

# City of High Point

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



## Minutes

**Monday, December 3, 2012**

**4:45 PM**

**Council Chambers**

## **Committee of the Whole**

*Rebecca R. Smothers, Mayor  
M. Christopher Whitley, Mayor Pro Tem  
Latimer B. Alexander, IV, 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**

- Present** 8 - Mayor Rebecca Smothers, Council Member Latimer Alexander, Council Member Britt Moore, Council Member Bernita Sims, Council Member Foster Douglas, Council Member Michael Pugh, Mayor Pro Tem Christopher Whitley, and Council Member James Corey
- Absent** 1 - Council Member A.B. Henley

**PRESENTATION OF ITEMS****FINANCE COMMITTEE - Chaired by Council Member Alexander.  
Committee Members Whitley, Smothers, Corey****120311****Contract - Microsoft Enterprise Enrollment Agreement**

Council is requested to authorize staff to enter into an agreement with Dell for the purchase of Microsoft products used by the City. This is a three-year contract with an annual cost of \$156,706.50.

**Attachments:** [Enterprise Agmt - Microsoft Products.pdf](#)

Chairman Alexander asked if there were any questions regarding this matter. Council Member Douglas asked if there was anyone from staff present to answer questions and asked if staff was certain that this would be a cost savings measure. Glenn Hasteadt explained the city would not have to purchase operating systems with any of the computers and upgrades would also be included. He further explained that this would manage all of the city's licensure and would not be just for desktops, but for the servers moving forward as well. Council Member Douglas noted his concern was to make sure nothing was being duplicated.

Authorized staff to enter into an agreement with Dell for the purchase of Microsoft products used by the City (a 3-year contract with an annual cost of \$156,706.50).

**A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley, that this Contract be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Henley was absent]**

**120312****Supplemental Agreement - NCDOT - Intersection and Railroad Crossing Improvements**

Council is requested to authorize staff to execute a Supplemental Agreement with the North Carolina Department of Transportation (NCDOT) for intersection and railroad crossing improvements on Hoskins Street at Gordon Street/Washington Street.

**Attachments:** [Municipal Agmt - Hoskins St Improvements.pdf](#)

Council Member Douglas inquired as to if the agreement has been fulfilled.

Mark McDonald, Director of Transportation, confirmed that the work has been done and the agreement actually expired around the end of 2011 prompting the need to extend the agreement with NCDOT so the City could get reimbursed for the funds for that work.

Authorized staff to execute a Supplemental Agreement with the North Carolina Department of Transportation (NCDOT) for intersection and railroad crossing improvements on Hoskins Street at Gordon Street/Washington Street.

**A motion was made by Council Member Alexander, seconded by Council Member Douglas, that this Contract be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Henley was absent]**

**Absent:** 1 - Council Member Henley

**PUBLIC SAFETY & COMMUNITY DEVELOPMENT COMMITTEE - Chaired  
by Council Member Sims  
Committee Members Alexander, Douglas, Corey**

**PLANNING, ECONOMIC DEVELOPMENT & INFORMATION TECHNOLOGY  
COMMITTEE - Chaired by Mayor Pro Tem Whitley  
Committee Members Sims, Henley, Moore**

**ANY OTHER NEW BUSINESS**

**120313      Boards & Commissions - Reappointment - Planning & Zoning Commission -  
Cynthia Davis**

Council Member Pugh is requesting that Council consider the reappointment of Cynthia Davis to the Planning and Zoning Commission as the Ward 3 representative. Appointment would be effective immediately and will expire July 1, 2015.

Denied the reappointment of Cynthia Davis to the Planning and Zoning Commission as the Ward 3 representative.

**A motion was made by Council Member Pugh, seconded by Council Member Douglas, that this matter be approved. The motion failed by the following 2-6 vote:**

**Aye:** 2 - Council Member Douglas, and Council Member Pugh

**Nay:** 6 - Mayor Smothers, Council Member Alexander, Council Member Moore, Council Member Sims, Mayor Pro Tem Whitley, and Council Member Corey

**Absent:** 1 - Council Member Henley

**120315      CONSIDERATION OF A RESOLUTION HONORING THE  
AFRICAN-AMERICAN CASUALTIES OF WORLD WAR I AND WORLD  
WAR II**

Outgoing Council Member Mike Pugh asked Council to consider a Resolution Honoring the African-American Casualties of World War I and World War II.

**Attachments:** [Honoring African-American Casualties of WW I and WW II](#)

**Resolution No. 1270/12-71  
Introduced 12/3/2012; Adopted 12/3/2012  
Resolution Book, Volume XVII, Page 120**

Council Member Pugh stepped down from the dais to the podium. He distributed copies of a Resolution of the High Point City Council Honoring the African-American Casualties of World War I and World War II and proceeded to read the Resolution into the record. The Resolution resolved that the African-american casualties of World War I and World War II be honored with a plaque bearing a gold star for each soldier who paid the ultimate sacrifice. That the said plaque be placed in a prominent location in the Council Chambers and bear an inscription in their honor. That passage of this resolution by the sitting City Council acknowledges the injustice to the families of those who gave their lives for this great Nation.

Council Member Pugh took his seat on the dais after reading the Resolution into the record.

Council Member Pugh moved to suspend the rules so this Resolution could be added to tonight's agenda for consideration. Council Member Sims made a second to the motion to suspend the rules. The motion carried unanimously.

Adopted the Resolution of the High Point City Council Honoring the African-american Casualties of World War I and World War II.

**A motion was made by Council Member Pugh, seconded by Council Member Sims, that this Resolution be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Henley was absent]**

## **COMMENTS BY OUTGOING COUNCIL MEMBERS**

Council Member Whitley: I wanted to start by thanking the voters of Ward 5 for allowing me to serve for the past nine years. It's been my pleasure. I hope it has been theirs. To the manager and to the staff, it's been an enjoyment serving with you guys. I still think the City of High Point has some of the best staff in the State of North Carolina. I think given how we had weathered through the tough economy, that's proof that we are....that we've got. I think we've got a genuine staff that's interested in what goes on in the city and how to maintain the spending. I don't really have much more to say than that. I've enjoyed it.

Mayor Smothers: Well, your contributions have been great and it's been a privilege to serve with you.

Mayor Pro Tem Whitley: As with the rest of the members of Council and with you for two times.

Council Member Pugh: Madam Mayor, I have an issue that I wanted to bring before Council and I was going to do it during the public address as a citizen, but I can go ahead and do it. We'd have to suspend the rules to pass it. It's a resolution I would like to present to Council.

Mayor Smothers: Well, perhaps, we can go ahead and let the rest of the Council Members finish their comments.

Council Member Pugh: I thought you were looking for something to fill the time.

Mayor Smothers: Well, I was just starting with the Mayor Pro Tem. Mr. Alexander...

Council Member Alexander: Thank you very much, Madam Mayor. It has truly been an honor to serve as a City Councilman. I do thank the voters and all the citizens of High Point. They have honored me with their calls and their questions. It has been a very exciting time for me and I told someone tonight that I was excited tonight-as excited as I was the first night. So, it's been very right for me. Mr. Manager, you have been long-suffering and patient with me. I do thank you so much. I can only imagine your excitement at some of the earlier e-mails I sent to you. They were long and I had no idea what I was doing, but you and my fellow Council Members helped me learn what municipal service is and helped me understand where my place was and I thank you for that patience that you extended me. Pat and Randy, I thank you. And our professional department heads for everything that you've done. All of you have been wonderful to help me understand many of the things that were brought before us and you were patient with me and answered lots of questions and helped me to learn the job that I'm doing. I'm sorry Mary Lou Blakeney is not here tonight. I did wear my pin-striped suit just for her. The other day, the manager and I were riding to Raleigh and I told him that Ron Wilkins had been on my mind. I have served with lots of wonderful individuals here at the dais and others who have been elected previously. Ron was always one that had his heart in the right place. He loved everyone and he wanted good things for everyone and I think a lot of Ron. I thank very much my council members. Chris, it's been an honor to serve with you. You've been a mentor and a friend. Bernita, I have to tell all of you, because many of you may not know it. Bernita and I are twins. We got on Council at exactly the same time and we have had a parallel track. I have been honored to nominate here for the board at the National League of Cities and she honored me by nominating me for President of the North Carolina League of Municipalities and it has been a true honor and privilege to serve with a wonderful woman like you. I do thank all of my other council members. I didn't serve with you quite as long, but it has been a wonderful day. We did some wonderful things and did some good work and along the way, we had some grins and giggles and I thank you very much for those grins and giggles. They made it all worthwhile. The many death-by-powerpoints that we suffered through. The fun that we've had together and the fellowship that we've had together has been something that I will cherish and always remember. I want to thank our media, the Enterprise, the News and Record and The Rhino have always been fair to us and especially fair to me. I do thank you for being present here at all of our meetings and helping us as we tell our story and being

fair. When we blundered and stumbled, you broke your pencil lead and you resumed once we re-engaged our mouth. So I thank you very much for that. You've been great to work with and I do look forward in the future to finding a place to serve the citizens of High Point and I thank you all for the opportunity.

Mayor Smothers: Thank you, Latimer. It's been a pleasure to serve with you and I don't know if anyone who has devoted more time and effort to understanding issues and presenting them in a way that was both gentlemanly and understandable-even when we disagreed. I will have to tell this tale on him. I was not on Council when Latimer was elected and his twin, Bernita. But, the former Mayor Koonce did tell me when I came into office in 2003 that Latimer was still amazed at how the city had gotten along without him for so many years.... [laughter]....because he was still trying to get it all straight. So, Mr. Bencini, we won't ask you to testify to that. At any rate, it truly has been a pleasure.

Mr. Pugh, I believe you would be next in the numerical order.

Council Member Pugh: Oh my gosh, what would I say? It's like when I was laying in the hospital and I didn't know if I was going to live or die. I was having a heart problem and I looked at my wife and I said, "It's been a hoot, slim" and she said, "what?" And I said, "It's been a hoot, slim!" So to you, "It's been a hoot, slim." I've been called names that I had to get my dictionary out and look up and if it gets bigger than mayonnaise, you know I'm in trouble. But "pugnacious" was one I got the other day I think from Paul over there and that I would argue. Sure, I'll argue if I think something's wrong. I'm going to argue. I have watched a lot of TV. I saw Mighty Mouse. I saw the Lone Ranger. I saw all those guys-all those action heroes that would fight for rights. So that's why. I'm not a mean guy. I've got a big heart and just because I get a little....at times, argumentative, because I feel like I'm right, I think that puts me in some good company. I like Mighty Mouse and the Lone Ranger and Batman and those action heroes. So, anyway, I'll just leave it like that. I won't come to my modern day heroes, but we'll leave it like that. Again, "It's been a hoot, slim."

Mayor Smothers: Well, I'm sure there are those that will say that you are my modern day hero, so you carry on that tradition. And, you know, yeah you've been argumentative-but you know what, so have the rest of us. So, I'm particularly proud, though, that we've been able to get through many of those moments of tension and we carry on the next day and I think that's a real testament to the character of the people that are here. I just don't know what I'm going to do without you, Mike, because I'm afraid Cindy will quit buying caffeine-free Diet Pepsi because you and I are the only two that drink them.

Council Member Pugh: Well, one of my heroes....he said, "I'll be back." So I'll close with that. [laughter]

Council Member Douglas: The Terminator?

Mayor Smothers: Well it was also General Davis Macarthur who put it in a little bit of a loftier way, "I shall return." So you can pick your hero. Mr. Corey.

Council Member Corey: Well, Mayor...I've been very quiet around here. I would say it's a great honor and a distinct pleasure to serve the citizens of Ward 6 in particular and the citizens of High Point in general as a representative on the City Council. And I also wish the incoming Council every bit of success and good luck-lots of good luck. I'd like to very briefly explain why you're going to need a lot of luck. In 2000, a team of economists identified the United States Economy as a "bubble economy" and they accurately predicted the bursting of the bubbles of the .com, real estate and financial institution bubbles. And now they're predicting that we're going to see two more bubbles burst in this country and these are going to affect every part of our country, every state in our country, every little locality in our country and every citizen in this country. And these two bubbles are: the National debt bubble and the dollar bubble. From the year 2000-2008, the National debt went up on average of \$335 billion per year, but it got worse. In the year 2008, the deficit went up \$1.8 trillion and in the year 2009, it went up \$2.5 trillion and in 2011, it went up \$2.3 trillion. In three years, the National debt went up, basically, \$5.71 trillion or five times on average what it went up the years 2000-2008. Simply put...and it's also predicting that by the end of the second administration of President Obama, our National debt will be over \$20 trillion. This amount of debt cannot be sustained by this country and what this debt is doing is eroding the confidence in the U.S. dollar, but if that we're enough...the Federal Reserve has had the printing press rolling, printing out dollars. The Federal Reserve has doubled the supply of U.S. dollars in less than two years. Now, if the economy was booming, we would say, well we need more dollars for the economy. But, unfortunately, the economy has been stale and the pumping out of all this new money into the economy is another factor eroding the confidence and viability of the dollar. This team of economists predicts that the national debt bubble and the dollar bubble are going to burst somewhere in the next two to three years. When these two bubbles burst and these two bubbles are going to be far worse than the other three-the real estate, financial institution, and .com are going to be far worse than these bubbles. Basically, what is going to be the fact of the bursting of these two bubbles? We're going to see the value of the dollar and the purchasing power of the dollar go down and we're going to see inflation take off like a rocket. That's what we're facing as a nation. So, when I say and when I wish the new Council, good luck-that's exactly what I mean. You're going to be in the hot seat while all this is going on. The economy is going down the tubes and unfortunately we're all being fooled by this so-called financial cliff. The financial cliff is a little piece of this. It's really not the main culprit. The main culprit is we're spending far too much money than what we take in and our dollar is sinking, slowly but surely in value. And that is not a good sign. So I wish the new council all the luck in the world.

Mayor Smothers: You know now why he is Dr. Corey and is our professor-because he does give us analyses from time-to-time and as I told him earlier, I'm going to miss his graphs because he'll put it in a graph in a minute. So it's been a pleasure serving with you, Jim.

**PUBLIC COMMENT PERIOD - 5:15 P.M.**

Prior to opening the floor for public comments, Mayor Smothers acknowledged the following elected officials present in the Council Chambers:

Bill Bencini (who was just elected as the Vice-Chair on the Guilford County Board of Commissioners)

Jay Wagner (who was recently elected by the citizens to represent Ward 4 on the High Point City Council)

Jason Ewing (who was recently elected by the citizens to represent Ward 6 on the High Point City Council)

Jeffrey Golden (who was recently elected by the citizens to represent Ward 1 on the High Point City Council)

**ANNOUNCEMENT- NEW EXECUTIVE DIRECTOR FOR NATIONAL LEAGUE OF CITIES (NLC)**

Council Member Sims announced that the National League of Cities recently hired a new executive director, Clarence Anthony.

At this time, Mayor Smothers opened the floor for those desiring to address Council during the Public Comment Period and asked those speaking to please summarize their comments in three minutes.

**Todd Smith**, 8839 Boylston Road, Colfax, addressed Council and reiterated his concerns about the planned development (350 South Holding) that was considered by the Council at their last meeting. He felt it was important that the newly elected Council understand there are many citizens that have grave concerns about the haphazard manner with which the sitting Council has approved going forward with considering this development. He also felt it was important to note that on November 13th, the Planning & Zoning Commission voted 6-2 against recommending the development and, yet, the sitting Council voted in favor of it. He felt it was unbelievable how Council could expect conscientious citizens to serve on a Planning & Zoning Commission and then ignore their recommendations that he felt were based on very good reasons. He also felt if Council does go forward with the development, that the associated Development Agreement be modified significantly from the current one which is 22 pages in length. He recommended an agreement with no less than 322 pages.

Mr. Smith also reiterated his concerns voiced at the November 19th City Council meeting and felt it was a major conflict of interest for the same attorney representing D. H. Griffin in this matter to also be representing the City of High Point in filing a lawsuit against Davidson County in a zoning issue. He pointed out that The Rhinoceros Times newspaper confirmed that Mr. Terrell has been working with the City on a Special Use Permit with Davidson County.

**Susan Koger**, 1902 Eastchester Drive, High Point, addressed Council regarding her objections to the 350 South Holding development. She noted that her step-father owns property at 611 Lakedale Drive in Colfax right beside where this development is proposed. She questioned the location of the road going into the development and the use. She felt because it is owned by Mr. D. H. Griffin, it would be a junk yard on the property which would lower property values in that area. She suggested Council concentrate on bringing businesses into areas like Uptowne High Point instead of going further outside the boundaries.

Mayor Smothers informed Ms. Koger that the list of uses have been outlined for development of this property and assured her that junkyards are not on that list.

**Bridgett Dawson**, 501 Southridge Road, Jamestown, addressed Council regarding an incident involving her unfair treatment by a police officer during a recent accident investigation. She explained that her 18-year-old daughter was recently in a car accident and called her dad to come to the scene. Both she and her husband, Jermaine Dawson, came to their daughter's aide, but when she got to the scene, the police officer accused her of interfering with the investigation and explained that the officer got rough with her and threw her up against the car, twisted her arm behind her back, pulled out his hand-cuffs and said he was going to take her to jail. She noted her husband tried to calm the officer down in an attempt to diffuse the situation.

Council Member Pugh pointed out that Mrs. Dawson is a pastor of a local church in High Point and it was also noted that her husband, Jermaine Dawson, is currently serving on the Citizens Advisory Committee and he is an Elder in the church as well.

Mayor Smothers informed Mrs. Dawson that she did report the incident and it is currently under investigation. City Manager Strib Boynton pointed out the Professional Standards Division is investigating the complaint and once completed, a report would be forwarded to both him and Police Chief Marty Sumner.

Mrs. Dawson informed Council that she was standing before them tonight, not for herself, but the fact that she is 35 years old with no police record and she was just trying to raise awareness to the mistreatment and she did not want it swept up under the rug. Council Member Douglas questioned Mrs. Dawson about how the incident made her feel and Mrs. Dawson felt it belittled her and she wondered about how others are being treated when they don't have someone there to be a witness to the incident. Council Member Douglas pointed out there have been other similar situations in the past involving incidents with the police and he felt the checks and balances that were in place did not appear to be working. He described this officer's behavior as very unprofessional, unbecoming for the conduct of an officer.

Mrs. Dawson also expressed concerns and felt she was not treated fairly while she was trying to file the complaint either. Mayor Smothers asked when staff anticipates completion of the report. Mr. Boynton noted he would ask Chief Sumner to get it done as quick as possible.

**Jimmy Morgan**, 8625 Bull Road, Colfax, shared some photographs of injuries his black lab, Bo, sustained two weeks ago due to an attack by a pack of coyotes in their back yard. He cautioned Council about the reality that continuing to develop forested lands, watershed lands without leaving adequate green space and wildlife corridors and habitats, would continue to drive the wild animals in neighborhoods and back yards. [the photographs will be attached in **Exhibit Book Volume X, Page 65**]

Mr. Morgan also felt it was regrettable that the Council did not see fit to reappoint Cynthia Davis to the Planning & Zoning Commission. He noted she has certainly done a great job, has served High Point well and he hoped Council would see fit to reappoint her.

**Brian Hannon**, 8514 Blackstone Drive, Colfax, also wanted to voice his objections to the 350 South Holding development project and blasted Council for not listening to the Planning & Zoning Commission's recommendation. He wanted the present Council and the future Council to be aware that they are citizens and they deserve the right to be heard. He asked Council to listen to their concerns.

**Tim Carter**, 746 Quail Meadow Lane, Colfax, cautioned Council about bringing a lot of industry in without the infrastructure and mentioned the challenges with Skeet Club Road due to the development that has taken place.

Mayor Smothers asked if there was anyone else to speak. There being none, she declared the public comment period closed.

## **PRESENTATION OF RESOLUTIONS/PLAQUES TO OUTGOING COUNCIL MEMBERS**

Mayor Smothers presented Resolutions of Appreciation to outgoing Council Members Chris Whitley, Latimer Alexander and Mike Pugh. She noted one was also prepared for outgoing Council Member A. B. Henley and it would be sent to him since he was not present tonight.

## **APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS**

**120314**

Approval of the following minutes:

Finance Committee Meeting held Monday, November 5th @ 3:30 p.m.

Combined Meeting held Monday, November 19th @ 4:45/5:30 p.m.  
Planning, Econ Dev & IT Committee meeting held Tuesday, November 20th @ 9:00 a.m.

Approved the preceding minutes.

**A motion was made by Council Member Alexander, seconded by Council Member Moore, that this Miscellaneous Item be approved. The motion PASSED by an 8-0 unanimous vote.**

## **BOARDS AND COMMISSIONS VACANCY REPORT**

[120229](#)

### **Boards and Commissions - Vacancies**

Attached is the current list of vacancies for all Boards and Commissions.

**Attachments:** [term expirations 2013 \(January 22 2013 agenda\)](#)

This information is attached for informational purposes only.

## **ADJOURNMENT**

There being no further business to come before the Council, the meeting adjourned at 5:50 p.m. Mayor Smothers invited those present to attend the Swearing-In Ceremony for the newly elected Mayor and City Council to be held at 6:00 p.m. in the High Point Theatre.

Respectfully Submitted,

\_\_\_\_\_  
Rebecca R. Smothers, Mayor

Attest:

\_\_\_\_\_  
Lisa B. Vierling, MMC  
High Point City Clerk