

City of High Point

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



Meeting Agenda

Tuesday, September 2, 2014

5:30 PM

Council Chambers

City Council

*Bernita Sims, Mayor
James C. Davis, Mayor Pro Tem
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**MISCELLANEOUS**

- [140257](#) Proclamation - Hunger Action Month
A proclamation recognizing September as "Hunger Action Month" will be presented to John Langdon from Helping Hands Ministry.

REGULAR AGENDA ITEMS**FINANCE COMMITTEE - Council Member Moore, Chair**

- [140258](#) Contract - Sole Source Authorization - Remanufacture of Landfill Compactor
Council is requested to approve an exception to the bid laws under the "sole source qualification" for the refurbishing of a 2005 CMI-Terex 550 Landfill Compactor through Road Machinery Services at the contract price of \$345,000.00.
- [140259](#) Budget Ordinance Amendment - Recycling Grant Program
Adoption of a Budget Ordinance Amendment amending the 2014-2015 Budget Ordinance to appropriate funds in the amount of \$25,000.00 for the Community Waste Reduction and Recycling Grant Program.
- [140260](#) Municipal Agreement - NCDOT - Replacement of Bridge No. 136
Council is requested to authorize the City Manager to execute a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) providing for the replace of Bride No. 136 over the US 29-70/I-85 Business on SR 1619 in Randolph County.
- [140261](#) Resolution - NCDOT - Transit System Section 5303 Planning Grant
Adoption of a Resolution authorizing the City Manager to enter into a contract with the North Carolina Department of Transportation (NCDOT) for the transit system's Section 5303 planning grant.
- [140262](#) Resolution - Transfer Ownership of Pink Heals Fire Truck
Adoption of Resolution accepting a transfer of title for a fire truck from the Piedmont Chapter of the Pink Heals Tour to the High Point Fire Department fleet.
- [140263](#) Local Government Resolution - Traffic Safety Contract
Adoption of a Local Government Resolution authorizing the City Manager to file a grant application with the NC Governor's Highway Safety Program for the Traffic Safety Project to purchase a Crash Date Retrieval System (CDRS) and training for officers who will be utilizing the CDRS.
- [140264](#) Local Government Resolution - DWI Task Force
Adoption of a Local Government Resolution authorizing the City Manager to file an application to continue contract with the Guilford

County Multi-Agency DWI Task Force for FY 2014-2015.

[140265](#)

Resolution - Sale of K9 Officer - Vadar

Adoption of Resolution authorizing the retirement and sale of K9 Officer Vadar to his handler.

COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE - Council Member Douglas, Chair

Pending Items

[140195](#)

Ordinance - Demolition of Structure - 206 E. Ray Avenue

Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 206 E. Ray Avenue belonging to Sammie Chess, Jr. and Sandra Chess. At the July 21st Council Meeting, this item was deferred for 60 days.

PUBLIC COMMENT PERIOD - 6:00 P.M.

PUBLIC HEARINGS - 6:15 P.M. (No Public Hearings Scheduled for this Meeting)

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT

[140266](#)

Reappointment - Parks & Recreation Commission - Judy Parks
Confirmation of the reappointment of Judy Parks (Ward 3 appointment) to the Parks & Recreation. Reappointment is effective immediately and will expire July 1, 2017.

[140216](#)

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

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

[140267](#)

Minutes to be approved

High Point City Council Special Meeting: Friday, August 15th @ 12:00 p.m.

Finance Committee Meeting: Monday, August 18th @ 4:30 p.m.

Regular Council Meeting: Monday, August 18th @ 5:30 p.m.

Comprehensive Planning Committee (ElectriCities Briefing): Tuesday, August 19th @ 4:00 p.m.

ADJOURNMENT

MARTY A. SUMNER
Chief of Police



PHONE (336) 887-7970
FAX (336) 887-7972
TDD (336) 883-8517

High Point Police Department

August 25, 2014

TO: Randy McCaslin, Interim City Manager
FROM: Chief Marty Sumner
RE: Local Governmental Resolution for DWI Task Force

The High Point Police Department in cooperation with the Guilford County Sheriff's Department request to continue its contract with the Guilford County Multi-Agency DWI Task Force for FY 2014-2015. This is a multi-year grant for which began in FY2012-2013 and will continue through FY2014-2015. Each year the Guilford County Sheriff's Department is required to complete a continuation application for the grant funds.

Funding for the Task Force is from the Governor's Highway Safety Program and will cover a portion of the two DWI Task Force Officers salaries, benefits, training and equipment to include such things as blood test kits, alco-sensors, etc. High Point will receive a federal portion in the amount of \$122,221.50 with a City of High Point match requirement of \$36,666.45.

Guilford County is the lead agency for the funding with the City of High Point a sub-recipient. The High Point Police Department will furnish Guilford County Sheriff's Department required data, documents and reports as required by the contract on a quarterly basis.

Marty A. Sumner

cc: Jeff Moore, Financial Service Director
Vetryl Nance, Police Finance Specialist

**North Carolina Governor's Highway Safety Program
LOCAL GOVERNMENTAL RESOLUTION**

WHEREAS, the City of High Point (herein called the "Agency")
(The Applicant Agency)
has completed an application contract for traffic safety funding; and that City Council of the
(The Governing Body of the Agency)
City of High Point (herein called the "Governing Body") has thoroughly considered the problem

identified and has reviewed the project as described in the contract;

THEREFORE, NOW BE IT RESOLVED BY THE City Council of the City of High Point IN OPEN
(Governing Body)
MEETING ASSEMBLED IN THE CITY OF High Point, NORTH CAROLINA,
THIS 15th DAY OF September, 20 14, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That Randy McCaslin, Interim City Manager is authorized to file, on behalf of the Governing
(Name and Title of Representative)
Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal
funding in the amount of \$ 145,390.00 to be made to the Governing Body to assist in defraying
(Federal Dollar Request)
the cost of the project described in the contract application; and
3. That the Governing Body has formally appropriated the cash contribution of \$ 43,617.00 as
(Local Cash Appropriation)
required by the project contract; and
4. That the Project Director designated in the application contract shall furnish or make arrangement for other
appropriate persons to furnish such information, data, documents and reports as required by the contract, if
approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting by Mayor Bernita Sims (Chairperson/Mayor)

ATTESTED BY Lisa Vierling, (Clerk) City Clerk

SEAL

DATE _____

PUBLIC SERVICES DEPARTMENT

TERRY L. HOUK, DIRECTOR



Date: August 25, 2014

To: Robert Morgan, Interim Assistant City Manager

From: Terry L. Houk, Public Services Director (てし*)

RE: Agenda Item – Municipal Agreement for replacement of Bridge No. 136 over US 29-70/I-85 Business on SR 1619 TIP #: B-5114

The NCDOT is preparing plans and schedules to make improvements to the above referenced project. It is necessary for the City to enter into a municipal agreement to participate in planning and construction of the project.

Please place this item on the September 2nd Council agenda for consideration.

CC: Carol McDowell
Jeff Moore
Tarinda Chappell
Greg Hall
File



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT McCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

July 31, 2014

Randy McCaslin, Interim City Manager
City of High Point
PO Box 230
High Point, NC 27261-0230

Dear Mr. McCaslin:

SUBJECT: Municipal TIP Agreement, TIP #: B-5114
City of High Point, Randolph County
LET DATE: 6/16/2015

Enclosed are duplicate originals of a Municipal Agreement to replace Bridge No. 136 over US 29-70/I-85 Business on SR 1619 in Randolph County.

After you have reviewed this Agreement, please present to the proper authority for approval and execution. Please return both partially executed Agreements as soon as possible. Once signed, both originals should be returned to me for Departmental execution at the mailing address below. One fully executed Agreement will be sent back to you for your records.

If revisions are necessary, please email me at selliott@ncdot.gov or call me at (919) 707-6624. I will make the appropriate changes and promptly forward the revised agreement back to you.

Sincerely,


Sheila Elliott
Contract Officer

RECEIVED
AUG 09 2014
PUBLIC SERVICES DEPT.

MAILING ADDRESS:
NC DEPARTMENT OF TRANSPORTATION
TRANSPORTATION PROGRAM MANAGEMENT
1595 MAIL SERVICE CENTER
RALEIGH NC 27699-1595

TELEPHONE: 919-707-6600
FAX: 919-212-5711

WEBSITE: WWW.NCDOT.GOV

LOCATION:
CENTURY CENTER COMPLEX
ENTRANCE B-1
1020 BIRCH RIDGE DRIVE
RALEIGH NC

PUBLIC SERVICES DEPARTMENT

TERRY L. HOUK, DIRECTOR



Date: August 25, 2014

To: Robert Morgan, Interim Assistant City Manager

From: Terry L. Houk, Public Services Director

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Please place this item on the September 2nd Council agenda for consideration.

CC: Carol McDowell
Jeff Moore
Tarinda Chappell
Greg Hall
File

NORTH CAROLINA

**TRANSPORTATION IMPROVEMENT PROJECT –
MUNICIPAL AGREEMENT**

RANDOLPH COUNTY

DATE: 7/31/2014

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

TIP #: B-5114

AND

WBS Elements: 42252.3.FR1

CITY OF HIGH POINT

THIS MUNICIPAL AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department" and the City of High Point, a local government entity, hereinafter referred to as the "Municipality".

