

CITY OF THOMASVILLE COUNCIL MEETING AGENDA

Monday, September 18, 2023 – 6:00 P.M.
20 Stadium Drive, Thomasville, NC 27360

Mayor Raleigh York, Jr. ~ Mayor *Pro Tem* Wendy Sellars

1. Call to Order
2. Additions and Deletions to the Agenda
3. Recognitions and Presentations - Hispanic Heritage Month (Sept. 15 – Oct. 15, 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. Public Hearing

- A. Request for Rezoning (Z-23-05)
Applicant/Owner:: Ever Mejia
Location: 105 Winston Street
Parcel Number: 16087000C0009
Existing Zoning: R-6 High Density Residential
Requested Zoning: C-4 Central Commercial

The Planning Board held a public hearing on August 29, 2023 and voted 7-0 to approve this request because:

- *the rezoning is compatible with the existing development contiguous to the property;*
- *the required buffer between commercial and residential property will suffice to protect existing property owners;*
- *the rezoning will permit appropriate development or redevelopment of the property;*
and
- *it 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.*

6. Consent Agenda
 - A. Consideration of Approval of Minutes – Briefing Meeting on 08/14/23
 - B. Consideration of Approval of Minutes – Council Meeting on 08/21/23
 - C. Consideration of Approval of Minutes – Special Called Meeting on 08/28/23
 - D. Consideration of Approval of Budget Amendment 2024-P3-01
 - E. Consideration of Approval of Resolution Dissolving the Winding Creek Golf Course Enterprise Fund
 - F. Consideration of Approval of Ordinance Establishing a Loading Zone on the First Block of Salem Street
 - G. Consideration of Approval of Thomasville Christmas Parade Road Closure Ordinance
 - H. Consideration of Approval of Star of Bethlehem Drive-Thru Nativity Road Closure Ordinance

7. Regular Agenda
 - A. Consideration of Approval of Resolution Granting Law Enforcement Retiree Raymond Widener His Service Revolver and Badge
 - B. Consideration of Approval of Contract for 1 MGD Sanitary Sewer Allocation Agreement with Davidson County for Economic Development
8. Committee Reports and Appointments, Mayor's Report and Appointments, City Manager's Report, City Attorney's Report
9. Closed Session – Attorney/Client and Economic Development
10. Additional Items
11. Adjournment



INCORPORATED 1857

Proclamation

HISPANIC HERITAGE MONTH 2023

WHEREAS, National Hispanic Month is celebrated annually from September 15 through October 15, in honor of over 500 years of Hispanic cultural contributions. The observation began in 1968 as Hispanic Heritage Week under President Lyndon Johnson and was expanded by President Ronald Reagan in 1988; and

WHEREAS, September 15 is significant because of its anniversary of independence for Latin American countries Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua. Subsequently, Mexico, Chile, and Belize celebrate their independence days on September 16, 18 and 21, respectively; and

WHEREAS, the City of Thomasville looks forward to celebrating National Hispanic Month to highlight the rich heritage, vibrant traditions, histories, food, and music of people whose ancestry can be traced to the Caribbean Islands, Central America, Mexico, South America, and Spain; and

WHEREAS, the City of Thomasville recognizes the contributions of city employees, Communities in Schools, Novant Health Thomasville Medical Center, Davidson—Davie Community College, The Latino Association of Davidson County, and various grassroots leaders who help increase cultural awareness, education, enrichment, and community engagement with our residents. It is through their support and community involvement that our city has continued to become a more culturally diverse and welcoming city for everyone; and

WHEREAS, the City of Thomasville recognizes and understands that Hispanics/Latinos are extremely entrepreneurial and play a vital role in our economy and workforce, and the City is committed to recognizing Hispanic/Latino culture and heritage as an important part of the community; and

WHEREAS, this year's national theme for 2023, "**Latinos: Driving Prosperity, Power, and Progress in America**" represents a celebration of the history and heritage of Hispanic/Latino Americans.

NOW, THEREFORE, BE IT PROCLAIMED, I, Raleigh York Jr., Mayor of the City of Thomasville, do hereby proclaim Friday, September 15 through Sunday, October 15, 2023, as **HISPANIC HERITAGE MONTH** in the City of Thomasville and urge the observation of this month by increasing awareness of the valuable ways Hispanics/Latinos have contributed to Thomasville's prosperity.

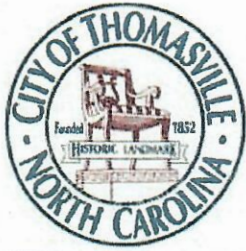
This the 18th day of September 2023.



Raleigh York Jr.

Raleigh York Jr., Mayor





INCORPORATED 1857

CIUDAD DE THOMASVILLE

PROCLAMACIÓN

CONSIDERANDO, que el Mes Nacional de la Hispanidad se celebra anualmente del 15 de septiembre al 15 de octubre, en honor a más de 500 años de contribuciones culturales hispanas. La observación comenzó en 1968 como la Semana de la Herencia Hispana bajo el presidente Lyndon Johnson y fue ampliada por el presidente Ronald Reagan en 1988; y

CONSIDERANDO, que el 15 de septiembre es significativo por el aniversario de la independencia de los países latinoamericanos Costa Rica, El Salvador, Guatemala, Honduras y Nicaragua. Posteriormente, México, Chile y Belice celebran sus días de independencia el 16, 18 y 21 de septiembre, respectivamente; y

CONSIDERANDO, que la ciudad de Thomasville espera celebrar el Mes Nacional de la Hispanidad para destacar la rica herencia, las vibrantes tradiciones, las historias, la comida y la música de las personas cuya ascendencia se remonta a las islas del Caribe, América Central, México, América del Sur y España; y

CONSIDERANDO, que la ciudad de Thomasville reconoce las contribuciones de los empleados de la ciudad, Comunidades en las Escuelas, El Centro Médico de Salud de Novant en Thomasville, El Colegio de Davidson—Davie, La Asociación Latina del Condado de Davidson, y varios líderes comunitarios que ayudan a aumentar la conciencia cultural, la educación, el enriquecimiento y el compromiso de la comunidad con nuestros residentes. Es a través de su apoyo y participación en la comunidad que nuestra ciudad ha continuado convirtiéndose en una ciudad culturalmente más diversa y acogedora para todos; y

CONSIDERANDO, que la ciudad de Thomasville reconoce y entiende que los hispanos son extremadamente emprendedores y juegan un papel vital en nuestra economía y fuerza de trabajo, y la ciudad está comprometida a reconocer la cultura y herencia hispana/latina como una parte importante de la comunidad; y

CONSIDERANDO, que el tema nacional de este año 2023, "Latinos: Impulsando la Prosperidad, el Poder y el Progreso en Estados Unidos" representa una celebración de la historia y la herencia de los hispanos/latinos.

AHORA, POR LO TANTO, SE PROCLAMA, yo, Raleigh York Jr., Alcalde de la Ciudad de Thomasville, por la presente proclamo el viernes 15 de septiembre hasta el domingo 15 de octubre de 2023, como **MES DE LA HERENCIA HISPANA** en la Ciudad de Thomasville e insto a la observación de este mes aumentando la conciencia de las valiosas formas en que los hispanos/latinos han contribuido a la prosperidad de Thomasville.

Este es el día 18 de septiembre de 2023.



Raleigh York Jr., Alcalde



Agenda Item Cover Sheet

Admin. Use Only:

Committee Name

Public Safety

Committee Date
And Agenda #

9.6.2023

Psafe6

Item Name:

Public Hearing for Rezoning Case # Z-23-05

Description of Item:

Request to rezone 105 Winston Street from R6 to C4 to allow use of residential lot for commercial use.

Back-Up Materials:

Rezoning Package

Council Action Requested:

Consider Approval

Requested By:

Chuck George

Department:

Planning, Insp., & Eng. Dept.

To: Michael Brandt, City Manager
From: Chuck George, Planning Director
Date: August 29, 2023
Re: City Council Meeting, September 18, 2023

The following item has been before the Board of Planning & Adjustment on Tuesday, August 29, 2023.

Request for Rezoning (Z-23-05)
Applicant/Owner: Ever Mejia
Location: 105 Winston Street
Parcel Number: 16087000C0009
Existing Zoning: R-6 High Density Residential
Requested Zoning: C-4 General Commercial

A public hearing was conducted, and the board voted 7-0 to approve the request for the following reason:

1. Due to the fact the rezoning is compatible with existing development contiguous to the property.
2. The required buffer between commercial and residential property will suffice to protect existing property owners.
3. The rezoning will permit appropriate development or redevelopment of the property.
4. Further, the City Council finds that this 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.



The Board of Planning and Adjustment of the City of Thomasville has approved
by a 7 to 0 vote the variance request (Z-23-05).

Applicant/Owner: Ever Mejia

Location: 105 Winston Street

Parcel Number: 16087000C0009

Existing Zoning: R-6 High Density Residential

Proposed zoning: C-4 Central Commercial District

8 / 29 / 23

Date

Jane Hill

Jane Hill, Chairperson

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF THE CITY OF THOMASVILLE, NORTH CAROLINA**

BE IT ORDAINED, that the Code of Ordinances of the City of Thomasville be amended in the following respects:

SECTION 1. That the Official Zoning Map of the City of Thomasville, North Carolina as set out in Appendix A (Zoning), Article IV (Establishment of Districts), Section 2 (Location and Boundaries of Districts) be amended by changing certain property from R-6 (High Density Residential) Zoning District to C-4 (Central Commercial) Zoning District as shown on the attached map (Z-23-05).

SECTION 2. That this Ordinance shall become effective upon its adoption by the City Council of the City of Thomasville.

ADOPTED this the _____ day of _____, _____, by the City Council of the City of Thomasville.

Raleigh York, Jr., Mayor

ATTEST:

Wendy S. Martin, City Clerk

City of Thomasville
Rezoning Case # Z-23-05
Staff Report: Chuck George, Planning Director

Applicant/Owner: Ever Mejia

Location: 105 Winston Street

Parcel ID Number: 16087000C0009

Existing Zoning: R-6 High Density Residential

Proposed Zoning: C-4 Central Commercial

The current zoning is R-6 High Density Residential District – This district is defined as medium to high density residential areas where single-family and multifamily dwellings are commingled and certain open areas where similar residential development will likely occur. The uses permitted in this district are designed to stabilize and protect the essential characteristics of the area and prohibit all activities of a commercial nature except certain home occupations controlled by specific limitations.

The proposed zoning is C-4 Central Commercial District - This district is defined as certain land and structures that provide personal services, retailing and business services of all kinds for local and regional commerce. The area is located in the heart of the city where major streets and highways converge. The regulations are designed to permit a concentrated development of permitted facilities and to protect the district itself from over intensive development and congestion.

Site Information

Size of Parcel	Approx.34 Acres		
Existing Land Use	R-6 High Density Residential		
Proposed Land Use	C-4 Central Commercial		
Surrounding Property Zoning and Use	Direction	Zoning	Use
	N	R-6	Residential
	E	C-4	Business
	S	C-4	Residential
	W	R-6	Residential
General Site Information	Vacant Lot		
Historic Properties	NA		

History of Cases:

N/A

Compatibility with Adopted Plans

The 2035 Land Development Plan indicates the areas that have not identified for development or redevelopment are suitable for infill development that is consistent with the existing surrounding land uses. Development or redevelopment in these areas should not be discouraged, and as land development market changes occur, this plan should be updated to reflect the changing conditions.

Staff Comment

The .34 acres are currently a vacant lot adjacent to commercial and residential. The lot could be developed for parking adjacent property for office use or developed for other services allowed in the permitted use table. The request is consistent with the 2035 Comprehensive Plan and is compatible with the existing development contiguous to the property.

Attachments

- Application
- Legal description
- Site map
- Zoning map
- Davidson County GIS, Aerial
- 2035 Land use map
- Table of permitted uses
- Consistency statement to approve or deny request

Public Notice

<i>Notification</i>	<i>Zoning Board</i>	<i>City Council</i>
Public Hearing Notice	8/18/23 & 8/24/23	9/7/2023 & 9/14/23
Property Posted	8/18/23	9/7/23
Notification Letter Sent	8/18/2023	9/7/23

Zoning Board Recommendation

A public hearing was conducted, and the board voted 7-0 to approve the request for the following reason:

1. Due to the fact the rezoning is compatible with existing development contiguous to the property.
2. The required buffer between commercial and residential property will suffice to protect existing property owners.
3. The rezoning will permit appropriate development or redevelopment of the property.
4. Further, the City Council finds that this 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.

