City of High Point

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

Minutes

Monday, November 4, 2013

4:45 PM

Council Chambers

City Council

Bernita Sims, Mayor
Britt W. Moore, Mayor Pro Tem
James C. Davis, Foster L. Douglas
Jason P. Ewing, Jeffrey J. Golden,
Judith P. Mendenhall, Rebecca R. Smothers,
Jay W. Wagner

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE

Upon call of the roll, the following Council Members were present. Mayor Pro Tem Moore offered the invocation; the Pledge of Allegiance followed.

Present 9 - Mayor Bernita Sims, Mayor Pro Tem Britt Moore, Council Member James Davis, Council Member Foster Douglas, Council Member Jason Ewing, Council Member Jeffrey Golden, Council Member Judy Mendenhall, Council Member Rebecca Smothers, and Council Member Jay Wagner

REGULAR MEETING ITEMS

FINANCE COMMITTEE - Mayor Pro Tem Moore, Chair
Committee Members: Wagner, Davis and Sims
(all were present)

130276 **Budget Ordinance Amendment - Washington Street Park**

Adoption of a budget ordinance amending the 2013-2014 Budget Ordinance to appropriate funds in the amount of $31,000.00 from Hayden Harman Foundation for the new Washington Street Park.

Attachments: Budget Ordinance Amendment - Hayden-Harman Foundation

Ordinance No. 7013/13-44
Introduced 11/4/2013; Adopted 11/4/2013
Ordinance Book, Volume XVIII, Page 44

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting. The Committee recommended approval.

Adopted Ordinance amending the 2013-2014 Budget Ordinance to appropriate funds in the amount of $31,000.00 from the Hayden Harman Foundation for the new Washington Street Park.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Wagner, that this Budget Ordinance Amendment be adopted. The motion PASSED by a 9-0 unanimous vote.

130291 **Contract - Bid No. 26 - Wire**

Approval of contract awarding Bid No. 26 for the purchase of underground cable. Purchasing and the Electric Department recommends that contract be awarded to Stuart C. Irby Company in the amount of $352,980.00 which is the lowest responsible and responsive bidder meeting specifications.

Attachments: Bid No. 26 Wire for Electric Department

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting. The Committee recommended approval.

Approved contract with Stuart C. Irby Company in the amount of $352,980.00

which is the lowest responsible and responsive bidder meeting specifications.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Wagner, that this Contract be approved. The motion PASSED by a 9-0 unanimous vote.

130292 **Contract - Bid No. 23 - Metal Clad Switchgear**

Approval of contract awarding Bid No. 23 for the purchase of two (2) metal clad switchgear lineups. Purchasing and the Electric Department recommends that contract be awarded to Schneider Electric USA in the amount of $697,891.00 which is the lowest responsible and responsive bidder meeting specifications.

Attachments: Bid No. 23 - Metal Clad Switchgear

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting. The Committee recommended approval.

Approved contract with Schneider Electric USA in the amount of $697,891.00 which is the lowest responsible and responsive bidder meeting specifications.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Wagner, that this Contract be approved. The motion PASSED by a 9-0 unanimous vote.

130293 **Contracts - Network Infrastructure Upgrade**

Approval of contracts for necessary network infrastructure upgrades for the Information and Technology Services Department. Purchasing and the IT Department recommends that contracts be awarded to Slait Consulting in the amount of $230,356.62 and NWN Corporation in the amount of $82,737.66 for a total contract amount of $313,094.28.

Attachments: Network Infrastructure Upgrade

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting. The Committee recommended approval.

Approved contract with Slait Consulting in the amount of $230,356.62 and NWN Corporation in the amount of $82,737.66 for a total contract amount of $313,094.28.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Wagner, that this Contract be approved. The motion PASSED by a 9-0 unanimous vote.

130294 **Contract - Davis Martin Powell - Water & Sewer System Design - I-74 Corporate Park**

Council is requested to approve a contract with Davis Martin Powell in the amount of $285,000.00 for engineering services related to the design of the water and sewer system to serve the I-74 Corporate Park.

Attachments: Contract - DMP - Water and Sewer System Design - I-74 Corporate Park

Mayor Pro Tem Moore moved to recused Council Members Davis and Ewing from voting on this matter due to a conflict of interest. Council

Member Mendenhall made a second to the motion which carried unanimously.

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting. The Committee recommended approval.

Approved contract with Davis Martin Powell in the amount of $285,000.00 for engineering services related to the design of the water and sewer system to serve the I-74 Corporate Park.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Smothers, that this Contract be approved. The motion carried by the following 6-1vote:

Aye: 6 - Mayor Sims, Mayor Pro Tem Moore, Council Member Golden, Council Member Mendenhall, Council Member Smothers, and Council Member Wagner

Nay: 1 - Council Member Douglas

Recused: 2 - Council Member Davis, and Council Member Ewing

130295 **Resolution - General Obligation Refunding Bonds**

City Council requested to adopt resolution authorizing the issuance and sale of general obligation refunding bonds not to exceed $15,000,000 and authorize the Mayor, City Manager, City Clerk and the Financial Services Director to execute necessary agreements and documents connected thereto.

Attachments: Resolution - Sale of GO Refunding Bonds

Bond Resolution Signed Copy

Resolution No. 1347/13-70
Introduced 11/4/2013; Adopted 11/4/2013
Resolution Book, Volume XVIII, Page 70

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting. The Committee recommended approval.

Adopted Resolution authorizing the issuance and sale of general obligation refunding bonds not to exceed $15,000,000 and authorized the Mayor, City Manager, City Clerk and the Financial Services Director to execute necessary agreements and documents connected thereto.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Wagner, that this Resolution be adopted. The motion PASSED by a 9-0 unanimous vote.

130296 **Commitment Letter - Unity Builders - Meredith Street Apartments**

Council is requested to authorize the City Manager to execute a loan agreement with Unity Builders for the acquisition and rehabilitation of the Meredith Street Apartments.

Attachments: Commitment Letter - Unity Builders - Meredith Street Apts

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting. The Committee recommended approval.

Approved the loan agreement with Unity Builders for the acquisition and rehabilitation of the Meredith Street Apartments and authorized the City Manager to execute same.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Wagner, that this Loan Agreement with Unity Builders be approved. The motion PASSED by a 9-0 unanimous vote.

Pending Items

130230 **Review of Health Insurance Coverage for City Council Members**

At the request of Council Member Mendenhall, Council is being asked to review the current council-established policy regarding health insurance coverage and costs associated with the same.

Note: This matter was initially placed on the City Council's Agenda and heard on August 19, 2013. At that time, this matter was referred back to the Finance Committee for further discussion.

COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE - Council Member Douglas, Chair Committee Members Mendenhall, Ewing and Golden (all were present)

130297 **Ordinance - Demolition of Dwelling - 809 E. Farriss Avenue**

Adoption of an ordinance ordering the Inspector to effectuate the demolition of a dwelling located at 809 E. Farriss Avenue belonging to Jesse David and Heather Spradley.

Attachments: Ordinance to Demolish - 809 E. Farriss Avenue

Ordinance No. 7013/13-45
Introduced 11/4/2013; Adopted 11/4/2013
Ordinance Book, Volume XVIII, Page 45

Chairman Douglas asked staff to comment on this property.

Katherine Bossi, Local Codes Enforcement Supervisor, gave a brief summary of the staff report which is hereby incorporated in Legistar as a permanent part of these proceedings. Staff made the first inspection on April 12th in response to a complaint from the neighborhood. Ms. Bossi reviewed the major violations and noted the biggest issue with this property is at the rear portion of the house because the roof is collapsing with the floor system underneath that. The hearing was held on May 7th, but the owner did not appear. Ms. Bossi noted that the house has been vandalized of all of its plumbing, electrical and mechanical systems which has rendered the house inhabitable. Staff is

requesting the Ordinance to demolish due to the repairs exceeding 50% of the tax value of the structure itself and staff did issue the order to repair or demolish with a compliance date of August 7th. There have been no permits obtained and no repairs made to the property.

Mayor Pro Tem Moore asked if there has been any contact with the property owners. Ms. Bossi explained that the property was starting the process of a foreclosure and staff did a title search, notified the owners of recrd as well as the beneficiaries, trustees, registered agents, and that is when they discovered that the foreclosure was scheduled to take place on November 8th, but the case has been closed and the matter has been ordered, adjudged and decreed that the filing be declared inactive and closed without prejudice to either party. As a result, the property now goes back to the owner of record with a judgment.

Chairman Douglas asked if the property owners were present. Since the property owners were not present, he proceeded with the motion.

Adopted Ordinance ordering the Inspector to effectuate the demolition of a dwelling located at 809 E. Farriss Avenue.

A motion was made by Council Member Douglas, seconded by Council Member Mendenhall, that this Ordinance be adopted. The motion PASSED by a 9-0 unanimous vote.

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT

130299 **Appointment - Boards & Commissions - Parks & Recreation Commission**

Council Member Douglas is recommending the appointment of Darrell McLean to the Parks and Recreation Commission as the Ward 2 representative. Appointment will be effective immediately and will expire July 1, 2016.

Attachments: MCLEAN Darrell 2013

Approved the appointment of Darrell McLean to the Parks and Recreation Commission as the WArd 2 representative.

A motion was made by Council Member Douglas, seconded by Council Member Golden, that this Appointment be approved. The motion PASSED by a 9-0 unanimous vote.

130300 **Appointment- Boards & Commissions- Historic Preservation Commission**

Council Member Judith Mendenhall is recommending the appointment of William Hollis Anderson to fill the unexpired term of Shane Brown, who has resigned. Mr. Anderson resides in the Sherrod Park Historic District. Appointment to be effective immediately and will expire July 1, 2014.

Attachments: ANDERSON William Hollis 2013

Approved the appointment of William Hollis Anderson to the Historic Preservation Commission.

A motion was made by Council Member Mendenhall, seconded by Council Member Smothers, that this Appointment be approved. The motion PASSED by a 9-0 unanimous vote.

130301 **Reappointment- Boards & Commissions- Historic Preservation Commission**

Mayor Sims is recommending the reappointment of Glenn Chavis as the Mayor's At-Large representative on the Historic Preservation Commission. Reappointment to be effective immediately and will expire on July 1, 2016.

Approved the reappointment of Glenn Chavis to the Historic Preservation Commission.

A motion was made by Mayor Sims, seconded by Council Member Mendenhall, that this Reappointment be approved. The motion PASSED by a 9-0 unanimous vote.

130302 **Boards and Commissions - Vacancy Report**

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

Attachments: Vacancy Report

This information is attached for informational purposes only. No action is required on this item.

PUBLIC COMMENT PERIOD - 5:15 P.M.

Note: For specific detailed comments made by the following residents, please refer to the transcript for the Public Comment Period which is hereby attached and incorporated in **Exhibit Book, Volume XI, Page 1.**

The following residents spoke during the Public Comment Period:

Dorothy Darr (gave a brief presentation on the Southwest Renewal Foundation and asked for 2/3 bond funding for a High Point Core City Greenway)

Handout: **Exhibit Book, Volume XI, Page 2.**

Dan Reynolds (addressed concerns regarding the condition of a structure located at Woodbury/Furlough Street)

Handout: **Exhibit Book, Volume XI, Page 3.**

Cynthia Davis (addressed concerns regarding how recent public records/information requests were handled and emails/dialogue between council members and some things that should not have been said about her). She accused Council Members Mendenhall and Ewing for violating the City's Code of Ethics Policy and felt they should be ashamed because they held the Code of Ethics over Mayor Sims and Council Member Douglas and demanded their resignations. She also faulted other Council Members who sat idly by and did not respond to the emails/dialogue going back and forth because they

could have spoke up and said that as a citizen, she does have the right to the information she is requesting. She suggested that maybe there might be others who also need to consider stepping down.

Dollie Hayden (concerns about the lack of sidewalks on Manor, Cedrow and Scientific; questioned why front doors were locked when she recently tried to attend a meeting; and asked Council to consider changing Council meeting times to enable more citizens to attend).

Martin Harper, Sr. (complimented Council Members Moore and Golden for stepping up to the challenge he gave when speaking before Council recently to do things to bring the community together and invited Council to a community picnic sponsored by One Hundred Men Praying at Macedonia Park from 10:00 a.m. to 2:00 p.m. to come out and meet some of the citizens)

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

130298 **Approval of the following Minutes**

Finance Committee meeting held Monday, October 21st @ 3:00 p.m.
High Point City Council Regular meeting held October 21st @ 4:45/5:30 p.m.
Comprehensive Planning Committee meeting held Tuesday, October 22nd @ 4:00 p.m.
City Manager's Briefing held Monday, October 28th @ 4:00 p.m.

Attachments: October 21 2013 Finance Committee
October 21 2013 High Point City Council
October 22 2013 Comprehensive Planning Committee
October 28 2013 Manager's Briefing

A motion was made by Council Member Mendenhall, seconded by Council Member Douglas, that the preceding minutes be approved with a correction to the October 21, 2013 Finance Committee Minutes reflecting the absence of Council Member Ewing. The motion PASSED by a 9-0 unanimous vote.

ADJOURNMENT

There being no further business to come before Council the meeting adjourned at 5:36 p.m. upon motion duly made by Council Member Smothers and seconded by Council Member Ewing.