W I T N E S S E T H:

WHEREAS, the Department has plans to make certain street and highway constructions and improvements within the Municipality under TIP Project B-5114, in Randolph County; and,

WHEREAS, the Department and the Municipality have agreed that the municipal limits, as of the date of the awarding of the contract for the construction of the above-mentioned project, are to be used in determining the duties, responsibilities, rights and legal obligations of the parties hereto for the purposes of this Agreement; and,

WHEREAS, this Agreement is made under the authority granted to the Department by the North Carolina General Assembly, including but not limited to, the following applicable legislation: General Statutes of North Carolina, Section 136-66.1, Section 160A-296 and 297, Section 136-18, and Section 20-169, to participate in the planning and construction of a Project approved by the Board of Transportation for the safe and efficient utilization of transportation systems for the public good; and,

WHEREAS, the parties to this Agreement have approved the construction of said Project with cost participation and responsibilities for the Project as hereinafter set out.

NOW, THEREFORE, the parties hereto, each in consideration of the promises and undertakings of the other as herein provided, do hereby covenant and agree, each with the other, as follows:

SCOPE OF THE PROJECT

1. The Project consists of the replacement of Bridge No. 136 over US 29-70/I-85 Business on SR 1619 (Prospect Street) in Randolph County.

PLANNING, DESIGN AND RIGHT OF WAY

2. The Department shall prepare the environmental and/or planning document, and obtain any environmental permits needed to construct the Project, and prepare the Project plans and specifications needed to construct the Project. All work shall be done in accordance with departmental standards, specifications, policies and procedures.
3. The Department shall be responsible for acquiring any needed right of way required for the Project. Acquisition of right of way shall be accomplished in accordance with the policies and procedures set forth in the North Carolina Right of Way Manual.

UTILITIES

4. The Municipality, without any cost or liability whatsoever to the Department, shall relocate and adjust all utilities in conflict with the Project and shall exercise any rights which it may have under any franchise to effect all necessary changes, adjustments, and relocations of telephone, telegraph, and electric power lines; underground cables, gas lines, and other pipelines or conduits; or any privately - or publicly-owned utilities.
 - A. Said work shall be performed in a manner satisfactory to the Department prior to the Department beginning construction of the Project. The Municipality shall make every effort to promptly relocate said utilities in order that the Department will not be delayed in the construction of the Project.
 - B. The Municipality shall make all necessary adjustments to house or lot connections or services lying within the right of way or construction limits, whichever is greater, of the Project.
 - C. The Department, where necessitated by construction, will make vertical adjustments of two (2) feet or less to the existing manholes, meter boxes, and valve boxes at no expense to the Municipality.
 - D. If applicable, the Department shall reimburse the Municipality in accordance with the Municipally Owned Utility Policy of the Department approved by the Board of Transportation.

- E. If the Municipality requests the Department to include the relocation and/or adjustment of municipally owned utilities in its construction contract provisions, the Municipality shall reimburse the Department all costs associated with said relocation. The current estimated cost of this relocation is \$ 24,000 (estimate based on preliminary plans). Reimbursement will be based on final project plans and actual costs of relocation. If a request is received from the Municipality, a separate Utility Agreement will be prepared to determine the reimbursement terms and an updated cost estimate.

CONSTRUCTION AND MAINTENANCE

5. The Department shall construct, or cause to be constructed, the Project in accordance with the plans and specifications of said Project as filed with, and approved by, the Department. The Department shall administer the construction contract for said Project.
6. It is further agreed that upon completion of the Project, the Department shall be responsible for all traffic operating controls and devices which shall be established, enforced, and installed and maintained in accordance with the North Carolina General Statutes, the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, the latest edition of the "Policy on Street and Driveway Access to North Carolina Highways", and departmental criteria.
7. Upon completion of the Project, the improvement(s) shall be a part of the State Highway System and owned and maintained by the Department.

ADDITIONAL PROVISIONS

8. It is the policy of the Department not to enter into any agreement with another party that has been debarred by any government agency (Federal or State). The Municipality certifies, by signature of this agreement, that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Department or Agency.
9. To the extent authorized by state and federal claims statutes, each party shall be responsible for its respective actions under the terms of this agreement and save harmless the other party from any claims arising as a result of such actions.
10. All terms of this Agreement are subject to available departmental funding and fiscal constraints.
11. By Executive Order 24, issued by Governor Perdue, and N.C. G.S. § 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional,

engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation, and the Office of the Governor).

