City of High Point

Municipal Office Building
211 South Hamilton Street
High Point, NC 27261

Meeting Minutes

Monday, January 3, 2011

4:45:00 PM

Council Chambers

Rebecca R. Smothers, Mayor
Latimer B. Alexander, IV, Mayor Pro Tem
James Corey, Foster Douglas, A.B. Henley, III,
Britt W. Moore, Michael D. Pugh,
Bernita Sims, M. Christopher Whitley

ROLL CALL, PRAYER, PLEDGE OF ALLEGIANCE

Upon call of the roll, Mayor Pro Tem Latimer B. Alexander, IV. (At-Large); and Council Members Britt Moore (At-Large); Bernita Sims (Ward 1); Foster Douglas (Ward 2); Michael D. Pugh (Ward 3); A. B. Henley, III (Ward 4); M. Christopher Whitley (Ward 5); and James W. Corey, Ph.D. (Ward 6) were present.

Mayor Rebecca R. Smothers was absent.

In the absence of Mayor Smothers; Mayor Pro Tem Alexander presided over the meeting.

Mayor Pro Tem Alexander offered the invocation; the Pledge of Allegiance followed.

Present: Council Member Alexander, Council Member Moore, Council Member Sims, Council Member Douglas, Council Member Pugh, Council Member Henley, Council Member Whitley and Council Member Corey
Absent: Mayor Smothers

APPROVAL OF THE MINUTES FROM PREVIOUS MEETINGS

The minutes of the following meetings were unanimously approved as submitted upon motion by Council Member Sims and second by Council Member Whitley.

Finance Committee; Monday, December 20th @ 3:30 p.m.
Combined Meeting; Monday, December 20th @ 4:45/5:30 p.m.
Special Meeting; Tuesday, December 28th @ 2:00 p.m.

FINAL ACTION TAKEN AT THIS MEETING

At the conclusion of the Committee of the Whole Session, and after all matters were heard by Council, **motion was made by Council Member Sims and seconded by Council Member Corey to suspend the rules in order to take final action on these matters at tonight's meeting. The motion carried unanimously. [8-0 vote] [Mayor Smothers was absent]**

Motion was then made by Council Member Sims, seconded by Council Member Corey that all Committee recommendations stand as final action regarding these matters. The motion carried unanimously. [8-0 vote] [Mayor Smothers was absent]

Note: As a result of this action, there is no need for the Thursday morning meeting.

PRESENTATION OF ITEMS

FINANCE COMMITTEE - Council Member Alexander, Chair
Committee Members: Whitley, Smothers and Corey

[Smothers was absent]

Chairman Alexander asked Council Member Whitley to preside over this portion of the meeting.

State Contract Bid - Transit Bus Equipment - Automatic Vehicle Location System for Dial-A-Lift

110001 Approval of contract awarding contract for Transit Bus Equipment - Automatic Vehicle Location System for Dial-A-Lift. Purchasing and the Transportation Department recommends that contract be awarded to Digital Recorders, Inc., the State Contract awarded vendor, for the amount of $140,654.00.

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting.

The Committee recommended this matter be placed on Thursday's Agenda with a favorable recommendation for approval.

Approved contract with Digital Recorders, Inc. in the amount of $140,654.00 for Transit Bus Equipment (automatic vehicle location system for Dial-A-Lift).

A motion was made by Council Member Whitley, seconded by Council Member Sims, that this matter be approved. The motion carried unanimously.

Budget Ordinance Amendment - Idol Street Property - Workforce Development

110003 Adoption of a Capitol Project ordinance amending the 2010-2011 Budget Ordinance to appropriate additional funds in the amount of $83,271.00 for the Idol Street property for renovation of the future JobLink-Workforce Development offices.

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting.

The Committee recommended this matter be placed on Thursday's Agenda with a favorable recommendation for adoption.

Adopted Capital Project Ordinance amending the 2010-2011 Budget Ordinance to appropriate additional funds in the amount of $83,371.00 for the Idol Street property renovations of the future JobLink-Workforce Development Offices.

A motion was made by Council Member Whitley, seconded by Council Member Sims, that this matter be adopted. The motion carried unanimously.

Contract - Bid No. - Idol Street Interior Renovations for Workforce Development

110004 Approval of contract awarding Bid No. 17 for Idol Street Interior Renovations for JobLink-Workforce Development Career Center. Purchasing and Facilities Services recommends that contract be awarded to Holbrook Construction in the amount of $247,491.55 which is the lowest responsible and responsive bidder meeting specifications.

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting.

The Committee recommended this matter be placed on Thursday's Agenda with a favorable recommendation for approval.

