AGENDA

Public Safety Committee Meeting
Tuesday, October 6, 2015, 8:30 A.M.
Boardroom, 2nd Floor, City Hall

Committee Members: Chairwoman Pat Shelton, Joe Leonard, Raleigh York Jr.

Call to Order	**Chairwoman Pat Shelton**
Approval of Minutes	**September, 2015**

1. **Fire Department Update – Chief Dailey**
2. **Consideration of Amended Ordinance**
   Article II Noise – Sec. 34-31 – Sec. 34-34
3. **Consideration of –**
   Thomasville Christmas Parade Route Road Closure Ordinance
   Thomasville Light Up the Holidays Road Closure Ordinance
4. **Police Department Update – Chief Insley**
5. **Updates**
6. **Adjournment**

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

MINUTES

Public Safety Committee Meeting
Tuesday, September 8, 2015, 8:30 A.M.
Boardroom, 2nd Floor, City Hall

PRESENT: Council Members: Chairwoman Pat Shelton; Ron Bratton; Neal Grimes; Jackie Jackson; Joe Leonard; Scott Styers; Raleigh York Jr.; and City Manager Kelly Craver; Public Services Director Morgan Huffman; Police Chief Jeff Insley; Fire Chief Marty Dailey; Firefighter Eddie Bowling; Davidson County Emergency Management Coordinator, Alton Hames; Chief of the Thomasville Rescue Squad, James Shores; City Council Candidate, Jane Wilder Murphy; Ms. Brenda Schwab; and Barney W. Hill.

The meeting was called to order by Chairwoman Pat Shelton. Raleigh York Jr. made a motion to approve the minutes of August 4, 2015. Joe Leonard seconded the motion.

- **Update** – James Shores reported that the Thomasville Rescue Squad is fully functional, up and running. The squad has heavy rescue certification, a medical responder, ambulance certification and other accreditations necessary for operation. Mr. Shores thanked those who have stopped by the squad and offered his help in any way.

  Chairwoman Shelton replied that the squad is headed in the right direction and asked Mr. Shores to let Council know if they can be of help.

1. **Consideration of Approval of Davidson County Multi-Jurisdictional Hazard Mitigation Plan**

Alton Hames of Davidson County was present as well as some Thomasville Fire Department personnel to discuss the plan.
Kelly explained that this is something we do every 5 years and the information before Council is an update of the plan that is in place.
Mr. Hames said basically the plan addresses our vulnerabilities and what we are most likely to see such as ice storms, thunderstorms and tornadoes. It lets us know what we need to prepare for in the future. It is a requirement by FEMA that every 5 years the plan must be reviewed and approved in order to be eligible for FEMA reimbursement funds in the event of a disaster. Mr. Hames reported that the County Commissioners have already approved the plan and he is now reaching out to the municipalities who also need to approve it.
There is no substantial change in the document from 5 years ago.
Firefighter Eddie Bowling said he had read the document in its entirety to determine our vulnerabilities in the city. He pointed out our goals and priorities as listed on the back page of the document. One of those, putting in an Emergency Operations Center (EOC) in at Station #2, is in the works. It will hopefully be finished, opened up and operating by the beginning of October.
The Fire Department is planning a Lunch & Learn on October 13th at Station #2 which is located at 815 South Highway 109. Scheduled times are 9:00 – 12:00 noon and 6:00 – 8:00 PM.

The request was moved to briefing.

2. **Fire Department Update – Chief Dailey**
   Emergency Operations Center

Chief Dailey reported that Mr. Bowling had covered the majority of the update.
There is another Lunch & Learn planned for September 14th which will target "workplace ergonomics."

3. **Consideration of Amended Ordinance**
   Sec. 78.461 – Schedule 1 – One Way Streets – School Zone Hours

Morgan explained that this is a request for correction in the wording of the ordinance so that the one-way hours on Georgia Avenue are actually in compliance with the school zone hours in the speed zones. Most signs have already been modified to the beginning and ending of the school day.

This item was moved to briefing.

4. **Consideration of Amended Ordinance**
   Article II Noise – Sec. 34-31 – Sec. 34-34

Attorney Paul Mitchell crafted the ordinance with the help of the Police Department.
Chairwoman Shelton brought attention to Sec. 34.35 (f) which states the City Zoning Officer and his deputies are authorized to issue citations for civil penalties under this section. Councilman Styers pointed out that the law enforcement agency should have those same powers.
Kelly said he believed that was the intent although it was not written in the ordinance. He felt that amendment would be appropriate.
Chief Insley said his department was fine with the ordinance and the $50 penalty. Chief said he was not sure about (e) of Sec. 34-35.

The ordinance was moved to briefing where Attorney Mitchell will be asked about Sec. 34-35 (e) for clarification. If it is not what Council wants it can be deleted from the agenda.

5. **Discussion on Process to Schedule Public Events with City Staff**

There are many City events that happen on date certain every year such as Everybody's Day and the Christmas Parade. We are beginning to have requests for downtown events at the spur of the moment. There is much more to it than just setting up some tents in the downtown parking lot and have people downtown; there are arrangements to be made for security, sanitation, etc. We currently have agreements in place for the use/rental of the bandstand, PACE Park and various recreational facilities but not the downtown parking lot. If this is going to be a trend of the future we have to set rules for people to go by. We also need to consider parking for our downtown businesses while doing that.
Chief Insley said he would just like to see some pre-planning, that's all. As an agency, the department does all it can to see that every event proceeds without incident. Communication is key; finding out about an event on Monday to be held on Saturday is not acceptable. Knowing that scheduling of staff is done in advance and planning is done to use the least amount of overtime, limited staff is a problem at the last minute. Some pre-planning would be

wonderful. Chief presented 2 applications from other cities to use as a tool to plan events and know what to expect. He is talking about events that require the streets to be shut down, traffic detoured with barricades up; events in which staff mans and provides escorts.
The committee agreed with the application process and thought it should go through the City Manager's Office first and on to the appropriate departments as necessary.
Information on the application process will be posted on the webpage, channel 13 and social media.

Although this is not an action item, an appropriate application for our city will be brought back to committee next month in order to keep Council informed on the process.

6. **Discussion on SRO Contract With City Schools**

Chief Insley said this contract is the same as the Davidson County Sherriff's office contract for the county school system. The contract does not limit the department and takes care of the school year. This contract is only for the 2 officers currently at the middle and high school. The third SRO currently at Liberty Drive/Thomasville Primary is grant funded. The grant is in the state budget; it will be reoccurring and should be approved for another 2 years when the state passes their budget and the Governor signs it. The third SRO is there. Chief is holding the 2 positions open to cover the costs in the event we have to "take him back" if the grant money is not approved.
An addendum to the contract will be necessary only if the funding does not pass.
The School Board has met, reviewed the contract and approved it at their last meeting.

- The contract does cover 2 SROs for 12 months.
- The third officer (paid through a grant) - if approved will the grant funds be retroactive to July 1? This is a question that needs to be answered for budgetary reasons.

The contract was moved to briefing.

7. **Discussion of Police Chief's Planning Strategies**

Chief Insley said he wanted to bring before Council as to what his priorities are and the planning strategies for the department.
Chief went over the list of goals that he would like to see accomplished in the near future. He provided the information to Council.
Of course a plan for the design of a new police facility is very important. Secure salary studies for both the sworn and civilian staff, the recommendation of incentives for college degrees, ensure future budgets will continue funding equipment and new technology upgrades as needed and continue the Strategic Planning process.
Many other plans were mentioned regarding policy, training, etc.

This information was provided to Council for informational purposes only.
No action was required.

- Councilman Styers inquired about a salary study for all employees. Kelly replied that a study is certainly past due although we must keep in mind the cost of a study in relation to the ability to make salary adjustments. When we do a salary study, it is of our region, the triad. Kelly reported that we are seeing improvement in the economy as well as the unreserved fund balance of the city.