IT IS UNDERSTOOD AND AGREED upon that the approval of the Project by the Department is subject to the conditions of this Agreement.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

L.S. ATTEST:

CITY OF HIGH POINT

BY: _____ BY: _____

TITLE: _____ TITLE: _____

DATE: _____ DATE: _____

"N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization."

Approved by _____ of the local governing body of the City of High Point as
attested to by the signature of Clerk of said governing body on _____ (Date)

This Agreement has been pre-audited in the manner
required by the Local Government Budget and
Fiscal Control Act.

(SEAL)

BY: _____
(FINANCE OFFICER)

Federal Tax Identification Number

Remittance Address:

City of High Point

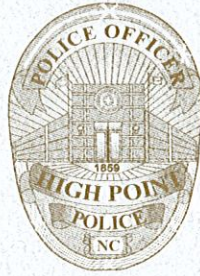
DEPARTMENT OF TRANSPORTATION

BY: _____
(CHIEF ENGINEER)

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (Date)

MARTY A. SUMNER
Chief of Police



PHONE (336) 887-7970
FAX (336) 887-7972
TDD (336) 883-8517

High Point Police Department

August 25, 2014

TO: Randy McCaslin, Interim City Manager

FROM: Chief Marty Sumner

RE: Local Governmental Resolution for NC Governor's Highway Safety Program, Traffic Safety Project Contract.

The High Point Police Department submitted a grant application to the North Carolina Governor's Highway Safety Program, Traffic Safety Project for funding to purchase a Crash Data Retrieval System (CDRS) and training for officers who will be utilizing the CDRS.

Funding will cover ½ the cost of the CDRS and training needs of \$14,012.00 with the City's portion totaling \$7,006.00. The CDRS will help officers enhance their ability to retrieve crash data from vehicles involved in accidents throughout the City. Automakers are making safer, smarter cars that protect the occupant and pedestrian better. Some of the safety features make traditional reconstruction techniques much more difficult if not obsolete in some cases. There may no longer be skid or yaw marks to measure. Advanced lighting systems do not use bulbs that could show hot shock or oxidation. Airbags deploy in stages based on the severity of the crash, the seating position of the occupant and whether or not the seatbelt is worn. Vehicles are equipped with some version of an event data recorder (EDR). The EDR recorders are solid state memory devices that record per-event data from the vehicle. The data is a snapshot of the system at the time of the accident. With the purchase of the CDRS equipment and the training for HPPD Officers to become certified to collect and translate the data we can provide a more complete reconstruction for the survivors, families and traffic investigations in our area which will lead to safer roads.

Marty A. Sumner

cc: Jeff Moore, Financial Service Director
Vetryl Nance, Police Finance Specialist

(The Applicant Agency)

(The Governing Body of the Agency)

(Governing Body)

High Point

15 DAY OF September 20 14

- (Name and Title of Representative)

(Federal Dollar Request)

(Local Cash Appropriation)

6. That this resolution shall take effect immediately upon its adoption.

(Chairperson/Mayor)

(Clerk)

DATE _____

MARTY A. SUMNER
Chief of Police



PHONE (336) 887-7970
FAX (336) 887-7949
TDD (336) 883-8517

High Point Police Department

DATE: August 26, 2014

FROM: Chief Marty A. Sumner

SUBJECT: REQUEST RESOLUTION TO RETIRE K9 VADER AND SELL TO HANDLER

In October of 2013, the K9 supervisor Lt. Caldwell removed K9 Vader from service due to his inability to engage (bite) in apprehension situations. All of our patrol dogs are multipurpose trained for apprehension, narcotics detection and tracking. When Lt. Caldwell determined the problem could not be corrected through training we discussed a number of options for Vader. We concluded the best option was to attempt to sell Vader to a smaller department and apply that money back to our seized funds.

For months Lt. Caldwell made multiple contacts with departments and kennels in an attempt to sell Vader. Our hope was some department would want to purchase Vader at a deep discount and use him as a single purpose dog for narcotics detection only. To date Lieutenant Eddie Caldwell advises that he has not been able to sell Vader.

During the months we have attempted to sell Vader we have continued to incur feeding and veterinary costs. I am recommending that we retire Vader and sell him to his handler Officer DeLong for \$1.00. I have already purchased a replacement K9 from seized funds so there is no budget or operational impact for this action.

Request City Council to approve a resolution for this action.

Respectfully Submitted By:

A handwritten signature in cursive script that reads "Marty A. Sumner".

