remedy the situation. This was not done. Therefore, Mr. George requested that Council adopt this ordinance to condemn the property so that the City could move forward with cleaning up the property.

Council Member Thrift moved to approve this Ordinance of Condemnation. Council Member Sellars seconded. Motion unanimously approved 7 – 0.

F. Consideration of Ordinance of Condemnation for 207 Brown Street; Filetha & Letonya Hackley, Property Owners

Planning Director George notified the 207 Brown Street property owner of a meeting with him at City Hall regarding the property, but no one appeared. They were then sent the "Finding of Facts" by certified mail and were given 60 days to remedy the situation. This was not done. Therefore, Mr. George requested that Council adopt this ordinance to condemn the property so that the City could move forward with cleaning up the property.

Council Member Sellars moved to approve this Ordinance of Condemnation. Council Member Hunt seconded. Motion unanimously approved 7 – 0.

G. Consideration of Ordinance of Condemnation for 306 Martin Luther King Drive; Rosa Mae Oliver, Property Owner

Planning Director George notified the 306 Martin Luther King Drive property owner of a meeting with him at City Hall regarding the property, but no one appeared. They were then sent the “Finding of Facts” by certified mail and were given 60 days to remedy the situation. This was not done. Therefore, Mr. George requested that Council adopt this ordinance to condemn the property so that the City could move forward with cleaning up the property.

Council Member Hunt moved to approve this Ordinance of Condemnation. Council Member Sellars seconded. Motion unanimously approved 7 – 0.

H. Consideration of Resolution Amending the Thomasville Police Personnel Policy

Acting Police Chief Carter advised Council that law enforcement agencies across the country are facing staffing shortages, including the Thomasville Police Department (TPD).

He said that in an effort to continue to provide adequate staffing levels and service to the community, the TPD has implemented a layered approach including new recruitment strategies. This recruitment strategy has allowed the TPD to fill 7 of the 16 current open positions. However, the new police trainees will not be able to operate in a solo capacity until late 2023 or early 2024.

The TPD has also made shifts in personnel from specialized divisions to augment patrol services to ensure that adequate policing services for the citizens of Thomasville are being delivered.

He asked Council to consider the following staffing incentives in an effort to provide adequate policing resources for the citizens of Thomasville:

Option 1: An incentive program to increase staffing levels in the second and third quarters of the year, which historically present greater demands on the Department. This incentive would compensate officers \$150 for being on call during a given 4-day work period, in addition to receiving pay compensation as set forth in Thomasville City Policy, Article 7, Section 2. This option would allow the TPD to compensate on-call officers, while providing the department with an immediate allocation of resources when needed.

Option 2: The TPD currently has a reserve officer program that allows officers to keep their certifications through the State of North Carolina. Historically, these

reserve officers were required to volunteer their time to maintain North Carolina Law Enforcement Certifications. The TPD is asking that in lieu of volunteering their time, the department compensate the reserve officers for their time augmenting the department's patrol services at a compensation rate consistent with the Department's established off-duty rate of pay.

Option 3: The TPD would seek to rehire any eligible retirees that could provide services to the Department on a part time basis as long as their time does not exceed the 1,000 hour limit set forth by the local government retirement system or exceed more than 50% of their retirement salaries. Currently, there are two Thomasville Police Department retirees that work in a sworn capacity with the Davidson County Sheriff's Department that may be able to provide services to the Thomasville Police Department.

If approved, the Department plans to fund these staffing options with unused funds in the department's salary line item. These three temporary incentive programs would begin April 18, 2023 and continue through August 31, 2023.

Council Member Sellars moved to approve this contract. Council Member Williams seconded. Motion unanimously approved 7 – 0.

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

Mayor York and the Council Members welcomed Council Member Jeannette Shepherd back from her leave of absence.

On behalf of the Personnel Council Committee, Council Member Thrift moved to appoint the following people to the:

Historical Preservation Commission: Mary Sullivan and Keith Ratliff.

Council Member Hunt seconded. Motion unanimously approved 7 – 0.

Council Member Williams thanked Council for their support on the Resolution in Support of the Davidson County Board of Health and for all that they do for the City.