Approved the award of contract with Holbrook Construction for the Idol Street interior renovations to the Joblink-Workforce Development Career Center in the amount of $247,491.55 which is the lowest responsible and responsive bidder meeting specifications.

A motion was made by Council Member Whitley, seconded by Council Member Sims, that this matter be approved. The motion carried unanimously.

City of High Point 2011 Legislative Goals & Policies & Proposed 2011-2012 NCLM Advocacy Goals

110007 Council is requested to adopt legislative priorities for the City of High Point for 2011 as well as confirm support for the Proposed 2011-2012 NCLM Advocacy Goals.

Council Member Whitley explained this matter was brought up and discussed during the Finance Committee meeting held at 3:30 p.m. prior to this meeting.

Since this matter did not originally appear on tonight's Agenda, **Council Member Whitley made a motion to suspend the rules so that it could be added to the Agenda for consideration. Council Member Sims made a second to the motion which carried unanimously.**

The Committee recommended this matter be placed on Thursday's Agenda with a favorable recommendation for adoption.

Adopted the City of High Point 2011 Legislative Goals & Policies identifying numbers 1 through 10 as the priorities.

Note: the draft copy as well as the adopted copy of the City of High Point 2011 Legislative Goals & Policies and the Proposed 2011-2012 NCLM Advocacy Goals will be attached in Legistar as a permanent part of these proceedings.

A motion was made by Council Member Whitley, seconded by Council Member Douglas, that this matter be adopted. The motion carried unanimously.

PUBLIC SAFETY COMMITTEE & COMMUNITY DEVELOPMENT COMMITTEE - Council Member Sims, Chair
Committee Members: Alexander, Douglas and Corey

[all were present]

Ordinance - Vacate/Close Structure (48 Hour Order) - 913 N. Centennial Street

110005 Consideration of ordinance ordering the inspector to effectuate the vacating and closing (48 hour order) of property located at 913 N. Centennial Street belonging to Devlin K. Littlejohn.

Chairwoman Sims explained that staff has requested that the 48-hour order for 905 Hickory Chapel Road be removed due to the repairs being effected.

Removed this matter from the Agenda.

A motion was made by Council Member Sims, seconded by Council Member Douglas, that this matter be removed. The motion carried unanimously.

Ordinance - Vacate/Close Structure (48 Hour Order) - 905 Hickory Chapel Road

110006 Consideration of ordinance ordering the inspector to effectuate the vacating and closing (48 hour order) of property located at 905 Hickory Chapel Road belonging to Mohammed Sabir and Musarat Shaheen Sab

Chairwoman Sims explained that staff has requested that the 48-hour order for 913 N. Centennial Street be removed due to the repairs being effected.

Removed this matter from the Agenda; action is no longer necessary due to the gas furnace repairs being completed.

A motion was made by Council Member Sims, seconded by Council Member Douglas, that this matter be removed. The motion carried unanimously.

PLANNING, ECD. DEV. & INFORMATION TECHNOLOGY COMMITTEE - Council Member Whitley, Chair
Committee Members: Sims, Henley, and Moore

[all were present]

Pending Items

Text Amendment 10-08- City of High Point - re Development Inspections Regulations

100325 A request by the City Council to consider a text amendment to Chapter 11, Development Inspection Regulations, of the Code of Ordinance of the City of High Point to include relocation costs paid by the City as cost allowable as a lien against property subject to enforcement action under the minimum housing code. (This item will be discussed in Committee on Tuesday, February 22nd at 9:00 a.m.)

Note: This pending matter will be discussed in the Planning, Economic Dev. & Information Technology Committee on Tuesday, January 18th @ 8:30 a.m.

Resolution - Northwest Area Plan

100357 Consideration of a resolution to approve the Northwest Area Plan as requested by the Planning & Development Department.

Note: This pending matter will be discussed in the Planning, Economic Dev. & Information Technology Committee on Tuesday, January 4th @ 8:30 a.m.

Resolution - Land Use Plan Amendment Case 10-04 - City of High Point

100358 Consideration of a resolution to amend the city's Land Use Plan in accordance with recommendations of the Northwest Area Plan as requested by the Planning & Development Department. The land area associated with this amendment is approximately 10,260 acres lying within the northwestern portion of the City's Planning area generally lying south of I-40, west of Kendale Road & Sandy Ridge Road, northwest of Skeet Club Road and north of the Davidson/Forsyth County line.

Note: This pending matter will be discussed in the Planning, Economic Dev. & Information Technology Committee on Tuesday, January 4th @ 8:30 a.m.

PUBLIC COMMENT PERIOD - 5:15 P.M.

