City of High Point

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

Minutes

Monday, October 21, 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. Council Member Wagner offered the invocation; the Pledge of Allegiance followed

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

Absent 1 - Council Member Jason Ewing

Special Presentations:

PROCLAMATION- NATIONAL LEAD POISONING PREVENTION WEEK

On behalf of The United Way, Bobby Smith, was present to accept the Proclamation on behalf of the many partners involved in Lead Safe High Point, not the least of which is Guilford County Schools represented by Angelo Kidd, Regional Superintendent and Dr. Comer, declaring the week of October 20 - October 26, 2013 as "National Lead Poisoning Prevention Week" in the City of High Point adopting the motto "Lead-Free Kids for a Health Future." Mr. Smith noted their primary vehicle used to promote Lead Safe High Point have been the traveling display that stars "Dusty the Dog". He encouraged everyone to visit the display in the City Hall Lobby on the second floor. He then shared a five-minute video that will also be used to help promote this event. Mayor Sims thanked Mr. Smith, the High Point Community Development & Housing Department, and everyone involved for their work on this and stated it is good to know that our children are being at least looked at and assessed to see if there are issues with lead.

NAMING OF THE WASHINGTON STREET PARK

Patrick Harman with the Hayden-Harman Foundation addressed Council regarding the naming of the park they partnered with the city to build. He pointed out the park is a great asset to have in this community and made some general comments regarding the Washington Street community. He noted it may appear that the condition of the Kilby Hotel as well as the First Baptist Church indicate that the neighborhood is falling down, but pointed out there are a whole lot of positive growth and things that are going on in the area. He estimated over a million dollars in private investments have been made on Washington Street over the last few years within the Foundation which have resulted in eleven commercial properties having been improved or are in the process of being improved. Through a small home repair program, the High Point Community Foundation has also helped improve seventeen residences in the neighborhood as well (i.e. new roofs, new bathrooms, porches, etc….). He also mentioned their Fall Festival, Produce stand, movies-a-month, craft days, etc…..
Mr. Harman then introduced Aretha Robinson, President of the Washington

Street Neighborhood Association, who addressed Council regarding the naming of the new park on Washington Street.

Ms. Robinson informed Council that the Washington Street Neighborhood Association was asked about suggestions for naming the park, as well as citizens with substantial roots in the community such as Dr. Burdell Knight and Mr. Glenn Chavis. The following four names were submitted for consideration:

1. Today, Tomorrow & Forever
2. Mosaic
3. Future Present
4. Room Enough

Ms. Robinson noted the most number of votes were cast for Today, Tomorrow & Forever and asked the City Council to stamp this name with their approval so they could continue doing great things in the community.

Mayor Sims thanked Ms. Robinson for the information and explained as a Council, a little more clarification is needed as to what the process for naming a park entails. She assured Ms. Robinson that the City Council would take the suggested recommendation under advisement, discuss it and would get back to them with a decision by the Council.

REGULAR MEETING ITEMS

FINANCE COMMITTEE - Mayor Pro Tem Moore, Chair
Committee Members Wagner, Davis and Sims

130271 **Contract - Bid No. 10 - Relay Control Panels**

Approval of award of contract for Bid No. 10 for Relay Control Panels. Purchasing and the Electric Department recommends that contract be awarded to Keystone EMC in the amount of $411,301.00 which is the lowest responsive and responsible bidder meeting specifications.

Attachments: Bid No. 10 - Relay Control Panels

This matter was discussed during a Finance Committee meeting held at 3:00 p.m. prior to this meeting. The Committee recommended approval.

Approved Contract with Keystone EMC in the amount of $411,301.00 which is the lowest responsive and responsible bidder meeting specifications.

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

130272 **Contract - Bid No. 12 - Generator Retrofit**

Approval of award of contract for Bid No. 12 to retrofit six (6) diesel generators. Purchasing and the Electric Department recommends that contract be awarded to Western Branch Diesel in the amount of $203,244.00 which is the lowest responsive and responsible bidder meeting specifications.

Attachments: Bid No. 12 - Generator Retrofit

This matter was discussed during a Finance Committee meeting held at 3:00 p.m. prior to this meeting. The Committee recommended this matter be approved.

Approved contract with Western Branch Diesel in the amount of $203,244.00 which is the lowest responsive and responsible bidder meeting specifications.

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

130273 **Contract - Bid No. 18 - 115 kV Circuit Breakers**

Approval of award of contract for Bid No. 18 for the purchase of four (4) 115 kV Circuit Breakers. Purchasing and the Electric Department recommends that contract be awarded to Hitachi HVB in the amount of $212,649.71 which is the lowest responsible and responsible bidder meeting specifications.

Attachments: Bid No 18 - 115 kV Circuit Breakers

This matter was discussed during a Finance Committee meeting held at 3:00 p.m. prior to this meeting. The Committee recommended this matter be approved.

Approved contract with Hitachi HVB in the amount of $212,649.71 which is the lowest responsive and responsible bidder meeting specifications.

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

130274 **Contract - Bid No. 20- Circuit Breakers**

Approval of award of contract for Bid No. 20 for the purchase of six (6) 15 kV Circuit Breakers. Purchasing and the Electric Department recommends that contract be awarded to ABB in the amount of $160,277.00 which is the lowest responsive and responsible bidder meeting specifications.

Attachments: Bid No. 20 - 15 kV Circuit Breakers

This matter was discussed during a Finance Committee meeting held at 3:00 p.m. prior to this meeting. The Committee recommended approval.

Approved contract with ABB in the amount of $160,277.00 which is the lowest responsive and responsible bidder meeting specifications.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Mendenhall, that this Contract be approved. The motion PASSED by an 8-0 unanimous vote. [Council

Member Ewing was absent]

130275 **Contract - Bid No. 17 -Oak Hollow Golf Course Building Improvements**

Approval of contract awarding Bid No. 17 for Oak Hollow Golf Course Building Improvements (exterior stair replacement). Purchasing and the Parks and Recreation Department recommends that contract be awarded to Bar Construction Company in the amount of $92,100.00 which is the lowest responsive and responsible bidder meeting specifications.

Attachments: Bid No. 17 - Oak Hollow Golf Course Improvements

This matter was discussed during a Finance Committee meeting held at 3:00 p.m. prior to this meeting. The Committee recommended approval.

Approved contract with Bar Construction Company in the amount of $92,100.00 which is the lowest responsive and responsible bidder meeting specifications.

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

130277 **Resolution - Signing Authority - City Manager - Home Buyer Assistance Program**

Council is requested to adopt a Resolution designating the City Manager or his designee to execute documents in connection with the Home Buyer Assistance Program.

Attachments: Resolution - Signing Authority -Housing Assistance Program

Resolution No. 1337/13-60
Introduced 10/21/2013; Adopted 10/21/2013
Resolution Book Volume XVIII, Page 60

This matter was discussed during a Finance Committee meeting held at 3:00 p.m. prior to this meeting. The Committee recommended adoption.

Adopted a Resolution designating the City Manager or his designee to execute documents in connection with the Home Buyer Assistance Program.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Mendenhall, that this Resolution be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Ewing was absent]

130278 **Resolution and Bond Orders - General Obligation Refunding Bonds**

Council is requested to adopt a resolution authorizing the filing of an application for general obligation refunding bonds not to exceed $15,000,000 with the Local Government Commission; and, to adopt an order authorizing $15,000,000 General Obligation Refunding Bonds.

Attachments: General Obligation Bonds - Resolution

Signed Bond documents

Resolution No. 1338/13-61
Introduced 10/21/2013; Adopted 10/21/2013
Resolution Book, Volume XVIII, Page 61

This matter was discussed during a Finance Committee meeting held at 3:00 p.m. prior to this meeting. The Committee recommended adoption.

Adopted Resolution authorizing the filing of an application for general obligation refunding bonds not to exceed $15,000,000 with the Local Government Commission; and adopted order authorizing $15,000,000 General Obligation Refunding Bonds.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Mendenhall, that this Resolution be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Ewing was absent]

130287 **Resolution - Authorizing Water and Sewer Improvements**

Council is requested to authorize, approve and agree to the financing and construction of the water and sewer improvements estimated to be $5.0 million necessary to open and develop a new 350 plus acre corporate park located on the northeast corner of I-74 and NC 66.

Attachments: Water & Sewer Improvements - I-74 Corporate Park

Resolution No. 1339/13-62
Introduced 10/21/2013; Adopted 10/21/2013
Resolution Book, Volume XVIII, Page 62

Council Member Mendenhall moved to recuse Council Member Davis from voting on this matter due to a conflict of interest involving ownership of property in the area proposed for the improvements. Mayor Pro Tem Moore made a second to the motion which carried unanimously.

This matter was discussed during a Finance Committee meeting held at 3:00 p.m. prior to this meeting. The Committee recommended adoption.

Adopted Resolution authorizing, approving, and agreeing to the financing and construction of the water and sewer improvements estimated to be $5.0 million necessary to open and develop a new 350 plus acre corporate park located on the northeast corner of I-74 and NC 66.

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

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
Absent:	1 -	Council Member Ewing

Recused: 1 - Council Member Davis

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.

COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers, Chair

130279 **Resolution of Intent - Annexation Case ANX13-04**

Approval of a Resolution of Intent that establishes a public hearing date of Monday, November 18, 2013 at 5:30 p.m. to consider a voluntary non-contiguous annexation of approximately 1.54 acres, of the former Joe Drive right-of-way, lying approximately 1,750 feet north of Sandy Ridge Road.

Attachments: 02. ANX13-04 ROI

Resolution No. 1340/13-63
Introduced 10/21/2013; Adopted 10/21/2013
Resolution Book, Volume XVIII, Page 63

Adopted Resolution of Intent establishing a public hearing date of Monday, November 18, 2013 at 5:30 p.m. to consider a voluntary non-contiguous annexation of approximately 1.54 acres of the former Joe Drive right-of-way, lying approximately 1,750 feet north of Sandy Ridge Road.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this Resolution be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Ewing was absent]

130280 **Resolution of Intent - Street Abandonment Case 13-17**

Approval of a Resolution of Intent that establishes a public hearing date of Monday, November 18, 2013 to consider a request by the Technical Review Committee to abandon the southern 245 feet of the Berkley Street right-of-way.

Attachments: 03. ROI SA13-17

Resolution No. 1341/13-64
Introduced 10/21/2013; Adopted 10/21/2013
Resolution Book, Volume XVIII, Page 64

Adopted Resolution of Intent establishing a public hearing date of Monday, November 18, 2013 at 5:30 p.m. to consider a request by the Technical Review Committee to abandon the southern 245 feet of the Berkley Street right-of-way.

A motion was made by Council Member Smothers, seconded by Mayor Pro Tem Moore, that this Resolution be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Ewing was absent]

130281 **Resolution of Intent - Street Abandonment Case 13-18**

Approval of a Resolution of Intent that establishes a public hearing date of Monday, November 18, 2013 at 5:30 p.m. to consider a request by the Technical Review Committee to abandon the eastern 280 feet of Ogden Court, a partially improved right-of-way lying approximately 50 feet south of Market Center Drive and east of Ogden Street.

Attachments: 04. ROI SA13-18

Resolution No. 1342/13-65
Introduced 10/21/2013; Adopted 10/21/2013
Resolution Book, Volume XVIII, Page 65

Adopted Resolution of Intent establishing a public hearing date of Monday, November 18, 2013 at 5:30 p.m. to consider a request by the Technical Review Committee to abandon the eastern 280 feet of Ogden Court, a partially improved right-of-way lying approximately 50 feet south of Market Center Drive and east of Ogden Street.

A motion was made by Council Member Smothers, seconded by Mayor Pro Tem Moore, that this Resolution be adopted. The motion PASSED by an unanimous vote.

130282 **Resolution of Intent - Street Abandonment Case 13-19**

Approval of a Resolution of Intent that establishes a public hearing date of Monday, November 18, 2013 at 5:30 p.m. to consider a request by High Point University to abandon all of Willoubar Terrace, an improved right-of-way lying approximately 490 feet east of N. Centennial Street, between Montlieu Avenue and Barbee Avenue.

Attachments: 05. ROI SA13-19

Resolution No. 1343/13-66
Introduced 10/21/2013; Adopted 10/21/2013
Resolution Book, Volume XVIII, Page 66

Adopted Resolution of Intent establishing a public hearing date of Monday, November 18, 2013 at 5:30 p.m. to consider a request by High Point University to abandon all of Willoubar Terrace, an improved right-of-way lyign approximately 490 feet east of N. Centennial Street, between Montlieu Avenue and Barbee Avenue.

A motion was made by Council Member Smothers, seconded by Mayor Pro Tem Moore, that this Resolution be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Ewing was absent]

130289 **Resolution of Intent - Street Abandonment Case 13-21 - High Point University**

Approval of a Resolution of Intent that establishes a public hearing date of Monday, November 18, 2013 at 5:30 p.m. to consider a request by High Point University to abandon that portion of W. College Drive, an improved right-of-way, lying between W. Lexington Avenue and Panther Drive (private street).

Attachments: 07. ROI SA13-21

Resolution No. 1344/13-67
Introduced 10/21/2013; Adopted 10/21/2013
Resolution Book, Volume XVIII, Page 67

Adopted a Resolution of Intent establishing a public hearing date of Monday, November 18, 2013 at 5:30 p.m. to consider a request by High Point University to abandon that portion of W. College Drive, an improved right-of-way, lying between W. Lexington Avenue and Panther Drive (private street).

A motion was made by Council Member Smothers, seconded by Mayor Pro Tem Moore, that this Resolution be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Ewing was absent]

PUBLIC HEARINGS - 5:30 P.M.

COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers, Chair

130283 **City of High Point - Street Abandonment Case 13-14 -City of High Point**

A request by the Technical Review Committee to abandon an improved portion of the Davidson Avenue right-of-way, lying approximately 290 feet south of S. College Drive and east of Surrett Drive.

Attachments: 08. Staff Report SA13-14

Resolution No. 1345/13-68
Introduced 10/241/2013; Adopted 10/21/2013
Resolution Book, Volume XVIII, Page 68

The public hearing for this matter was held on Monday, October 21, 2013 at 5:30 p.m.

Herb Shannon of Planning & Development provided an overview of the staff report which is hereby attached in Legistar as a permanent part of these proceedings.

Following the presentation of the staff report, Chairwoman Smothers opened the public hearing and asked if there was anyone present who would like to comment. There being none, the public hearing was declared closed.

Adopted Resolution approving Street Abandonment Case 13-15, authorizing

the abandonment of an improved portion of the Davidson Avenue right-of-way, lying approximately 290 feet south of S. College Drive and east of Surrett Drive.

A motion was made by Council Member Smothers, seconded by Council Member Wagner, that this Resolution be adopted. The motion PASSED by an unanimous vote.

130284 **City of High Point - Street Abandonment Case 13-15 - City of High Point**

A request by the Technical Review Committee to abandon an unimproved portion of the W. Springfield Road right-of-way lying west of Robbins Street.

Attachments: 09. Staff Report SA13-15

Resolution No. 1346/13-69
Introduced 10/21/2013; Adopted 10/21/2013
Resolution Book, Volume XVIII, Page 69

The public hearing for this matter was duly held on Monday, October 21, 2013 at 5:30 p.m.

Herb Shannon of Planning & Development provided an overview of the staff report which is hereby attached as a permanent part of these proceedings.

Following the presentation of the staff report, Chairwoman Smothers asked if there was anyone present who would like to comment. There being no comments, the public hearing was closed.

Adopted Resolution approving Street Abandonment Case 13-15, authorizing the abandonment of an unimproved portion of the W. Springfield Road right-of-way lying west of Robbins Street.

A motion was made by Council Member Smothers, seconded by Council Member Wagner, that this Resolution be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Ewing was absent]

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT

130288 **Appointment - Boards and Commissions - Housing Authority Board**

Council is requested to confirm the appointment of Lisa Huff to the Housing Authority Board to fill the unexpired term of Taronza Berry who resigned. Appointment will be effective immediately and will expire December 22, 2018.

Attachments: HUFF Lisa 2013

Approved the appointment of Lisa Huff to the Housing Authority Board. Ms. Huff will be the Resident Commissioner and will fill the unexpired term of Taronza Berry, who resigned.

A motion was made by Council Member Mendenhall, seconded by Council Member Douglas, that this appointment be approved. The motion PASSED by an 8-0 unanimous

vote. [Council Member Ewing was absent]

130286 **Boards and Commissions - Vacancy Report**

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

Attachments: Boards and Commissions Vacancy Report

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

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

130285 **Approval of the following Minutes**

Special Meeting held Thursday, October 3rd @ 9:00 a.m.
Finance Committee meeting held Monday, October 7th @ 3:30 p.m.
High Point City Council Regular Meeting held October 7th @ 4:45/5:30 p.m.
Comprehensive Planning Committee meeting held Tuesday, October 8th @ 4:00 p.m.

Attachments: October 3, 2013 Special Meeting HPCC
October 7 2013 Finance Committee
October 7 2013 High Point City Council
October 8 2013 Comprehensive Planning Committee

Approved the preceding minutes as submitted.

A motion was made by Council Member Mendenhall, seconded by Council Member Douglas, that preceding minutes be approved as submitted. The motion PASSED by an 8-0 unanimous vote. [Council Member Ewing was absent]

CLOSED SESSION- ECONOMIC DEVELOPMENT & PERSONNEL

Upon motion duly made by Council Member Wagner and second by Council Member Douglas, At approximately 5:31 p.m., Council entered into Closed Session pursuant to N.C. General Statute 143-318.11(a)4 for the purpose of receiving information from staff regarding a potential economic development project and N.C. General Statute 143-318.11(a)6 for the purpose of discussion a personnel matter.

Upon reconvening into Open Session at approximately 6:06 p.m., motion was made by Council Member Smothers, seconded by Council Member Mendenhall to suspend the rules to place a Memorandum of Understanding between High Point University and the City of High Point on the agenda for consideration. This motion carried unanimously.

FINANCE COMMITTEE- Chaired by Mayor Pro Tem Moore

130290 **Memorandum of Understanding between High Point University and City of High Point**

Consideration of a Memorandum of Understanding (MOU) between High Point University and the City of High Point regarding an encroachment agreement and improvements.

Attachments: MOU between HPU and CHP (signed)

Council Member Smothers moved to suspend the rules so this matter could be added to the Agenda for consideration. Council Member Mendenhall made a second to the motion, which carried unanimously.

Approved the Memorandum of Understanding between High Point University and the City of High Point.

A motion was made by Council Member Smothers, seconded by Mayor Pro Tem Moore, that this Memornadum of Understanding between High Point University and the City of High Point be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Ewing was absent]

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 6:09 p.m. upon motion duly made and seconded.

Respectfully Submitted,

_____
Bernita Sims, Mayor

Attest:

_____
Lisa B. Vierling, MMC
City Clerk