City of High Point

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

Minutes

Monday, October 6, 2014

5:30 PM

Council Chambers

City Council

James C. Davis, Mayor
Foster L. Douglas, Jason P. Ewing,
Jeffrey J. Golden, Judith P. Mendenhall,
Britt W. Moore, 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 Douglas offered the invocation; the Pledge of Allegiance followed.

Present 8 - Council Member Foster Douglas, Council Member Jason Ewing, Council Member Jeffrey Golden, Council Member Judy Mendenhall, Council Member Rebecca Smothers, Council Member Jay Wagner, Council Member Britt Moore, and Mayor James Davis

RECOGNITIONS AND PRESENTATIONS

140288 **Proclamation - National Fire Prevention**

The fire department supports NFPA and all life safety initiatives. Fire prevention week allows us to focus attention work with groups to promote awareness. Fire Chief Tommy Reid and Fire Marshall Chris Weir will be present to accept the proclamation.

Attachments: Fire Prevention Week 2014

Council Member Moore read the Proclamation into the record proclaiming October 5 - 11, 2014 as Fire Prevention Week throughout the city and urged all citizens to test their smoke alarms at least every month by pushing the test button, and to support the many public safety activities and efforts of High Point's fire and emergency services during Fire Prevention Week 2014. Fire Chief Tommy Reid and Fire Marshall Chris Weir were in attendance to accept the Proclamation.

140289 **Proclamation - Breast Cancer Awareness & Care Enough to Wear Pink**

The fire department supports all cancer awareness groups. We have partnered with High Point Regional/ UNC Health Systems to promote and provide support for cancer awareness and patients. Ms. Janet Forest, Oncology Service Line 1 Director with the HPRHS and Fire Chief Tommy Reid will be present to accept the proclamation.

Attachments: National Breast Cancer Awareness Month 2014

Care Enough to Wear Pink 2014

Council Member Smothers read the Proclamation declaring October 2014 as *National Breast Cancer Awareness Month* into the record and encouraged citizens, government agencies, private businesses, nonprofit organizations, and all other interested groups to join in activities that will increase awareness of what Americans can do to prevent breast cancer. [applause] After reading the proclamation, she shared through her own personal experience that it is truly the support of friends and those who know you that gives strength to the person affected, as well as the family and encouraged everyone to please take the time to make a difference.

Council Member Mendenhall then read the "Cares Enough to Wear Pink" Proclamation into the record in honor of women who battle cancer and encouraged everyone to display an image of hope, courage, love, and

awareness by wearing pink shirts in support of those battling cancer on October 22nd, 23rd, and 24th. Fire Chief Reid was present to accept the Proclamation. [applause]

Janet Forest, Oncology Service Line 1 Director, Hayworth Cancer Center at High Point Regional/UNC Health Systems, expressed appreciation to the City for recognizing the importance of this and raising awareness. She also thanked the High Point Fire Department for bringing back the Pink Heals Fire Truck.

140307 **Resolution Honoring Congressman Howard Coble**

Congressman Howard Coble was recognized and honored during the High Point Economic Development Corporation Meeting held on Wednesday, October 1, 2014 at 4:00 p.m. Mayor James C. Davis read the Resolution Honoring Congressman Howard Coble into the record during the meeting and presented it to Congressman Coble on behalf of the City Council and expressed appreciation to "Our Congressman, Howard Coble" for his leadership, his unselfish and dedicated devotion, and his positive impact on the City of High Point, the Sixth Congressional District, the State of North Carolina, and the United States.

Attachments: Congressman Howard Coble -- resolution

The Resolution was presented to the City Clerk for inclusion in the official record.

REGULAR AGENDA ITEMS

FINANCE COMMITTEE - Council Member Moore, Chair

140290 **Contract - Purchase of Landfill Dozer**

Council is requested to approve contract with Carolina Cat for the purchase of a 2014 Caterpillar D6K dozer for use at the landfill in the amount of $169,500.00.