CITY OF THOMASVILLE

Planning & Zoning Department

PO BOX 368 • THOMASVILLE, NC 27360 • (336) 475-4255

REZONING APPLICATION

File No. Z- 23-05

Date 7/27/2023

Applicant Ever Mejia

Phone 336-880-7879

Applicant's Address 188 Golden Acorn Ct., Winston Salem, NC 27107

Property Owner Ever Mehia

Phone 336-880-7879

Property Owner's Address 188 Golden Acorn Ct., Winston Salem, NC 27107

Existing Zoning R-6

Requested Zoning C-4

Address or Location of Property to be Rezoned 105 Winston Street

Description of Property Vacant Lot

Fee Received \$ 500

Map No 16-087000C0009

(PLEASE MAKE CHECK PAYABLE TO "CITY OF THOMASVILLE")

Applicant's
Signature _____

Owner's
Signature _____

Planning Board Hearing Date 8/29/2023

Planning Board Action



Approved



Denied

Vote of: 7-0

City Council Hearing Date 9/18/2023

City Council Action



Approved



Denied

Vote of: _____

Signed _____

Secretary to Planning Board

REZONING APPLICATION

noreply@revize.com <noreply@revize.com>

Thu 7/27/2023 11:23 AM

To: George, Chuck W. <Chuck.George@thomasville-nc.gov>

text-1612692143820 =

date-1612692147374 = 2023-07-27

text-1612692156972 = Ever Mejia

text-1612692157999 = 336-880-7879

text-1612692158862 =

textarea-1612692159693 = 188 Golden Acorn Ct Winston Salem, NC 27360

text-1612692169293 = Ever Mejia

text-1612692170293 = 336-880-7879

text-1612692171693 =

textarea-1612692173503 = 188 Golden Acorn Ct Winston Salem N.C 27107

text-1612692186214 = R 6

text-1612692187575 = C 4

textarea-1612692189303 = 105 Winston Street Thomasville, NC 27360

textarea-1612692191078 = Vacant lot

text-1612692203494 = Ever Mejia

date-1612692206454 = 2023-07-27

checkbox-group-1612692236728[] = I Agree to terms

Client IP = 66.110.238.10

1665-0345

DAVIDSON COUNTY NC 12/12/2005
\$154.00



Real Estate
Excise Tax

DAVIDSON COUNTY NC
Book 1665
Pages 0345-0347

FILED 3 PAGE(S)
12/12/2005 1:00 PM
MARK C. MYERS
Register of Deeds

1545+
20
3

MAIL TO: Grantee: 1163 Blain St. Thomasville, NC 27360
Excise Tax 154.00

Do NOT write above this line.

Recording: Time, Book and Page

North Carolina General Warranty Deed

This instrument prepared by: John A. Hauser, Attorney, Thomasville, NC
Brief description for the Index Tracts

This Deed made this 6th day of December, 2005, by and between Grantor and Grantee:

Enter in appropriate block for each party: Name, address, county, state and if appropriate entity (i.e. corporation, partnership). The designation Grantor and Grantee as used herein shall include all parties, their heirs, successors and assigns and shall include singular, plural, masculine, feminine or neuter as required by context.

Grantor:

William B. Mills, divorced

Grantee:

Ever Mejia

Transfer of Ownership: Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, conveys to Grantee in fee simple, the Property described below:

Property: City of Thomasville

Township of Township

County of Davidson, North Carolina.

This property was acquired by Grantor by an instrument recorded in Book 1582, Page 592 and County.

A map showing the property is recorded in Plat Book partial 10, Page 102, Davidson County.

The legal description of the Property is:

See description marked SCHEDULE A attached hereto, made a part hereof and incorporated herein.

Continued on Page 2

After recording mail to:

Ever Mejia

Tax Lot No. _____

Parcel Identifier No. _____

Verified By _____

on the _____ day of _____, 20____

By _____

Form 55-601 © 2002 by James Williams & Co., Inc. www.JamesWilliams.com

Page 1 of 2 Initial _____

0035666

Continued from Page 1


TO HAVE AND TO HOLD the said Property and all privileges and appurtenances (rights) belonging to Grantee, in fee simple.

Promises by Grantor: Grantor promises (covenants) with Grantee, that Grantor has title to the Property in fee simple; has the right to convey the title in fee simple; that the title is marketable and free and clear of all liens and encumbrances (i.e. mortgages and judgements), and Grantor will warrant and defend the title against the lawful claims of all persons, except for the following exceptions:

Subject to restrictions, easements, rights of way and ordinances of record or visible upon the premises, if any.

Signatures: Grantor has duly executed the foregoing instrument, as of the day and year first written above.

Entity		Individual	
Name: _____	_____	<u>William B. Mills</u> (Seal)	_____
By: _____	_____	William B. Mills	(Seal)
Title: _____	_____	_____	(Seal)
By: _____	_____	_____	(Seal)
Title: _____	_____	_____	(Seal)
By: _____	_____	_____	(Seal)
Title: _____	_____	_____	(Seal)

SEAL-STAMP	USE BLACK INK ONLY	INDIVIDUAL
	STATE OF <u>NORTH CAROLINA</u> COUNTY OF <u>DAVIDSON</u>	
	I, a Notary Public of the County and State aforesaid, certify that	
	<u>William B. Mills, Divorced</u>	
	Grantor personally came before me this day and acknowledged the execution of the foregoing instrument.	
	Witness my hand and official stamp or seal, this <u>6th</u> day of <u>December</u> , 2005.	
	My Commission Expires: <u>8/28/09</u> <u>Dawn M. Terry</u> Notary Public	

SEAL-STAMP	USE BLACK INK ONLY	INDIVIDUAL
	STATE OF _____ COUNTY OF _____	
	I, a Notary Public of the County and State aforesaid, certify that	
	Grantor personally came before me this day and acknowledged the execution of the foregoing instrument.	
	Witness my hand and official stamp or seal, this _____ day of _____, 20__.	
	My Commission Expires: _____ Notary Public	

SEAL-STAMP	USE BLACK INK ONLY	ENTITY: Corporation, Limited Liability Company, General Partnership, or Limited Partnership
	STATE OF _____ COUNTY OF _____	
	I, a Notary Public of the County and State aforesaid, certify that	
	personally came before me this day and acknowledged that he is _____ of _____, a North Carolina or _____ corporation / limited liability company / general partnership / limited partnership (strike through the inapplicable) and that by authority duly given and as an act of the Entity, has signed the foregoing instrument in its name and on its behalf as its act and deed.	
	Witness my hand and official stamp or seal, this _____ day of _____, 20__.	
	My Commission Expires: _____ Notary Public	

The foregoing Certificate(s) of _____

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

By _____ -- REGISTER OF DEEDS FOR _____ COUNTY

Deputy/Assistant - Register of Deeds

SCHEDULE A

BEGINNING: At an iron pipe planted on the northern most edge of a concrete walkway located on the northern most side of West Guilford Street in the City of Thomasville, North Carolina, which said iron pipe is located North 70°37' East 96.68 feet from the point where the northern most right-of-way line of West Guilford Street intersects with the eastern most right-of-way line of Winston Street; running thence from said beginning point North 20°49' West 128.39 feet to an iron pipe; running thence South 70°09' West 97.51 feet to an iron pipe planted on the most eastern edge of a concrete walkway on Winston Street; thence with Winston Street right-of-way South 21°12' East 127.62 feet to an iron pipe planted on the most eastern edge of a concrete walkway on Winston Street and the most northern edge of a concrete walkway on West Guilford Street; thence with West Guilford Street right-of-way North 70°37' East 96.68 feet to the point and place of beginning, and known as 30 and 32 West Guilford Street, Thomasville, NC.

Parcel I.D.: 16087C8

Back title Book 496 at Page 402, and 1582 at 592.

BEGINNING: At W.A. Lambeth's northeast corner on Hannah's line; thence North 26° West with Hannah's line 70 feet to a stone; thence a westerly direction 211 feet to a stone on the east side of Winston Street; thence with said Winston Street 70 feet southeast to a stone, W.A. Lambeth's corner (now W.B. Mills); thence in an easterly direction with W.A. Lambeth's line (now W.B. Mills) 211 feet to the beginning, W.A. Lambeth's corner, and known as 105 Winston Street, Thomasville, NC.

Parcel I.D.: 1687C9

Back title Book 513 at Page 526, and 1582 at 592.

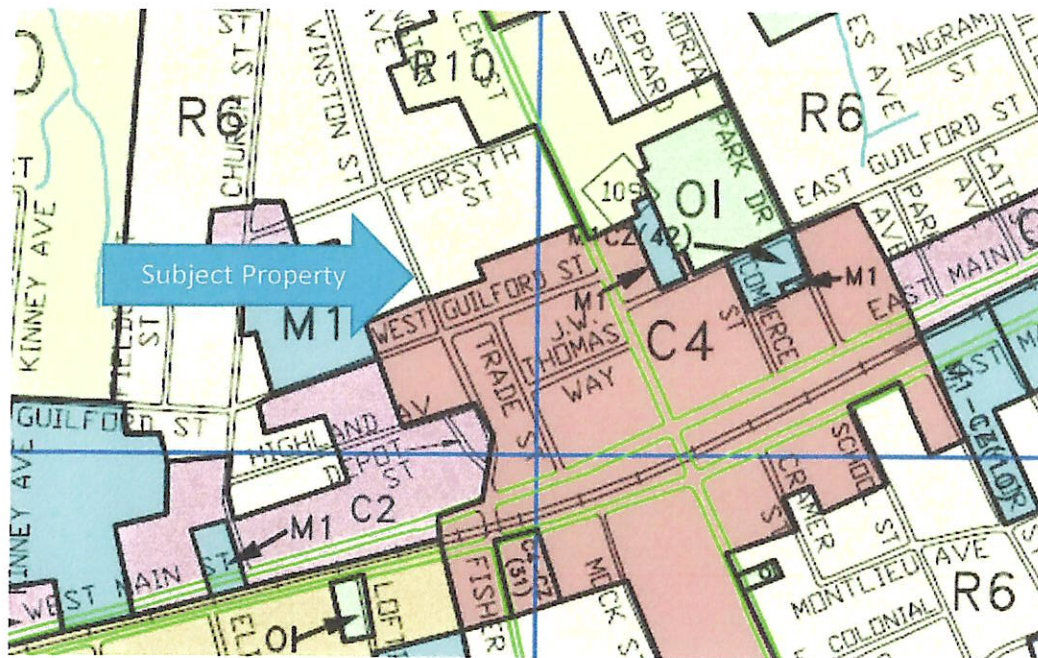
Parcel Numbers: 16031000C0010 and 11

BEING: All of Lots Ten (10) and Eleven (11) of the Plat of CUNNINGHAM ACRES: a plat of same being duly recorded in Plat Book 10 at Page 102, in the office of the Register of Deeds for Davidson County, North Carolina. Back title Book 1264, Page 573

Parcel Number: 16031000C0056B

BEGINNING: At an iron pipe on the north right of way of Douglas Drive, said iron pipe being the southwest corner of Lot 21 of the Plat of CUNNINGHAM ACRES as recorded in Plat Book 10 at Page 102, Davidson County Registry; thence with the west right of way line of Douglas Drive with a curve to the left, having a radius of 60 feet and a length of 47.62 feet to a new iron pipe; thence North 33°30' West 178.80 feet to a new iron pipe; thence South 84°20' East 62.00 feet to an iron pipe and continuing South 86°43' East 110.14 feet to an iron pipe, the northwest corner of Lot 21; thence with the west line of Lot 21 South 12°12' West 131.42 feet to the point and place of beginning and being the most easterly portion of that lot designated as "Reserved" on the Plat of CUNNINGHAM ACRES in Plat Book 10 at Page 102, Davidson County Registry. Back Title Book 1264, Page 573

Zoning: R-6 Medium Density Residential
Zoning Map



Brown – R-6 High Density Residential
Orange – R-8 Medium Density Residential
Yellow – R-10 Low Density Residential
Dark Orange – R-10M Mobile Home Park
Light Green – O-I Office and Institutional
Pink – C-2 Highway Commercial District
Red – C-4 Central Commercial District
Light Blue – M-1 Light Industrial District
Purple – M-2 Heavy Industrial District

Purple – M-2 Heavy Industrial District



Davidson County GIS



Parcel Number :	16087000C0009	Land Units:	1 LT
Pin Id :	6777-02-88-6770	Deed Book:	1665 Pg: 0345
Owner :	MEJIA EVER 1103 BLAIR STREET THOMASVILLE NC 27360-0000	Deed Date:	12/12/2005
Property Address:	105 WINSTON ST	Account Number:	9072174
Township:	16	Exempt Code:	
Building Value:	\$0	Other Building Value:	\$0
Land Value:	\$12,000	Market Value:	\$12,000
Assessed Value:	\$12,000	Deferred Value:	\$0
Legal Description : P=1-121 BC L9 BK1665-345			



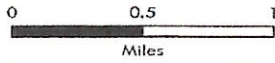
City of Thomasville

Land Development Plan

DEVELOPMENT & RE-DEVELOPMENT AREAS



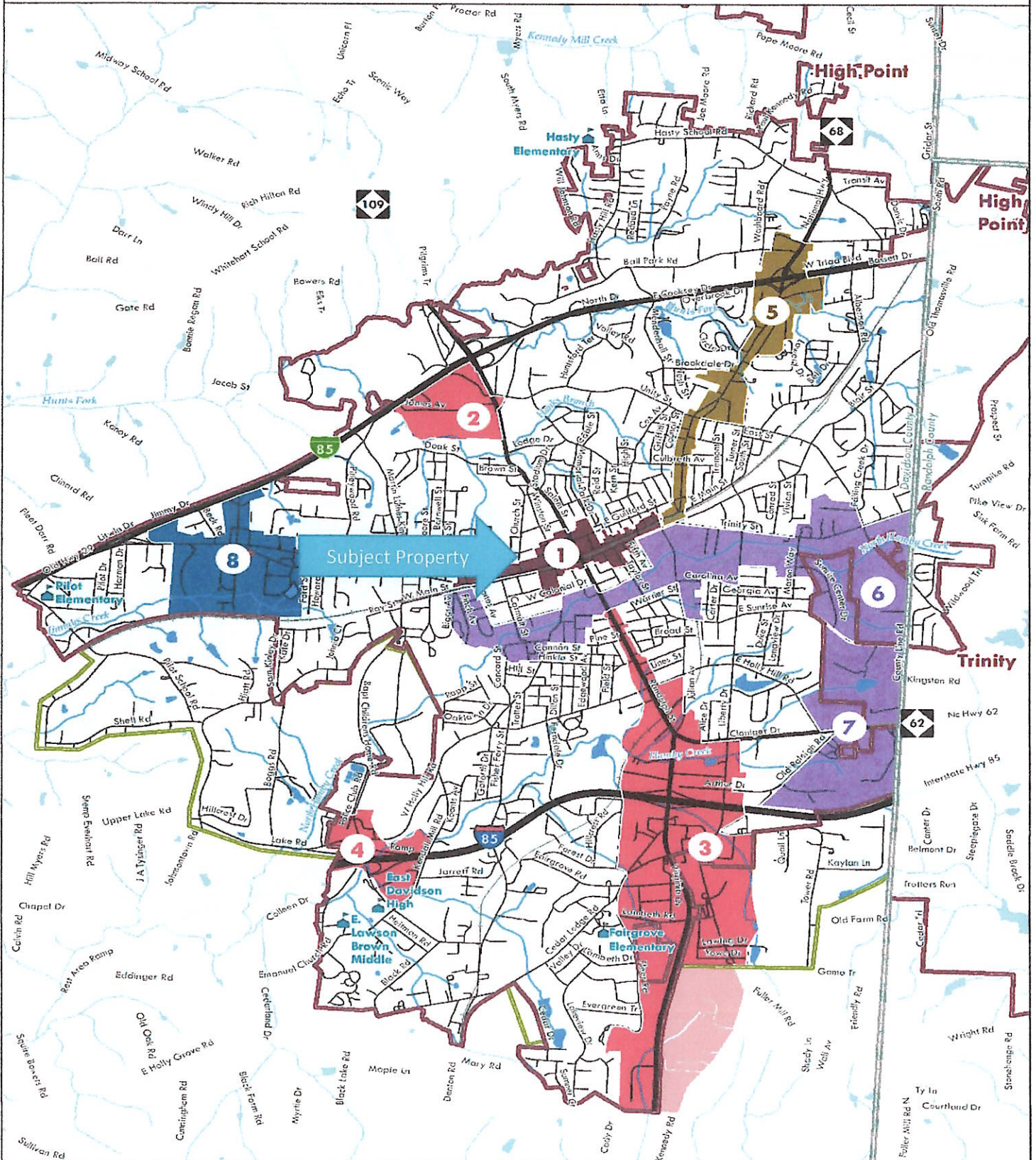
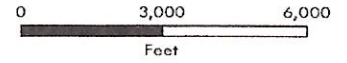
- Highway
- Road
- Railroad
- Stream
- Municipal Limits
- ETJ Boundary
- County Boundary
- Downtown Business District
- Commercial & Mixed-use
- National Highway Commercial Corridor
- Industrial
- Medical & Mixed-use



Mapping provided by the
Hudson Triad Regional Council
Planning Department
Date: May 14, 2018



1 inch = 3,000 feet



MOTION TO REZONE INCLUDING NCGS 160-383 LANGUAGE

I move to rezone the property from _____ to _____
for the following reasons:

1. _____

2. _____
_____ and
3. _____

Further, I move that the City Council find that this 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.

MOTION TO DENY THE REZONING INCLUDING NCGS 160-383 LANGUAGE

I move to deny the rezoning of the property from _____ to _____
_____ for the following reasons:

1. _____

2. _____
_____ and
3. _____

Further, I move that the City Council find that this rezoning is unreasonable and not in the public interest due to its inconsistency with the comprehensive plan and, as a result, is a hindrance to the goals and objectives of the comprehensive plan.

Section 2. Table of permitted uses.

Districts in which particular uses are permitted as a use by right are indicated by "X." Districts in which particular uses are permitted as a use by right with certain conditions are indicated by "X" with a reference to a footnote to this table [see section 3]. Districts in which particular uses are prohibited are indicated by a blank.

Permitted Uses	R-20	R-15	R-10	R-10M	R-8	R-6	O-I	C-1	C-2	C-3	C-4	M-1	M-2	Special Requirements
Accessory building, including but not limited to fallout shelters, garages, guesthouses, toolsheds, swimming pools	X	X	X	X	X	X	X	X	X	X	X	X	X	See note 1.
Agencies, including but not limited to travel, brokers, insurance, loan, employment							X	X	X	X	X	X	X	
Agricultural uses, nurseries, truck farms, greenhouses, etc.								X	X	X	X	X	X	
Antiques and gift retail sales								X	X	X	X			
Any industrial use not otherwise prohibited by law or by this ordinance which would not create a nuisance or a hazard													X	See notes 5 and 7.
Amusements, commercial, including but not limited to bowling alleys, roller skating rinks; not including drive-in theaters, commercial stables, roller coasters, carousels, fairgrounds, automobile racetracks, circuses or the like									X	X	X	X	X	
Appliance distributors for wholesale									X	X	X	X	X	
Arts and crafts supply and retail sales								X	X	X	X	X	X	
Assembling of electrical appliances, electronic instruments and devices, radios and phonographs, including electroplating; and the manufacturing of small parts only such as coils, capacitors, transformers, crystal holders and the like												X	X	
Athletic fields, recreational buildings, playgrounds, no commercial gain, no automobile or motorcycle racing	X	X	X	X	X	X	X	X	X	X	X	X	X	
Auditoriums, indoor theaters, assembly halls									X	X	X	X	X	
Automobile accessories sales								X	X	X	X	X	X	
Automobile assembling, painting, upholstering, rebuilding, reconditioning, body and fender works, truck repairing or overhauling, tire retreading or recapping, and similar uses													X	See note 9.
Automobile repair shops including body and fender work conducted within a completely enclosed building									X		X	X	X	See note 9.
Automobile sales, new and used									X		X	X	X	See note 9.
Automobile laundry								X	X	X	X	X	X	
Automobile parking lots serving uses permitted in district in which lot is located	X	X	X	X	X	X	X	X	X	X	X	X	X	See note 10.
Automobile parking lots, serving uses in another district							X	X	X	X	X	X	X	
Automobile parking lots, commercial, may be for monetary gain							X	X	X	X	X	X	X	

Permitted Uses	R-20	R-15	R-10	R-10M	R-8	R-6	O-I	C-1	C-2	C-3	C-4	M-1	M-2	Special Requirements
Automobile service station, not including outside storage of used, wrecked, inoperable or dismantled automobiles								X	X	X	X	X	X	See note 3.
Bakeries selling at retail products produced on premises								X	X	X	X	X	X	
Banks, savings and loan and similar financial institutions							X	X	X	X	X	X	X	
Bed and breakfast inns	X	X	X	X	X	X	X	X	X	X	X	X	X	See note 21.
Bicycle and motorbike sales and repair								X	X	X	X	X	X	
Blacksmith and horseshoeing shop												X	X	
Book and stationary stores								X	X	X	X	X	X	
Broadcasting studios, radio, TV								X	X	X	X	X	X	
Boardinghouse, rooming house					X	X	X	X	X					
Carpet, rug, bag [rag] cleaning establishments									X		X	X	X	
Catering establishments								X	X	X	X	X		
Cemetery or mausoleum	X	X	X	X	X	X	X	X	X			X		See note 11.
Churches, synagogues, temples, and other places of worship, rectories, Sunday schools	X	X	X	X	X	X	X	X	X	X	X	X		
Cleaners and dyers								X	X	X	X	X	X	See note 4.
Cleaners, self-service								X	X	X	X	X		See note 4.
Clothing sales								X	X	X	X			
Clubs, lodges, community buildings, public or private nonprofit	X	X	X	X	X	X	X	X	X	X	X	X	X	See note 12.
Coal, coke, wood lots												X	X	
Colleges, universities, including fraternity, sorority houses, dormitories, and incidental uses when on the same unit of property							X	X	X	X	X	X		
Compartmentalized storage for individual storage of residential and commercial goods									X			X	X	
Construction storage yards, lumberyards												X	X	
Correctional, penal institutions, jails											X	X	X	
Day care accessory use, child	X	X	X	X	X	X	X	X	X	X	X	X	X	See note 20.
Day care, adult as a home occupation (for not more than five persons)			X	X	X	X	X	X	X	X	X	X		See note 2.
Day care, child (small home)	X	X	X	X	X	X								See note 20.
Day care, child (large home)				X	X	X	X							See note 20.
Day care center, child							X	X	X	X		X	X	See note 20.
Day care facility, adult, (for six or more persons)							X	X	X	X	X	X		
Drive-in restaurants								X	X	X	X	X	X	
Drive-in theaters													X	
Dwellings, single-family detached	X	X	X	X	X	X	X				X			See note 18.
Dwellings, single-family attached, two-family, and multifamily including townhouses, patio homes and other styles					X	X	X				X			See notes 13 and 18.

Permitted Uses	R-20	R-15	R-10	R-10M	R-8	R-6	O-I	C-1	C-2	C-3	C-4	M-1	M-2	Special Requirements
Dwellings for caretaker or domestic employee on premises where employed	X	X	X	X	X	X	X							See note 14.
Electrical shops									X	X	X	X	X	
Exhibition buildings, galleries or showrooms									X	X	X	X	X	
Facilities within a physician's or dentist's office building or within a convalescent home or hospital, not to exceed 50 percent of the ground floor area of such office or building, for the dispensing, and sale, on and within the premises, of prescription medicines and medical appliances customarily prescribed by licensed physicians and dentists and dispensed upon such prescription by licensed pharmacists under the laws of the state							X							
Family care home	X	X	X	X	X	X								
Fairgrounds, carousels, roller coaster, Ferris wheels, super slides and the like of a permanent nature									X			X	X	
Fences and walls	X	X	X	X	X	X	X	X	X	X	X	X	X	
Flammable liquids or gases, bulk storage in quantities less than 100,000 gallons									X			X	X	
Flea markets, open air sales not incidental to the operation of an otherwise permitted use, farmers' markets, antique fairs, craft fairs, used or new merchandise promotion									X	X		X	X	
Flower, plant sales, not enclosed								X	X	X	X	X	X	
Foundry casting, lightweight, nonferrous metal not causing noxious fumes, noise or odors												X	X	
Frozen food lockers									X			X	X	
Funeral homes							X		X		X	X	X	
Furniture, retail sales								X	X	X	X	X		
Golf courses, except par three or miniature courses	X	X	X	X	X	X						X	X	
Golf courses, par three or miniature courses									X			X	X	
Golf driving range									X			X	X	
Hardware and building materials sales								X	X	X	X	X	X	See note 1.
Home occupations	X	X	X	X	X	X	X							See note 2.
Hospitals, sanatoria, homes for aged, nursing homes							X	X	X		X			
Hotels, motels									X	X	X	X		
Junkyards													X	See note 15.
Laboratories, experimental photo or motion picture, film or testing												X	X	
Laboratories, medical, research							X		X		X	X	X	
Laundries								X	X	X	X	X	X	See note 4.
Laundries, self-service								X	X	X	X	X	X	See note 4.
Lock and gunsmiths								X	X	X	X	X	X	

Permitted Uses	R-20	R-15	R-10	R-10M	R-8	R-6	O-I	C-1	C-2	C-3	C-4	M-1	M-2	Special Requirements
Machine shop, excluding: punch press over 20 tons' rates [rated] capacity, drop hammers and automatic screw machines												X	X	
Manufacturing, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, shell, textiles, wood (excluding planning mills), tars and paint not employing a boiling process												X	X	See note 5.
Manufacturing, compounding, processing, packaging or treatment of such products as baking goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, toilet soap, toiletries, and food products												X	X	
Manufacturing and maintenance of electric and neon signs, billboards and commercial advertising structures and light sheet metal products, including heating and ventilating ducts and equipment, cornices, eaves and the like												X	X	
Manufacturing of musical instruments, toys, novelties and rubber and metal stamps												X	X	
Manufacturing of pottery and figurines or similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas												X	X	
Medical, dental, paramedical, chiropractor offices							X	X	X	X	X	X		
Metal shops involving fabrication of sheet metal only												X	X	
Mobile home parks				X										See note 16.
Mobile homes, agricultural implements, heavy machinery sale, repair, rental or storage									X			X	X	
Monument works, stone works												X	X	
Motels, hotels									X	X	X	X		
Nightclubs									X	X	X	X		
Offices							X	X	X	X	X	X	X	
Orphanages and similar philanthropic institutions	X	X	X	X	X	X	X							
Outdoor Flea Markets/Open Air Sales									X	X		X	X	
Photographic developing, processing and finishing								X	X	X	X	X	X	
Physical culture establishments							X	X	X	X	X	X		
Planning or sawmills													X	
Pool halls, game rooms									X	X	X			
Public parks, recreational facilities	X	X	X	X	X	X	X	X	X	X	X	X	X	
Public buildings, libraries, museums, art galleries and similar public nonprofit facilities	X	X	X	X	X	X	X	X	X	X	X	X	X	

Permitted Uses	R-20	R-15	R-10	R-10M	R-8	R-6	O-I	C-1	C-2	C-3	C-4	M-1	M-2	Special Requirements
Public utilities, static transformer stations, transmission lines and towers and telephone exchanges, not including service and storage	X	X	X	X	X	X	X	X	X	X	X	X	X	See note 17.
Printing or binding shop									X		X	X	X	
Quarries or other extractive industries													X	
Repair and servicing of office and household equipment								X	X	X	X	X	X	
Restaurants, including all eating places except: drive-ins, nightclubs, clubs, lodges								X	X	X	X	X	X	
Retail business, but not car sales, not otherwise listed								X	X	X	X	X	X	See note 1.
Schools (academic), kindergarten, elementary, secondary, public or private	X	X	X	X	X	X	X	X	X	X	X	X	X	
Schools (nonacademic), commercial, vocational, public or private to include music and dance studios							X	X	X	X	X	X	X	
Service establishments, including but not limited to barbershops, small item repair shops, rental shops, custom fabrication, tailor shops, beauty parlors								X	X	X	X	X	X	
Sheet metal, roofing shops									X			X	X	
Shoe repair								X	X	X	X	X	X	
Signs	X	X	X	X	X	X	X	X	X	X	X	X	X	See article VI.
Stables, commercial												X	X	
Storage, outdoor, not including junkyards or storage of petroleum products in quantities over 100,000 gallons, not otherwise listed herein									X			X	X	See note 6.
Stores or shops, retail, but not automobile sales or repair and not otherwise listed herein								X	X	X	X	X	X	
Telephone exchanges, radio and television towers, cell towers									X	X	X	X	X	
Temporary buildings incidental to a construction project, a temporary permit for which has been issued concurrent with the permit for the permanent building(s) or construction	X	X	X	X	X	X	X	X	X	X	X	X	X	
Temporary events, uses and structures including but not limited to: circuses, carnivals, fairs, rides, sideshows, open air exhibits, musicals, dramas, religious events, stage shows, art and craft shows, sales and displays, all of a nonpermanent nature, whether held in conjunction with permanent or temporary buildings, in the open air or any combination thereof								X	X	X	X	X	X	See note 8.
Tobacco processing and storage												X	X	
Tourist homes							X	X						
Transportation terminals, freight									X			X	X	
Transportation terminals, passengers									X	X	X	X	X	

Permitted Uses	R-20	R-15	R-10	R-10M	R-8	R-6	O-I	C-1	C-2	C-3	C-4	M-1	M-2	Special Requirements
Travel trailer parks									X	X	X	X		
Upholstery, paper hanging, and decorator shops									X	X	X	X		
Veterinary establishments									X	X	X	X	X	
Wholesale establishments									X	X	X	X	X	
Warehouses, sales or service									X			X	X	
Woodworking shops												X	X	

(Ord. of 11-18-96, § II; Ord. of 9-20-05, § 1; Ord. of 5-19-08, § 1; Ord. No. 11-30-ORD40, 11-30-09; Ord. No. 06-2015-ORD13, § 2, 6-15-15; Ord. No. 12-2017-ORD-21, 12-19-17)

MINUTES FOR THE THOMASVILLE CITY COUNCIL BRIEFING MEETING ON MONDAY, AUGUST 14, 2023 AT 4:00 PM AT 20 STADIUM DRIVE, THOMASVILLE, NC.

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

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 Michael Brandt asked Council to add:

6. N. Light Up the Holidays Road Closure Ordinance

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

3. Public Forum – A public forum will be held at the Council Meeting on August 21, 2023. A two-minute time limit will be enforced.

4. Public Hearing – to be held on August 21, 2023

- A. Consideration of an Ordinance to Close an Unopened Portion of Kahler Street

*The following items were put on the Consent Agenda by the Council members for consideration on **August 21, 2023**:*

5. Consent Agenda

- A. Consideration of Approval of Minutes – Briefing Meeting on 07/10/23
- B. Consideration of Approval of Minutes – Council Meeting on 07/17/23
- C. Consideration of Approval of Minutes – Special Called Meeting on 07/24/23
- D. Consideration of Approval of Revision to Purchasing Policy Regarding P-Card Purchasing Transaction Limit
- E. Consideration of Approval of Revision to Personnel Manual Appendix A and to Approve New Job Descriptions in Finance Department
- F. Consideration of Amendment to City Ordinance Chapter 2, Article 4, Division 3, Section 2-152 Membership; Terms of Office, Vacancies of Historic Preservation Commission
- G. Consideration of Approval of Extension of Resolution Amending the Thomasville Police Personnel Policy

- H. Consideration of Amendment to Thomasville Special Event Permit Policy and Farmers Market Policy to Address the Sale of Alcohol at Special Events
- I. Consideration of Amendment to City Ordinance Chapter 78, Article 8, Sections 78-468 and 78-469 to Replace a Yield Sign with a Stop Sign at 2nd Avenue and Randolph Street Intersection
- J. Consideration of Amendment to City Ordinance Chapter 10, Article 2, Sections 10-36, 10-37 and 10-39 Animals
- K. Consideration of Approval of a Resolution for Continued Support of Memorandum of Understanding for High Point MPO
- L. Consideration of Approval of Resolution of Acceptance of Asset Inventory and Assessment Grant
- M. Consideration of Light Up the Holidays Road Closure Ordinance

*The following items were put on the Regular Agenda by the Council members for consideration on **August 21, 2023**:*

6. Regular Agenda

- A. Consideration of the Approval of the Thomasville City Strategic Plan
- B. Consideration for Approval of Bid to Demolish 207 Brown Street and 306 Martin Luther King Drive
- C. Consideration of Approval of Resolution of Acceptance of a Loan and Grant for Rains Road Pump Station Improvements
- D. Consideration of Approval of Resolution of Acceptance of State ARPA Earmark Funds for Waterline Improvements

7. Committee Reports and Appointments, Mayor's Report and Appointments, City Manager's Report, City Attorney's Report on August 21, 2023

- 8. Additional Items – City Manager Brandt advised that a citizen without insurance ran a red light and hit a police car today. The officer is okay, but the vehicle sustained a great deal of damage.
- 9. Adjournment – Council Member Williams moved to adjourn. Council Member Shell seconded. *Motion unanimously approved 5 – 0.*

Raleigh York, Jr., Mayor

Wendy S. Martin, City Clerk

MINUTES FOR THE THOMASVILLE CITY COUNCIL MEETING ON MONDAY, AUGUST 21, 2023 AT 6:00 PM AT 20 STADIUM DRIVE, THOMASVILLE, NC.

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

1. Call to Order – Mayor York called the meeting of the Thomasville City Council to order and welcomed everyone in person and online.

Note: Channel 13 wasn't operational, so this meeting was broadcast over Facebook Live.

Electronic voting was introduced at this meeting.

2. Additions and Deletions to the Agenda

Upon request of Council Member Thrift, City Manager Michael Brandt requested that Council move item 5.H. Consideration of Amendment to Thomasville Special Event Permit Policy and Farmers Market Policy to Address the Sale of Alcohol at Special Events from the Consent Agenda to item 6.E. on the Regular Agenda.

Mayor Raleigh York, Jr. added item 8. Closed Session – Attorney/Client.

Council Member Thrift moved to approve the agenda as amended. Council Member Hunt seconded. Motion unanimously approved 6 – 0.

3. Public Forum – No one came forward to speak.
4. Public Hearing – Consideration of an Ordinance to Close an Unopened Portion of Kahler Street

Planning Director Chuck George said this property is the back third of the property at 710 Salem Street, near the billboards. There is no access to it from Doak Street or any other adjacent property. The owners want to close this portion of Kahler Street to use the property for further development.

Mayor York opened the public hearing. Nobody spoke for or against this issue. Mayor York closed the public hearing.

Council Member Hunt moved to approve the ordinance. Council Member Shell seconded. Motion unanimously approved 6 – 0.

5. Consent Agenda

City Manager Brandt and spoke briefly about each of these items:

- A. Consideration of Approval of Minutes – Briefing Meeting on 07/10/23
- B. Consideration of Approval of Minutes – Council Meeting on 07/17/23
- C. Consideration of Approval of Minutes – Special Called Meeting on 07/24/23
- D. Consideration of Approval of Revision to Purchasing Policy Regarding P-Card (Purchasing Card) Purchasing Transaction Limit

This is a revision to the City's Purchasing Policies/Procedures Manual to increase the p-card transaction limit from \$500 to \$3,000.

The Finance Department is responsible for reviewing/approving all p-card transactions daily. There is no change to the purchasing process. This adjustment will just allow departments to purchase from Amazon or in the community easier than if they were using purchase orders.

- E. Consideration of Approval of Revision to Personnel Manual Appendix A and to Approve New Job Descriptions in Finance Department

Due to the upcoming retirement of the Lead Accounting Clerk (A/P) in the Finance Department, staff is recommending restructuring the position into a "Purchasing Officer" who will provide central oversight of all city purchasing functions, in addition to the A/P accounting functions previously performed by the Lead Billing Clerk. The position will continue be a Grade 26.

The position of Accounting Clerk II will be replaced with a position of "Accountant," which provides broader duties assigned to what was the Accounting Clerk II position. This will also remain the same Grade 24.

Staffing levels will remain the same. We're not adding any additional staff.

- F. Consideration of Amendment to City Ordinance Chapter 2, Article 4, Division 3, Section 2-152 Membership; Terms of Office, Vacancies of Historic Preservation Commission

Due to difficulties in finding qualified candidates to serve on the Historic Preservation Commission, Council is modifying the terms of office to allow individuals to serve longer than two 3-year terms.

- G. Consideration of Approval of Extension of Resolution Amending the Thomasville Police Personnel Policy

In April, 2023, the City Council approved a series of short-term policies to allow officers to be paid to cover shifts on an on-call basis. It also allowed reserve officers and/or Thomasville Police retirees to be paid to help with manpower

shortages. The Police Department is requesting that this policy be extended through December 31, 2023.

~~H. Consideration of Amendment to Thomasville Special Event Permit Policy and Farmers Market Policy to Address the Sale of Alcohol at Special Events (Moved to item 6. E.)~~

Assistant City Manager Eddie Bowling spoke briefly about each of these items:

~~H.~~ Consideration of Amendment to City Ordinance Chapter 78, Article 8, Sections 78-468 and 78-469 to Replace a Yield Sign with a Stop Sign at 2nd Avenue and Randolph Street Intersection

This item started as a citizen request and comes to Council from the Public Safety Committee. All other connecting roadways to Randolph Street are controlled by a stop sign.

~~J.~~ Consideration of Amendment to City Ordinance Chapter 10, Article 2, Sections 10-36, 10-37 and 10-39 Animals

These ordinances regarding dogs and their care are available on our website and upon request of the City Clerk.

~~K.~~ Consideration of Approval of a Resolution for Continued Support of Memorandum of Understanding for High Point MPO

This Resolution confirms the policies and procedures and responsibilities for City members of the High Point MPO.

~~L.~~ Consideration of Approval of Resolution of Acceptance of Asset Inventory and Assessment Grant

This Resolution is for the acceptance of grant funding in the amount of \$400,000 for examination of existing and new data to analyze and identify sources of inflow and infiltration in the sanitary sewer system for elimination.

~~M.~~ Consideration of Light Up the Holidays Road Closure Ordinance

This event is scheduled for November 18, 2023, the Saturday before Thanksgiving and will run from 2:00 P.M. – 9:00 P.M

Council Member Thrift moved to approve all the items on the Consent Agenda. Council Member Hunt seconded. Motion unanimously approved 6 – 0.

6. Regular Agenda

A. Consideration of the Approval of the Thomasville City Strategic Plan

Assistant City Manager Eddie Bowling said the purpose of a Strategic Plan is to set overall goals for the City and to develop a plan to achieve them. This Plan involves stepping back from day-to-day operations and asking where our City is headed and what its priorities should be:

The Plan establishes the following:

1. Mission

- a. Our Mission is to provide quality municipal services to the Citizens of Thomasville.

2. Vision

- a. Building a Better Thomasville Together

3. Core Values

- a. Innovative Growth - We focus on continuous improvement – of ourselves and for the processes in which we are accountable.
- b. Diversity, Equity & Equality - Our organizations should respect and appreciate differences in age, gender, ethnicity, education, physical abilities, race, and religion among individuals.
- c. Quality, Effective Service - Through teamwork by supporting and empowering staff to serve the community every day. We continually raise standards and drive our teams to deliver high quality services and processes.
- d. Honesty & Integrity is the foundation for everything we do. We expect everyone to do the right thing even when no one is watching.

Additionally, he advised that six strategic priorities were identified:

- 1. Sustainable Growth and Development – We will promote responsible and sustainable development that balances the needs of our residents with the protection of our natural environment.
- 2. Infrastructure Renewal – We will invest in our infrastructure to ensure that it is safe, reliable, and efficient, and meets the needs of our growing community.
- 3. Economic Development – We will encourage economic growth and diversification by attracting new businesses and industries, supporting existing businesses, and creating employment opportunities for our residents.

4. Community Safety and Well-being – We will work to create a safe and inclusive community that promotes the health and well-being of all residents.
5. Environmental Stewardship – We will protect and enhance our natural environment by promoting sustainable practices and reducing our carbon footprint.
6. Effective Governance and Leadership – We will provide transparent and accountable governance, and foster a culture of innovation and collaboration within our municipal organization.

Council Member Hunt moved to approve the Thomasville City Strategic Plan. Council Member Sellars seconded. Motion unanimously approved 6 – 0.

The Strategic Plan is available on the City website.

B. Consideration for Approval of Bid to Demolish 207 Brown Street and 306 Martin Luther King Drive

Planning Director Chuck George said Council previously condemned both of these homes, which were burned beyond repair. The lowest bids that he received to demo these structures were both from Kennedy Ditching and Trucking. The 207 Brown Street bid was for \$3,500. The 306 Martin Luther King Drive bid was \$2,200.

He said, “Mr. Kennedy has done work for us in the past and done outstanding work for us. So we recommend him for each of these projects.”

Council Member Sellars moved to approve the bid from Kennedy Ditching and Trucking to demolish 207 Brown Street and 306 Martin Luther King Drive. Council Member Shell seconded. Motion unanimously approved 6 – 0.

C. Consideration of Approval of Resolution of Acceptance of a Loan and Grant for Rains Road Pump Station Improvements

City Manager Brandt asked Council to approve this Resolution to accept a loan and grant from the NC the North Carolina Department of Environmental Quality Clean Water State Revolving Fund Loan in the amount of \$1,000,000, as well as American Rescue Plan funding in the amount of \$4,000,000 for the construction of the Rains Road Pump Station Upgrades and installation of approximately 4,800 linear feet of 16-inch force main.

Council Member Sellars moved to approve this resolution. Council Member Hunt seconded. Motion unanimously approved 6 – 0.

D. Consideration of Approval of Resolution of Acceptance of State ARPA Earmark Funds for Waterline Improvements

City Manager Brandt advised that the North Carolina Department of Environmental Quality has offered a State Grant in the amount of \$1,000,000 for the construction of approximately 3,150 LF of 6-inch diameter ductile iron (DI) waterlines to replace existing 2-inch diameter galvanized waterlines along Cramer Street, Ingram Street, Montlieu Street, School Drive, and Willowbrook Drive within the City of Thomasville. The project also involves the transfer of existing water services connected to the existing 2-inch diameter galvanized waterline to the new 6-inch diameter DI waterline.

Council Member Sellars moved to approve this resolution. Council Member Williams seconded. Motion unanimously approved 6 – 0.

E. Consideration of Amendment to Thomasville Special Event Permit Policy and Farmers Market Policy to Address the Sale of Alcohol at Special Events

City Manager Brandt explained that this new Special Event Permit Policy and Farmers Market Policy would provide clarity as to the approval process and sale of alcohol at events at Pace Park, the Farmers Market, and the Downtown Social District during Special Events.

He said the key difference is that 3rd-party breweries and wineries may serve their own alcoholic beverages, if they hold the proper license. Non Profit Organizations are only allowed to host events that serve alcohol. The sale, distribution, possession and consumption of beer, wine and other alcoholic beverages within the public area shall be in full compliance with all state and local laws governing such matters. For reference on serving alcohol please refer to GS § 18B-1114.5 and the 2022 Festival Participation & Event Permitting Guidelines issued by the NC ABC Commission.

Wristbands must be provided to those approved to consume alcohol. A limit of two beverages per transaction for individuals is required. All sales must end one hour prior to the time listed as end time of the event. This time should be posted at the event.

Council Member Hunt moved to approve this policy amendment. Council Member Williams seconded. Motion approved 5 – 1 with Council Member Shepherd voting against it.

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

Mayor Pro Tem Williams advised that people will need to have a valid ID to vote in this year's election. She said you can get a free ID at the DMV. Call the Davidson County Board of Elections for further information. She said, "Start figuring that out

now, so you're not caught in November without a picture ID, because everybody needs to vote. Make sure you're registered. It's super important."

Council Member Sellars reminded everyone that school would be back in session soon, and she asked everyone to be extra cautious on the roads. She also suggested that people with time could volunteer at one of our city schools.

Council Member Thrift wished a successful school year to all of the administrators, teachers and students.

Council Member Hunt wished a speedy recovery to fellow Council Member Ron Bratton.

Mayor York attended the funeral of Carolyn Bennett, former Mayor Joe Bennett's wife. He asked that everyone remember that family at this time.

He advised that the 7 West Guilford Street Committee had finished their work and given their recommendations to the City Council about the potential uses for the old police department building. City Council will be in discussions about this matter.

The Davidson County Commissioners have created a new Economic Development Commission. Due to his 8 years of experience on the former EDC, Mayor York appointed himself to the new Board as the voting member from Thomasville. He appointed Council Member Thrift as the alternate, effective through the installation of the new City Council following the upcoming election.

City Manager Michael Brandt reported that the City held a joint training Emergency Operations Event last week focused on preparing for the possibility of a Downtown train derailment event, since Thomasville has over 38 trains passing through the City every day. All City departments, as well as representatives from Davidson County Emergency Operations, 911 Center, Greensboro Rapid Response/Hazardous Materials Team, staff from the State Emergency Operations, NCDOT, and Norfolk Southern met for almost 6 hours to walk-through a train derailment. They even heard from the Fire Chief of East Palestine, Ohio, who experienced a similar event earlier this year. It was helpful to gather all these resources together to make a plan of action, in case this type of situation ever occurs. City Manager Brandt thanked Emergency Manager Sam Olshinski, for organizing this event, and all of the participants who attended.

The pool had a very successful first season. Weekday swimming was over for the summer, because many of the lifeguards and staff had to return to school. However, a "Dive-In" Movie featuring "Buzz Lightyear" was scheduled for Saturday, and weekend swimming would remain open on weekends thru Labor Day.

City Manager Brandt expressed his gratitude to Priscilla Oldaker for planning the “Piano’s on Main” Event. On August 11, Thomasville had hundreds of people Downtown playing the pianos, listening to pianists, and watching artists paint and sketch. He also thanked the former Miss Thomasvilles who came back to celebrate the Miss Thomasville pageant along with the current Miss Thomasville Queen and her court and the reigning Miss North Carolina.

He announced that September would bring more events to community, including Everybody’s Night and Day on September 29 and 30th. Contact the Chamber of Commerce to reserve your craft booth.

City Attorney Misti Whitman reminded people to watch out for children walking and school buses stopping.

She also thanked City staff for all the time and effort they put into creating a Strategic Plan. She said, “I had the opportunity to go through it from top to bottom, and it’s a lot of information there, and it was very valuable information.”

Assistant City Manager Eddie Bowling thanked the City’s MIS department for all they do. He said this division is only comprised of three people, but while their numbers are small, they are mighty! Justin, Damon and Jay ensure that the City’s networks are safe and secure. Over the last few weeks, they enabled multi-factor authentication for all user accounts. This was a huge project with 300+ employees and over 200 email addresses. He said, “I am thankful for their willingness to take on this challenge on top of their normal day-to-day operations. You might see them on the side of the road climbing a pole just to fix a camera, or they’ll be managing all of the devices in this room...We’re very thankful for them.”

Secondly, he recognized the work of the Thomasville Police Department. He had the privilege to participate in an event where the TPD hosted a cookout for Kids with Cops. This is the result of a great partnership between our Police Department and Recreation Department. He thanked everyone who made this great event possible.

8. Closed Session – Attorney/Client

Council Member Thrift moved that Council go into closed session for an attorney/client matter. Council Member Hunt seconded. Motion unanimously approved 6 – 0. Open session resumed, and Mayor York announced that no action was taken in closed session.

9. Additional Items – City Manager Brandt announced that an information session regarding a proposed solar farm on the Baptist Children’s Home property would be held on August 23rd & 30th from 5:30 – 6:30 at the BCH Family Resource Center for anyone who is interested in attending.

10. Adjournment – Council Member Sellars moved to adjourn. Council Member Shell seconded. Motion unanimously approved 6 – 0.

Raleigh York, Jr., Mayor

Wendy S. Martin, City Clerk

MINUTES FOR THE SPECIAL CALLED MEETING OF THE THOMASVILLE CITY COUNCIL ON MONDAY, AUGUST 28, 2023 AT 4:00 PM AT 20 STADIUM DRIVE, THOMASVILLE, NC.

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

1. Call to Order – Mayor York called the meeting of the Thomasville City Council to order.

He switched the order of items 2 and 3 on the agenda so that the closed session would be held first.

Mayor *Pro Tem* Williams moved to approve the agenda as amended. Council member Hunt seconded. Motion unanimously approved 5 – 0.

2. Closed Session – Attorney/Client

Council Member Hunt moved to go into closed session for attorney/client matters. Council member Sellars seconded. Motion unanimously approved 5 – 0.

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

3. Consideration of Purchase of 52 East Main Street, Thomasville, NC

Council Member Shepherd moved to approve the purchase of 52 East Main Street for \$125,000, to be recorded on August 29, 2023. Council member Hunt seconded. Motion unanimously approved 5 – 0.

4. Adjournment – Council Member Sellars moved to adjourn. Council member Shell seconded. Motion unanimously approved 5 – 0.

Raleigh York, Jr., Mayor

Wendy S. Martin, City Clerk

Agenda Item Cover Sheet

Admin. Use Only:

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Committee Name

Personnel/Finance

Committee Date
And Agenda #

9.6.2023

PF1

Item Name:

Consideration of Budget Amendment 2024-P3-01

Description of Item:

Budget amendment for the following transactions: 1) Appropriation of Police Resitution and Forfeiture fund balance for the purchase 10 night vision devices and other equipment; 2) transfer requested by the auditor regarding ARPA unspent funds at FY 2023 year-end in the Water/Sewer Capital Project Fund; 3) Appropriation of trade-in revenue in the Golf Course Fund to be applied to the purchase of new carts; 4) Appropriation of Insurance proceeds in the PD for hail damage to vehicles and a vehicle accident.

Back-Up Materials:

Budget Amendment;
Memo

Council Action Requested:

Approval

Requested By:

Thomas Avant

Department:

Finance Dept.

Budget Amendment

To: City Manager
From: Finance Director
Date: 8/24/2023
Re: FY 2024 - Budget Amendment (2024 – P3 - 01)

\$76,000 of fund balance in the Police Restitution/Forfeiture Fund is appropriated for the purchase of a night vision devices and lithium battery-powered illuminator/lasers for the Thomasville PD SWAT team. \$3,500 is appropriated for payment to Martin Starnes & Associates on behalf of the Thomasville Tourism Commission for agreed-upon procedures applied to hotel occupancy taxes remitted to the city in FY 2023.

The amendment appropriates \$4,411 of insurance proceeds in the Police Department for a vehicle accident involving a 2020 Dodge Charger and \$44,440 for hail damage to multiple vehicles. The amendment also appropriates trade-in revenue for Winding Creek's current golf cart fleet to be applied to the purchasing cost of the new fleet.

At the request of our auditors, we are transferring \$595,578 of unspent ARPA grant funds budgeted in the Water/Sewer Capital Project Fund back to the grant Special Revenue Fund to close out FY 2023.

GENERAL FUND

INCREASE REVENUE

010-0000-383.01-00	Refunds/Insurance Proceeds	\$ 4,411.00
010-0000-383.01-00	Refunds/Insurance Proceeds	\$ 44,440.00
010-0000-390.01-09	Contribution/Donation-Miscellaneous	\$ 3,500.00
Total		\$ 52,351.00

INCREASE APPROPRIATION

010-4210-512.45-01	Contracted Services/Professional	\$ 3,500.00
010-5110-522.15-04	Maintenance & Repairs/Vehicles	\$ 4,411.00
010-5110-522.15-04	Maintenance & Repairs/Vehicles	\$ 44,440.00
Total		\$ 52,351.00

POLICE RESTITUTION & FORFEITURE FUND

INCREASE REVENUE

041-0000-399.01-00	Approp. From Fund Balance/Unreserved	\$ 76,000.00
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INCREASE APPROPRIATION

041-5110-524.74-00	Capital Outlay/Equipment	\$ 76,000.00
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GOLF COURSE FUND

INCREASE REVENUE

031-0000-340.01-00	Sales/Sale of Assets	\$ 207,720.00
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INCREASE APPROPRIATION

031-6221-554.74-00	Capital Outlay/Equipment	\$ 207,720.00
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WATER/SEWER CAPITAL PROJECT FUND

DECREASE APPROPRIATION

061-7097-574.74-00	Capital Outlay/Equipment	\$ 197,506.00
061-7098-572.45-04	Contracted Services/Engineering	\$ 324,314.00
061-7098-574.73-00	Capital Outlay/Other Improvements	\$ 67,258.00
061-7098-572.58-00	Unallocated/Contingency	\$ 6,500.00
Total		\$ 595,578.00

INCREASE APPROPRIATION

061-9010-573.60-62	Transfers To/American Rescue Plan	\$ 595,578.00
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Agenda Item Cover Sheet

Admin. Use Only:

Committee Name

Personnel/Finance

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Committee Date
And Agenda #

9.6.2023

PF2

Item Name:

Resolution to Close Golf Course Enterprise Fund and transfer all assets and debts to the General Fund

Description of Item:

In order to begin the process of transferring and properly budgeting for Winding Creek Golf Course, the Finance Department is requesting Council to approve a resolution setting in motion this action.

Back-Up Materials:

Resolution

Council Action Requested:

Approval of Resolution

Requested By:

Thomas Avant

Department:

Finance Department

**A RESOLUTION TO DISSOLVE WINDING CREEK GOLF COURSE
ENTERPRISE FUND**

THAT WHEREAS the City Council of Thomasville has determined that the need for the Winding Creek Golf Course Enterprise Fund is no longer necessary for the management of funds, assets, and debt of the Golf Course.

WHEREAS the City Council has elected to transfer the funds, assets, liabilities, and debt (if any) to the Thomasville General Fund; and

WHEREAS, those procedures that must be undertaken by the Finance Department require a significant amount of planning and preparation for the 2025 Fiscal Year;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Thomasville North Carolina;

That it is the intent of the City Council to dissolve the Winding Creek Golf Course Fund effective June 30, 2024.

Those funds, assets, liabilities, and debt within the fund will thereby be transferred to the Thomasville General Fund.

This resolution passed and adopted this 18th day of September 2023.

THE CITY OF **THOMASVILLE, NORTH CAROLINA**

BY: _____
Mayor

(Municipal Seal)

Attest:

Agenda Item Cover Sheet

Admin. Use Only:

Committee Name

Public Safety

**Committee Date
And Agenda #**

9.6.2023

Psafe7

Item Name:

Conisderation of Ordinance Establishing a Loading Zone on First Block of Salem Street

Description of Item:

Mahlon Rogers, owner of Old North State Candy, located at 2 E. Main Street, has requested a loading zone to be designated in the first available parking space on Salem Street. If approved, any business would be able to utilize this space for their loading zone needs. NOTE: Staff is determining if NCDOT also needs to approve request for loading zone.

Back-Up Materials:

Map of area for new loading zone; Revised Ordinance for Loading Zones, Section 78-486, Schedule 26.

Council Action Requested:

Consider Approval

Requested By:

Tammy Joyce

Department:

Admin. - Downtown EDC

Request for Loading Zone Space

Malon Rogers, of Old North State Candy Store has requested that the first parking space on Salem Street north of Main St. be converted into a Loading Zone. He has deliveries everyday from his candy factory, UPS, and other delivery or pick-up services. PD traffic has told him to stop loading outside of parking spaces.



**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF THE CITY OF THOMASVILLE**

BE IT ORDAINED that Chapter 78, Traffic and Vehicles, Article III, Division 2, of the Code of Ordinances of the City of Thomasville be amended in the following respect:

SECTION 1. That Section 78-486. Schedule 26: Loading Zones be amended as follows:

By adding Salem Street east side from a point 80 feet north of E. Main Street, first spot.

SECTION 2. That this ordinance be in full force and effect from and after its enactment.

On motion of Councilperson _____, with a second by Councilperson _____, Ordinance enacted by a vote of _____ to _____ this September 18, 2023.

Raleigh York, Jr., Mayor

ATTEST:

Wendy Martin, City Clerk

Sec. 78-486. Schedule 26: Loading zones.

The spaces on streets to be reserved as loading zones, at exact locations, for a time period of 30 minutes as provided in section 78-198, shall be as follows:

Commerce Street, west side, beginning 21 feet north of the northwest corner first alley north of East Main Street for a distance of 44 feet.

Commerce Street, west side, beginning at a point on the west side of Commerce Street 20 feet north of the curb at the intersection of Commerce Street and East Main Street, thence north 18 feet.

Fife Street, two spaces near the sidewalk entrance to the day care center he designated as "10-minute Loading Zones" from 6:00 a.m. until 6:00 p.m., Monday through Friday.

Guilford Street, East, south side, 41 feet east of a point 13 feet east of the first alley east of Salem Street.

Guilford Street, West, North side, located in front of 12 and 14 West Guilford Street.

Main Street, East, north side, first spot located west of the alley way in front of 16 East Main Street.

Main Street, West, north side, first spot located west of the alley way in front of 24 West Main Street.

Randolph Street, east side, from a point 206 feet south of East Main Street towards Colonial Drive.

Salem Street, east Side, from a point 96 feet south of East Guilford Street to J.W. Thomas Way intersection.

Salem Street, west side, beginning at a point 17 feet south of the southwest curblane of J.W. Thomas Way and running thence south 21 feet to a point.

Salem Street, east side, beginning at a point 80 feet north of E. Main Street, first spot.

J.W. Thomas Way, beginning at a point, said point being 38 feet west along the north side from the intersection of driveway for police department; thence running in a westward direction along the north side of Thomas Street for a distance of 43 feet.

Trade Street, east side, the first spot north of the alley way from West Main.

21)

(Code 1983, ch. 11, art. VI, sched. 25; Ord. of 8-21-95(1), § 1; Ord. of 8-17-98(2), § 1; Ord. of 12-21-98(3), §§ 1, 3; Ord. of 2-18-02, § 1; Ord. of 6-21-04(3); Ord. of 2-20-06, § 1; Ord. of 7-21-08, § 1; Ord. No. 09-2021-ORD24, 9-20-

Agenda Item Cover Sheet

Admin. Use Only:

Committee Name

Public Safety

Committee Date
And Agenda #

9.6.2023

Psafe8

Item Name:

Consideration of Ordinance for Road Closure- Thomasville Christmas Parade Route - December 9, 2023 from 9:00 A.M. - 2:00 P.M.

Description of Item:

Ordinance for Road Closure - Thomasville Christmas Parade

Back-Up Materials:

Road Closing Ordinance for Thomasville Christmas Parade

Council Action Requested:

Consider Approval

Requested By:

Michael Brandt

Department:

Administration

THOMASVILLE CHRISTMAS 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 Christmas 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.

The Code of Ordinances, City of Thomasville, North Carolina, is hereby amended by adding Sec. 78-21. Thomasville Christmas Parade Route Road Closure, and it shall read in its entirety as follows:

Article I. In General

Sec. 78-21. Thomasville Christmas 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: December 9, 2023

Time: 9:00 A.M. – 2:00 P.M

Roads closed: Julian Avenue from Main Street to Sunrise Avenue;
East and West Main Street from Underpass to MLK; and
East Main Street Southside from Morrison to Underpass

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 18th day of September, 2023.

Raleigh York, Jr., Mayor

ATTEST:

Wendy S. Martin, City Clerk

Agenda Item Cover Sheet

Admin. Use Only:

Committee Name

Public Safety

**Committee Date
And Agenda #**

9.6.2023

Psafe9

Item Name:

Consideration of Ordinance for Road Closure for Star of Bethlehem Drive- Thru Nativity December 9 and 10, 2023 from 5:00 P.M. to 9:00 P.M.

Description of Item:

Ordinance for Road Closure

Back-Up Materials:

Ordinance for Road Closure

Council Action Requested:

Consider Approval

Requested By:

Michael Brandt

Department:

Administration

**STAR OF BETHLEHEM DRIVE-THRU NATIVITY
ROAD CLOSURE ORDINANCE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THOMASVILLE that the following section is adopted as the Star of Bethlehem Drive-Thru Nativity Road Closure Ordinance, to be included in the Code of Ordinances, City of Thomasville, Section 78. Traffic and Vehicles, Article I. In General.

The Code of Ordinances, City of Thomasville, North Carolina, is hereby amended by adding Sec. 78-28. Star of Bethlehem Drive-Thru Nativity Road Closure Ordinance, and it shall read in its entirety as follows:

Article I. In General

Sec. 78-28. Star of Bethlehem Drive-Thru Nativity 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: December 9 and 10, 2023

Time: 5:00 P.M. – 9:00 P.M

Streets to be closed:

- East Main Street at School Street traveling east (one way). West bound lane will be open
- Colonial at Randolph Street
- Colonial at Second Avenue
- Second Avenue at School Street
- Second Avenue at Randolph
- Kramer at Second Avenue
- Montilieu at School
- Montlieu at Taylor, Both Sides
- Ridgecrest at Taylor
- Taylor at Warner 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 18th day of September, 2023.

CITY OF THOMASVILLE

By: _____
Raleigh York, Jr., Mayor

ATTEST:

Wendy S. Martin, City Clerk

CITY OF THOMASVILLE
RESOLUTION AWARDDING BADGE AND SERVICE SIDEARM
TO RETIRING LAW ENFORCEMENT OFFICER
Lt. Raymond Widener

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, Lt. Raymond Widener has served the City of Thomasville Police Department for over 40 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 Lt. Raymond Widener the badge worn by him as well as his service side arm, a Sig Sauer 365XL, Serial # 66F062452.

Duly adopted this 18th day of September, 2023 while in regular session.

Raleigh York, Jr., Mayor

ATTEST:

Wendy S. Martin
City Clerk

Agenda Item Cover Sheet

Admin. Use Only:

Committee Name

Personnel/Finance

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**Committee Date
And Agenda #**

9.6.2023

PF5

Item Name:

Consideration of Approval of Contract for 1 MGD Sanitary Sewer Allocation Agreement w/Davidson County for Economic Development

Description of Item:

Contract between City of Thomasville and Davidson County for 1 MGD of sanitary sewer allocation. County provides for the planning and development of a sanitary sewer system expansion along the US 64 corridor to serve future economic development projects.

Back-Up Materials:

Draft Contract

Council Action Requested:

Approval of Contract

Requested By:

Michael Brandt

Department:

Administration

NORTH CAROLINA)
DAVIDSON COUNTY)

INTERLOCAL AGREEMENT
FOR WASTEWATER COLLECTION AND TREATMENT SERVICES
BETWEEN DAVIDSON COUNTY, NORTH CAROLINA
AND CITY OF THOMASVILLE, NORTH CAROLINA

THIS AGREEMENT, made and entered into this ___th day of September _____, 2023 by and between Davidson County, a North Carolina body corporate and politic, hereinafter referred to as "County," and the City of Thomasville, a North Carolina municipal corporation, hereinafter referred to as "City," for wastewater collection and treatment services;

WITNESSETH:

WHEREAS, North Carolina General Statute §160A-461 authorizes interlocal contracts or agreements between units of local government in this state of reasonable duration as determined by the participating units; and

WHEREAS, pursuant to the laws of the State of North Carolina the City currently operates a public enterprise whereby wastewater is collected, treated, and discharged by permit into the environment for the benefit of Thomasville; and

WHEREAS, pursuant to law, City is authorized to sell wastewater service to County customers that do not reside within the municipal boundaries of the City, hereinafter referred to as "Outside customers," and the City has determined it has adequate wastewater treatment capacity to allocate a portion of this wastewater treatment capacity to new Outside customers, and that such an allocation would be in the best interest of both the City and County, particularly to meet needs for economic development; and.

WHEREAS, the parties agree that the scope of this project contemplates the construction of a sewer line to serve commercial and industrial development along Highway 64 in eastern Davidson County, a growth corridor identified in the Davidson County Land Development Plan; and

WHEREAS, State and Federal regulatory authorities are promoting regionalization of wastewater treatment as a means of improving regional water quality and both Thomasville and Davidson County see this project as mutually beneficial for promotion of economic growth for the citizens of Thomasville and Davidson County; and

WHEREAS, with the excess capacity at its sewer treatment plant City believes that it can treat the needs of industrial, commercial and development customers in the Highway 64 corridor; and

WHEREAS, the City and County desire a long-term wastewater service partnership

which facilitates orderly growth and development within the County in proximity to the City of Thomasville.

NOW, THEREFORE, in consideration of the respective rights, power, duties and obligations hereinafter set forth to be performed by City and County and in consideration of the reservation of wastewater treatment capacity of 1,000,000 gallons per day to the County, the parties mutually agree as follows:

1. **Wastewater Capacity Allocation** - The City of Thomasville's Wastewater Treatment Plant (WWTP) currently has an approved National Pollution Discharge Elimination System (NPDES) permit for treatment of 6.0 million gallons per day (MGD). The City will allocate one million gallons per day (1.0 MGD) wastewater capacity of its wastewater collection and treatment system for new County Customers.

2. **Request for Additional Capacity** - It is the intent of the parties hereto to develop a long-term partnership for wastewater treatment and collection services. As such, the allocated wastewater capacity included herein may be increased upon mutual agreement by the parties. When the County's actual monthly wastewater volume reaches eighty percent (80%) of the County's allocation, and should additional wastewater treatment capacity be available at the City's wastewater treatment plant, the parties agree to negotiate in good faith, to increase the allocation of wastewater capacity to the County.

3. **Sewer Line Construction** – In exchange for the (1.0 MGD) of wastewater capacity allocation referenced above, the County agrees to construct a sewer line within the Hwy 64 corridor connecting to the City's treatment plant located in the Hamby Creek area. A map reflecting the anticipated location of the area to be served by this line is attached to this Agreement as Exhibit "A".

4. **County Assumption of Trinity Wastewater Allocation** - The parties acknowledge that City has previously allocated up to one million gallons per day (1.0 MGD) of its wastewater treatment capacity to the City of Trinity, hereinafter referred to as the "Trinity Allocation. The City acknowledges the County's desire to purchase the Trinity Allocation from the City of Trinity. City agrees to approve the transfer of the Trinity Allocation to the County, with the understanding that all outstanding debt owed by the City of Trinity shall be paid in full. As of September 12, 2023, the outstanding debt is \$2,989,005.13, payable in equal payments of \$498,167.52 through the end of Fiscal Year 2029 (June 30, 2029). City may purchase a minimum of 200,000 gpd from the Trinity Allocation acquired by County. within ten years of such acquisition by County, with the purchase price being established as the price per gallon paid by the County to the City of Trinity. Should the County actually allocate or commit (1.2 MGD) within the ten-year timeframe mentioned above, the City will have 120 days to make the request for purchase of wastewater capacity from the County or forfeit such purchase rights. If the City wishes to purchase wastewater capacity beyond the ten-year timeframe, the right to sell and price per gallon will be negotiated between the two parties at the time of the request.

5. Ownership, Operations and Maintenance - The City shall retain ownership, operations, and maintenance responsibility of the wastewater collection system, including wastewater pipelines and pumping stations that convey wastewater to the WWTP under the terms of this Agreement. The County shall transfer ownership of the collection system infrastructure after issuance of an Engineer's Certification of Substantial Completion. The County shall at that time assign all rights, title and interest to the City subject to the terms of any financing requirements for funding of the infrastructure. In order to assist the City with the cost of operating the new County sewer system, both the County and City have agreed that the County will provide interim funding to the City for annual maintenance. Once operational, the system will have a one-year warranty period and therefore, excludes the County from paying the City for maintenance cost.

The parties stipulate and agree that for purposes of this section the annual maintenance cost shall be established as the total sewer installation cost paid by the county multiplied by 4.375 percent. For example, if the total sewer installation cost is \$35,765,750 then the annual maintenance cost would be \$1,564,752. In years two through four of this Agreement the County will pay to City a sum equal to twenty percent (20%) of the annual maintenance cost provided, however, that such payment by County will be reduced by service provided to outside customers. The calculation and "maximum" gpd required (51,902 gpd) to meet the "break-even" threshold for the County to cease payment to the City for maintenance cost is listed within the table below:

Category	Amount
Thomasville's Outside City Sewer Charge (Per 1,000 Gallons Per Day)	\$ 16.72
Thomasville's Per Month Sewer Consumption Charge	\$ 44.98
Estimated Sewer "Actual" Use (Gallons Per Day)	51,902
Estimated Monthly Sewer Charge	\$ 26,034
Estimated Annual Sewer Charge	\$ 312,410
Estimated Annual Sewer Consumption Charge	\$ 540
Total Estimated Annual Sewer Charges	\$ 312,950

In year five and beyond, if the "break-even" threshold is not achieved by the County, the County's maximum obligation for annual maintenance costs increases from twenty percent (20%) to twenty five percent (25%), or \$391,188. This figure is the maximum cost the County will share, as any actual use / fees collected by Outside customers will be deducted from the above-mentioned totals. Should the City re-allocate wastewater gallons from the current system (Hwy 109 area) to the new regional system, the wastewater gallons transferred will be deducted from the City's wastewater allocation and not the County's.

6. Should the County construct future sewer infrastructure, the County will transfer ownership, all rights, title and interest to the City. In addition, the two parties will utilize the maintenance formula above to charge the County for related maintenance cost.

7. Wastewater Quality Considerations and Wastewater Requirements - All

wastewater quality requirements shall comply with the City of Thomasville's sewer use ordinance in the City's Code of Ordinances as such may be amended from time to time. The County acknowledges the City's right to monitor and enforce the requirements of this ordinance, including the City's pretreatment program for all wastewater customers subject to this Agreement.

8. **Wastewater Collection and Treatment Operations** - The wastewater collection and treatment system services being allocated to the County shall at all times meet the standards for collection and treatment of wastewater pursuant to Federal, State, and local regulations, under which standards the City treats wastewater at its wastewater treatment plant.

9. **Collection System Extensions** - The City and County shall cooperate in any proposed collection system (sewer) line extensions, according to the following:

- 9.1 The County's allocated capacity must be used within the proposed service areas included in this document. However, the County may elect to re-prioritize the implementation of the sewer system within these service areas. Should the County desire to allocate capacity beyond these service areas, this Agreement must be amended, by action of the City and County. The service areas include those areas as delineated in Exhibit A to this Agreement.
- 9.2 For the purposes of this agreement, the Nucor Corporation facility's initial (2023) sewer allocation will be allocated and deducted from the City's portion of their wastewater treatment system capacity. Additional wastewater treatment capacity needed by Nucor for future expansion (beyond initial 2023) amount, will be shared by the County and City (50% / 50%). For example, if the initial 2023 gallons per day amount totals 55,000 and Nucor proposes an expansion to 110,000 gallons per day, the County will provide the City with 27,500 gallons per day ($55,000 / 2 = 27,500$) in wastewater capacity from the County's allocation.
- 9.3 It is anticipated that certain property owners from whom easements are needed for the construction of the County sewer line may require access to the new sewer line in exchange for their granting of such an easement. In these instances, if the business is an already existing establishment, the City will provide wastewater allocation. If the business is considered "new" or is an "expansion" of an "existing" business, the County will provide wastewater allocation.
- 9.4 The County shall have the right to prioritize and utilize the allocated capacity within the service areas designated in Exhibit A of this Agreement. It is recognized that the County wastewater system expansion will likely be driven by one or more of the following: economic development; Board of Education school needs, both existing and future; communities requesting wastewater service by petition; public health necessities (e.g. failing septic systems or package plants); and requests by privately financed development. However, it is also recognized the system

expansions under this agreement are intended to be in the best interest of both the City and County; therefore, the City reserves the right to determine whether or not the City will accept the lines and appurtenances based on the impact of maintenance, upkeep, and other associated costs that come with such acceptance.

- 9.5 The County and City shall have the right to mutually determine collection system capacity needs and line sizes based on their determination of future flows, economic development opportunities, and expected growth within the area identified in Exhibit A.
- 9.6 For those requesting wastewater service extensions, the City and County will evaluate whether the service extension should be oversized beyond the needs of the requesting party to better serve the entire public system. If both the City and County agree to the oversizing of the line extensions, the project may be completed with the agreed to line sizes dependent of funding.
- 9.7 The County Manager or his designee shall answer questions and inquiries about service within the County's wastewater service areas covered by this Agreement. Further, the County Manager or his designee shall review and approve all wastewater service prior to submitting requests for use of the wastewater allocation to the City for consideration.
- 9.8 The County shall require landowners requesting private extensions having the capability to be further extended beyond the applicant's property to grant an easement to continue the extension across the entire width of the property prior to approval of the plans. The County shall cause all wastewater collection extensions to be constructed across the entire frontage width of an applicant property whenever it is feasible to extend future service beyond said applicant property.
- 9.9 Neither the County nor the City shall be responsible for the construction, operation, repair, or maintenance of any collection system main, outfall, pumping station, force main, service lateral or other appurtenance outside of the right-of-way or any easements obtained as part of a collection system project.
- 9.10 The County will be responsible for condemnation efforts as required to obtain property or property easements for projects subject to this Agreement.
- 9.11 The County shall pay all easement and right-of-way acquisition costs for wastewater line extensions pursuant to this Agreement beyond the City's municipal boundaries.
- 9.12 In order to ensure that extensions of the wastewater collection system under this agreement will meet City of Thomasville standards and specifications for acceptance by the City, plans and specifications to be used in bidding and awarding construction contracts are subject to review and approval by the City. The City

will utilize similar criteria for review and approval of the collection system as that applied within the City's current service area, and subject to the same sewer system policies, standards, and details. Both City and County approval must be granted prior to advertisement of the project for bids for construction.

- 9.13 The City will coordinate with the County and will participate in the public bidding of all wastewater collection system projects.
- 9.14 The City will coordinate with the County and will participate in all construction administration efforts including resident field representation associated with these projects and the review of pay requests.
- 9.15 For all projects pursuant to this Agreement, the County shall coordinate payment for engineering and construction costs of collection system extensions into County service areas.
- 9.16 The City shall have the right of approval for the Final Completion of all collection system line extensions and collection system expansion projects within the service areas subject to this Agreement. Upon City approval, the ownership, operation, and maintenance shall pass from County to City in accordance with the provisions of Article 5 herein.

10. System Development Fees for Wastewater Service - The City may approve system development fees for wastewater service that are calculated as required by Article 8 of Chapter 162A of the North Carolina General Statutes. The City will collect system development fees from new wastewater customers, including Outside customers. System development fee revenues will be accounted for by means of a capital reserve fund established pursuant to Part 2 of Article 3 of Chapter 159 of the North Carolina General Statutes. Expenditure of system development fee revenues will be limited to those purposes authorized by Article 8 of Chapter 162A of the General Statutes.

- 10.1 In addition to any future approved system development fee, Outside customers shall be subject to the standard fees and other charges paid by wastewater customers according to the most current fee schedule as approved by Thomasville City Council.
- 10.2 The City shall collect all system development fees and tap fees prior to the issuance of a building permit.
- 10.3 The City will not increase “annually adjusted” sewer rates on Outside customers beyond 225% of the current sewer rates paid by customers within the City of Thomasville.

11. Annexation Impact to Costs of Service - Should any Outside customers that fall under the terms and conditions of this Agreement be subsequently annexed by the City of

Thomasville, the following provisions shall govern:

- 11.1 The wastewater service rate paid by Outside customers annexed into the City will immediately be reduced to the prevailing service rate inside the City.
- 11.2 Should the City annex property within the County, the City will pay the County a price per gallon (gpd) for wastewater that is transferred from the County to the City. The price per gallon shall equal the cost of the County system divided by the total County wastewater allocation ($\$35,765,750 / 1,000,000 \text{ gpd} = \35.76 per gallon).
- 11.3 The change in County capacity allocation will be reflected on the annual summary report.

12. **Flow Determination for Billing** - Flow determination for County customers will be based on one of the following:

- 12.1 Individual metering of City-supplied potable water.
- 12.2 Individual metering of Davidson Water Company supplied potable water. The City will coordinate with Davidson Water for meter reading results for the purposes of billing of Outside residents.

13. **Flow Determination for Benchmarking Capacity Allocation Used by the County** - It is important to keep current the County's capacity allocation commitments to new customers within the service area. The County shall maintain a record of these commitments and provide an annual report to the City regarding capacity utilized to date and remaining available capacity. The annual report may take the form of a brief letter summarizing this information and an Excel spreadsheet or other similar computer spreadsheet program shall be due annually on or before the effective date of this Agreement. Capacity utilized shall be calculated as follows:

- 13.1 Based on the underlying assumptions on daily flows per Equivalent Residential Unit (ERU) used in the current City System Development fee calculation referred to in Article 7.
- 13.2 The City and County may from time to time, increase the overall allocation of wastewater flow to the County, but the allocation shall not be less than the flows outlined herein for the service areas of this Agreement.

14. **Force Majeure** - In case either Party to this Agreement by reason of Force Majeure shall be rendered unable wholly or in part to carry out its obligations under this Agreement, then if such Party shall give notice and full particulars of such Force Majeure in writing to the other Party within five (5) days of the existence of such Force Majeure, the obligation of the Party giving notice so far as it is effected by such Force Majeure shall be suspended during the continuance of the inability then claimed, but for no longer period, and such Party shall be required to resume performance of its obligation under this Agreement upon the termination of the aforementioned Force Majeure; provided, however, that the Party unable to perform shall use

its best efforts and act in good faith to overcome the impediment. No Force Majeure that renders any of the Parties unable to perform under this Agreement shall relieve a Party hereto of its obligation to make payments for wastewater services. The term Force Majeure as used herein shall mean acts of God, strikes, lockouts, or other industrial disturbances; acts of public enemy, orders of any kind of the Government of the United States or the State of North Carolina or any civil or military authority; insurrections; riots; epidemics; landslides; lightning; earthquake; fires; hurricanes; storms; floods; washouts; arrests; restraint of government and people; civil disturbances; explosions; breakage or accident to machinery, pipelines, or canals; or any other cause not reasonably within the discretion of the party having the difficulty.

15. Dispute / Attorney's Fees - If a dispute arises between the parties regarding breach of this Agreement or interpretation of any term hereof, the parties shall first attempt to resolve the dispute by negotiation followed by mediation if negotiation fails to resolve the dispute.

First, the City Manager and County Manager or other persons designated by each of the parties hereto will negotiate on behalf of the entities they represent. The nature of the dispute shall be reduced to writing and shall be presented to each designated representative who shall then meet and attempt to resolve the issue. If the dispute is resolved at this stage, there shall be a written determination of such resolution, signed by each authorized representative and ratified by the governing board of each party hereto, which resolution shall be binding upon the parties.

Second, if negotiation does not resolve the dispute within ten days of the reduction of issues to writing, the parties shall submit the matter to non-binding mediation. The parties shall attempt to agree on a mediator. If they cannot agree, the parties shall request a list of five mediators from an entity or firm providing mediation services or information. The parties will attempt to mutually agree on a mediator from the list provided; but, if they cannot agree, each party shall select one name and the selected mediators shall select a third name. The dispute shall be heard by the agreed mediator, or by a panel of three mediators if the parties have not agreed on a single mediator. Any cost of mediation shall be borne equally by the parties, who shall bear their own costs and fees therefore. If the disputed issues are resolved by mediation, a written determination of such resolution shall be signed by the duly authorized representative of each party, and approved by the respective governing boards.

Third, if disputes have not been resolved by negotiation or mediation, either party may proceed in the general courts of justice of the State of North Carolina, with the County of Davidson being the appropriate venue. In such an event, the prevailing party shall be entitled to its reasonable attorneys' fees as may be awarded in a legal proceeding, as well as all other recoverable costs, including costs of discovery.

16. Information - The County shall, upon reasonable notice in writing given to it by the City, provide any information desired to assist the City in planning its wastewater collection and treatment system needs and necessary improvements.

17. Invalid Terms - Should any one or more of the provisions contained in this Agreement be held invalid, illegal, or unenforceable in any respect, the validity, legality, and

enforceability of the remaining provisions contained in this Agreement shall not in any way be affected or impaired thereby, and this Agreement shall otherwise remain in full force and effect.

18. Controlling Law / Successors Bound - This Agreement and the rights and obligations of the parties hereunder shall be construed and interpreted in accordance with the laws of the State of North Carolina and shall be binding upon and inure to the benefit of the successors and, with consent of the other party, the assigns of either party hereto.

19. Counterparts - This Agreement may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original.

20. Notices - Any notices required or permitted in this Agreement, including address changes, shall be made in writing and shall be made either by mailing by registered or certified mail, return receipt requested, and postage prepaid, to the other party at the address shown herein for that party or at such different address for that party, notice of which has been properly given hereunder, or by personally delivering such a notice to an officer or other party. The notice, if mailed as provided for herein, shall be deemed given on the day of receipt or refusal to accept receipt, and if personally delivered, on the date of delivery. The addresses are as follows:

TO THE CITY:

City Manager
City of Thomasville
10 Salem Street
Thomasville, NC 27360

TO THE COUNTY:

County Manager
Davidson County
P.O. Box 1067
Lexington, NC 27293

21. Effective Date - Notwithstanding, anything herein to the contrary the parties hereto agree that the effective date of this Agreement shall be _____, 2023.

22. Term of Agreement - The parties agree that this Agreement shall be for a fifty (50) year term with an option to extend the agreement for an additional fifty (50) years at the end of the initial fifty-year period, subject to the terms agreed to by the parties at that time. At the end of any term, in the absence of prior notice or negotiated renewal terms, this Agreement shall automatically renew each year on the anniversary date of its original execution or any such amendments until such notice is given by either party as described herein. The parties agree and stipulate that this agreement is of reasonable duration as required by N.C.G.S. §160A-461. Either party, 36 months prior to the end of the fifty-year term may give the other in writing notice of intent to terminate the agreement at the end of the fifty-year term.

23. City Right to Acquire County Allocation – If, County choses to give up its wastewater allocation, the City may regain such wastewater allocation for use by City or for sale to another party. The County may not sell its wastewater allocation to another party without the

express approval of the City. In addition, if after 15 years of this agreement (beginning when wastewater system is operational), if the County has not allocated at least 50% of its wastewater capacity, the City reserves the right to enter into negotiations for acquisition of unallocated wastewater capacity. Thereafter, the City reserves the right to enter into negotiations to acquire unallocated wastewater capacity every 7 years. For negotiation purposes, the cost to purchase will equal the original County system purchase price of \$35,765,750 x current inflation rate / 1 MGD (to achieve a price per gallon which would be the selling price).

24. Entire Agreement - This Agreement reflects and contains the entire and only agreement between the parties relating to the subject matter herein, and as such supersedes all negotiations, commitments, and other agreements, whether oral or otherwise, including without limitation the Original Wastewater Agreement.

25. Amendments - This Agreement may be amended only by an instrument in writing executed by both parties.

(Remainder of page intentionally left blank.)

IN WITNESS WHEREOF, the City of Thomasville has caused this Agreement to be signed by its Mayor and attested by its City Clerk, and the County of Davidson has caused this contract to be signed by the Chair of its Board of Commissioners and attested by its Clerk, the undersigned have caused the Agreement to be executed as of the day and year above written:

CITY OF THOMASVILLE

By: _____ (SEAL)
Name: Raleigh York Jr.
Title: Mayor

Attest:

Wendy Martin
Clerk to Council

DAVIDSON COUNTY

By: _____ (SEAL)
Name: Fred McClure
Title: Chairman, Davidson County
Board of Commissioners

Attest:

Deborah J. Harris
Clerk to the Board

PRE-AUDIT CERTIFICATE

This contract has been pre-audited by the County Finance Officer in the manner required by the Local Government Budget and Fiscal Control Act.

Christy W. Stilwell
Finance

EXHIBIT A