Councilman Styers asked if the League of Municipalities performs salary studies. Kelly said we are members of the League and yes they do the studies annually. We will get last years' study this year, which tells by position, what different cities pay.
Councilman Styers suggested that we access the latest information from the League if for no other reason than to give us an awareness of where we are citywide.
Kelly said he would get the information; it is on-line and easily assessable.

The information will be brought to the Personnel Finance Committee next month for further discussion.

8. Police Department Update – Chief Insley

Chief provided his monthly report to Council.
He further stated that the department has a Transition Team to work with the architect on the new building and he will forward the list of names to the manager.

9. Additions/Updates

Kelly reported that he met with Shannon Crane and one other representative from Little Diversified Associates regarding the design contract of the proposed Police Department building. They talked extensively about scope, due to the position we are in right now in acquiring the site. He said they felt the best thing to do potentially would be to break this into a minor contract and the major contract for design to keep things moving.

- #1 – to have them do a site assessment for the potential site and;
- #2 – review the space needs assessment study which was done 6 years ago and work with the Transition Team at the Police Department to be sure that information is current.

Kelly said he hoped to have a contract for those services to review very quickly. He also said we are very fortunate in that we have some funds that matured Sept 1st in the general fund for some potential funding for a site. Kelly said he and Tony have had discussions regarding the timing of the retiring of some bond debt and how that might line up with the potential construction schedule of the Police Department, things are looking very favorable.
The Phase 1 study has begun on the Fisher Ferry property that came on the market.
The Phase 2 study is still is ongoing for the Guilford Street property.

10. Adjournment

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

AN ORDINANCE AMENDING THE NOISE ORDINANCE OF THE CITY

City Council of the City of Thomasville

The City Council finds that the current Noise Ordinance which is found in **Article II Noise** of the Code of Ordinances is deficient in many respects, and that it would be advisable to replace Article II in its entirety.

Therefore, be it enacted that **Article II Noise** is hereby repealed and is hereby replaced with the following **Article II Noise** as set forth on Exhibit A.

See Exhibit A

This Ordinance shall be effective _____, 2015.

Upon the motion of Member of Council _____, and a second by Member of Council _____, the foregoing ordinance was passed upon its first reading by a vote of _____.

This _____ day of August, 2015.

CITY OF THOMASVILLE

By: _____
Mayor

Attest: _____
City Clerk

[SEAL]

Article II Noise

Sec. 34-31. - Prohibited.

No person shall make, continue, or cause to be made or continued any excessive, unnecessarily or unusually loud noise or any noise which either disturbs, injures or endangers the comfort, repose, health, peace or safety of others, within the city, subject to the standards listed in Section 34-33.

Sec. 34-32. - Exemptions.

The following uses and activities shall be exempt from noise level regulations:

(1) Noises of safety signals, warning devices and emergency pressure relief valves.

(2) Noises resulting from any authorized emergency vehicle, when responding to an emergency call or acting in the time of any emergency.

Sec. 34-33. - Standards.

The standards which shall be considered in determining whether a violation of this article exists shall include but shall not be limited to the following:

(1) The volume of the noise.

(2) The intensity of the noise.

(3) Whether the nature of the noise is usual or unusual.

(4) Whether the origin of the noise is natural or unnatural.

(5) The volume and intensity of the background noise, if any.

(6) The proximity of the noise to residential-zoned sleeping facilities.

(7) The nature and zoning of the area from which the noise emanates.

(8) The density of inhabitation of the area from which the noise emanates.

(9) The time of the day or night the noise occurs.

(10) The duration of the noise.

(11) Whether the noise is recurrent, intermittent or constant.

(12) Whether the noise is produced by a commercial or noncommercial activity.

(13) Whether the noise is of impulsive character (hammering, etc.).

(14) Whether the noise is of periodic character (hum, screech, etc.).

Sec. 34-34. - Enumerated.

The following acts among others are declared to be loud, disturbing and unnecessary noises in violation of this Code, but such enumeration shall not be deemed to be exclusive:

(1) *Horns, signaling devices, etc.* The sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle on any street or public place in the city, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; and the sounding of any such device for an unnecessary and unreasonable period of time. The use of any signaling device except one operated by hand or electricity; the use of any horn, whistle or other device operated by engine exhaust; and the use of any such signaling device when traffic is forany reason held up.

(2) *Loudspeakers, amplifiers for advertising.* The using, operating or permitting to be played, used or operated of any radio or television set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound which is on the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure.

(3) *Yelling, shouting, etc.* Yelling, shouting, hooting clapping or singing on the public streets, particularly between the hours of 10:00 p.m. and 7:00 a.m. or at any time or place so as to annoy or disturb the quiet, comfort, or repose of persons in any office, or in any dwelling, hotel or any other type or residence, or of any persons inside any building in the vicinity.

(4) *Exhaust.* The discharge into the open air of the exhaust of any internal combustion engine, motor boat or any other motor vehicle except through the muffler or other device which will effectively prevent loud or explosive noises thereof.

(5) *Vehicles out-of-repair, etc.* The use of any automobile, motorcycle, motorscooter, go cart, or any other vehicle so out of repair, or so loaded or in such a manner as to create loud and unnecessary grating, grinding, rattling, or other noise, including excessive noise coming through the exhaust thereof.

(6) *Sound reproduction devices.* No person shall cause, allow, or permit the operating or playing of any radio, tape player, or any device that reproduces or amplifies sound in such a manner as to create noise at fifty (50) feet from the device or vehicle containing the device, when the device or vehicle is being operated in or on a public right-of-way or public space.

Sec. 34-35. – Violation of article; penalty; payment of costs of abatement.

(a) Any violation of this article shall subject the offender to a civil penalty in the amount of $50.00.

(b) Each day's continuing violation shall be a separate and distinct offense.

(c) Notwithstanding subsection (a) of this section, the provisions of this article may be enforced through equitable remedies issued by a court of competent jurisdiction .

(d) In addition to or in lieu of the remedies authorized in subsections (a) and (c) of this section, violations of this article may be prosecuted as a misdemeanor in accordance with G.S. 160A-175.

(e) A property owner shall be liable for the cost of abating the nuisance or remedying the health or safety hazard created by a tenant for a third or subsequent violation of this ordinance. A property owner shall be liable for the actual cost of the abatement or remedy, taking into account the cost of law enforcement personnel salaries, law enforcement equipment, administrative overhead, law enforcement recordkeeping, mailing and notification costs, and any other costs directly or indirectly attributable to the cost of abating the nuisance of remedying the health or safety hazard. In no case shall the cost assessed under this subsection be less than $100.00 for the third violation by the tenant (initial assessment of property owner), or less the $75.00 for any subsequent assessment for a violation by the same tenant. If costs assessed pursuant to this subsection are not paid by the property owner within 30 days of receipt of a statement of costs from the city, the costs may be placed as a lien on the property where the hazard existed.

(f) The City Zoning Officer and his deputies are authorized to issue citations for civil penalties under this section.

Ordinance Number: 10-2015-22

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:	Annually on the Saturday before Thanksgiving
Time:	1:00 P.M. – 6:00 P.M
Route Description:	Julian Avenue (between Carolina Avenue and East Main Street) to West Main Street, down Lexington Avenue and ending at Pineywood Road

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 19th day of October, 2015.

_____
Joe G. Bennett, Mayor

ATTEST:

_____
Wendy S. Martin, City Clerk

Ordinance Number: 10-2015-23

LIGHT UP THE HOLIDAYS ROAD CLOSURE ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THOMASVILLE that the following section is adopted as the Light Up The Holidays 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. 78-22. Light Up The Holidays Road Closure, and it shall read in its entirety as follows:

Article I. In General
Sec. 78-22. Light Up The Holidays 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:	Annually on the Friday before Thanksgiving
Time:	5:00 P.M. – 9:30 P.M
Streets to be closed:	East Main Street from Commerce Street to Salem 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 19th day of October, 2015.

_____
Joe G. Bennett, Mayor

ATTEST:

_____
Wendy S. Martin, City Clerk