Attachments: 1. Landfill Dozer (10-6-14)

Chairman Moore advised this matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting. The Committee recommended this matter be forwarded to the City Council with a favorable recommendation for approval.

Council Member Douglas stated he could not support the purchase of any of these three pieces of equipment (Landfill Dozer, Landfill Excavator, or Landfill Track Loader) because he felt the expenditure could not be justified just to have the equipment conveniently located.

Council Member Smothers advised that she would support approval because the equipment is needed to ensure no downtime at either of the landfills and would prolong the life of the existing equipment. Council Member Mendenhall also expressed support. Mayor Davis noted that while he felt Council Member Douglas' points are valid, he would support it because he understands the need for this type of equipment to be dependable. Council Member Golden explained that although the distance between the landfills may not be that great, consideration should be given to the cost of the equipment, repairs, etc.... and for that reason he would also support the equipment purchases.

Approved contract with Carolina Cat for the purchase of a 2014 Caterpillar D6K for use at the landfill in the amount of $169,500.00.

A motion was made by Council Member Moore, seconded by Council Member Smothers, that the Contract with Carolina Cat for the purchase of a 2014 Caterpillar D6K dozer be approved. The motion carried by the following 7-1 vote:

Aye: 7 - Council Member Ewing, Council Member Golden, Council Member Mendenhall, Council Member Smothers, Council Member Wagner, Council Member Moore, and Mayor Davis

Nay: 1 - Council Member Douglas

140291 **Contract - Purchase of Landfill Excavator**

Council is requested to approve contract with Carolina Cat for the purchase of a 2014 Caterpillar 329 EL Excavator for use at the landfill in the amount of $246,192.00

Attachments: 2. Landfill Excavator (10-6-14)

Chairman Moore advised this matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting. The Committee recommended this matter be forwarded to the City Council with a favorable recommendation for approval.

Council Member Douglas stated he could not support the purchase of any of these three pieces of equipment (Landfill Dozer, Landfill Excavator, or Landfill Track Loader) because he felt the expenditure could not be justified just to have the equipment conveniently located.

Council Member Smothers advised that she would support approval because the equipment is needed to ensure no downtime at either of the landfills and would prolong the life of the existing equipment. Council Member Mendenhall also expressed support. Mayor Davis noted that while he felt Council Member Douglas' points are valid, he would support it because he understands the need for this type of equipment to be dependable. Council Member Golden explained that although the distance between the landfills may not be that great, consideration should be given to the cost of the equipment, repairs, etc.... and for that reason he would also support the equipment purchases.

Approved contract with Carolina Cat for the purchase of a 2014 Caterpillar 329

EL Excavator for use at the landfill in the amount of $246,192.00.

A motion was made by Council Member Moore, seconded by Council Member Smothers, that te contract with Carolina Cat for the purchase of a 2014 Caterpillar 329 EL Excavator be approved. The motion carried by the following 7-1 vote:

Aye: 7 - Council Member Ewing, Council Member Golden, Council Member Mendenhall, Council Member Smothers, Council Member Wagner, Council Member Moore, and Mayor Davis

Nay: 1 - Council Member Douglas

140292 **Contract - Purchase of Landfill Track Loader**

Council is requested to approve contract with Carolina Cat for the purchase of a 2014 Caterpillar 963DQ Track Loader for use at the landfill in the amount of $274,832.00.

Attachments: 3. Landfill Track Loader (10-6-14)

Chairman Moore advised this matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting. The Committee recommended this matter be forwarded to the City Council with a favorable recommendation for approval.

Council Member Douglas stated he could not support the purchase of any of these three pieces of equipment (Landfill Dozer, Landfill Excavator, or Landfill Track Loader) because he felt the expenditure could not be justified just to have the equipment conveniently located.

