

AGENDA

**Personnel/Finance Committee Meeting
Tuesday, May 5, 2015, 8:45 A.M.
Boardroom, 2nd Floor, City Hall**

Committee Members: Chairman Raleigh York Jr., Ron Bratton, Scott Styers

Call to Order

Chairman Raleigh York Jr.

Approval of Minutes

April 7, 2015

- 1. CLOSED SESSION – Attorney Client**
- 2. CLOSED SESSION – Personnel**
- 3. Business License Discussion**
- 4. Social Media Presence/City Website - Update**
- 5. Additions/Updates**
- 6. Adjournment**

A quorum of the council may be in attendance and may participate in the discussion, but not vote.

MINUTES

Personnel/Finance Committee Meeting
Tuesday, April 7, 2015, 8:30 A.M.
Boardroom, 2nd Floor, City Hall

PRESENT: Mayor Joe G. Bennett; Council Members: Chairman Raleigh York, Jr.; Ron Bratton; Neal Grimes; Joe Leonard; Pat Shelton; Scott Styers; City Manager Kelly Craver; Public Services Director Morgan Huffman; and Barney W. Hill.

Chairman York called the meeting to order. A motion was made by Councilman Styers to approve the minutes; Councilman Bratton seconded. The minutes of March 3, 2015 were approved as presented.

1. CLOSED SESSION – PERSONNEL

No action taken.

2. Consideration of Records Retention Schedule Amendment

The item comes from the Clerk's office, as time to time the state revises the requirements for retention of records.

The changes will add law enforcement audio and video recording and accreditation records. Amendments include employee eligibility records, escheat and unclaimed property, FMLA records, leave file and leave without pay files.

These changes are all by state law and moved to briefing.

3. Consideration of Proposed Guidelines on Social Media

There are guidelines in the city personnel policy on computer and telephone use while on duty.

The social media guidelines benefit everyone, whether a City of Thomasville employee or not. They basically suggest being respectful and watching what you do, everything you do on-line is public. You can be held responsible for what you do.

This is a guideline only. Kelly was directed to communicate it to all employees.

Plans are to discuss our website and social media presence next month.

4. Consideration of Revised Ordinance – Recreation Committee

Sec. 58-32. – Composition of committee; appointment; terms

The Recreation Committee shall still consist of nine (9) members; seven (7) at-large and two (2) are designated; using the word "designated" instead of "ex-officio."

All members shall serve with the same duties and powers; everybody votes.
All at-large members shall be appointed by City Council for a term of three (3) years.
Designated Members – One of the designated members shall be appointed from the membership of City Council. The Council representative shall be appointed by the Mayor for a term of two (2) years which coincides with the term of office. The other designated member shall be the Athletic Director of Thomasville High School and that appointment shall be made by City Council.

The Athletic Director has a close relationship with the Recreation Department with the use of Finch Field for baseball and Cushwa Stadium for football. Almost all the dealings that the Recreation Department has with the school system go through the Athletic Director.

Committee talked and asked Kelly to add that this particular appointment have no set term of service.

The revised ordinance was moved to briefing.

5. Updates

Report on Thomasville Housing Assistance Program

Kelly reported that the City of Thomasville contracts with the Lexington Housing CDC at an annual cost of \$25,000; \$2083.33 monthly. They are in the office two days a week for about 7 hours a day.

Over the last year they have provided 71 clients with housing counseling, including financial literacy, education and foreclosure prevention. They have been involved with fifteen urgent repairs and spent \$30,673.93 out of the North Carolina Housing Finance Urgent Grant Repair Program. The Thomasville CDC has also secured \$9155 in donations for the Thomasville Repairs and Veteran's Outreach Event and completed fifteen repairs.

We had a grant for about two years for down payment assistance; we do not have it now, it has expired. During that time only four clients received assistance through the program, utilizing a total of \$8000 of the \$50,000 grant. Staff feels the employment market at the time may have played a role in the low numbers.

There will be another work camp this year, 25 repair projects are expected in Thomasville.

6. Additions

None

7. Adjournment

With no further business to come before committee, the meeting was adjourned.

April 14, 2015 REVISION

ARTICLE IV Business License

DIVISION 1.- GENERAL

Sec. 18-171. - Definitions.

When used in this chapter (unless the context requires a different meaning):

Business includes each trade, occupation, profession, business, and franchise licensed under this chapter.

Person includes any individual, trustee, executor, other fiduciary, corporation, unincorporated association, partnership, sole proprietorship, company, firm, or other legal entity.

A business is *seasonal* in nature when it is conducted for profit six months out of the year or less.

Sec. 18-172. - Construction of this chapter.

This chapter is enacted for regulation purposes only. In addition, issuance of a license in accordance with this chapter does not excuse a licensee from compliance with any other applicable ordinance or statute. This chapter does not prevent the city from requiring licenses for additional businesses.

DIVISION 2. – LEVY

Sec. 18-173. - REPEALED

Sec. 18-174. – Who must be licensed.

Each person who conducts a business within this city is subject to this chapter. One conducts the business "within the city" if one maintains a business location within the city; or if, either personally or through agents, one (1) solicits business within the city limits or (2) picks up or delivers goods or services within the city limits.

Sec. 18-175. - Period of license; due date.

- (a) *Annual licenses.* Unless the section of this chapter applicable to a particular business provides otherwise, a license issued in accordance with this chapter is good for the 12-month period beginning July 1 and ending June 30.
- (b) *Licenses for periods shorter than one year.* If the section of this chapter applicable to a particular business so provides, a license may be issued for a period of one day, one week, or some comparable period of less than a full license year. A person may not commence a business conducted within the city until the privilege license is obtained and may not continue such a business beyond the period for which the

license is issued.

Sec. 18-176. – REPEALED

Sec. 18-177. – REPEALED

Sec. 18-178. - Separate businesses.

A separate license is required for each place of business unless two or more places of business under common ownership are contiguous to each other, communicate directly with and open into each other, and are operated as a unit.

Sec. 18-179. - Exemptions.

Except as otherwise provided by state law, no person is exempt from the requirement of obtaining a license required by this chapter.

DIVISION 3. – LICENSES

Sec. 18-180. - Application.

A person shall apply to the Administrator for each license required by this chapter before commencing business. The application, which shall be submitted on forms provided by the Administrator, shall contain:

- (a) The name of the applicant and whether the applicant is an individual, a partnership, a corporation, or some other entity.
- (b) The nature of the business.
- (c) Where the business is conducted.
- (d) An address where notices and statements may be mailed to as required by this chapter.
- (e) Whether the business is regulated by a state occupational licensing board subject to G.S. Chapter 93B, and if so, the serial number of the state license the applicant currently holds.
- (f) Any other information the Administrator determines to be necessary to issue the license.

Sec. 18-181. - Reasons for refusal or revocation of a license.

The Administrator shall refuse to issue a license or shall revoke a license for either of the following reasons:

- (a) The applicant misrepresents a fact relevant to his or her qualifications for a license.
- (b) The applicant refuses to provide necessary information.

Sec. 18-182. - Unqualified applicants; right to a conference.

After receipt of the completed application, if the Administrator believes that a reason exists for refusing a license under Section 18-181 of this chapter, the Administrator shall not issue the license. At the applicant's request, the Administrator shall in accordance with Section 18-191 of this chapter, give the applicant a written statement of the reason for refusing the license. The applicant may, within ten days after the day the statement is received, request a conference to discuss the refusal. In the request the applicant shall specify why the application for a license should not be refused. The Administrator shall arrange the conference within a reasonable time.

If the Administrator refuses to issue a license, the applicant may reapply for a license at any time thereafter. If the reason for which the application was refused no longer exists, and if no other reason exists for refusing to issue a license, the Administrator shall issue the license in compliance with Section 18-183 of this chapter.