Pat Schreiber, 1717 Sandy Ridge Road, addressed Council in opposition to the Northwest Area Plan. She stated she was opposed to building the north/south connector and felt it was not in compliance with the Heart of the Triad Plan. She also pointed out the plan could not be implemented without an ETJ and felt it was not a prudent use of taxpayer's dollars.

Jimmy Morgan, 8325 Bull Road, Colfax, also addressed Council in opposition to the Northwest Area Plan. He asked that Council remove any reference to the north/south connector contained in the plan. He felt the Northwest Area Plan contains two separate plans: one that promotes proper environmental stewardship, maintains good livability quality and supports agriculture--North Carolina's economic drive; and the other supports environmental degradation by threatening air and water quality, promotes sprawl and congestion through unbridled development south by the north/south connector, and spreads downtown degradation.

Steven Turner, 1008 Old Creek Crossing Lane, addressed Council. He brought to Council's attention an issue with speeding vehicles on Westover and Old Plank Road *and appealed to Council to add additional policemen so it could be better enforced. He noted as a citizen, he would be willing to pay additional taxes if more policemen could be added so the laws could be enforced. Mayor Pro Tem Alexander encouraged Mr. Turner to contact the Laurel Oak Ranch Board because they have discussed this issue and looked at various strategies. Council Member Pugh felt there should be more enforcement due to it being a chronic issue.*

Marianne Royle, 1609 Squire Davis Road, Kernersville, also spoke in opposition to the Northwest Area Plan. She questioned the 2011-2012 legislative goals of the NC League of Municipalities and referred to them as being "undemocratic." She expressed concerns regarding the legislation for reforming the annexation laws as well as the legislation that would allow municipal creation or extensions of extra-territorial jurisdictions (ETJ) with county approval. She felt High Point should not hav ethe right to decide the fate of citizens who live on the many thousands of acres in the Northwest Area Plan.

Cynthia Davis, 413 Evergreen, addressed Council during the Public Comment period. She posed a question to Council and asked them why the city was paying for bottled water when the city's water is supposed to be safe to drink. She also informed Council that her street was still unsafe and too narrow and should be curbed and guttered.and they were also still having water drainage issues behind their property.

Sandra Williams addressed Council regarding some issues she's been having with the High Point Police Department. She informed Council about an incident that happened in February involving the police where they charged her with a drug violation, but she wasn't guilty. Ms. Williams informed Council that she did go to the police department, but they made fun of her and laughed in her face. She requested a polygraph and pleaded with the City Council to help her because she has done no wrong and wants to free her name.

PUBLIC HEARINGS ON ITEMS

PLANNING, ECONOMIC DEV. & INFORMATION TECHNOLOGY COMMITTEE - Council Member Whitley, Chair

WCA of High Point, LLC - Application for Franchise Expansion (1st Reading)

110002 Monday, January 3, 2011 at 5:30 p.m. is the date and time established to receive public comments to consider an application for a franchise expansion of the WCA Construction and Demolition Debris Landfill that the city approved in 2009.

Prior to the public hearing, City Manager Strib Boynton disclosed that Tom Terrell, who is representing WCA- the applicant fore the for the franchise expansion agreement, as well as Fred Baggett, the City Attorney, are both members of the Smith-Moore law firm; however, there is no conflict of interest in this matter.

Chairman Whitley explained that City Attorney Baggett has joined this law firm since the City Council originally approved the franchise the first time around. The City Council unanimously approved the franchise expansion of the WCA Construction and

Demolition Debris Landfill in 2009 and since that time NC DENR has disagreed with the applicant's representation regarding the statutory interpretation on how the notice should have been handled.

Tom Terrell, attorney representing WCA, was present to address any concerns and to answer any questions.

Chairman Whitley opened the public hearing and asked if there was anyone present who would like to make comments on the WCA of High Point, LLC resubmission of their application that had received prior approval. There being none, the public hearing was declared closed.

Following the conclusion of the public hearing, the Committee recommended this matter be placed on Thursday's Agenda for approval of the franchise expansion of the WCA Construction and Demolition Debris Landfill that the city approved in 2009 (1st Reading).

A motion was made by Council Member Whitley, seconded by Council Member Sims, that this matter be approved. The motion carried unanimously.

For Information Only:

Meeting Reminders:

Planning, Economic Dev. & Information Technology Committee will meet at 8:30 a.m. on Tuesday, January 4th.

Public Safety & Community Development will meet at 2:00 p.m.on Tuesday, January 4th.

There will be a Manager's Briefing Session on Tuesday, January 4th at 3:30 p.m.. for an ElectriCities update. The City of Lexington will also join the meeting.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 5:35 p.m. upon motion duly made and seconded.

Respectfully Submitted,

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Rebecca R. Smothers, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk