

City of High Point

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



Minutes

Thursday, December 5, 2013

9:00 AM

Adjourned Session

Council Chambers

City Council

REGULAR MEETING ITEMS

- Present** 8 - Mayor Bernita Sims, Mayor Pro Tem Britt Moore, Council Member James Davis, Council Member Jason Ewing, Council Member Jeffrey Golden, Council Member Judy Mendenhall, Council Member Rebecca Smothers, and Council Member Jay Wagner
- Absent** 1 - Council Member Foster Douglas

MISCELLANEOUS[130343](#)**Emergency Funding Request - Rosetta C. Baldwin Foundation**

Council is requested to approve an emergency funding request by Julius Clark for the Rosetta C. Baldwin Foundation for the repairs at the museum.

Attachments: [Rosetta Baldwin Foundation Emergency Funding Request](#)

Note: The information submitted by Julius Clark to Council during the December 2, 2013 Council Meeting is hereby attached in Legistar as a permanent part of these proceedings.

Council Member Smothers moved to approve release of the amount of dollars that was due for the outstanding invoice for repairs that have already been done to the Rosetta C. Baldwin Foundation. City Manager Strib Boynton noted he was a little unclear about this amount and whether it was \$14,000 or \$30,000. Mayor Sims replied that they were given \$10,000 in 2011 (which was spent) and the city budgeted \$10,000 in 2013 (which was not spent) and that was rolled over to the next year (2013) and the city had \$20,000 in the budget for that year. Mr. Boynton pointed out there is no money that has been appropriated in the budget for the Rosetta Baldwin Museum and noted if the money is not used in the year it is budgeted, it does not roll over. Assistant City Manager Randy McCaslin pointed out that the Convention & Visitors Bureau also put \$10,000 in their budget, which they are holding at Council's direction. Mr. Boynton noted that Mr. Clark has submitted an invoice for \$14,800 for some of the repairs and pointed out there is also another request from him for an additional \$30,000 for the 2014-2015 year. Mayor Sims suggested Council go back and look at the amounts appropriated from those two budget years that he did not get because of the unresolved issues.

Council Member Smothers then made a motion to authorize the city manager to release the \$14,800 to be taken from the General Fund contingency. Council Member Mendenhall made a second to the motion.

For further discussion, Council Member Davis pointed out grants expire all the time and felt that if the money was not spent in the year it was budgeted, the monies should not transfer to the next budget. He brought up the recently adopted Policy for funding Non Profits and noted this would address this situation. He reiterated that this grant expired from last year and reminded Council that at budget time, it was in the budget, but was removed. Council

Member Smothers agreed, but pointed out the only difference is the fact that there was a communication with Mr. Clark that the manager provided to Council. Mr. Boynton explained that Mr. Clark was told that if he could get things together, address and resolve the issues, which he has done so, that he could come back and make a request of the Council and his request was for \$14,800. Mr. Boynton noted that any citizen always has the right to petition City Council to have something looked at and considered, which Mr. Clark has chosen to do. He then shared that Mr. Clark would have to go through the entire application process in January for next year's funding.

At this time, Mayor Sims made a substitute motion to release \$18,500 to the Rosetta C. Baldwin Foundation (which would have been for the two years that he had asked for funding and no expenditures were made, less the \$1,500 spent for payment of utilities). Council Member Golden made a second to the substitute motion.

For further discussion, Council Member Davis expressed concerns that the city would reward people to spend money they don't have for repairs and questioned whether or not this was the Council's responsibility. Council Member Golden felt if the city had been more forthcoming and told Mr. Clark that the window for funding would be closing, he probably would not have gone out and spent it. Council Member Ewing recalled during the budget deliberations in May, that a decision was made by Council at that time not to fund the request and if there was money that had been set aside previously awaiting a resolution to the issues, then that money should have been taken away when Council made the decision not to fund it. Council Member Smothers called his attention to the front page of the city manager's handout. Council Member Davis pointed out this money was for a one-time grant for repairs and called attention to the fact that Mr. Clark has also submitted another application for consideration. Mayor Sims explained next year's action is not on the table for consideration and pointed out he would have to come back and file the application in the appropriate way. Council Member Davis reiterated his concerns that Council has recently adopted a policy for funding non profits, which is not being followed. Council Member Mendenhall stated that while she understands Council Member Davis' concerns, she felt this was a different situation following through with a past commitment.

Mayor Sims called for a vote on the substitute motion to authorize the \$18,500 to Rosetta C. Baldwin Foundation per Mr. Clark's request for emergency funding. She then asked Council Member Douglas how he would be voting on this matter since he was participating by polycam. At this time, City Attorney JoAnne Carlyle pointed out that Council Member Douglas was allowed to participate in the discussion, but would not be allowed to vote.

The vote carried by the following 5-3 vote:

Approved \$18,500 in funding for the Rosetta C. Baldwin Foundation per the emergency funding request made by Julius Clark.

Note: Following the vote, Mr. Clark asked if something could be done to put back up the directional signs for the Rosetta C. Baldwin Museum on S. College Drive because they have been removed and this prohibits visitors from finding the Museum. Randy McCaslin, Assistant City Manager, noted staff is aware of this situation and will be putting the signs back up.

A motion was made by Mayor Sims, seconded by Council Member Golden, to authorize the city manager to release a total of \$14,800 from the General Fund contingency for the Rosetta Baldwin Museum. The motion carried by the following 5-3 vote:

[Council Member Douglas was absent, but did participate in the discussion via polycom).

Aye: 5 - Mayor Sims, Council Member Golden, Council Member Mendenhall, Council Member Smothers, and Council Member Wagner

Nay: 3 - Mayor Pro Tem Moore, Council Member Davis, and Council Member Ewing

Absent: 1 - Council Member Douglas

[130349](#)

Ignite High Point - Priorities of the Ignite High Point Committee

Presentation to the High Point City Council by the Ignite High Point Committee outlining the City Project priorities relating to Ignite/ Duany Master Plan Study.

Attachments: [City Project Priorities, etc....](#)

Richard Wood: We've got several things we'd like to talk with you about if you don't mind and we appreciate your time and appreciate y'all showing up here today. Folks, I want to introduce David Covington, who is the Vice Chair of our board. He's been involved for a couple of years with The City Project and has really taken hold of some economic attributes of the growth of our city and David wants to talk with you a few minutes about the strengths of the city and how we can continue to build the strength. Then we've got several other things we want to talk about after that. So, David, I'll turn it over to you.

David Covington: I hope you don't mind me standing up. I can't see all of you and I like to be able to look at you when I'm talking to you. Again, my name is David Covington. Wendy has given me a 10-minute window and she said if you go any further than that she's going to start pulling her ear. I am new on the board for The City Project and in that process, the first thing I want to do is thank you for funding the City Project and tell you that because I'm on the board and because you funded City Project, I actually work for you. So my job is working for you and for this city through the funding and the incorporation of The City Project itself. I also want to tell you that I, as a citizen of this town, am part of the group of the 100 that financially supported the Duany study and so in that capacity, I work for myself. So it's a dichotomy of sorts. I

work for The City Project and I also work for myself. And in working for myself and The City Project, I really started with a blank sheet of paper. The bland sheet of paper is, you know, this is good for the city and I know it's going to be great for the city and these projects are good for the city, but what do I know about it? I really don't know anything about it. And so, as I sat through a year's worth of meetings, I was also able to travel to Durham and sit through a PowerPoint presentation of theirs to see what urbanization has done for their downtown area. And it's staggering what they've done in Durham and they started with a blank sheet of paper.

I've also had the opportunity to talk to some professionals who are in the business of planning, who have been very instrumental in helping us to understand the dynamics, financially as well as life-style, for the city or anybody who is revitalizing their downtown area. Richard and Wendy and I have talked to people in Greensboro that are part of that movement-the City Council. We've talked to these people. We have talked to people from as far away as Fort Collins, Colorado and all these people have got something moving through their process. It takes time. It does take money. It takes time in order to develop a downtown with substance. So in the process of that, you know, I get to looking at still that blank sheet of paper. I'm getting a little more educated. I'm getting a little bit more educated to what can actually happen to our city-maybe not in my lifetime if it's a 20-year project. I look at the Duany Study, I look at the fourteen things he says we need to concentrate on and I also listen to Judy Mendenhall or read Judy Mendenhall's information about there needs to be an economic test of each of these projects of what we need to do in order to make them viable. And I am the first to agree that if I was an individual investor and I was looking at you pick the project and if the city is putting money into the process, that we, because we work for you, because we're your employees so to speak, we need to be able to justify economically the existence of whatever that project may or may not be. It's our obligation as a matter of fact. It's our job description. So as I've gone through this and studied and listened and listened to professionals, I've come to the conclusion that...which comes first, the chicken or the egg? Somebody quoted that in the paper not long ago. How do we justify the 501(c)3 of funds that you allocate? I read that in the paper not long ago and I agree with all that stuff. Okay, but what I really agree with is the movement and I can tell you personally that I feel like that the first thing we do whether it be private and city money together, whether it be a TIF, which all these people from Fort Collins, Colorado to Durham to Greenville, all these people we've talked to have said it's a collaboration. It's an effort. Okay. It may be synthetic as a TIF to a specific project, or it may be a TIF just across the board. But all these people say to us is it's a combination. So with that combination, our job is to educate and I can tell you that I know a lot more about urbanization than I did a year ago. And I can tell you I know that because I've had time to tell you. So as your employee, I've had time to study that to give you this information and part of that process has been the process of reading books by this Charles Moran, who came to High Point, who gave us an update on how this movement is taking hold and what we have sometimes internally is better than what we can't have. He told us that suburbia and putting infrastructure in is great because most of the time we get it for free. He also told us the second generation or the second life cycle has got to be supported by a tax base and what that cost is as

compared to taking what we have. The infrastructure is already there and compressing it into a better place to live. It gives us, actually, a higher tax base, a higher economic value per acre. I'm going to hand out this book to you and a letter I've written to each of you on behalf of the board. I'm going to give you some information, I know you have received from Strib before when you got an update in June or July of how far we have come.

And I'm going to give you a short version of a study that was done in the county that included Greensboro, Winston Salem and High Point that is just an amazing number of evaluation per acre, economic value per acre, that compares the acreage at Walmart, the acreage at the Kmart and the acreage at Jimmy's Pizza. And I'm going to tell you that the professionals-this is not me-the professionals said that on a per acre basis, the economic evaluations of Kmart or Walmart are somewhere around \$1,000,000 relative to us, the town. I can tell you that Jimmy's Pizza's evaluation is \$3.2 million. And that's because the usage, the urbanization and the usage compacted into a small area ultimately is the best thing that we can do for a city like ourselves. Now, Judy, I think....I keep using Judy's name because I read the paper and you're in there a lot and of course she's my friend and I like to talk about her and I know where she sits in church too. So I think that I look at this, not knowing anything about the Market Authority-the Market Authority was started to support the Furniture Market and the Market Authority is a wonderful tool to be able to support what we have here in this city and enhance the economic base of this city. The Market Authority went all the way to and was voted on in Raleigh-a special dispensation. The Market Authority works with money coming off the top from a showroom standpoint and the market Authority uses that money to enhance the viability of \$5.4 billion of economic benefits we've now just read about through a study from Duke University. An independent study I might add-not a study that was done internally to skew numbers.

I happen to think that The City Project is in the infancy of affecting this town the way the Market Authority has positively affected our market to the tune of \$5.4 billion. So I'll leave you with that. Wendy's pulling her ear or shaking her head. I don't know what she's doing back there, but I'll leave you with that, but I'll also leave you with these books and these books are.....this book is an essay about professionals who say this is what is happening, this is what could happen financially. If you don't do it....if urban sprawl is something that you feel like....and I agree with the \$5 million that you guys I think are in the process of allocating, but at some point you've got to keep it up. And in order to keep it up, you've got to have growth somewhere else. I agree with everything we're doing here, but I would say to you as a City Council, from my perspective, from the university growing toward the city, from the Market becoming a bigger part, we need to spread out the viability of the economic base of the city. And we cannot count on the university by itself, the Market by itself and as far as the Duany Study is concerned, I think it was money well spent. I was an investor and I think it was money well spent. Do I agree with everything that was in that.....I haven't read the report, but I have certainly read the synopsis. Do I agree with everything that was in there? Not really to be honest with you. A lot of those things were, you know, maybe a little over the top. Do I agree that the PIT has potential? Yes. Do I agree that I would

throw money at it if it's in my pocket to see something happen there? No-not until somebody comes up and gives an economic plan that justifies economically where we will be a better city at no cost and maybe revenue generation. So in the process of that, I'll leave you with these books. They are up here for you guys to look at and let me tell you about these books. Just one last thing. You can read a chapter. This is not a page turner. This is not something that you've just got to sit down and read 120 pages or whatever it is. Read the chapter about the Ponzi scheme of government-not you-the Ponzi scheme of how you take money and move it from different places to different places. Why? Read the chapter about how second or third generation maintenance is expensive and what happens to the taxes if you didn't have that next movement coming in in the city. And take a look at that. Now, again, this is a professional, but, I, as a citizen of this town, am educating myself and I have obligated-because I work for you-I'm obligated to help educate you in this process. I know you have your plate full, but this is important and it's important to the extent of this committee is striving, moving forward. You will have and see Strib's thoughts of where we were in June and we will continue to update you accordingly.

[distributed copies of the book titled, Thoughts on Building Strong Towns, Volume 1 by Charles L. Marohn, Jr., PE AICP]

City Manager Strib Boynton: Richard, one of the things I think Council is looking for is a sense of what some of the priorities are of The City Project.

Richard Wood: Yes sir. I have that right here. Here is a map showing the designated areas and what the priorities are. On page two are the priorities as we see them-the City Project Board-and we've taken what the Duany Report recommended and made our decisions from that. So that was one of the things you all asked for the other day was a list of priorities and what we think is the most important, more important and next important. We think they are all important. We think it's all part of The City Project and what we're trying to do. So you can take a look at that and we know it's going to take a lot of money. We don't have any money. The City Project does not have any money. Y'all have been kind of enough to write the position of executive director and expenses of the executive director's office, but we don't have any money. We raised some money and we budgeted that money as close as we could. We negotiated and hired Chuck Marohn to come back to High Point to do a more specific study of High Point and show us some things, show us some ideas, and that's because we budgeted some of the \$410,000 we had and had money left over to do that. So we have not....

Council Member Smothers: So how much have you spent so far?

Richard Wood: We are not sure yet, but about \$15,000 to have that study done.

Council Member Smothers: Is he going to do specific areas?

Wendy Fuscoe: It will be specific areas, but it's really Joe Minicozzi, with the Group Urban 3, that we'll contract with and Joe hired Marohn and then Chuck would be a sub

to Joe Minicozzi. He'll look specifically at Uptowne. He will look at what is proposed and determine the economic benefit if we actually did it as the plan calls for. What's going to be the economic impact of that.

Mayor Pro Tem Moore: Is Joe the one out of Asheville?

Wendy Fuscoe: Yes. I just have a rough proposal. We haven't fine-tuned it yet, but it's in that ballpark. We've got the money left from our IGNITE High Point.

Council Member Smothers: Well I guess the things that you remember are the ones that are pleasant and that was the comparison between the ad valorem tax value of the supposed downtown, which we call the Market District, with the downtown of Greensboro and High Point's is by far higher.

Richard Wood: Right, the value.

Council Member Smothers: So, but I don't remember him talking about the Uptowne area.

Wendy Fuscoe: He didn't. And that's why we're contracting with him. That's exactly what we're doing.

Council Member Smothers: I have one question and I know I posed this to Wendy over a year ago, are you all interested or have you discussed a special tax district for Core City?

Richard Wood: We have discussed it some. Wendy has done some studies on it. We've not gotten too far down the road with it.

Council Member Smothers: Well I know there was a concentration on Uptowne and it doesn't generate enough dollars to support-I mean Uptowne is a perfect example of what happens when a specific area comes together and works for their common good. And Dorothy's doing this now in SoSi. So I didn't know....since you all have a more global outreach and David just said you don't have any money or you said or somebody said it, so if you're looking at the ability for revenue generation, I wondered if you had looked at that.

Wendy Fuscoe: We've talked about like what David mentioned is this TIF, or program development financing or some synthetic. It comes under different names. Basically the same type of thing when you look at incremental tax. Your tax improvements, you take that money and do different things with it.

Council Member Smothers: Right, Judy has also talked about it.

Wendy Fuscoe: So we haven't.....Greensboro used that for the Deep Roots. They've done various projects. So we're at the point now where we haven't yet evaluated which

we think will do best. But back to David's point, we do need to do that.

Council Member Smothers: What's your time table on completing that?

Richard Wood: On completing the study?

Wendy Fuscoe: It will be a couple of months.

Richard Wood: In the first quarter probably.

Council Member Mendenhall: Where do you all stand on your 501(c)3?

Richard Wood: We have that. It's in place.

Council Member Mendenhall: It is in place? For Core City? What is the entity?

Wendy Fuscoe: It was Core City, then we changed the name to The City Project, so every year I file the tax forms because we're under \$25,000.

Council Member Mendenhall: So you do have that which would allow for grant requests.

Wendy Fuscoe: Yes, but we run all our grants through the City of High Point. So everyone that makes a check makes it out to the City of High Point.

Council Member Mendenhall: Why?

Wendy Fuscoe: Because I don't want to have to do the auditing. If I keep it under \$25,000 then there's no auditing required.

Council Member Smothers: Well I think....the Mayor had mentioned some time I guess about a year ago, that it was an understanding at least by some that The City Project was going to go independent and the application for the non-profit status was looked at as the first step in that effort to do that. So you all aren't looking at that?

Richard Wood: We have not looked at that. We've talked about the possibility, but it's going to be hard to stand on one leg for long. You know we need some other support in order to do that.

Council Member Smothers: Right, that's why I asked you if you were looking at other revenue options.

Richard Wood: The taxing authority.....that's not high on our list.

Council Member Smothers: Well you all wouldn't have taxing authority.

Wendy Fuscoe So far it's been nice to work hand-in-hand with the City of High Point and It's just been a nice relationship so far. With Lee and Mark and me being a city employee, it has worked for us and the taxing entity like you said would not be a non-profit function. It would be the City of High Point. So we haven't taken any steps to separate ourselves from the City of High Point.

Council Member Smothers: I understand that Wendy, but as it becomes a true non-profit you're changing the horse you're riding on at least perceptually anyway. So I think.....what's the future going to like for City Project because it's, you know, the dependency has been on city funding for operation. And you are essentially staff support to a number of groups.

Council Member Wagner: Was there ever anything passed by City Council or adopted by City Council that ever set in motion anything to say that City Project was going to be private?

Mayor Sims: No, not formally. It has always been part of the discussion in the very beginning that eventually that's what would happen or should happen. And I don't think it's such a bad thing. It all depends on how you do it and what that process looks like moving forward and I'm not saying that there should be no support by the city even if it is a true non-profit. It just needs to have the flexibility to be able to go and do what it needs to do without us being that total oversight piece that if you want to sneeze you've got to ask permission. And so I think at some point we need to have that discussion as to how this is going to evolve or what it evolves into.

Council Member Smothers: Because Wendy came under the city government for reasons we won't get into this morning.

Council Member Mendenhall: Well I agree. I think to be able to do on down in trying to be visionary and look ahead, for The City Project to be able to do some of the things that are important and will be important, it's important to have that private buy-in and to be independent of the city. It doesn't mean the city....I mean we contributed...we put a policy in place for how we're going to contribute to non-profits, so it doesn't mean the city couldn't have some involvement. But I think the independence will give The City Project the flexibility it needs to do a variety of things moving forward and I certainly wasn't part of the Council that initiated it or thought of that, but I do think there's some validity to that.

Council Member Davis: Do you think....because most of this Council is new before The City Project was funded, if we could get the minutes or get how that was set up? Because I've heard mixed things this year about how that was originally set up and one of the things that was recently brought to my attention said that it was set up to be a three-year....the city would fund it for three years and give it some seed money because it was a start-up thing and then it was supposed to be a non-profit and start funding itself. I don't know if that's true, but I don't know the details. Do you think we could get the details?

Council Member Smothers: There were so many conversations that took place over periods of time. I mean Solomon couldn't recall all of it.

Dorothy Darr: Well if it's an issue to enforce or help develop the Core City Plan and that was in 2007, wasn't it?

Council Member Wagner: Listen, I was at the very first meeting. I've been there since the first night we met. It was in 2005 at GTCC outside their Black Box Theatre. So what happened was we had a Steering Committee for the Core City plan and that went on for about a year and a half. The City Council passed the Core City Plan in February of 2007 and then our Steering Committee kind of went away and then about six months later, the City Council reconstituted our Steering Committee as a board in what was called Core City High Point.

Council Member Smothers: Well I think that was from a request from some of the leadership that remained faithful to it-like Aaron Clinard.

Council Member Davis: Council took action somewhere down the road.

Council Member Wagner: That was because we were getting questions. It had been six months and nothing had happened. So we were getting questions on the street from people saying, hey what's going to happen. So we came back to Council and asked them to reconstitute the Steering Committee as the Board because that was the recommendation under the Core City Plan that we have this board, that we have this entity to be created. So the City Council recreated that. We filed as a 501(c)3 for the sole purpose really of making it easier to qualify for grants.

Council Member Mendenhall: When did that occur?

Council Member Wagner: That occurred I want to say by the middle of 2008 we had all that done.

Council Member Smothers: Why has it taken so long for them to get it?

Wendy Fuscoe: I started it when I came in August of 2008, Smith-Moore did the paperwork for us and it probably took six or eight months to get it. We didn't really get it until 2009. It did take a while.

Council Member Wagner: And Wendy was hired as the executive director and she falls under the city as far as benefits, salary, etc....

Council Member Smothers: But that was later. The arrangement was contractual I presume initially. She didn't start out as a city employee.

Wendy Fuscoe: Yes I did.

Council Member Smothers: But supervised elsewhere.

Mayor Sims: I thought she was always supervised by Strib.

Strib Boynton: She is a city employee assigned to work on City Project things.

Council Member Davis: But all this discussion we just had is my point. You know, I still don't know exactly how it was done.

Julius Clark: My question is this, what was the overall intent of the Core City? Once you changed your name, did the intent change?

Council Member Wagner: No. The purpose of the City Project is to implement the Core City Plan.

Julius Clark: What was the intent of the Core City? When that money came down, the plans for the Core City, what was its original intent? Because when it starts coming up for discussion, even people voted on....what's priority one? And priority one became to be Washington Street.

Council Member Wagner: That's right.

Julius Clark: So now it has honorable mention. Even though there are things happening over there.

Council Member Wagner: I wouldn't agree with that.

Julius Clark: Well what I'm saying is when I said honorable mention; I noticed how Uptowne jumped at the top.

Mayor Sims: That's not true, Julius.

Julius Clark: I'm telling you how it visually looks. It may not be true in fact, but it's how it visually looks in the discussion on the street. Just let me finish, Madam Mayor. My question is simply, what was the overall intent because it was to address the dilapidated areas.

Mayor Sims: The intent of Core City...now let's go back to the Bill Bencini and Chris Whitley days and all of this....when we first started this conversation around improvement and we started first with downtown improvements. That's where we were and we went to several seminars and other things that we participated in talking about how you revitalize your downtown, how you revitalize communities. So it started there and then we started going out and looking at what other communities were doing, Huntersville, and other areas saying let's look and see what they're doing and how they actually went in to jumpstart and get their downtowns thriving again. So the real

catalyst was downtown. It was never necessary Uptowne or Washington Street. It was the whole Market District.

Julius Clark: What about the terms East, Central, Southside.....

Mayor Sims: All that came up out of the Core City Study. When we brought the individuals in and actually did the study. We commissioned it. They looked at the entire Core City, which all of that is under Core City and said how do we get into these areas that have gone into decline, which has happened in other communities. And how do we revitalize these areas and what does that look like? That's when they started identifying East Central. They started identifying what was going on in West End. They looked at Washington Street. All of that became a part of that entire study and at the very end of it, after we got all that information, we did not want this to be a report that sat on the shelf. So what do we do now that we have all this information? So originally Washington Street was looked at as that short street. Maybe this was the low-hanging fruit-however, there were other things that impacted the ability to be able to revitalize Washington Street because there was a perception that the area was not safe. We went down that whole road. What has happened with Uptowne has happened because the business owners in Uptowne said we're willing to get involved and engaged in revitalizing this area of our community. That did not necessarily require city dollars to make it happen. So that's kind of how it all took place and I know perception, people may look at it and say the focus has changed. It has not changed.

Julius Clark: Now I have a better understanding because I remember Jay.

Council Member Smothers: The thing started when we said, okay we have areas surrounding the Market District that need reuse. We need to try to see if we can define what is the Market District and which would encourage real estate development around it. And you all were on P & Z then and you all came back with a plan and it all hit the fan.

Mayor Sims: Well that was all part of the same....the Core City Plan.

Council Member Smothers: That came later.

Council Member Mendenhall: May I ask for.....there are right now on this Council, Jay, you've been involved but you're still new....one, two, three, four, five members of Council that have none of this historic background. I would like to request, because we can't....we're talking about a whole lot of money. We're talking about the future of our downtown and our other areas that need revitalization. We can't decide it today. I would like to request that at least those of us that are new, get minutes that can help us fill in some detail. Also, I would like to see the by-laws and the other things from City Project that were part of the 501(c)3 because I think that goes back to what Julius was asking that tells the purpose, that tells a lot of stuff. I don't have that data and I can't make a lot of informed decisions without knowing the background and the history. You know, there's been a lot of different stuff about when it happened, why it happened and

even just here this morning. So I think it would be....at least for me....I'm not going to speak for these other four guys, but at least for me, I would like to have some data that would let me really understand the background and what it's supposed to do before I try to make decisions.

Council Member Davis: I second that. I want that too.

Council Member Wagner: In the Core City Plan, and Lee you back me up or tell me if I'm wrong, but I think there's kind of a history of some of that in the introduction. Do you remember that Lee?

Lee Burnette: Yes, it has some background information.

Council Member Wagner: I don't know if y'all ever received a copy of the Core City Plan.

Mayor Sims: The actual members on Council that are new really need a copy of the Core City Plan.

Strib Boynton: I will put a hard copy in their hands.

Mayor Sims: And then maybe a briefing or some update with staff to actually go through some of the nuances of the plan. It may not be a bad idea to revisit it.

Council Member Wagner: I think that would be a great idea.

Mayor Sims: At this point....and I understand the concern that you have around how we move forward regarding all of that because you don't have that history.

Council Member Mendenhall: Right, and I mean somebody said you were supposed to in a short amount of time or a long amount of time, the City Project was supposed to break away from the city and be free standing and get grants. No that wasn't, yes it was and I didn't understand that. I mean I just think there are a lot of questions that those of us that were not part of those discussions early on need to be able to talk about with the rest of you who were. I don't think we have time to do that this morning.

Council Member Davis: That was my point from the very beginning because everyone here has had a different piece of how this all formed. I just think the minutes....because Council took action sometime down the road when this was done. Just to go back so everybody will know.

Council Member Smothers: Well it's almost 2014. It's been going on a long time.

Council Member Davis: Like I said, that came from a former City Council Member who you called their name that was part of that said that. So you just totally disagreed with what he told me.

Mayor Sims: I do disagree with that because we never, ever put in writing a definitive time period that we would say to The City Project now you're on your own. That never happened. But it may have been a thought process by somebody or it may have been a part of a conversation, but it was never something that this Council adopted and said in stone this is what's going to happen three years from now. That never happened.

Council Member Davis: Yeah, but do you see my point?

Mayor Sims: Yeah I see your point, but what I don't want to see us do is get bogged down in this part of what we're doing. I understand getting information, having background so we can make informed decisions. I agree with that, but I do believe at some point in time we can present it with this document that all of knew was coming. We were told unquestionably that we were going to get a document that says this is how we'd like to see us move forward. I have my own opinions about how that should happen. I don't believe that's something we should talk about in this room necessarily, but I believe that we have a responsibility to honor those individuals who spent countless numbers of hours meeting and formulating and doing what they need to do. To the individuals that put money into this to develop the Duany Study. I think as a Council we need to decide what piece of this we want to take some participation in and what part of it we don't.

Council Member Mendenhall: I don't disagree with that at all Mayor. I think that's a very valid point and I think the future of The City Project is a valid point because it is true that the city as an entity can do some things, but the private sector and a 501(c)3, a freestanding non-profit, can also do some things that the city can't. So I think there are some questions that we need to talk about among ourselves and then we need to get with the leadership of The City Project. In addition to the Duany Study and what we want to do about all of these things, there's a lot to be considered for how it moves forward in the future and what it means to the community.

Mayor Sims: Absolutely. I agree with that.

Council Member Smothers: Well I just want to see the priorities.

Richard Wood: You've got them. There's hundreds and hundreds of hours of individual volunteer time that has gone into this. Not just the people we paid to do it, but those of us on the board and some of the principals invested in this study are here. You know, I think we just listen a little bit to some of these people and y'all are going to have to make a decision sometime. Either you're going to endorse this plan and say we want to move forward with High Point, or you don't.

Council Member Mendenhall: I want to ask one thing, because I was at your meeting Monday and I kept saying are these...is what you have listed as number one, your number one priority? I kept asking that and you all kept talking a lot about the three of them as being the...and I kept telling you that this Council at least from my

understanding of some of the members, really want to know if we look at number one, as you have it listed here....is that the number one priority?

Richard Wood: Yes, it's the number one priority, but it ties in with the number two and the number three. It's all part of the plan. We're going to have to step up. Dieting Main Street is not going to happen you know quic

130344

Southwest Renewal Foundation Grant Support

Consideration of a request from the Piedmont Triad Regional Council (PTRC) who is partnering with the Southwest Renewal Foundation to pursue a 2014 Environment Solutions For Communities Grant to assess the green infrastructure needs of the Southwest High Point District, and implement projects that will improve the districts quality of life and environmental conditions.

Attachments: [PTRC Request \(Southwest Renewal Foundation Grant\)](#)

Council Member Mendenhall authorized the city manager to send a letter endorsing the Southwest Renewal Foundation Grant application. Mayor Sims made a second to the motion.

For further discussion, Mayor Sims pointed out the city's support would be in the form of in-kind donations (staff participation).

Authorized the city manager to send a letter endorsing this grant application.

A motion was made by Council Member Mendenhall, seconded by Council Member Smothers, to authorize the city manager to send a letter to the Piedmont Triad Regional Council from the city in support of the City of High Point Southwest High Point Greenway Infrastructure Restoration Plan. The motion PASSED by an unanimous 8-0 vote. [Council Member Douglas was absent, but did participate in the discussion via polycom).

COUNCIL MEMBER DOUGLAS QUESTIONS HIS RIGHT TO VOTE DURING THIS MEETING

Council Member Douglas questioned the City Attorney's ruling that he could not vote during this meeting. City Attorney Carlyle explained it has been a standing policy of this Council not to count Council Members who are not physically present, but allow them to participate by listening and commenting. He further explained that a quorum is not calculated based on a telephone contact, so there is no provision for voting. Council Member Douglas recalled that a Council Member was allowed to participate and vote during a past retreat. Mayor Sims suggested Council revisit the process and whether or not it is the desire of Council to consider voting by phone.

130348

Mayor Pro Tem - January 1, 2014 - December 2, 2014

Election of Mayor Pro Tem for the period of January 1, 2014 - December 2, 2014.

Council Member Douglas suggested that Council Member Davis be considered to serve as Mayor Pro Tem. Since Council Member Douglas could not make a motion, Council Member Golden moved to appoint Council Member Davis as

Mayor Pro Tem for the coming year. Council Member Smothers made a second to the motion.

The motion carried by an 8-0 unanimous vote. [Council Member Douglas was not physically present, but did participate in the discussion via polycom]

Approved Council Member Jim Davis as Mayor Pro Tem effective January 1, 2014 through December 2, 2014.

A motion was made by Council Member Golden, seconded by Council Member Smothers, that this Miscellaneous Item be approved. The motion PASSED by an unanimous vote.

130346

Ordinance Amendment - Change in City Council Meeting Times

Council is requested to adopt an ordinance amendment to change the time of the Regular Meetings of City Council from 4:45 p.m. to 5:30 p.m. with public hearings beginning at 6:15 p.m. as discussed in an Adjourned Session of City Council on December 5, 2013.

Attachments: [revised ordinance establishing meeting dates and times december 5 2013](#)

Ordinance No. 7021/13-53

Introduced 12/5/2013; Adopted 12/5/2013

Ordinance Book, Volume XVIII, Page 53

Council discussed the Thursday morning meetings with some Council Members expressing an interest in having meetings on the 1st and 3rd Thursdays to be standing meetings with the ability to take action if necessary. Mr. Boynton suggested this could be accomplished by doing it as part of the Manager's Briefing that is already on the schedule at 9:00 a.m. and asked if there are no issues to be discussed, to allow staff the discretion not to have one every Thursday. He suggested Council pencil in the 1st and 3rd Thursday's at 9:00 a.m. Council Member Mendenhall noted these are standing committee meetings and felt the Council should meet on those days because there are always issues to be discussed. Council Member Smothers asked if Council would be able to take action at these meetings and Ms. Carlyle replied that the Council could take action if the need arises. She pointed out Council also has the option of adjourning Monday's meeting until Thursday.

Council proceeded to discuss the meeting times. Council Member Smothers stated she has no problem with having Public Comment Period start at 6:00 p.m., but felt there should be a cut-off time to allow for public hearings that have been advertised to start at a certain time. She suggested if there are people desiring to speak that are not able to within the designated time set aside for public comment, then Council could hear them after the public hearings. Council Member Ewing suggested possibly flip-flopping the time for the public hearings and public comment period. Council Member Mendenhall agreed and felt the public hearings should come first with public comments

after. Council Member Davis suggested 6:00 p.m. for public comment period because he has been hearing from the public that they would like to come, but the time of the meeting was an issue. Council Member Mendenhall expressed concerns that the public has been allowed to share comments with no consideration given to the time limit as set out in the Public Comment Policy. Mayor Sims noted she has asked the city manager to look into getting a clock with a timer.

Council Member Ewing shared that he has been researching what other communities and Councils across the United States are doing as far as meetings and committee structure and noted it varied from city to city. Mayor Sims believed a timer would assist in keeping the speakers on task as far as adhering to the time restriction.

At this time, Council Member Ewing made a motion to change the regular meeting time from 4:45 p.m. to 5:30 p.m. and shift the public hearings and public comment period, but wasn't sure whether the public comment should come after the public hearings or vice versa. Council Member Smothers suggested citizens be given the opportunity to speak before the allotted time if there is time to do so. Mayor Sims suggested possibly starting the public comment period at 5:45 p.m. because using a consent agenda and 15 minutes should give them more than enough time to move that item forward. Council Member Smothers felt too much confidence was being placed on using a consent agenda because more time may be needed for discussion of some items.

At this time, **Council Member Ewing restated his motion to start the meetings at 5:30 p.m. with public hearings at 6:00 p.m. followed by public comment for both meetings of the month, not just the 1st meeting of the month. Council Member Mendenhall asked if there was a second to the motion. Council Member Davis then made a second.**

For further discussion, **Council Member Mendenhall offered an amendment to this motion to have the Council meetings start at 5:30 p.m. with public comment period from 6:00 p.m. to 6:15 p.m. and stop comments at 6:15 p.m. to start the public hearings with the caveat that the Mayor can state if there is anyone that is not permitted to speak because of the timing, they could be afforded an opportunity to speak after the public hearings.**

At this time, Cynthia Davis, 413 Evergreen Avenue, suggested starting at 5:45 p.m. (an hour later than the present time) and noted this would allow parents with children an opportunity to make arrangements or drop their children off somewhere so they can attend the meetings. Council Member Smothers noted Council also needs to keep in mind that some people are depending on public transportation and this should be considered when changing the time so they can still ride the bus to get home. She also added that she has been hearing for many, many years that the older people prefer to come earlier because they

don't want to be out that late.

Council Member Davis asked if Council could put a specific time frame on the public comments at the end of the meeting and suggested 30 minutes. Mayor Sims disagreed and felt as elected officials, they should be willing to stay as long as there are people who want to speak. At this time, Council Member Davis called the question.

Council Member Smothers asked when the Finance Committee would now meet and it was the consensus that the Finance Committee meet at 4:30 p.m. City Manager Randy McCaslin asked for clarification on the effective date. It was determined that the new meeting schedule will be effective January 1, 2014. Mr. Boynton suggested giving him the flexibility and work it out with the Finance Committee Chairman to decide how much time is needed and determine the best time to start the Finance Committee meetings. Council Member Ewing asked about the possibility of having Council meetings at other locations periodically throughout the city. Ms. Carlyle explained all Council would have to do is to give proper notice of the meeting. Mayor Sims suggested Council have a retreat at the first of the year for Council to sit down and have some conversations around what they are looking for in this next budget year and discuss the vision of the Council. She noted as part of this it was suggested that each person on Council would identify one major project that they would like to sort out and focus on. She explained there were many facilities available in the city where Council could meet with a few of the locations being the Library, Museum, new PTRC facility which is located in Kernersville, etc.....

Adopted Ordinance Amending the Ordinance Establishing Dates and Times for Official Sessions of the High Point City Council by Changing the time for Regular Meetings from 4:45 p.m. to 5:30 p.m., with public comment beginning at 6:00 p.m. to 6:15 p.m. and added City Manager's Briefing/Committee of the Whole Sessions on Thursday following the 1st and 3rd Monday regular meeting at 9:00 a.m. to be effective January 1, 2014.

A motion was made by Council Member Mendenhall, seconded by Council Member Wagner, to adopt an amendment to the Ordinance Establishing Dates and Times for Official Sessions of the High Point City Council to be effective January 1, 2014. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent, but did participate in the discussion via polycom].

[130345](#)

Revised Standing Committees - Finance Committee of City Council

Council is requested to approve the time change for the Finance Committee meeting from 3:30 p.m. to 4:30 p.m. prior to the Regular City Council meetings held on the 1st and 3rd Monday of each month as discussed in an Adjourned Session of City Council on December 5, 2013.

Attachments: [committee roster and meeting schedule \(revised December 5 2013\)](#)

Mayor Sims referred Council to the information sent out by City Manager Strib

Boynton as far as the current Committee structure as well as past Committee structure and asked if there is a desire of Council to make any changes.

Council Member Mendenhall explained her perception of what Council is doing with the Finance Committee is not working and she felt it was not making the best use of their time because a majority of the items discussed are already approved in the budget. She noted when she was on Council in the past, Council actually met with department heads and talked about their goals, projects and issues and pretty much were aware of what was going on in the various city departments. She stated she would like to see Council figure out how to go back and either use Thursday morning briefings for a time for department heads to come in and meet with Council or actually define smaller committees that could meet either the week before or in between to do that. She felt the present set up is not allowing the necessary interaction between Council and the various departments to be beneficial.

Council Member Ewing suggested the possibility of a budgetary sub-committee which would be an off-shoot of the Finance Committee and noted this time could be used to discuss more details and include more discussion on upcoming projects. He stated he would like to see Council utilize the 3rd week in each month for these budgetary sub-committee meetings. Council Member Mendenhall disagreed and explained in prior years, Council was not just focused on money, but was focused on goals and noted they did a lot of things that were focused on functionality, which is a very important aspect of what the city is all about. City Manager Boynton explained that in the past, Council Committees were set up to deal with Finance, Planning, Public Safety, Transportation, etc..... and he felt that process worked fairly well. He explained that although these committees did not meet every week, staff still planned briefings and meetings with key department heads and had that conversational relationship with Council. Council Member Ewing felt the committee structure should echo what Council's priorities and that would determine the focus on the various departments. Council Member Mendenhall disagreed and noted everything that affects citizens is a priority and should be considered when making decisions at budget time. Council Member Smothers suggested one thing that Council might look at is going back to this year's budget and looking at the goals within the various departments and the different methods of what they were trying to achieve. She mentioned that some Council Members find it easier to set aside a finite amount of time and if Council can plan ahead of time and knows there is a meeting then this time can be set aside.

Council Member Wagner suggested placing those items on a Consent Agenda that are usually on the Finance Committee agenda with the ability of pulling of any issues requiring further discussion so the other time during the Finance Committee meetings could be used to discuss bigger issues. Mr. Boynton shared that there are some big issues coming in the budget that will require a considerable amount of discussion time starting in January, which will include some Council goals/priorities.

Council Member Davis asked if it might be beneficial for the Finance Committee members to meet 30 minutes before the start of the Finance Committee to go through the routine things in order to make recommendations. Council Member Smothers noted this is what the Finance Committee is presently doing anyway.

It was the consensus of Council to leave the Committee Structure as it currently is with the exception of changing the time for the Finance Committee from 3:30 p.m. to 4:30 p.m. and to utilize a Consent Agenda for the items that are already budgeted.

Mayor Sims pointed out the last committee up for discussion would be the newly established Non-Profit Oversight Committee. Council Member Davis noted this committee is actually the Finance Committee (Mayor Pro Tem Moore, Council Member Golden, Council Member Wagner and Council Member Davis). Council Member Mendenhall noted that Council Member Golden was added because the Mayor chose not to be part of this Committee.

A motion was made by Council Member Mendenhall, seconded by Council Member Wagner, to revise the Standing Committees of City Council by changing the time of the Finance Committee from 3:30 p.m. to 4:30 p.m. to be effective January 1, 2014. The motion PASSED by an unanimous 8-0 vote. [Council Member Douglas was absent, but did participate in the discussion via polycom].

130347

City Council Public Comment Policy - Revised

Council is requested to approve a revised Public Comment Policy as discussed at an Adjourned Session of City Council on December 5, 2013.

Attachments: [public comment period policy \(revised December 5 2013\)](#)

The previous discussion regarding meeting times warranted revisions to the Public Comment Policy.

Adopted a Revised Public Comment Policy, which is hereby incorporated in Legistar as a permanent part of these proceedings.

A motion was made by Council Member Mendenhall, seconded by Council Member Wagner, to change the time for Council to receive Public Comment by revising the Public Comment Policy which is to begin at approximately 6:00 p.m. to be effective on January 1, 2014. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent, but did participate in the discussion via polycom].

SUGGESTION TO REINSTATE PRIMARIES

Council Member Smothers suggested Council consider asking the local legislative delegation to sponsor a bill that would go ahead and institute a primary allowing provisions for a referendum if the citizens desire to go back to the procedure currently in place. She noted she has talked with a legislator regarding this who is willing to sponsor a bill should the City Council support it.

Council Member Ewing questioned this and asked if the Legislature might take issue with setting a new policy or guideline, then putting a referendum on the ballot to revoke that was just initiated six months prior. Council Member Golden expressed concerns with this and felt it would be eliminating the input from the people. He recommended to proceed with the Referendum and let the people decide as it was decided earlier. He felt the suggestion appears to be self-serving and just does not look good.

FOLLOW UP- CITY MANAGER'S PERFORMANCE EVALUATION

Mayor Sims reminded Council of the need to have a closed session to continue and follow-up on the city manager's performance evaluation regarding the Council's goals and objectives for him. She noted they need to set aside a time to make this happen if it is Council's will to proceed. By consensus, Council agreed to do the follow-up on Thursday, January 9, 2014 at 9:00 a.m.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 11:00 a.m. upon motion duly made and seconded.

Respectfully Submitted,

Bernita Sims, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk