

CITY OF THOMASVILLE COUNCIL MEETING AGENDA
Monday, July 18, 2022 – 6:00 P.M.

7003 Ball Park Road, Thomasville, NC 27360
Mayor Raleigh York, Jr. ~ Mayor *Pro Tem* Hunter Thrift

1. Call to Order
2. Additions and Deletions to the Agenda
3. Public Forum – Please sign up in person to speak for two minutes on any topic. *A two-minute time limit will be enforced.*
4. Consent Agenda
 - A. Approval of Minutes – Special Called Budget Hearing on 06/06/22
 - B. Approval of Minutes - Briefing Meeting on 06/13/22
 - C. Approval of Minutes - Council Meeting on 06/20/22
 - D. Consideration of School Resource Officer Agreement
 - E. Consideration of Road Closure Ordinance for Everybody's Night
 - F. Consideration of Road Closure Ordinance for Everybody's Day
5. Regular Agenda
 - A. Call for Public Hearing on August 15, 2022 for Economic Development Project JT
 - B. Consideration of ARPA & CLFRF Grant Project Ordinance
 - C. Consideration of 2022-2023 ARPA Grant Budget Amendment
 - D. Consideration of Control of Access to City Properties Ordinance
6. Committee Reports and Appointments, Mayor's Report and Appointments, City Manager's Report, City Attorney's Report
7. Additional Items
8. Adjournment

**MINUTES FOR THE THOMASVILLE CITY COUNCIL SPECIAL CALLED MEETING
ON MONDAY, JUNE 6, 2022 AT 6:00 PM AT 7003 BALLPARK ROAD,
THOMASVILLE, NC.**

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

The following staff members attended the meeting: City Manager Michael Brandt; Assistant City Manager Eddie Bowling; Finance Director Thomas Avant; Police Chief Mark Kattner; and City Clerk Wendy Martin.

1. Call to Order

Mayor York called the special called meeting of the Thomasville City Council for the Budget Hearing to order.

2. Budget Hearing

Mayor York opened the hearing.

No one came forward to speak for or against the proposed Budget.

Mayor York closed the hearing.

3. Adjournment

Council Member Sellars moved to adjourn. Council Member Williams seconded. *Motion unanimously approved 7 – 0.*

Raleigh York, Jr., Mayor

Wendy S. Martin, City Clerk

MINUTES FOR THE THOMASVILLE CITY COUNCIL BRIEFING MEETING ON MONDAY, JUNE 13, 2022 AT 6:00 PM AT 7003 BALLPARK ROAD, THOMASVILLE, NC.

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

The following staff members attended the meeting: City Manager Michael Brandt; Assistant City Manager Eddie Bowling; Planning Director Chuck George; Finance Director Thomas Avant; Police Chief Mark Kattner; and City Clerk Wendy Martin

1. Call to Order – Mayor York called the Briefing meeting of the Thomasville City Council to order.
2. Additions and Deletions to the Agenda – City Manager Michael Brandt asked Council to make the following changes to the agenda:
Add: 6. K. Resolution in support of Highway Safety Grant Application;
Remove: Closed Session on 6/13/22

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

Mayor York added: Proclamation Recognizing Davidson County's Bicentennial Year

3. Recognitions and Presentations on June 20, 2022
 - A. Proclamation Designating July as Parks and Recreation Month
 - B. Proclamation Recognizing Davidson County's Bicentennial Year
4. Public Forum – Anyone can speak at the Council meeting on June 20, 2022 for two minutes on any topic they choose.

The following items were put on the Consent Agenda by the Council members for consideration on June 20, 2022:

5. Consent Agenda
 - A. Approval of Minutes - Briefing Meeting on 05/09/22
 - B. Approval of Minutes - Council Meeting on 05/16/22
 - C. Approval of Minutes - Special Called Council Meeting on 05/27/22
 - D. Consideration of Renewal of Contract with Home Solutions of Davidson County
 - E. Consideration of End-of-Year Budget Amendments
 - F. Consideration of ARPA Grant Project Ordinance
 - G. Consideration of ARPA Grant Budget Amendment
 - H. Consideration of ABC Board Travel Policy

MINUTES FOR THE THOMASVILLE CITY COUNCIL MEETING ON MONDAY, JUNE 20, 2022 AT 6:00 PM AT 7003 BALLPARK ROAD, THOMASVILLE, NC.

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

The following staff members attended the meeting: City Manager Michael Brandt; Assistant City Manager Eddie Bowling; Planning Director Chuck George; Finance Director Thomas Avant; Police Chief Mark Kattner; and City Clerk Wendy Martin

1. Call to Order - Mayor York called the meeting of the Thomasville City Council to order.
2. Additions and Deletions to the Agenda - There were no changes to the agenda.

Council Member Sellars moved to approve the agenda as presented. Council Member Thrift seconded. The motion passed unanimously 7-0.

3. Recognitions and Presentations

A. Proclamation Designating July as Parks and Recreation Month - presented by Council Member Thrift. Recreation Director Cory Tobin and Caprishia received the Proclamation.

B. Proclamation Recognizing Davidson County's Bicentennial (200th) Year - presented by Mayor Pro Tem Payton Williams

4. Public Forum - No one came forward to speak. No action was taken.

5. Consent Agenda – City Manager Brandt explained the following items:

A. Approval of Minutes - Briefing Meeting on 05/09/22

B. Approval of Minutes - Council Meeting on 05/16/22

C. Approval of Minutes - Special Called Council Meeting on 05/27/22

D. Consideration of Renewal of Contract with Home Solutions of Davidson County –
Renewal of Contract with Home Solutions of Davidson County to provide assistance in providing a counseling program for Thomasville residents that includes affordable housing, housing counseling, foreclosure mitigation and urgent housing repairs elderly, disabled, veterans, and single-parent households.

E. Consideration of End-of-Year Budget Amendment

The end-of-year amendment recognizes revenues and accounts appropriations, which may exceed budgeted estimates before June 30, 2022.

to the appropriate fund (i.e., General Fund, Water/Sewer Fund, Golf Course Fund, etc.). All interfund transfers must be budgeted. The budget amendment ensures all approved funding are transferred between funds appropriately for compliance.

H. Consideration of ABC Board Travel Policy

Thomasville ABC Board has requested City Council to approve their travel reimbursement and expenses policy and procedures.

I. Consideration of Resolution to allow City of High Point to Annex an Area within the City of Thomasville's Annexation Agreement Area

Consideration of Resolution to allow High Point to annex a 7-acre parcel of land, (parcel #16312000000072B) owned by Coggin Real Estate LLC for the development of a corporate park.

Council Member Thrift moved to approve the items on the Consent Agenda. Council Member Hunt seconded. The motion passed unanimously 7-0.

6. Regular Agenda – City Manager Brandt explained each item, except 6.E.

A. Consideration of Fiscal Year 2023 Budget Ordinance and City Fee Schedule

- The budget ordinance totals \$48,444,175 and levies a tax rate of 62 cents per \$100 of taxable property valuation for the General Fund, which is no change from prior year.
- The ordinance levies a school supplement tax rate of 19.5 cents per \$100 of taxable property valuation, which is no change from prior year.
- The ordinance levies a municipal vehicle tax of \$10 per registered motor vehicle, which is a \$5 increase from prior year.
- The figures are based on a 98.29% rate of collection in the General Fund - which is 1.79% higher than the previous year – and 95.03% in the School Fund.
- A motion to approve the FY 2023 Budget Ordinance and Rate Schedules by roll call vote is required.
- Rates schedules set the fees and schedules for all

Council Member Hunt moved to approve the 2023 Budget Ordinance and City Fee Schedule. Council Member Sellars seconded.

Roll Call Vote: All voted aye

Mayor *Pro Tem* Payton Williams – aye

Council Member Ron Bratton – aye

Council Member Doug Hunt – aye

Council Member Sellars moved to approve this revision to the Personnel Policy, as described. Council Member Williams seconded. The motion passed unanimously 7-0.

D. Consideration of Express Cab Taxi Franchise

This is the second reading of the Express Cab Taxi Franchise Ordinance. The company meets all standards of the franchise requirements, and it was unanimously approved last month.

Council Member Hunt moved to approve the Express Cab Taxi Franchise. Council Member Shepherd seconded. The motion passed unanimously 7-0.

E. Consideration of Highway Safety Grant Resolution

Police Chief Mark Kattner asked Council to consider approving the Resolution in support of the NC Governor's Highway Safety Program. He said TPD has applied for a grant for one position this year funded at 100%. He said the program's philosophy is to target DWI, reduce crashes and do seatbelt compliance checks. This program would provide approximately \$66,000 in total personnel cost and an additional \$52,000 in equipment cost, for a total of \$119,593 for the first year grant.

Council Member Thrift moved to approve the Highway Safety Grant Resolution. Council Member Hunt seconded. The motion passed unanimously 7-0.

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

Mayor *Pro Tem* Williams said she's really excited about all the things going on in Thomasville. She said, "There's always something going on in Thomasville, so follow Parks & Rec; follow PACE; follow the Tourism calendar; and if you're looking for something to do, I'm sure you'll find it."

Council Member Sellars reported that the Juneteenth weekend had great vendors and a great turnout at the Black Business Expo at PACE Park amphitheater on Saturday and at the Cultural Ball at the Finch House on Sunday. She invited everyone to attend next year's Juneteenth festivities.

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

Kimberly Oliver, Nancy Staton, and Malcolm Richbourg to the TCS School Board. Council Member Sellars seconded. The motion passed unanimously 7-0; and

Mr. Bowling also advised Council that the City Manager sent out letters to the non-profit organizations who applied for the City's ARPA Funds grant. The letter advised them that the grants cannot be funded, due to a change in the ARPA guidelines by the State. They were, however, advised of other grant opportunities that are available.

8. Closed Session - Personnel

Council Member Thrift moved to go into closed session for a personnel matter. Council Member Shepherd seconded. The motion passed unanimously 7-0.

No action was taken in closed session.

9. Additional Items - On behalf of the Personnel Committee, Council Member Hunter Thrift moved to appoint Olivia Ilardi to the Beautification Committee. Council Member Shell seconded. Motion approved 7-0.

10. Adjournment - Council Member Sellars moved to adjourn. Council Member Shell seconded. Motion approved 7-0.

Raleigh York, Jr., Mayor

Wendy S. Martin, City Clerk

SCHOOL RESOURCE OFFICER AGREEMENT

THIS AGREEMENT, effective the 1st day of July, 2022 by and between the Thomasville City Schools Board of Education (hereinafter referred to as "TCSBE"), the governing body of the Thomasville City Schools (hereinafter referred to as "TCS") and Thomasville Police Department, (hereinafter referred to as "TPD"), and the Thomasville City Council (hereinafter referred to as "TCC") as follows:

WITNESSETH

WHEREAS, the TCSBE has requested and the TCS and TPD have agreed to provide School Resources Officers (hereinafter "SRO" or collectively as "SROs") to be assigned along with supplies to certain schools in the Thomasville City Schools for which TCSBE has agreed to reimburse TPD for school year expenses in providing these officers; and

WHEREAS, the parties desire to set forth in this agreement the services to be performed by the SROs and the authority which each will have with respect to these SROs.

NOW THEREFORE, the parties hereto agree as follows:

ARTICLE I

Goals and Objectives

We have defined a School Resource Officer as a sworn officer assigned to a school on a long-term basis trained to perform three major roles: law enforcement officer, law-related counsellor, and law-related educator. In addition, the officer works in collaboration with the school and the community as a resource for safety and security issues. It is understood and agreed that the parties share the following goals and objectives with regard to the School Resource Officer (SRO) Program in the schools:

- To foster educational programs and activities that will increase students' knowledge of and respect for the law and the function of law enforcement agencies;
- The SRO assists the school administration in maintaining a safe and secure environment.
- A SRO's sworn duty to enforce the law does not contradict the need for the SRO to be a positive role model, but rather supports it. It is essential for an SRO to endorse high moral standards and use good judgment and discretion.
- SROs support school wide efforts to educate students on the consequences of unacceptable behavior, both in the school and in the community. In addition, the SRO works to educate students in crime prevention and personal safety.
- It is important to note that SROs are not school disciplinarians. SROs are not involved in investigating school rule violations,
- To encourage SROs to be visible by attending whatever possible extracurricular activities at schools, such as but not limited to: PTO meetings, athletic events, concerts, etc.;
- To act swiftly and cooperatively when responding to major disruptions and flagrant criminal offenses at school such as: disorderly conduct by trespassers, the possession and use of weapons on campus, the illegal sale and/or distribution of controlled substances, riots, and other violations or noted reportable offense requiring law enforcement involvement;

- To make written reports of serious crimes that occur on campus, to conduct investigations, and to cooperate with other law enforcement officials in their investigation of crimes that occur at school;
- To cooperate with law enforcement officials in their investigation of criminal offenses which occur off campus;
- To build a trust relationship as well as an understanding of law and order with students, faculties and parents;
- To encourage SROs to provide traffic control at schools when deemed necessary for the safety and protection of students and the general public;
- To be a resource for other agencies in matters involving students and/or school personnel; and
- To provide immediate communication with the principal or principal's designee when an emergency happens on or around school grounds.
- Upon observing student cyber bullying and social media conflicts, the SRO shall notify the principal in order to provide a safe environment.

ARTICLE II

Employment and Assignment of School Resource Officers

1. Positions. The TCBE has authorized positions for two (2) SROs for the district, one (1) at the middle school and one (1) at the high school named herein. TPD agrees to employ not fewer than two (2) School Resource Officers (SROs) during the terms of this agreement. The SROs shall be employees of TPD and shall be subject to the administration, supervision, and control of TPD, except as such administration, supervision and control and subject to the terms and conditions of this agreement and personnel, benefits, and salary determined by TCSBE.

2. Salary of SROs. The TCSBE agrees to provide and to pay the SROs salary and employment benefits in accordance with the applicable salary schedules and employment practices of the TPD. The SROs shall be subject to all other personnel policies and practices of TPD except as such policies or practices may have to be modified to comply with the terms and conditions of this agreement and TCS/TCSBE policies and procedures.

3. Assignment of SROs. SRO positions shall be filled by the providing TPD's directives and selection process. SROs will not have prior serious performance issues in their work history to include documented evidence of harassment, discrimination, improper use of force, or other serious performance issues in their work history that would make the officer inappropriate for performing duties as a SRO. In addition, SROs should have positive experience working with youth and/or in a school setting and should be willing and able to serve as mentors for students. TCS may provide feedback to TPD regarding SRO selection and will be collaborative partners in the process. TPD shall ensure that all SROs participate in an orientation process conducted in collaboration between TPD and TCS to provide an overview of the School Resource Officer Program and review TCS policies and procedures. TPD, in its sole discretion, shall have the power and authority to hire, discharge and discipline SROs. The school principal and superintendent or designee will be a part of the interview team which will make a recommendation to TPD regarding the appointment of new SROs. Substitute

SROs shall be utilized, when possible, for extended leaves or absences. TPD shall hold the TCSBE free, harmless and indemnified from and against all claims, suits or causes of action arising out of allegations of unfair or unlawful employment practices brought by SROs.

Each individual SRO shall be assigned to each regular middle and high school as listed below:

Thomasville Middle School
Thomasville High School

They shall also support, as needed, Liberty Drive Elementary School and Thomasville Primary School. Work at these schools will be based on specific need and weekly check-ins to build rapport and relationships with all district students. Such support shall not include traffic crossing duty.

4. Assignment of SRO Supervisor. TPD shall designate a regularly employed law enforcement officer to supervise the assigned SROs and to coordinate the functions of the SRO Program with the Superintendent or designee. The duties of the SRO Supervisor shall include coordinating work assignments of the SROs between various campuses; ensuring SRO compliance with directives and policies of TPD and TCS; coordinating SRO scheduling and work hours (vacation requests, sick leave, etc.); and addressing concerns and complaints regarding performance and conduct of SROs in collaboration with TCS and in accordance with TPD protocols. The duties of the SRO Supervisor will also include, but not be limited to, coordination of SRO activities between TCSBE and TPD; serving as liaison between school principals of the TCSBE and other SROs; advising other SROs regarding procedure; conducting school site assessments at all TCSBE schools pertaining to safe and secure school environments; communicating with the superintendent of the TCSBE or her designee on any situation deemed detrimental to the TCSBE or the schools by the SRO Supervisor; evaluation of all TCSBE safe school plans; assisting with TCSBE in the preparation and implementation for the crisis management plan; assisting on major incidents at any school within the TCSBE system; assisting in annual evaluation of SROs; reviewing incident reports; attending SRO seminars and conferences to assist the overall SRO program; and being available for the public speaking engagements regarding safe schools and the SRO program.

5. Chain of Command. The SRO is an employee of TPD and will follow established policies and procedures.

6. The SRO Supervisor will coordinate the daily activities of each assigned SRO. If the performance or working relationship is not to the principal's satisfaction, the principal will notify the SRO Supervisor and SRO Supervisor will remediate the SRO and if the problems persist, the SRO Supervisor will recommend to the Captain of the Division that the SRO be removed from the school or the SRO Division. If the SRO is removed from the school for any reason, TPD will have an obligation to replace that officer as soon as a suitable replacement is found. If the SRO is removed, a report of such removal shall be furnished to TPD and the TCSBE by the Captain of the Division.

ARTICLE III

Duties of Thomasville Police Department's Office (TPD)

TPD shall provide SROs as follows:

1. Qualifications of the School Resource Officer. The Officer:
 - Shall be a commissioned officer and ideally, but not necessarily, have at least two years of law enforcement experience.

- Shall be able to work with students and serve as a good example.
- Shall be able to conduct in-depth criminal investigations.
- Shall possess even temperament and set a good example for students.
- Shall possess communication skills that will enable the officer to function effectively within the school environment.
- Shall successfully complete other requirements as may be stipulated by TPD.

2. SRO Trainings and Briefings. TPD shall ensure that its SROs maintain minimum in-service training and certification requirements as would normally apply to all other certified officers in TPD in addition to any training and certification required under this Agreement. A representative from TPD can offer annual training for school administrators on identification of firearms and weapons as defined by law as well as issues related to school safety. The training will include policies and procedures pertaining to firearms and weapons on campus.

The summer schedule shall be established by TPD in conjunction with TCS. This schedule will include being on-site as needed during school sponsored events in the following months.

- June
- July
- August.

[Note: the schedule is flexible and will be determined prior to the end of the school year]

School Resource Officer Summer Training to be completed by TPD, (as needed):

Basic & Advanced School Resource Officer Training

Crisis Intervention Training (C.I.T.)

CPR/First Aid

Rapid deployment

Narcotics updates

Sex Offender Registry check

Yearly Mandated In-service Training

Cyber bullying and Social Media training

3. SRO Orientation and On-going Guidance Sessions. TPD shall collaborate with TCS to host an orientation and on-going guidance sessions of SROs and school administrators to discuss issues relevant to the School Resource Officer Program and operations. TPD shall require all SROs to attend TCS or TPD orientations and guidance sessions designed for SROs that may occur periodically during the school year during the SRO regular duty hours, so long as the scheduling of the guidance sessions offered by TCS do not conflict with assignments from TPD. Such guidance sessions shall be designed to provide resources to

SROs on topics relevant to the School Resource Officer Program, such as working with students with disabilities and special needs; student records and privacy issues; cultural competency and non-discriminatory administration of school discipline; positive behaviour interventions and supports; restorative justice and alternatives to incarceration programs; and mediation and conflict resolution processes with students. Repeated failure to attend TCS guidance sessions without a valid reason or proper notice may be grounds for the Superintendent to request removal of a SRO pursuant to **Article IV, Employment Status of School Resources Officer** herein.

4. **SRO Work Schedule and Absences.** When students are not in session in school for more than two (2) consecutive days, SROs will use appropriate procedures for utilizing sick leave, annual leave, or compensatory time. SROs may take accrued vacation time subject to the approval of the SRO Supervisor. TPD shall not utilize the SROs during the designated workday for duties other than set forth herein, except in emergency situations that necessitate removal of one or more SROs from their normal duties pursuant to the Agreement. In the event a SRO is temporarily unavailable on campus due to training, illness, approved leave, court hearing, or other reasons, TPD shall provide a replacement officer, whenever possible. TPD agrees to use all reasonable efforts to prioritize the assignment of replacement officers at the school campus sites.
5. **Reporting.** At least quarterly, TPD agrees to provide TCS reports of the aggregated number of referrals (reported by race, gender, and school assignment) of TCS students by the SRO to the adult criminal justice system, juvenile petitions, teen court referrals.
6. **Weapons.** TPD will provide standard issue weapons. Standard issue weapons will be worn by the SROs.

ARTICLE IV

Employment Status of the School Resource Officers; Suspension or Reassignment

Each individual SRO shall remain an employee of the Thomasville Police Department's Office, and shall not be an employee of the TCSBE. TPD shall provide their SROs with the same type benefits, equipment, supplies, and training as that provided to their regularly employed law enforcement officers.

If, in the discretion of the school principal, a SRO is not effectively performing his or her duties or responsibilities, and/or receives a complaint from a staff member, student or parent about actions of the SRO, the principal should report concerns to the SRO Supervisor to address the performance concerns. In the event concerns continue or persist, the principal or designee shall recommend to the Superintendent that the SRO be removed from the program and shall state the reasons in writing. After receiving the recommendation from the principal, the Superintendent or his/her designee, if s/he agrees, shall advise TPD of the request. TPD shall contact the Superintendent of his/her designee and shall agree to remove the SRO from serving TCS if, upon review by TPD, there is verifiable, documented evidence of on-going performance issues that has persisted despite the SRO being provided notice and an opportunity to improve.

In addition, if the principal documents SRO misconduct that threatens the health or safety of students or staff, TCS will immediately notify the SRO Supervisor and provide copies of such documentation, and TPD shall promptly remove the SRO from serving TCS until the completion of TPD's review of the misconduct, consistent with TPD's policies and ordinances and this agreement.

In the event of the resignation, dismissal, removal or reassignment of an SRO, TPD shall provide a replacement for the SRO within a reasonable period of time, to be discussed between the parties when a vacancy occurs. During such interim period, as much as reasonably possible, TPD shall assign an alternate law enforcement officer temporarily to carry out the duties of the SRO until a replacement can be secured.

Notwithstanding the foregoing, nothing in this agreement shall prohibit the Superintendent from preventing the access of any individual, including any assigned SRO, to TCSBE property if the Superintendent determines it is in the best interest of the health and safety of TCS students. Likewise, TPD reserves the right to suspend a SRO from duty with TCS. During any period of suspension under this section, TPD shall provide a replacement SRO pursuant to Article III, Section 4 herein.

ARTICLE V

TPD Expectations of the SRO While Serving on Campus

1. SRO Work Hours, Uniforms and Visibility on Campus. In the event any SRO is absent from work, the SRO shall notify both his/her supervisor in TPD and the principal of the school to which the SRO is assigned. SRO will be available on days' school is in session for students from 7:30 am until 3:30 pm and will be available for crisis and potential violent situations that may arise after school, at nights, and on weekends. The SRO will obtain authorization from the SRO Supervisor prior to working past 3:30 pm on school days, nights, and weekends. The SRO shall remain on the school grounds during normal school hours, except when necessary to attend to a law enforcement emergency, to attend any meetings or trainings described in this Agreement, or on limited occasions to attend to official law enforcement business off-campus. With the exception of emergency situations out of the SRO's control, the SRO shall give the SRO Supervisor and principal or designee reasonable advance notice of any times when the SRO is not expected to be on campus during normal school hours, and TPD will provide replacement officers to the extent possible in accordance with Article II, Section 6, of this Agreement. The SRO shall wear the official law enforcement uniform or other apparel issued by TPD at all times while serving on TCSBE.

2. SRO Mentoring and Outreach. Each SRO shall conduct himself or herself as a role model at all times and in all facets of the job; shall seek to establish a strong rapport with staff, faculty, students, and others associated with the school; and shall encourage students to develop positive attitudes towards the school, education, law enforcement officers, and positive living in general.

a. Interaction with parent and faculty groups. The SRO shall be strongly encouraged to attend meetings of parent and faculty groups to solicit their support and understanding of the School Resource Officer Program and to promote awareness of law enforcement functions during the SRO's regular duty hours.

b. Information on community resources. The SRO shall be familiar with community agencies that offer assistance to youths and their families, including but not limited to mental health clinics and drug treatment centers, and shall provide information on such agencies to students, parents, and/or school administrators when appropriate. In addition, the SRO shall provide information to the school principal, students, and parents regarding additional resources offered by community agencies providing afterschool and summer programs and opportunities for youth.

3. Law Enforcement Actions and Safety Interventions. The SRO may initiate appropriate law enforcement actions to address criminal matters, including matters that threaten the safety and

security of the school or its occupants, and/or intervene with staff or students (with or without a referral from school staff) when necessary to ensure the immediate safety of persons in the school environment in light of an actual or imminent threat to health or safety. Any such intervention shall be reasonably calculated to protect the physical safety of members within the school community, while minimizing, to the extent possible, any unintended negative effects on students. All law enforcement actions and interventions to protect the safety of others shall be consistent with all applicable laws, regulations, and policies. Use of force may be implemented pursuant to TPD procedures and protocol as well as all applicable laws, if objectively reasonable based on the totality of the circumstances and shall not be excessive, arbitrary, or malicious. The SRO also shall, whenever possible, advise the principal before requesting additional law enforcement assistance on campus and shall request such assistance only when necessary to protect the safety or security of those present on the school campus.

- a. Investigations and Arrests. Criminal investigations and arrests by SROs will be conducted in accordance with all applicable legal requirements, including all applicable laws, regulations, and policies governing the use of force, interrogations, searches, and arrests. The SRO shall promptly notify appropriate school authorities whenever a SRO asks a student questions of an investigative nature or takes any direct law enforcement action against a student; however, notifications may be withheld until deemed appropriate by the SRO if such notification would endanger a student or any other person or compromise an on-going criminal investigation. The appropriate school authorities shall promptly notify the parent(s) or guardian of any student suspended of criminal wrongdoing, whenever a SRO asks a student questions of an investigative nature or takes any direct action against any student suspected of criminal wrongdoing. SROs and school administrators shall collaborate and determine how such notice should be given in each individual circumstance. SROs shall comply with Miranda and juvenile Miranda rules whenever applicable in the course of questioning individuals suspected of criminal wrongdoing. If a SRO questions, searches, or arrests a student at school, all reasonable efforts will be made to remove the student from other students and bystanders or otherwise to not bring undue attention to the student.
- b. Searches. SROs shall be aware of and comply with all laws and standards regarding searches of persons and property while performing services pursuant to this agreement. In particular, SROs shall be aware of the differing standards governing searches by law enforcement officers for law enforcement purposes as compared with searches by school administrators in connection with student discipline. At no time shall any SRO request that any TCS employee lead or conduct a search of a student for law enforcement purposes.
- c. Interrogations. In cases where the parent(s) or guardian cannot be reached and any questioning of a student is conducted without parental notification, the school principal or designee must be present during the questioning unless the SRO directs otherwise for safety or investigative reasons. Presence of the principal/designee does not in any way impact the SRO's duty, if applicable in the situation, to comply with the students Miranda or juvenile Miranda rights. At no time shall the SRO request that any TCS employee act as an agent of the SRO or law enforcement in any interrogation.
- d. Non-school Investigations. The SRO shall refrain from questioning students at school regarding non-school related matters unless the SRO has a warrant or unless questioning, searching or arresting a student on school property at that time is

necessary, in the discretion of the SRO, for the success of a law enforcement investigation or to prevent injury or crime.

4. School Discipline. The school administrator shall be solely responsible for implementing the student Code of Conduct and discipline policies. The school administration, not the SRO, has primary responsibility for maintaining order in the school environment and for investigating and responding to school disciplinary matters. The SRO shall refer any reports or concerns relating to student discipline to the principal or designee and shall not independently investigate or administer consequences for violations of the Student Code of Conduct or any school disciplinary rules. The SRO should generally not have any further involvement in routine disciplinary matters such as tardiness, loitering, noncompliance, the use of inappropriate language, dress code violations, minor classroom disruptions, and disrespectful behaviours and other similar minor infractions of school rules. School officials shall only request SRO assistance when necessary to protect the physical safety of staff, students, or others in the school environment.

- a. Searches. The SRO shall not conduct or participate in searches of students or their belongings in school disciplinary investigations, unless their assistance is requested by school personnel to maintain a safe and secure school environment.
- b. Interrogations. The SRO will not be involved in questioning of students initiated and conducted by school personnel in disciplinary matters unless requested by the school personnel to maintain a safe and secure school environment. If the SRO's presence is requested under these circumstances, the SRO shall confine his or her involvement to what is reasonably necessary to protect the safety and security of members of the school community and shall not lead the investigation or actively question students.

5. Joint Law Enforcement and School Discipline Investigations. In cases where school disciplinary investigations and law enforcement investigations into criminal activity overlap and relate to matters affecting health or safety, it may be appropriate for school administrators and SROs to work in tandem. In such events, the criminal investigation takes precedence over school disciplinary issues. In such circumstances, the SRO shall be mindful of and clarify his or her role as a law enforcement officer conducting a law enforcement investigation when interviewing student witnesses, particularly students suspected of criminal wrongdoing. The SRO shall also adhere to all appropriate laws and standards governing law enforcement investigations and not assume that laws and standards that govern school disciplinary investigations will also apply to him or her in the course of conducting a criminal investigation.

6. Confidentiality; Access to Student Records. The SRO shall comply with all applicable laws, regulations, and TCSBE policies, including but not limited to laws, regulations and policies regarding access to confidential student records, provided that SROs shall under no circumstances be required or expected to act in a manner inconsistent with their duties as law enforcement officers. The SRO may have access to confidential student records or to any personally identifiable information of a TCS student as defined in 34 CFR 99.3, only to the extent allowed under the Family Educational Rights and Privacy Act (FERPA) and applicable TCSBE policies and procedures. SROs shall not automatically have access to confidential student records or personally identifiable information in those records simply because they are conducting a criminal investigation involving a student or for general non-specific purpose. School officials may, however, share relevant confidential student records and personally identifiable information contained in those records with SROs under any of the following circumstances:

- a. The SRO is acting as a “school official” (as it relates to accessing student records) as defined in 34 CFR 99.31 because he or she is exercising a function that would otherwise be performed by school personnel and has legitimate educational interests in the information to be disclosed. For example, a SRO may be authorized to review the Behavior Intervention Plan of a student with a disability if the principal or designee has requested the SRO’s assistance in deescalating physical conflicts and ensuring the physical safety of the student and others when the student becomes involved in interpersonal conflicts.
- b. The SRO has written consent from a parent or eligible student to review the records or information in question.
- c. The principal or designee reasonably determines that disclosure to the SRO without parental consent is necessary in light of a significant and articulable threat to one or more person’s health or safety.
- d. The disclosure is made pursuant to a valid subpoena or court order, provided that advance notice of compliance is provided to the parent or eligible student so that they may seek protective action from the court, unless the court has ordered the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed.
- e. The information disclosed is “directory information” as defined by TCSBE Policy 6.14, and the parent or eligible student has not opted out of the disclosure of directory information.
- f. The disclosure is otherwise authorized under FERPA, its implementing regulations, and applicable TCS policies and procedures.

7. Communication between SROs and Principals. The SRO is expected to meet with the school principal and members of the administrative team designated by the principal on a regular basis, both formally and informally, to discuss school safety concerns, duties and responsibilities.

8. Development of School Safety Plans. The SRO shall report any safety concerns to the school principal and or designee and shall confer with the school principal to develop plans and strategies to prevent and/or minimize dangerous situations on or near the campus or involving students at school-related activities. The school principal will contact any other school system personnel who should be involved in these discussions.

9. SRO Orientation, Annual SRO Summit and On-going Guidance Sessions. The SRO shall attend all orientations, meetings, summits, and information and guidance sessions scheduled during the SRO’s regular duty hours as requested by TPD and/or TCS in accordance with Article III, Paragraph 3 herein.

ARTICLE VI

Duties of TPD and TCS

1. Provision of Office Space and Access to School Community. The TCSBE, Superintendent, and school principals agree to provide to each full-time SRO:

- a. Access to suitable accommodation at the school, which shall include a lockable room with limited access, telephone, desk, chair, computer and filing cabinet;
- b. A radio for use on campus;
- c. Keys to the assigned school; and
- d. Reasonable opportunity to address students, teachers, school administrators, and parents about criminal justice, safety, and security issues relating to school-aged students.

2. Referrals to the SRO. Maintaining order in the school environment and investigating and responding to school discipline matters shall be the responsibility of the school administration. School administrators are expected to adhere to the student discipline procedures outlined in applicable state and federal law and Board policies. TCS shall refrain from involving the SRO in the response to student disciplinary incidents and the enforcement of disciplinary rules that do not constitute violations of law, except when necessary to support staff in maintaining a safe school environment. TCS shall provide training to school administrators regarding the role of the SRO and the appropriate involvement of the SRO in student matters that pose a threat to the safe school environment, at least on an annual basis. Such trainings shall include information on how to distinguish between the disciplinary infractions appropriately handled by school officials versus threats to school safety that warrant a referral to law enforcement.

3. Communications between SROs and Principals. School principals are expected to meet with SROs on a regular basis, both formally and informally, to discuss school safety concerns, duties and responsibilities. The TCSBE authorizes principals to report any crimes that occur on campus to the assigned SRO in compliance with all applicable state laws and TCSBE policies that require school officials to report criminal acts occurring on school grounds to law enforcement.

4. SRO Orientation, Annual SRO Summit and On-going Guidance Session. TCS shall coordinate an orientation for SROs to discuss an overview of the School Resource Officer Program and review TCS policies and procedures. TCS also shall host, in collaboration with TPD an annual summit of SROs and school administrators to discuss issues relevant to the School Resource Officer Program and operations. At least one administrator from each school with an assigned SRO shall attend the summit. In addition, TCS shall offer additional guidance sessions and resources to SROs on topics relevant to the School Resource Officer Program that may occur periodically during the school year, such as working with students with disabilities and special needs; student records and privacy issues; cultural competency and non-discriminatory administration of school discipline; positive behavior interventions and supports; restorative justice and alternatives to incarceration programs; and mediation and conflict resolution processes with students.

5. Data Collection and Reporting. TCS working in conjunction with SROs, shall maintain data listed in **Article III, Section 5** herein and other data on school-based discipline referrals that result in involvement with a SRO and/or law enforcement and review such data on an annual basis, including but not limited to the following information:

- a. The name of the staff member taking the referral;
- b. Detailed information to explain the circumstances that led to the referral, including a description of the conduct and the setting;
- c. The name of the SRO or other law enforcement involved and any actions taken in the response to the incident;

- d. Names and roles of school staff members involved in the response to the incident;
- e. The date of the referral;
- f. The name, race, ethnicity, sex, age, disability status, English Language Learner (ELL) status, and grade level of the students being referred and all other students involved in the incident;
- g. Whether the referral to law enforcement was mandatory under G.S. 115C-228(g); and
- h. A summary of the actions taken as a result of the incident (e.g. based upon the school administrator's knowledge, whether the student was questioned, searched or arrested on campus by law enforcement).

In addition, principals are expected to maintain documentation of all notifications received pursuant to G.S. 7B-3101 regarding juveniles who are alleged or found to be delinquent and shall preserve the confidentiality of such documentation in accordance with G.S. 115C-404.

6. Review of SRO Program. The Superintendent or his/her designee shall collect feedback from principals at least annually regarding the SRO program and provide feedback to TPD regarding the SRO program and the performance of SROs on an annual basis.

ARTICLE VII

Miscellaneous Provisions

1. Sex Offender Registry Checks. The parties acknowledge that the requirements of G.S. 115C-332.1 apply to this Agreement. TPD shall conduct an annual check of all sworn law enforcement officers assigned as SROs on the North Carolina Sex Offender and Public Protection Registration Program, the North Carolina Sexually Violent Predator Registration Program, and the National Sex Offender Registry. TPD certifies that no individual may provide services to TCSBE under this Agreement if he/she appears on any of the sex offender registries.

2. Relationship of Parties. TPD and TCSBE shall be independent contractors, and nothing herein shall be construed as creating a partnership or joint venture; nor shall any employee of either party be construed as employees, agents, or principals of any other party hereto. TPD maintains control over its personnel and any employment rights of personnel assigned under this Agreement shall not be abridged. Each party agrees to assume the liability for its own acts or omissions, or the acts or omissions of their employees or agents, during the term of this Agreement to the extent permitted under North Carolina law.

3. No Third-Party Benefits. There are no third-party beneficiaries to this Agreement. Nothing in this Agreement shall create or give to third parties any claim or right of action against TPD or a SRO.

ARTICLE VIII

Term of the Agreement

This Agreement **begins on July 1, 2022 and ends on June 30, 2023.**

ARTICLE IX
Consideration

1. TCSBE will pay the amount equal of \$183,665.30 noted in total salary and fringe (see appendix A for breakdown) salary allotment for two (2) SRO positions of which salary shall be paid over twelve months - \$91,024.97 for the High School SRO (Officer Harris) and \$92,640.33 for the Middle School SRO (Officer Jarrell).

2. To comply with Executive Orders, States of Emergency, Acts of God or other local/state/federal decisions or mandates beyond school or TPD control, during the time in which students are not attending classes on campus for more than thirty days, SRO officers will not be assigned to the schools if TPD can utilize them elsewhere. TPD agrees to use its best efforts to utilize SRO officers in other TPD roles during such time. If TPD is able to use SRO officers in another capacity, the SRO officer payments will be prorated on a percentage basis. The amount of time that students are not attending class in person and officers are not assigned will be deducted from the total contract fees based on the amount of time SRO officers are not on site. TCSBE shall however remain responsible for the Ten Percent pay differential even if the SRO officers are utilized by TPD.

3. The Thomasville City Finance Department will send a financial statement each month to the finance officer of Thomasville City Schools to account for the SRO salary expenditures. The monthly statement for each of the twelve months will show the current month's salary expenditures and the total year-to-date SRO expenditures.

ARTICLE X
Insurance and Indemnification

1. The City of Thomasville will purchase and maintain in full force and effect for the term of this agreement a general comprehensive liability insurance policy of no less than \$ 1,000,000 for any acts or omissions that occur or claims that are made during the term of the agreement. The Thomasville City Schools Board of Education shall be listed as an additional insured under such policy during the term of this Agreement.

2. TPD and TCS agree to hold the TCSBE its agents and employees free, harmless, and indemnified from risk against any and all claims suits, or causes of actions, including related costs or reasonable attorney fees, arising from or in any way out of the performance of the duties of the SROs or the SRO Program.

Appendix A: Salary and benefits [effective July 1st, 2022]

	Daniel Harris	Chet Jarrell	
Salary	\$60,993.96	\$61,456.02	
Social Security	\$3,781.63	\$3,810.27	
Medicare	\$884.41	\$891.11	
Law Retirement	\$7,990.21	\$8,050.74	

Health Insurance	\$8,806.00	\$8,806.00	
Life Insurance	\$77.40	\$77.40	
401(k)	\$3,171.69	\$3,241.81	
Workers Comp	\$2,125.03	\$2,172.01	
Longevity	\$2,439.76	\$3,380.08	
Uniform Allowance	\$700.00	\$700.00	
Vision	\$54.89	\$54.89	
GRAND TOTAL	\$91,024.97	\$92,640.33	\$183,665.30
Per Month	\$7,585.41	\$7,720.03	\$15,305.44

IN TESTIMONY WHEREOF, the said parties have hereunto set their hands and seals to this Agreement, this the day and year first above written.

Thomasville City Schools Board of Education

Thomasville City Council

By: _____

By: _____

Date

Date

Thomasville City Schools

Thomasville Police Department

By: _____

By: _____

Date

Date

Pre-Audit Certificates

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

Date

This agreement approved on motion of Council, _____, seconded by Council,
_____, and a vote of __ in favour and __ against.

EVERYBODY'S NIGHT ROAD CLOSURE ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THOMASVILLE that the following section is adopted as Everybody's Night 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. 78-27. Everybody's Night Road Closure, and it shall read in its entirety as follows:

Article I.	In General
Sec. 78-27.	Everybody's Night 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:	September 23, 2022, the last Friday in September
Time:	3:00 PM to 10:30 PM

Streets to be closed as follows:

- East Main Street from Salem Street intersection to Memorial Park Drive

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 July, 2022.

Raleigh York, Jr., Mayor

ATTEST:

Wendy S. Martin, City Clerk

EVERYBODY'S DAY ROAD CLOSURE ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THOMASVILLE that the following section is adopted as Everybody's Day 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. 78-26. Everybody's Day Road Closure, and it shall read in its entirety as follows:

Article I.	In General
Sec. 78-26.	Everybody's Day 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:	September 24, 2022, the last Saturday in September
Time:	7:00 A.M. to 4:45 P.M.

Streets to be closed as follows:

- Close NC-109 between East Main and West Main south of Southern Railroad to East Guilford Street.
- Detour for NC-109 North: Right at East Main Street, (SR 2053), left at Underpass, straight on to Maple Street, left on East Guilford Street continuing straight and right on NC-109 (Salem Street).
- Detour to NC-109 South: Right on West Guilford Street, left on Winston Street, cross SR 2123 and left on West Main Street (SR 2053) to NC-109, turn right.
- East and West Main Streets will be closed between College Street and Winston Street. East Main will detour right on College Street to left on East Guilford Street, continue right on NC-109, left on West Guilford Street, left on Winston Street, right on West Main Street (SR 2123).
- West Main Street (SR 2123) will be closed at Winston Street. Traffic will detour down Winston Street, right on West Guilford Street, right on NC-109, left on East Guilford, right on Maple Street to East Main 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 July, 2022.

Raleigh York, Jr., Mayor

ATTEST:

Wendy S. Martin, City Clerk

CITY OF THOMASVILLE
Grant Project Ordinance

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

Section 1. The project authorized is the American Rescue Plan Act (ARPA) – Coronavirus Local Fiscal Recovery Funds (CLFRF) Grant Project described in the work statement contained in the grant agreement between this unit and the U.S. Department of the Treasury.

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

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

045-0000-322-0605	Federal Grants/ARPA	\$2,444,756.00
045-0000-322-0605	Federal Grants/ARPA	\$1,111,500.00
045-0000-322-0605	Federal Grants/ARPA (Unassigned)	\$4,936,712.00
Total		\$8,492,968.00

Section 4. The following amounts are appropriated for this project:

045-9010-505-6100	Transfer to General Fund	\$ 2,198,053.00
045-7010-573-6030	Transfer to Water & Sewer Fund	\$ 166,124.00
045-6221-503-6031	Transfer to Golf Course Fund	\$ 80,579.00
045-7097-573-6061	Transfer to W/S Capital Proj. Fund	\$ 325,000.00
045-7098-573-6061	Transfer to W/S Capital Proj. Fund	\$ 786,500.00
045-4210-512-4501	Contractual Services (Unassigned)	\$ 4,936,712.00

Total	\$8,492,968.00
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Section 5. The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreement(s) and federal and state regulations.

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

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

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

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

ADOPTED this 18th day of July, 2022

Mayor

ATTEST:

City Clerk

Budget Amendment

To: City Manager
From: Finance Director
Date: 7/7/2022
Re: 2022-23 ARPA Grant Budget Amendment

This ARPA grant budget amendment requires Council approval and is necessary to recognize revenue in the special revenue fund (Fund 045) and transfer appropriated funding to the proper fund. All interfund transfers must be budgeted, and the expending fund must have a budget. According to the latest guidance from the UNC School of Government and N.C. Dept. of State treasurer, ARPA grant funds must first be accounted for in a special revenue and then transferred to the expending fund. Budget authorization automatically carries forward into new budget years.

The amendment appropriates funding for the MIS public wi-fi upgrade and expansion project, including replacement and upgrade of obsolete and failing hardware, coverage expansion to add new access points to cover new areas such as Doak Park/PACE Park/Central Recreation/Aquatics Center, and security cameras at park locations for added security. Funding is also appropriated for the development of a North Hamby Creek Greenfield Restoration Planning and Design Master Plan.

General

Budget Amendments

010-0000-380.62-00	Transfer from ARPA	\$ 182,377	Increase Revenue
010-4710-514.73-00	Capital Outlay/Other Improvements	\$ 157,377	Increase Appropriation
010-4210-512.45-01	Contracted Services/Professional	\$ 25,000	Increase Appropriation
Total		\$ 182,377	
010-4210-512.450-01	Contractual Services:	\$ 4,936,712	
Unassigned amount			

**AN ORDINANCE AMENDING CHAPTER 54 – OFFENSES AND MISCELLANEOUS
PROVISIONS, ARTICLE I, OF THE CODE OF ORDINANCES
OF THE CITY OF THOMASVILLE, NORTH CAROLINA**

WHEREAS, the City of Thomasville Government attempts to be as transparent as possible; and,

WHEREAS, the City of Thomasville Government wants to be open and welcoming of its citizens; and,

WHEREAS, there are certain areas of the City of Thomasville Government work place which for safety, confidentiality, and other reasons need to be secure; and,

WHEREAS, the City of Thomasville Government needs a ordinance governing certain controlled access to City Government areas.

THEREFORE, BE IT ENACTED that Chapter 54 – Offences and Miscellaneous Provisions is hereby amended as follows:

CHAPTER 54 – OFFENSES AND MISCELLANEOUS PROVISIONS. Article I. – In General is hereby amended by adding the following Sec. 54-15:

Sec. 54-15 – Control of Access to City Property

(a) *Forums*: Consistent with decisions of the U.S. Supreme Court, public access to areas within enclosed facilities owned, controlled, and leased by the City of Thomasville that the City utilizes for its purposes may be restricted depending upon whether such areas are classified as “designated public forum”, limited designated public forum”, or “nonpublic forum.” How areas within enclosed facilities owned, controlled, and leased by the City of Thomasville are classified is based upon their intended use. For example, there are certain areas which are intended primarily for the use of City employees in the conduct of their business; there are certain areas which, while primarily intended for the use of City employees in the conduct of their business, may from time to time be utilized for the convening of public meetings; there are certain limited areas which may be open to the public while engaging in legitimate business with City officers or employees; and, there may be certain areas which are primarily intended for the convening of public meetings and/or gatherings.

(b) *Management of Forums*: The City Manager is hereby authorized to manage public access to enclosed City-owned, controlled, and leased property that the City utilizes for its purposes. In the performance of such responsibilities, the City Manager shall have the authority

to identify which areas are to be considered designated public forum[s], limited designated public forum[s], or nonpublic forum[s].

(c) *Separation of Forum(s)*: Upon the classification of areas within enclosed City-owned, controlled, and leased property that the City utilizes for its purposes, the City Manager is hereby authorized, subject to the availability of appropriated funds, to employ whatever means he/she deems necessary and appropriate to separate designated public forums from nonpublic forums, including but not limited to, the use of physical barriers and signage. The City Manager shall also have the authority to develop and implement procedures to regulate and control public access within City-owned, controlled, and leased property to provide for the security and privacy of public visitors; to provide for the security and privacy of City employees and officers, and to minimize potential disruptions to the work of City government. Any person who engages in conduct that causes disruptions to the work of City government shall be deemed to no longer be present within City-owned, controlled, or leased property on legitimate public business.

(d) *Nonpublic Forum Areas*: The following areas of City-owned, controlled or leased buildings that the City utilizes for its purposes are considered nonpublic forum areas. Citizens that wish to enter these areas must have an appointment with an employee that works in the area OR they must have business with a City department that is located in the nonpublic forum area. If the citizen has business with the department but no appointment, the citizen must be escorted to the department they have business with by an employee of that department. It shall be a violation of this Ordinance to be in a nonpublic forum without authorization. Unauthorized persons found by the City Manager or his/her designee to be within a nonpublic forum and who refuses to leave the premises upon request to do so, shall be considered a trespasser. For such conduct, Law enforcement, at its option, at the request of the City, may issue a trespass warning notice, followed by such criminal legal action as Law enforcement deems proper.

The following areas are considered nonpublic forum areas:

1. City Hall

The Conference Rooms in City Hall are hereby declared nonpublic forums unless or until a public meeting is convened in such area pursuant to such notice. All City employee work areas within City Hall are designated as work areas and shall be considered as nonpublic forums. Members of the public are prohibited from entering City employee work areas without being escorted by a City employee.

2. Police Department

All areas beyond the lobby are considered nonpublic forums and members of the public are prohibited from entering any of these areas without being escorted by a City employee.

3. Fire Stations

All areas beyond the administration lobby at the Headquarters Fire Station (#21) are considered work areas and are nonpublic forums. The entirety of all other Fire Stations are considered work areas and are nonpublic forums. Members of the public are prohibited from entering these areas without being escorted by a City employee.

4. Public Works Facilities

All areas beyond the front desk/lobby area are considered work areas and are nonpublic forums. Members of the public are prohibited from entering these areas without being escorted by a City employee.

5. Public Utilities Facilities

For the safety of the general public and staff, all Public Utility facilities, including buildings, pump stations, water tower properties, storage yards and maintenance areas (whether fenced or not), are considered work areas and are nonpublic forums. Members of the public are prohibited from entering these areas without being escorted by a City employee.

6. Parks and Recreation

Recreation Administration facility. All areas beyond the reception desk are considered work areas and are nonpublic forums. Members of the public are prohibited from entering these areas without being escorted by a City employee.

Community Center areas marked as staff or office areas are considered work areas and are nonpublic forums. Members of the public are prohibited from entering these areas without being escorted by a City employee.

Winding Creek facility. All areas marked as staff or office areas within the Clubhouse area are considered work areas and are nonpublic forums. Members of the public are prohibited from entering these areas without being escorted by a City employee. Playing areas of the course are considered public areas for the purposes of this ordinance therefore there is no expectation of privacy by staff or public.

All public parks are considered public areas for the purposes of this ordinance, with the exception of restroom or storage facilities. There is no expectation of privacy by the staff or public.

For the safety of the public and staff, Maintenance Facilities at all Park & Recreation Facilities are considered nonpublic work areas and are nonpublic forums. Members of the public are prohibited from entering these areas without being escorted by a City employee.

(e) Photographing and/or Video Recording in Nonpublic Forums:

Except within the City Council chambers, executive conference room, and other locations in which a public meeting is being conducted pursuant to a public notice, it shall be unlawful and a violation of this Ordinance to photograph or record any video or sound within City-owned, controlled, and leased property that the City utilizes for its purposes, without the consent of all persons whose voice or image is being recorded. This prohibition shall not apply to any law enforcement activities by Law Enforcement personnel. In addition to being a violation of this Ordinance, if anyone is observed to be photographing, videoing and/or recording sound within City-owned, controlled, or leased property, without the consent of all persons whose voice or image is being recorded, and such person refuses to cease activity after being advised that such activity is prohibited under this Ordinance, such refusal shall be considered to be a disruption to the work of City government. Therefore, such persons shall be deemed to no longer be present within the City-owned, controlled, or leased property that the City utilizes for its purposes on legitimate public business. The City Manager and his designees are hereby authorized on behalf of the City of Thomasville, NC to request any person who refuses to cease the unconsented to photographing, videoing and/or sound recording to immediately leave the premises. Any person who refuses to cease the unconsented to photographing, videoing and/or sound recording, and refuses to immediately leave the premises following the request of the City Manager or his designee to do so, shall be considered a trespasser. Law Enforcement, at its option, at the request of the City may issue a trespass warning notice, followed by such criminal legal action as Law enforcement deems proper.”

Upon the motion of member of Council _____, and a second by member of Council _____, the foregoing Ordinance passed by a vote of _____.

This Ordinance shall be effective _____, 2022.

This ____ day of _____, 2022.

CITY OF THOMASVILLE

By: _____
Raleigh York, Jr., Mayor

Attest: _____
Wendy S. Martin, City Clerk

[SEAL]