Sec. 18-183. - Administrator to issue license; payment of license charge a prerequisite.

After receipt of the completed application, if the Administrator believes that no reason exists for refusal of a license under Section 18-181 of this chapter, the Administrator shall issue the license.

Sec. 18-184. – REPEALED

Sec. 18-185. - Revocation.

The Administrator shall revoke a license if a reason exists to revoke it as set forth in Section 18-181 of this chapter. Before revoking a license, the Administrator shall give the licensee written notice of the grounds for revocation, in accordance with Section 18-191 of this chapter. The licensee may within ten days after the day on which notice is served request a conference with the Administrator in writing. The request shall specify the reasons why the license should not be revoked. The Administrator shall arrange the conference within a reasonable time.

If the licensee fails to request a conference within ten days after the day on which notice is served, the Administrator shall revoke the license. If the licensee requests a conference, the Administrator may not revoke the license until after the conference.

If the Administrator revokes a license, the former licensee may apply for a new license at any time thereafter. If the reason for which the license was revoked no longer exists and if no other reason exists for refusing to issue a license, the Administrator shall issue the license in accordance with Section 18-183 of this chapter.

Sec. 18-186. - Form and contents of license.

A license shall show the name of the person licensed, the place where the business is conducted (if it is to be conducted at one place), the nature of the business licensed and the period for which the license is issued. In addition, if a machine is licensed, the license shall show the serial number of the machine. The Administrator shall keep a copy of each license issued.

Sec. 18-187. - Assignments

A license may be assigned if (1) a business licensed under this chapter and carried on at a fixed place is sold as a unit to any person, and (2) the purchaser is to carry on the same business at the same place. Such a change shall be reported to the Administrator in accordance with Section 18-188 of this chapter. Otherwise, each license issued under this chapter is a personal license and is not assignable.

Sec. 18.188. – Changes in the business conducted by licensee during the year.

A licensee or an assignee shall report a change in the information contained in the license application to the Administrator within ten days after the change occurs. If information shown on the license itself is affected, the licensee or assignee shall surrender the license to the Administrator when reporting the change.

(a) Fee for change. If the change does not result in a separate license fee, the Administrator shall reissue a license reflecting the change upon payment of a fee of \$5.00.

(b) Change requiring refusal of a license. If there is reason for revoking the license under Section 18-181 of this chapter, the Administrator shall refuse to reissue a license and shall instead begin proceedings to revoke the license in accordance with Section 18-185 of this chapter.

Sec. 18-189. - Administrator to furnish duplicates.

Upon satisfactory proof that a license has been lost or destroyed, the Administrator shall furnish a duplicate for a fee of \$5.00.

Sec. 18-190. – Record of conferences.

The Administrator shall maintain for three years a record of each conference held in accordance with this article. The record shall contain the applicant's or licensee's name, the date of the conference, and a brief statement of the issues discussed and the result reached. After three years, the Administrator shall dispose of the record in accordance with G.S. 121-5.

Sec. 18-191. – Providing notice to an applicant or licensee.

Whenever this chapter requires the Administrator to give a written statement or notice to an applicant or a licensee, the Administrator may do so in one of three ways:

- (a) By personally delivering the statement or notice to the applicant or licensee;
- (b) By mailing the statement or notice by registered or certified mail and returning the receipt requested to the address specified for that purpose in the license application; or
- (c) By causing the statement or notice to be served on the applicant or licensee in accordance with the procedures for service of process under Rule 4, North Carolina Rules of Civil Procedure.

DIVISION 4. – ENFORCEMENT

Sec. 18-192. – Duty to determine whether license is required.

Each person has the duty to determine whether the business he or she conducts is required to be licensed under this chapter, and if so, whether that license has been obtained.

Sec. 18-193. – Administrator to investigate.

If the Administrator has reason to believe that a person is conducting a business in the city in violation of this chapter, the Administrator shall conduct an investigation to determine the status of the business.

Sec. 18-194. – Duty to permit inspection.

Each person who conducts business in the city shall permit the Administrator to inspect the business premises during normal business hours to determine the nature of the business conducted there.

Sec. 18-195. – Duty to post license.

A licensee shall post the license or licenses conspicuously in the place of business licensed. If the licensee has to regular place of business, the license must be kept where it may be inspected at all times by the proper city officials. If a machine is licensed, the license shall be affixed to the machine.

Sec. 18-196. – REPEALED

Sec. 18-197. – REPEALED

Sec. 18-198. – REPEALED

Sec. 18-199. – REPEALED

Sec. 18-200. – REPEALED

Sec. 18-201. – Enforcement of ordinance.

- (a) *Criminal remedies.* Conducting business within this city without a valid license issued in accordance with this chapter, or without posting a license in compliance with Section 18-195 of this chapter is a misdemeanor, punishable as provided in G.S. § 105-109 or G.S. § 14-4. Each day that a person conducts business in violation of this chapter is a separate offense. Payment of a fine imposed in criminal proceedings in accordance with this section does not relieve a person of the liability for taxes imposed under this chapter.
- (b) *Equitable remedies.* In addition to the criminal remedies set forth in subsection (a) of this section and in compliance with G.S. 160-A-175(d), the city may seek an injunction against any person who conducts a business in violation of this chapter.

The following section needs to be totally reworked.

CITY OF THOMASVILLE PRIVILEGE LICENSE
GENERAL INFORMATION & RATE SCHEDULE

Business License fees are required to be paid before beginning operation of all types of businesses located within the City limits of Thomasville, except for those businesses that have been exempt by Federal, State or Local authority.

Those businesses located outside the City that are doing business within the City limits* are also required to obtain a Business License.

Please fill out the enclosed application making sure to check all categories that apply to your business. An authorized representative of the business must sign and date the application. Incomplete applications will not be accepted.

Please post your license in a visible place.

RATE/FEE SCHEDULE A

_____ for all businesses

Memorandum

TO: Kelly Craver

FROM: Justin Trogdon, MIS dept.

DATE: 04-27-15

CC: Pam Galloway

SUBJECT: Committee Meeting Information

Social media: approx. 10-15 hrs per week, daily times would vary depending on activity that day

CoT currently has: www.thomasville-nc.gov; Facebook; Channel 13

Police Dept currently has: Pd.thomasville-nc.gov; Facebook(discontinued); Twitter

Fire Dept currently has: Facebook(discontinued); share website with city

Recreation dept: Facebook (constantly up to date); share website

Winding creek: Facebook (up to date); windingcreekgolf.com

All dept have opportunity to utilize channel 13.

Website editing and development:

After the initial setup – to keep information up to date approx. 5 – 10 hrs, varying depending on events and information needing to be updated.

Outsourcing like city of Lexington, city of Greensboro, city of Greenville, city of Atlanta ga, ...

All of these website were developed by Vision Internet LLC:

<http://www.visioninternet.com/home>

A verbal quote approx. \$27,000

Will get website migrated over with all documents

Onsite training for up to 10 people that would be responsible for updating information for their dept. (great idea to have dept updating their own web information, would help with time and also each dept has a better idea of what information needs to be updated. Agencies where departments update their own information already: Rutherford County, Davidson County, Orange county, Craven County)

The yearly service cost approx. \$6,600

This includes a website redo every 4 years so there is not the 27k cost for a new website

Memorandum

Includes support and training

Any upgrades

Hosting

Other Ideas

A text blast ... information users can subscribe to that sends a SMS message to alert or send important information. Below is an example:

<http://www.textmarks.com/>

An email blast.. Kind of the same idea as the text blast

Also develop a mobile app kind of the way the chamber of commerce app works, but geared more toward the city of Thomasville, scheduled activities and government information