Council Member Smothers advised that she would support approval because the equipment is needed to ensure no downtime at either of the landfills and would prolong the life of the existing equipment. Council Member Mendenhall also expressed support. Mayor Davis noted that while he felt Council Member Douglas' points are valid, he would support it because he understands the need for this type of equipment to be dependable. Council Member Golden explained that although the distance between the landfills may not be that great, consideration should be given to the cost of the equipment, repairs, etc.... and for that reason he would also support the equipment purchases.

Approved contract with Carolina Cat for the purchase of a 2014 Caterpillar 963DQ Track Loader for use at the landfill in the amount of $274,832.00 be approved.

A motion was made by Council Member Moore, seconded by Council Member Smothers, that the contract with Carolina Cat for the purchase of a 2014 Caterpillar 963DQ Track Loander be approved. The motion carried by the following 7-1 vote:

Aye: 7 - Council Member Ewing, Council Member Golden, Council Member Mendenhall, Council Member Smothers, Council Member Wagner, Council Member Moore, and Mayor Davis

Nay: 1 - Council Member Douglas

140293 **Contract - Bid No. 05 - Citrix Upgrade and Managed Services**

Council is requested to approve contract awarding Bid No. 05 for the purchase of Citrix Upgrade and Managed Services. Purchasing and the Information Technology Department are recommending that contract be awarded to Slait Consulting, LLC in the amount of $137,555.00.

Attachments: 4. Citrix Upgrade and Managed Support

Chairman Moore noted this matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting. The Committee recommended this matter be forwarded to Council with a favorable recommendation for approval.

Approved contract with Slait Consulting, LLC in the amount of $137,555.00 for the purchase of Citrix Upgrade and Managed Services.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that the contract withg Slait Consulting, LLC for the purchase of Citirix Upgrade and Managed Services be approved. The motion PASSED by an 8-0 unanimous vote.

140294 **Contract - Bid No. 06 - Two Ram Baler for the Materials Recovery Facility**

Council is requested to approve contract awarding Bid No. 06 for the purchase of one (1) Two Ram Baler for the Materials Recovery Facility (MRF). Purchasing and the Public Services Department are recommending that contract be awarded to Becker Complete Compactor, Inc. in the amount of $369,963.88.

Attachments: 5. Contract - Bid No. 06 - Purchase of Baler

This matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting. The Committee recommended this matter be forwarded to Council with a favorable recommendation for approval.

Council Member Ewing requested this matter be pulled from the Finance Consent Agenda for separate consideration and discussion.

He explained that he finds it difficult to authorize $370,000 at the present time while Council is in the process of deliberating the future of recyclables and the Materials Recovery Facility (MRF). He recommended staff look into the potential leasing of this equipment until a decision can be made as far as specific direction. Council Member Douglas agreed. Mayor Davis noted that while he agrees, he pointed out that the city has had to spend $132,000 on maintenance already this year and the fact that the city does pick up cardboard during the Furniture Market with 24-hour operation at the MRF (so there is a return on the investment, which allows the city to recoup some of the money). He advised he would support the purchase because of the importance of the MRF operations. Council Member Smothers questioned whether or not the city would be able to get a reliable lease agreement for equipment such as this because the equipment has to be specially designed for each facility (which

would take time that the city does not have in this case). She advised that the cardboard cannot be placed in the landfill, so there is an urgent need to purchase this equipment to compress the cardboard, so there is a market for it. She, too, pointed out that the MRF is in operation 24/7, ten weeks out of the year during the Furniture Market and felt it was a risk to the Landfill Fund if the city has to pay somebody to pick up the cardboard.

Council Member Ewing reiterated his concerns and wanted to know if leasing the equipment would be an option, but he does realize the need for the equipment. At this time, Terry Houk, Director of Public Services, reminded Council that the bids for this equipment were received September 9th and the bid is only good for 60 days. He offered to check with engineers regarding the lease option and reiterated that this equipment is extremely specialized.

Approved contract with Becker Complete Compactor, Inc. in the amount of $369,963.88 for the purchase of one (1) Two Ram Baler for the Materials Recovery Facility (MRF).

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that the contract with Becker Complete Compactor, Inc. for the purchase of one (1) Two Ram Baler for the Materials Recovery Facility (MRF) be approved. The motion PASSED by 5-3 vote.

Aye: 5 - Council Member Golden, Council Member Mendenhall, Council Member Smothers, Council Member Moore, and Mayor Davis

Nay: 3 - Council Member Douglas, Council Member Ewing, and Council Member Wagner

140295 **Contract Extension - Coltrane Avenue Storm Sewer Improvements**

Engineering Services and Public Services requests City Council approval of the contract extension (Change Order #3) to add the Coltrane Avenue Storm Sewer Improvements to existing contract ENG2013-008 with Breece Enterprises in the amount of $159,261.00.

Attachments: 6. Contract Extension - Coltrane Ave -Storm Sewer System.pdf

This matter was discussed during a Finance Committee Meeting held at 4:03 p.m. prior to this meeting. The Committee recommended this matter be forwarded to Council with a favorable recommendation for approval.

Chairman Moore advised that the Coltrane Avenue Storm Sewer Improvement project needs Council's immediate attention and is very close to being an emergency repair.

Approved an extension to the Breece Enterprises contract (Change Order #3) to add the Coltrane Avenue Storm Sewer Improvements to existing contract ENG 2013-008 in the amount of $159,261.00.

A motion was made by Council Member Moore, seconded by Council Member

Mendenhall, that the extension to the Breece Enterprises Contract (Change Order #3) be approved to add the Coltrane Avenue Storm Sewer Improvements tihe existing contract ENG 2013-008. The motion PASSED by an 8-0 unanimous vote.

140296 **Contract - Washington Street Streetscape Project**

Engineering Services recommends that Council approve the base bid with both alternates and award contract ENG2014-003 Washington Street Streetscape Project to Atlantic Contracting at the bid amount of $438,327.50. At the October 2nd City Council meeting this item was referred back to committee to receive further information.)

Attachments: 2014-003 Washington Street - Oct 17 2014

Chairman Moore advised this matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting.

He explained it was recommended to put this matter and related matter 140297 Budget Ordinance Amendment- Washington Street Streetscape Project back into the Finance Committee for receipt of additional requested information and further review. Council Member Douglas pointed out by putting this matter back in Committee, it in no way means that the project would not be done. He noted that further study/review is needed and explained that it would not make sense for the city to pave over bad infrastructure and this may mean increasing the budgeted amount for the project. Chairman Moore agreed that it was not the intention of the Committee, nor the Council to push this project back; they just wanted it done right.

A motion was made by Council Member Douglas, seconded by Council Member Mendenhall, to place this matter in the Community Housing & Neighborhood Development Committee for further discussion . The motion PASSED by an 8-0 unanimous vote.

140297 **Budget Ordinance Amendment - Washington Street Streetscape Project**

Council is requested to adopt a budget ordinance amending the 2014-2015 Budget Ordinance to appropriate funds for the Washington Street Streetscape Project.

Attachments: 8. Budget Amendment - Washington Street Scapescape Project

Chairman Moore advised this matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting.

He explained it was recommended to put this matter and related matter 140296 Contract- Washington Street Streetscape Project back into the Finance Committee for receipt of additional requested information and further review. Council Member Douglas pointed out by putting this matter back in Committee, it in no way means that the project would not be done. He noted that further study/review is needed and explained that it would not make sense for the city to pave over bad infrastructure and this may mean increasing the budgeted amount for the project. Chairman Moore agreed that it was not the intention of the Committee, nor the Council to push this project back; they just wanted it done right.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that this matter be referred to the Finance Committee for additional information and review. The motion PASSED by an 8-0 unanimous vote.

140298 **Resolution -Condemnation - 699 Joyce Circle - Highway 66/I-74 Industrial Park Project**

Council is requested to adopt a resolution authorizing the city attorney's office to proceed with condemnation proceedings on the property described in Deed Book 1783, Page 3332 of the Forsyth County Registry, located at 699 Joyce Circle, High Point, NC. The property is needed to provide water service to the Highway 66/I-74 Industrial Park Project.

Attachments: 9. Resolution - Condemnation - 699 Joyce Circle

Resolution No. 1410/14-50
Introduced 10/6/2014; Adopted 10/6/2015
Resolution Book, Volume XVIII, Page 132

Motion by Council Member Moore, second by Council Member Mendenhall to recuse Council Member Wagner and Mayor Davis due to a financial conflict of interest regarding this matter. The motion carried unanimously.

City Attorney JoAnne Carlyle explained that on July 21, 2014, Council adopted a resolution authorizing the city attorney's office to file condemnation proceedings on the property located at 699 Joyce Circle, High Point, NC needed for the Richfork Creek Outfall project (sewer) and this condemnation resolution is needed to provide water service to the Highway 66/I-74 Industrial Park.

Adopted Resolution authorizing the city attorney's office to proceed with condemnation proceedings on the property described in Deed Book 1783, Page 3332 of the Forsyth County Registry, located at 699 Joyce Circle, High Point, NC.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that to adopt a resolution authorizing the city attorney's office to proceed with condemnation proceedings on the property described in Deed Book 1783, Page . The motion carried by the following vote:

Aye: 6 - Council Member Douglas, Council Member Ewing, Council Member Golden, Council Member Mendenhall, Council Member Smothers, and Council Member Moore

Recused: 2 - Council Member Wagner, and Mayor Davis

PUBLIC COMMENT PERIOD - 6:00 P.M.

Bob Burleson, representing Kepley's Barbecue on N. Main Street, addressed Council regarding the N. Main Street Road Diet Study. He discouraged Council spending a lot of money to go back to two lanes and felt four lanes of traffic was needed. He presented "We Say "NO" to Dieting Main Street"

petitions to Council containing approximately 700 signatures to encourage the Mayor and City Council to reject the N. Main Street Road Diet proposal.

Christian Stephenson, 4205 S. Main Street, explained that he rides his bicycle for transportation and pointed out some mishaps involving him being stopped by a police officer while he attempted to lock his bicycle to a bench in a public area. He explained when he found out he could not attach his bicycle to the bench, he then proceeded to carry it into the IHFC building and was later stopped from doing that. He asked Council why there is no designated bicycle parking with racks in High Point. It was noted that bicycle racks are provided at City Hall, the Library and the Recreation Centers. Mayor Davis suggested Council could look at installing bicycle racks in the revitalization efforts that are currently being discussed.

Chuck Foster, a local artist, thanked the City Council for providing a way for him to display his art in the public.

PUBLIC HEARINGS - 6:15 P.M.

COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers, Chair

140299 **Ordinance - Text Amendment 14-05 - CRP High Point, LLC**

A request by CRP High Point, LLC to amend Table 4-5-1 and Section 9-5-2(r) of the Development Ordinance to allow Automobile Rental or Leasing in Sub-Area B of the Main Street (MS) District.

Attachments: Text Amendment 14-05 - CRP High Point, LLC
Adopted TA14-05
High Point 100614 (Text Amendment)

The public hearing for this matter was held on Monday, October 6, 2014 at 6:15 p.m.

Bob Robbins of the Planning & Development Department provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings. He reported that staff is recommending denial of Text Amendment 14-05 to allow Automobile Rental or Leasing in Sub-Area B of the Main Street (MS) District because it is contrary to the goals, objectives and implementation strategies of the Core City Plan. Mr. Robbins advised this would signal an about face in city policy and undoubtedly result in other auto-related uses seeking to relocat in this area. The request was heard by the Planning & Zoning Commission on September 23, 2014; the Planning & Zoning Commission also recommended denial of Text Amendment Case 14-05 by a vote of 6-0. Mr. Robbins advised that the Development Ordinance requires a

2/3 favorable vote by the City Council (6 members) for this request to be approved because it is being forwarded to the City Council with an unfavorable recommendation from the Planning & Zoning Commission.

Mr. Robbins reported that Sub-Area B was envisioned as a pedestrian friendly space and automobile related businesses were one of several uses prohibited in this area. Staff felt approval of this Text Amendment would undo what has already been accomplished and noted staff has turned away several of these types of businesses since 2008.

Council Member Ewing mentioned a statement that was in the staff report about concerns that more of these type uses would come into that area and pointed out these cases would be handled on a case-by-case basis. City Attorney JoAnne Carlyle reminded Council that there would need to be consistency in the decisions that are made.

At this time, Chairwoman Smothers opened the public hearing and asked if there was anyone present to speak for or against the request.

John Valas, Regional Vice President, Western North Carolina, Enterprise Holdings, spoke in favor. He shared a 90-second video presentation and noted it is their intent to reinvigorate revitalization efforts downtown. He estimated that they would bring approximately 700 customers to the downtown High Point area per month and believes this number will increase to 1,200 customers over the next several months. Mr. Valas pointed out that Enterprise supports the Spring and Fall Furniture Market, which needs a downtown location. Enterprise will be moving into a piece of property and making significant improvements to a building that has been vacant for two years. Mr. Valas went on to share that Enterprise gives back to the community and is currently the number twelve United Way partner nationally with an annual contribution in excess of twelve million dollars.

He then shared some before and after photographs of the property at 1539 N. Main Street, as well as some before and after photographs of property that Enterprise renovated in Lincolnton, NC. Mr. Valas informed Council that the property located at 1539 N. Main Street is an ideal location and they did look at other locations, but none worked for them. They do not plan on acquiring the property, but will enter into a long-term lease for this property if approval is received by Council.

Coke Mann, 1845 St. Julian Place in Columbia, SC, representing CRP High Point, LLC (the applicant)addressed Council in favor of the request. He noted that CRP is helping Enterprise with their move. CRP plans to redevelop the property where Enterprise is currently located at the corner of Oxford and Main. The auto site (Parks) is contaminated and DENR has ordered them to clean up the property, which is estimated at about $150,000; CRP is willing to clean the site up. Mr. Mann shared that they are proposing to make a sizeable

investment to renovate this property and shared a site plan of how they are proposing the corner will be redeveloped. He asked for Council's approval of the Text Amendment to allow Enterprise to move.

Anna Troutman, owner of the property at Millis Square, spoke against the text amendment. She stated she had nothing against Enterprise, but felt the automobile rental/leasing company would be better suited elsewhere.

Elizabeth Yocum, 203 E. Lexington Avenue, High Point, Chair of Uptowne High Point, also spoke against the text amendment. She shared that Uptowne High Point has tirelessly worked with uptown businesses and property owners in renovation efforts and reminded Council that this is about Uptowne. She pointed out that the Rockspring corner is one of the main corners in this district and this kind of business would not bring more pedestrian traffic and would not improve shopping or dining. She informed Council that the responses from Uptowne High Point have been unanimously against the text amendment. Ms. Yocum shared that they desire more restaurants with outside patios and umbrellas, etc.... and asked Council not to approve the text amendment.

Chairwoman Smothers asked if there were any additional comments. There being none, the public hearing was closed.

She reiterated that passage of the text amendment would require a 2/3 vote of Council. She expressed concerns with staff's inability to deal with this specific request and stating that it would open the door for other automobile uses. She reminded Council that Enterprise Car Rentals is a company with 16+ years of history in High Point who is asking to expand and improve property that has been vacant for the last two years. She pointed out Enterprise has been providing a much needed service to visitors and residents of High Point and she would support their petition for approval of the text amendment.

Council Member Mendenhall noted that while she shares some of the same concerns, she felt approving the text amendment would set a bad precedent and open up the city for other similar requests. She stated that she felt Council should respect decisions made by previous Councils and that she would uphold the denial because she believed it to be in the best interest of the community to uphold the decision that was made several years ago.

Mayor Davis stated he would like more time to review the Core City Plan and Policies before making a decision and would support it to be referred back to the Comprehensive Planning Committee.

Council Member Wagner stated he chaired the Committee and was involved in the discussion/decisions in creating the Main Street District and various sub-areas. He pointed out this site happens to be in his ward and he felt the current site they have chosen is not the place for this type of business. He felt Council should uphold the denial and commented that if Council is going to

make revitalization plans and zoning districts, Council has got to stand behind the decisions that have been made by staff and the Planning & Zoning Commission, since they understand what it was created for. Council Member Ewing pointed out the site being located in direct proximity to the new Convention & Visitors Bureau and on a larger scale, it would positively affect more than just that sub-area because of the increased exposure of the customers that would be visiting High Point. He saw this as a much bigger opportunity than the walkability of Main Street.

Chairwoman Smothers asked if there were any additional questions or comments. There being none, Council referred this matter to the Comprehensive Planning Committee for further discussion. City Attorney JoAnne Carlyle advised Council that they could continue a matter up to two months without mututal agreement from the applicant.

A motion was made by Council Member Smothers, seconded by Council Member Moore, that this matter be referred to the Comprehensive Planning Committee. The motion carried by the following 6-2 vote:

Aye: 6 - Council Member Douglas, Council Member Ewing, Council Member Golden, Council Member Smothers, Council Member Moore, and Mayor Davis

Nay: 2 - Council Member Mendenhall, and Council Member Wagner

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT

140300 **Reappointments to the Board of Adjustment**

Mayor James C. Davis is requesting consideration of the reappointment of *Richard Andrews* and *David Horne* to the Board of Adjustment. Reappointments to be effective immediately and will expire July 1, 2017.

Approved the reappointment of Richard Andrews and David Horne to the Board of Adjustment.

A motion was made by Mayor Davis, seconded by Council Member Smothers, that these reappointments be approved. The motion PASSED by an 8-0 unanimous vote.

140301 **Appointments to the Theatre Advisory Board**

Mayor James C. Davis is recommending the following reappointments/appointments to the Theatre Advisory Board.

Consideration of the reappointment of *Joyce Allen-Crawford*. Reappointment to be effective immediately and will expire June 1, 2017.

Consideration of the reappointment of *Catherine Bencini*. Reappointment to be

effective immediately and will expire June 1, 2017.

Consideration of the appointment of *George Harris* to the Theatre Advisory Board. Mr. Harris will fill the unexpired term of Stephanie Coggins, who has resigned. Appointment to be effective immediately and will expire June 1, 2016.

Consideration of the appointment of *Tom Blount* to the Theatre Advisory Board. Mr. Blount will fill the expired term of Monica Munoz, who has resigned due to relocation. Appointment to be effective immediately and will expire on June 1, 2017.

Attachments: HARRIS George 2014

Approved the preceding appointments/reappointments to the Theatre Advisory Board.

A motion was made by Mayor Davis, seconded by Council Member Moore, that reappointments/appointments be approved. The motion PASSED by an 8-0 unanimous vote.

140302 **Reappointment to the Parks & Recreation Commission**

Consideration of the reappointment of *Ed Pr*ice as Council Member Moore's At-Large representative on the Parks & Recreation Commission. Reappointment to be effective immediately and will expire on July 1, 2017.

Approved the reappointment of Ed Price to the Parks & Recreation Commission.

A motion was made by Council Member Moore, seconded by Mayor Davis, that this reappointment be approved. The motion PASSED by an 8-0 unanimous vote.

140303 **Appointment to the Citizens Advisory Council**

Consideration of the appointment of *Perry Darnell Widemon, Jr*., who resides in Ward 1, as Council Member Moore's At-Large representative on the Citizens Advisory Council. Mr. Widemon will fill the expired term of Yvonne Bostic Short. Appointment to be effective immediately and will expire May 31, 2016.

Attachments: WIDEMON Perry 2014

Approved the appointment of Perry Darnell Widemon, Jr. to the Citizens Advisory Council.

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

140304 **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.

140306 **Appointment - PART Board - Mayor Jim Davis**

Council is requested to suspend the rules in order to consider the appointment of Mayor Jim Davis to the PART Board replacing former Mayor Bernita Sims.

Consideration of the appointment of Mayor Jim Davis to the PART Board effective until December 1, 2014.

Approved the appointment of Mayor James C. Davis to the PART Board of Trustees. Appointment effective immediately and Mayor Davis will serve until a replacement is named.

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

MISCELLANEOUS

140324 **REQUEST FOR A FORENSIC AUDIT (PCARDS AND MANAGER'S AMERICAN EXPRESS CREDIT CARD)**

Council Member Douglas requests Council direct staff to look at accounting firms to perform a forensic audit on the city's Pcards and the manager's Amercian Express credit card.

Since this matter did not originally appear on the agenda, motion was made by Council Member Ewing, seconded by Council Member Golden to suspend the rules so it could be considered. The motion carried unanimously.

Council Member Douglas felt a forensic audit is needed in anticipation of a new city manager being hired. He explained he would like to know specifically if the city manager followed policy/guidelines as to the appropriateness of the expenditures. Council Member Ewing asked for an update from staff regarding the newly proposed internal audit position. Interim City Manager Randy McCaslin advised that Human Resources Director Angela Kirkwood was currently out of town and that Human Resources is working on a new job description of this position. Mr. McCaslin send the job description out to Council as soon as it is available.

Council Member Golden suggested that Council define specific areas to look at instead of having an all-inclusive review. Council Member Smothers pointed out that upon the city manager's retirement, the American Express credit card account has been closed and is no longer active making it a moot point.

Motion failed due to a tie vote.

A motion was made by Council Member Douglas, seconded by Council Member Golden, that this matter be approved. The motion failed by the following 4-4 vote:

Aye: 4 - Council Member Douglas, Council Member Ewing, Council Member Golden, and Mayor Davis

Nay: 4 - Council Member Mendenhall, Council Member Smothers, Council Member Wagner, and Council Member Moore

City Clerk's Performance Evaluation

Mayor Davis announced that the City Council met in Closed Session at 3:30 p.m. prior to this meeting to conduct the City Clerk's annual performance evaluation. He reported that the City Clerk's review was very favorable and Council recommended a merit increase of 2% retroactive to July 1, 2014.

City Newsletter

Council Member Smothers complimented staff for the new city newsletter, "*Around City Hall*," that was recently published.

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

140305 **Minutes to be approved**

Comprehensive Planning Committee: Thursday, September 11th @ 9:00 a.m.
Finance Committee Meeting: Monday, September 15th @ 4:00 p.m.
Regular Council Meeting: Monday, September 15th @ 5:30 p.m.
Comprehensive Planning Committee: Thursday, September 16th @ 4:00 p.m.
Community Housing & Neighborhood Development Committee: Tuesday, September 23rd @ 9:00 a.m.
Briefing Session: Tuesday, September 23rd @ 4:00 p.m.

The minutes from the preceding meetings were unanimously approved as submitted.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that preceding minutes be approved. The motion PASSED by an 8-0 unanimous vote.

CLOSED SESSION

At 7:40 p.m., Council entered into Closed Session upon motion duly made and seconded pursuant to North Carolina General Statute 143-318.11(a)(4) to discuss potential economic development projects. The motion carried unanimously.

Upon reconvening into Open Session at 8:15 p.m., an announcement was made that there was no action taken as a result of the closed session.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 8:15 p.m. upon motion duly made and seconded.

Respectfully Submitted,

_____
James C. Davis, Mayor

Attest:

_____
Lisa B. Vierling, MMC
City Clerk