Mayor York gave a shout out to Warren King. He said, "Warren has been a fixture in this town just about as long as I can remember... He has been the number one ambassador for our City for a number of years. I just want to wish Warren well." He also wished Warren a very happy 82nd birthday.

City Manager Brandt invited everyone to attend the *Party in the Park* from 5-7 PM on Thursday, April 20th for the unveiling of the City's newest playground at Myers Park, which includes new playground equipment and surfacing (no more mulch!) and new paving in the parking lot. There will be free food and games, and community

organizations will be attendance.

He advised that the *Thomasville Surplus Property Sale* was scheduled for Saturday, April 22nd from 8:30 – noon at the former PD building at 7 West Guilford Street. Items are cash and carry, and prices are as marked or best offer.

He also announced that the ribbon cutting and open house for the *Thomasville Aquatic and Community Center* at 20 Stadium Drive is scheduled for May 2nd. He said, "After many years of planning and almost 2 years of demolition and construction, the new facility is ready for its grand opening! The pool will not officially open to the public until Memorial Day weekend, but come take a peek inside our newest community facility. All are welcome. Check the website for exact time and more information soon."

Assistant City Manager Eddie Bowling thanked Council for their support of the TPD and in general. He announced that the City Employee Appreciation luncheon would be held on Friday, April 21st at 7003 Ball Park Road from 11:30 – 1:30.

10. Additional Items

A. Senate Bill 515, the Water Sewer Affordability Act filed in the State Legislature

City Manager Brandt advised Council that this Bill would place limitations on the City's ability to charge outside customers for our utilities. This is a concern because the higher rate pays for the additional lines that the City must install and maintain in order to provide services. He said less than 9% of our customers are outside our city limits for sewer currently, but this Bill would seriously impact our ability to provide services in the 64 Corridor area for industrial development.

In addition, the City's bonds are predicated on rate structures that are currently in place, so those could be negatively affected also.

Council asked him to contact our Legislators to advise them that this would be detrimental to Thomasville, so the City opposes this Bill.

B. Outside Agency Fund Application – Thomasville Rescue Squad

City Manager Brandt advised Council that he received an application from the Thomasville Rescue Squad for Outside Agency funding. He asked them if they would like to consider it with this year's budget.

Council Member Doug Hunt asked if the Rescue Squad was operational yet. To the City Manager's knowledge, they were only allowed to do rescue calls for wrecks. He said, "We are not sure if they are actually responding to any calls at this time."

Council Member Williams asked when the deadline for applications was. The City Manager confirmed the deadline was March 31st.

Mayor York said the Rescue Squad had not received the application by mail. However, the application had been made available on the City's website and at City Hall.

A majority of Council agreed that they would not consider this late submission.

11. Adjournment – Council Member Sellars moved to adjourn. Council member Shepherd seconded. Motion unanimously approved 7 – 0.

Raleigh York, Jr., Mayor

Wendy S. Martin, City Clerk

To: Michael Brandt, City Manager
From: Chuck George, Planning/Zoning Administrator
Date: May 2, 2023
Re: City Council Meeting, May 15, 2023
Amendment to Flea markets/open air sales

Consideration for a proposed text amendment to Appendix A - Zoning, Article V, Section 3, Note 22. Flea markets/open air sales. The addition of the following new line number 11 and 12.

- (11). Sales or trade of domestic animals (cats and dogs) shall be prohibited.
- (12). Sale or trade of livestock is permitted, including but not limited to horses, cows, goats, sheep, rabbits, and chickens.

Note 22. Flea markets/open air sales.

Flea markets/open air sales are defined as buildings or open areas in which sales areas or stalls are set aside or rented, and which are intended for use by two or more individuals or by educational, religious or charitable organizations to sell a variety of articles such as those which are either homemade, homegrown, handcrafted, old, obsolete or antique.

Outdoor flea markets and open air sales may be allowed in the following zoning districts: M-1, M-2, C-2 and C-3 and will be subject to the following:

1. All proposed flea markets must be located on at least a two acre tract of land.
2. A site plan must be submitted showing the location of existing structures on the property, including any proposed additions, screening, parking, driveway dimensions and location, lighting and signage.
3. Certification of approval from the City of Thomasville inspections and fire departments will be required before renting any booths or stalls.
4. Metal carports are allowed with all sides remaining open.
5. Restrooms shall be located in a permanent building. These facilities must be handicap accessible.
6. Any and all electrical service shall comply with the national electric code guidelines.
7. Offstreet parking sufficient to insure public safety shall be provided, and adequate fire lanes will be maintained.
8. Driveway and parking area must be graded and maintained.
9. Flea market must be screened from adjacent properties by using solid wooden fencing and/or evergreen trees, unless natural foliage or other topographic conditions provide adequate screening. See Zoning Ordinance Article V, Section 3A for further details.
10. Adequate dumpsters must be on the site.
11. Sales or trade of domestic animals (cats and dogs) shall be prohibited.
12. Sale or trade of livestock is permitted, including but not limited to horses, cows, goats, sheep, rabbits, and chickens.

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
APPENDIX A (ZONING), ARTICLE V, SECTION 3, NOTE 22**

CITY COUNCIL OF THE CITY OF THOMASVILLE

The City Council of the City of Thomasville finds that flea markets operated with the city require additional regulation to insure the public safety and welfare.

NOW, THEREFORE, BE IT ENACTED as follows:

Appendix A – Zoning, Section 3 Article V, Section 3, Note 22. Flea Markets / Open Air Sales is amended by the addition of the following new line number 11 and 12:

11. Sale or trade of domestic animals (cats and dogs) shall be prohibited.

12. Sale or trade of livestock is permitted, including but not limited to horses, cows, goats, sheep, rabbits, and chickens.

This Ordinance amendment shall become effective on May 15, 2023, upon its adoption by the City Council of the City of Thomasville.

ADOPTED this the 15th day of May, 2023 by the City Council of the City of Thomasville.

CITY OF THOMASVILLE

Raleigh York, Mayor

ATTEST:

Wendy Martin, City Clerk



CITY OF THOMASVILLE
10 Salem Street, Thomasville, NC 27360
P.O. Box 368, Thomasville, NC 27361-0368
Eddie Bowling (336) 475-4222

May 5, 2023

To: Mayor York & City Council members
From: Eddie Bowling, Assistant City Manager

Re: Contract Award for Kern Street Demolition

Dear Mayor York & City Council members,

The City of Thomasville solicited bids for demolition to the Kern Street School property. The original bid date began on March 21, 2023. On April 6, 2023, an amended request for bids was posted which provided provisions for the City of Thomasville to provide a completed asbestos inspection for everyone participating with bids.

The bid deadline for this project was April 28, 2023 at noon. The City of Thomasville received three bids for consideration.

- 1.) EMR & DC Allen Company partnership \$197,500.00
- 2.) The Corbett Group \$280,800.00
- 3.) Double D Construction \$719,746.00

At the present, staff is evaluating these bids and conducting interviews with references. Staff requests consideration of awarding the bid to the lowest responsible bidder at the Council meeting scheduled for May 15, 2023 after all information is evaluated.

Thank you for your consideration of this request.

Sincerely,

Eddie Bowling
Assistant City Manager

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 Neighborhood Revitalization Program/Project NR (11 Pine Street) CDBG 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 North Carolina Department of Commerce and the budget contained herein.

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

065-9110-322-0507	CDBG Building Reuse Grant	\$855,000.00
065-9110-322-0507	CDBG Building Reuse Grant (PTRC Portion)	\$ 95,000.00
Total		\$950,000.00

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

065-9110-524-7300	Construction Rehabilitation	\$855,000.00
065-9110-522-4501	Contractual Services	\$ 95,000.00
Total		\$950,000.00

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 15th day of May, 2023

Mayor

ATTEST:

City Clerk

Budget Amendment

To: City Manager

From: Finance Director

Date: 5/4/2023

Council Budget Amendment Reference #: 2023 – P11 - 01

Re: 2022-2023 Budget Amendment

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 for the Fire Department's 3-year Everbridge/Nixle subscription agreement. The amendment also appropriates contingency funding in the General Fund for county contracted tax assessment billing and a payroll deficit in the Legal Department. \$15,000 of contingency in the Golf Course Fund will be used for a new HVAC system at the Winding Creek clubhouse.

GENERAL FUND

INCREASE REVENUE

010-0000-370.07-00	Other Financing Sources/IT Subscriptions	\$ 18,540.00
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DECREASE APPROPRIATION

010-9010-505.58-00	Unallocated/Contingency	\$ 33,000.00
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INCREASE APPROPRIATION

010-4111-511.02-03	Salaries/Part Time	\$ 5,500.00
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010-4111-511.05-01	Employee Insurance/Group Health Insurance	\$ 500.00
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010-4111-511.06-01	Retirement/NC Retirement	\$ 2,000.00
010-5310-524.73-00	Capital Outlay/Other Improvements	\$ 18,540.00
010-4411-512.45-01	Contracted Services/Professional	\$ 25,000.00
Total		\$ 51,540.00

GOLF COURSE FUND

DECREASE APPROPRIATION

031-9010-505.58-00	Unallocated/Contingency	\$ 15,000.00
Total		\$ 15,000.00

INCREASE APPROPRIATION

031-6221-554.74-00	Capital Outlay/Equipment	\$ 15,000.00
Total		\$ 15,000.00



Memo

To: Personnel & Finance Chair (Hunter Thrift)

From: Recreation Department (Cory Tobin)

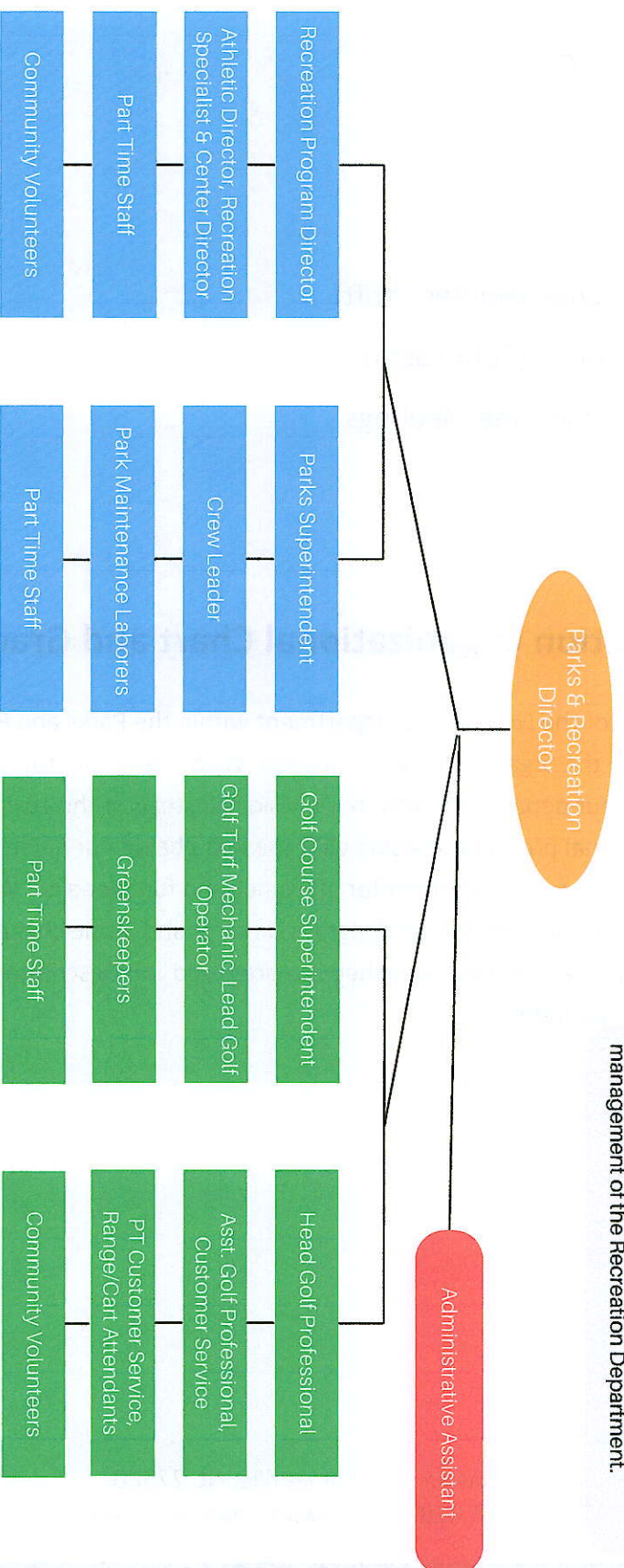
For: Consideration for Committee Meetings

4/26/2023

Recreation Organizational Chart and Grades

With the integration of the Golf Course Department within the Parks and Recreation Department, adjustments to the organizational are needed. With this restructuring of our organizational chart, we would streamline our department into four divisions instead of the current layout of five. This would create a true recreational programs division with the head being our Recreation Program Director. This would streamline our department for efficiency and functionality. We would like to request consideration of grade changes for our Program Director and a title change to Recreation Program Director to head the new division. Attached is a proposed Job Description adjustment and Organizational Chart for consideration.

Thomasville Parks and Recreation Organizational Chart (Proposed)



Below is a proposed layout out of the organizational structure shift for the Recreation Department. This shift would bring the Golf Course Department under the umbrella and management of the Recreation Department.

POSITION OPEN FOR ALL QUALIFIED CITY EMPLOYEES

NOTICE OF POSITION VACANCY

CITY OF THOMASVILLE

POSITION TITLE: Recreation Program Director

SALARY: GRADE 31 \$55,438.88- \$94,246.08

DESCRIPTION OF DUTIES:

An employee in this class plans, promotes, develops and supervises a variety of special social, educational and recreational activities for city citizens. This employee serves as the division head for our programs division. Performs difficult professional and administrative work in assisting the Director of Parks and Recreation in managing the operations and direction for the department. Will exercise considerable independence in carrying out policy decisions and departmental goals under general direction of the Director of Parks and Recreation. Work involves all community wide recreational programs. Oversees the programs division budget and annually assists in departmental budget and CIP process. This employee must serve on various community boards acting as a liaison of the recreation department to our community and build relationships within it. Assists with departmental administration in the absence of the Recreation Director and leads the department. Tact and courtesy are required in extensive public contact. Work is performed under the supervision of the parks and recreation director and is evaluated through conferences, written reports and observation of work in progress. Performs related tasks as assigned.

RESPONSIBILITIES:

Plans activities and events for senior citizens. Prepares monthly activity calendar, directory rules and guidelines and roll sheets. Supervises a variety of special recreation and social events approving costs, personnel, equipment and other resources necessary for each event. Instructs and trains staff in techniques, policies and procedures. Oversees and assists organizing athletics, social and instructional activities and programs for senior citizens, youth groups and disabled persons. Supervises a summer day camp program; instructs staff in games, arts and crafts and other activities. Promotes recreation programs by creating marketing online and on the ground. Collects information to assist the recreation director in preparing the annual budget for recreation activities. Presents reports evaluating recreation activities to the recreation committee. Serves as the Program Division head that directly supervises the athletics director, center director, the recreation specialist and all auxiliary part time and volunteers connected to community programs. Any additions of full time employees to this division would directly report to this position. Coordinates special events such as the craft fair, Easter egg hunt and multicultural events. Establishes rules and regulations, hiring counselors and supervisors for the summer day camp. All other duties as assigned.

KNOWLEDGE, SKILLS AND ABILITIES:

- Thorough knowledge of all phases of community recreational activities and their administration;
- Comprehensive knowledge of principles and methods of park and playground planning and programs
- Ability to develop and execute a well-rounded program of recreational activities and effective utilization of park facilities
- Ability to communicate complex ideas orally and in writing
- Ability to establish and maintain effective working relationships with associates, subordinates, and the public.

PHYSICAL REQUIREMENTS:

Work in this position is medium work and may involve exerting medium force occasionally. Employee must have the physical agility to move about freely, including climbing stairs and ladders. An employee must have such visual acuity as to be able to read and write handwritten and typewritten material as well as computer generated reports.

DESIRABLE EXPERIENCE AND TRAINING:

Completion of a bachelor's degree in parks and recreation, physical education or a related field and considerable experience in recreation programming for both youth and adults. 2-5 years of supervisory experience.

SPECIAL REQUIREMENTS:

North Carolina Driver's License with a good driving record. Class B CDL is highly recommended.

APPLICATION PROCESS:

Applications can be obtained from the Human Resources Department, City Hall, Monday thru Friday, 8:00 AM through 5:00 PM by contacting Muffet Schuler at 336-475-2502. Or you may complete online any time on the City of Thomasville's website www.Thomasville-NC.gov.

SELECTION PROCESS:

Applications will be reviewed to select the best-qualified applicant. Selection will be by a structured interview.

Appendix A. CLASSES TO GRADES SCHEDULE

CITY OF THOMASVILLE CLASSES TO GRADES SCHEDULE EFFECTIVE DECEMBER 19, 2022

GRADE	Class Titles	Minimum Annual/Hourly	Maximum Annual/Hourly
12	Range/Cart Attendant Golf (Part-Time)	\$ 15,843.05	\$ 26,933.18
	Customer Service Golf (Part-Time)	\$ 7.6169	\$ 12.9486
13	Laborer I, Streets (Part-Time Summer)	\$ 20,939.86	\$ 35,291.76
		\$ 10.0672	\$ 16.9672
14			
15	Laborer I	\$ 25,397.19	\$ 43,175.20
	Office Support I	\$ 12.2102	\$ 20.7573
	Sanitation Collector		
16	Assistant Golf Professional I	\$ 27,240.92	\$ 46,309.55
	Customer Service Golf	\$ 13.0966	\$ 22.2642
	Greenskeeper I		
17	Greenskeeper II	\$ 28,000.40	\$ 47,600.65
	Laborer II	\$ 13.4617	\$ 22.8849
	Maintenance Mech/Cemetery		
18	Equipment Operator I	\$ 29,400.42	\$ 49,980.67
	Meter Reader	\$ 14.1348	\$ 24.0292
19	Collections Clerk	\$ 30,870.77	\$ 52,480.30
	Equipment Operator II	\$ 14.8417	\$ 25.2309
	Greenskeeper III		
	Laborer III		
	Meter Services Technician		
	Peak Time Collections Clerk		
	Records Clerk/Communications Officer I		
	Sanitation Equipment Operator		
20	Equipment Operator III	\$ 32,413.96	\$ 55,103.72
	Fleet Service Assistant	\$ 15.5836	\$ 26.4922
	Office Support II		

Records Clerk/Communications Officer II
 Sanitation Equipment Operator III
 Signs & Signals Technician
 Lead Operator Golf
 Auto Mechanic I

21	Billing Clerk	\$ 34,034.63	\$ 56,724.37
	Assistant Golf Professional II	\$ 16.3628	\$ 27.8168
	Golf Turf Mechanic		
	Lead Meter Reader		
	Records Clerk/Communications Officer III		
	W/S Maintenance Technician		
22	Accounting Clerk I	\$ 35,736.37	\$ 60,751.84
	Auto Mechanic II	\$ 17.1809	\$ 29.2076
	Crew Leader		
	Office Support III		
	Records Clerk/Communications Officer IV		
	Recreation Center Director I		
	W/S Chief Maintenance Mechanic		
	W/S Plant Operator I		
23	Animal Control Officer	\$ 37,523.20	\$ 63,788.82
	Assistant/Spray Technician (Golf)	\$ 18.0400	\$ 30.6677
	Lead Billing Clerk		
	Records/Communication Supervisor		
	W/S Plant Maintenance Supervisor		
	W/S Plant Operator II/C		
	W/S Plant Relief Operator		
24	Accounting Clerk II	\$ 39,399.36	\$ 66,978.94
	Auto Mechanic III	\$ 18.9420	\$ 32.2014
	Firefighter I		
	Human Resources Technician		
	Office Support IV		
	Police Officer Trainee		
	Recreation Specialist		
	Sanitation Supervisor		
	Signs & Signals Supervisor		
	Streets Supervisor		
	W/S Plant Operator/Lab Technician		
	W/S Plant Operator III/B		
25	Firefighter II	\$ 41,369.34	\$ 70,327.88

	Minimum Housing Inspector	\$ 19.8891	\$ 33.8115
	Police Officer I		
	W/S Plant Operator IV & A		
	P/T Fire Inspector III		
26	Code Inspector I	\$ 43,737.77	\$ 73,844.24
	Collections/Customer Service Supervisor	\$ 20.8835	\$ 35.5020
	Fire Equipment Operator I		
	Fire Specialist/Rescue		
	Lead Accounting Clerk		
	Police Officer II		
	Purchasing/Inventory Specialist		
	Recreation Program Director		
	Superintendent of Parks		
	W/S Lead Plant Operator		
27	Code Inspector II	\$ 45,609.69	\$ 77,536.47
	Downtown Economic Development Director	\$ 21.9277	\$ 37.2772
	Engineering Technician		
	Fire Equipment Operator II		
	Garage Supervisor		
	Human Resources Analyst		
	PC Support Specialist		
	Master Police Officer I		
	Rescue Equipment Operator		
	Risk Manager		
28	Business License Inspector	\$ 47,890.17	\$ 81,413.28
	Code Inspector III	\$ 23.0241	\$ 39.1410
	Master Police Officer II		
	Financial Analyst		
29	Accounting Operations Manager	\$ 51,290.36	\$ 87,193.63
	City Clerk	\$ 24.6588	\$ 41.9200
	Police Corporal		
30	Fire Captain	\$ 52,798.91	\$ 89,758.13
	Police Sergeant	\$ 25.3841	\$ 43.1529
	Rescue Captain		
31	City Surveyor	\$ 55,438.88	\$ 94,246.08
	Golf Course Superintendent	\$ 26.6533	\$ 45.3106
	Head Golf Professional		
	Lab Supervisor		

Maintenance Construction Superintendent
 Master Sergeant
 Planning/Zoning Administrator
 Sanitation Superintendent
 Street Superintendent
 W/S Plant Superintendent
 Recreation Program Director
 Superintendent of Parks

32	Director of Emergency Management	\$ 59,375.01	\$ 100,937.65
	Division Chief/Fire Marshal	\$ 28.5457	\$ 48.5277
	Division Chief of Fire and Life Safety		
	Division Chief of Training		
	Fire Battalion Chief		
	Police Lieutenant		
	MIS Assistant Director		
33		\$ 62,343.77	\$ 105,984.43
		\$ 29.9730	\$ 50.9541
34		\$ 64,177.40	\$ 109,101.57
		\$ 30.8545	\$ 52.4527
35	Assistant Finance Director	\$ 67,386.27	\$ 114,556.64
	MIS Director	\$ 32.3972	\$ 55.0753
	Police Captain		
36	Police Major	\$ 70,755.60	\$ 120,284.52
	Public Works Director	\$ 34.0171	\$ 57.8291
	Assistant Fire Chief		
37	Finance Director	\$ 74,293.37	\$ 126,298.74
	Human Resources Director	\$ 35.7180	\$ 60.7205
	Police Chief		
	Recreation Director		
38	City Engineer	\$ 78,008.04	\$ 132,613.68
	Fire Chief	\$ 37.5039	\$ 63.7566
	Utilities Director		
39	Peak Time City Attorney	\$ 81,908.43	\$ 139,244.35
		\$ 39.3791	\$ 66.9444
40	Assistant City Manager	\$ 86,003.85	\$ 146,206.55

\$ 41.3480 \$ 70.2916

May 5, 2023

Memorandum

To: Thomasville City Council

From: Michael Brandt, City Manager

Alisa Quick, Human Resources Director

RE: Proposed Amendment to Thomasville Personnel Policy

At the request of City Council, staff reviewed and are proposing the following language to address the concerns raised regarding career advancement educational exclusions. The last sentence of the first paragraph and the entire second paragraph is repeated language that is included in Article XVII Section 4. The third paragraph specifically states that any previous policies or procedures that do not follow the promotion process are no longer valid and will not be recognized by the City.

Article III Employment Standards:

Section 3. Promotion

It is the policy of the City to encourage qualified city employees to apply for higher rated positions. Candidates for promotion shall be chosen on the basis of their qualifications and work records. City employees may be promoted to higher positions without public advertisement. *Employees applying for advancement in a career development program must follow the established procedures and department protocols set forth by each department as appropriate.*

Applicants for advancement in the City of Thomasville's career development programs must achieve a minimum rating of "meets standards" on their periodic performance evaluations. These standards shall include educational and experience requirements for all perspective candidates for an internal promotion. Appointment to progressive classifications is subject to fiscal constraints and organizational demand.

Effective May 15, 2023, all previous policies and procedures whether established by policy, memorandum, or practice, that provides for exclusions from the educational, or other requirements, of departmental career development programs are hereby nullified and are no longer in effect for any position within the City of Thomasville.