Marty A. Sumner
Chief of Police

**RESOLUTION AUTHORIZING THE SALE OF
RETIRED K-9 VADER**

WHEREAS, the City Council for the City of High Point finds that Police K-9 Vader can no longer perform as required for his job and has received a recommendation from the High Point Police Department K9 Supervisor that Vader be retired; and

WHEREAS, N.C.G.S. 160A-266(d) permits the City Council to authorize the disposition of personal property that is without value; and

WHEREAS, Vader's assigned handler Officer DeLong has agreed to purchase retired K-9 Vader from the City of High Point in the amount of \$1.00 and upon accepting custody of the dog will assume all liability and responsibility for the care of the animal for the remainder of its life.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of High Point authorizes the purchase of K-9 Vader by Handler Officer DeLong for the amount of \$1.00 effective _____. 2014.

Adopted: September 2, 2014

Lisa Vierling, MMC
City Clerk

Mayor Bernita Sims





CITY OF HIGH POINT NORTH CAROLINA



DEPARTMENT OF TRANSPORTATION

PUBLIC TRANSPORTATION DIVISION

AGENDA ITEM

To: Robert Morgan, Assistant City Manager
From: Mark McDonald, Transportation Director
Date: August 21, 2014
Subject: Section 5303 Planning Grant Agreement with NCDOT

On June 5, 2104, the North Carolina Board of Transportation approved funds in the amount of \$57,087 for the Federal and State share of the transit system's Section 5303 planning grant. The City's matching share of \$6,343 is budgeted in 641622 411901 641154411380 RCITP. Attached is a resolution authorizing the City Manager to execute the required agreement with NCDOT to receive reimbursement funds for the project.

If you have any questions or would like to discuss the matter further, please advise.

MVM/aww

716 West Kivett Drive, High Point, North Carolina 27262
Phone (336) 889-7433 • TDD Phone (336) 883-8517
Fax (336) 883-3425 • www.high-point.net/hitrans



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

August 21, 2014

Mr. Stribling Boynton, City Manager
City of High Point
Post Office Box 230
High Point, North Carolina 27261-0230

RE: FY2015 Metropolitan Planning Program (Section 5303)
Project No.: 15-08-113
WBS Element No.: 36230.19.14.6
Agreement ID #: TBD
Period of Performance: 7/1/14-6/30/15

Dear Mr. Boynton:

On June 5, 2014 the Board of Transportation approved your organization's request for a 5303 Metropolitan Planning grant in the amount of \$57,087. The agreement to be executed between City of High Point and NCDOT is enclosed. The individual authorized to enter into this agreement for the financial assistance on behalf of your agency will sign the agreement. Please provide a copy of the agreement to all parties that will be involved in the administration of the grant, and request that the agreement be reviewed carefully. Instructions for completion of the grant agreement process are enclosed.

Please refer to Section 5b of the grant agreement that requires sub-recipients to submit monthly or quarterly requests for reimbursement.

If you have any question related to the grant agreement, please contact Charlie Wright, Financial Manager at 919-707-4674 or your assigned Accounting Specialist. In any correspondence, please be sure to reference your assigned project number, WBS element, Agreement number and period of performance referenced on this letter.

Sincerely,

A handwritten signature in cursive script that reads "Debbie Collins".

Debbie Collins
Director

DC\cw

Cc: Angela Wynes, Transportation Manager

MAILING ADDRESS:
NC DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION DIVISION
1550 MAIL SERVICE CENTER
RALEIGH, NC 27699-1550

TELEPHONE: 919-707-4670
FAX: 919-733-1391
WWW.NCDOT.GOV/NCTRANSIT

LOCATION:
TRANSPORTATION BUILDING
1 SOUTH WILMINGTON STREET
RALEIGH, NC

RESOLUTION
AUTHORIZING **CITY OF HIGH POINT**
TO ENTER INTO AN AGREEMENT WITH
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

A motion was made by _____ and seconded by
_____ for adoption of the following resolution, and
upon being put to a vote was duly adopted.

WHEREAS, the **City of High Point** has requested the North Carolina Department of Transportation to assist in the funding of transit planning tasks; and

WHEREAS, the **City of High Point** will provide **10%** of the cost of the above described project;

NOW THEREFORE, BE IT RESOLVED that the **Interim City Manager** is hereby authorized to enter into a contract with the Department of Transportation and execute all agreements and contracts with the North Carolina Department of Transportation, Public Transportation Division.

.....

I, **Lisa Vierling, City Clerk** do hereby certify that the above is a true and correct copy of an excerpt for the minutes of a meeting of the **City of High Point** duly held on the _____ day of **September, 2014**.

Signature of Certifying Official

**RESOLUTION TO ACCEPT A TRANSFER OF TITLE
FOR A FIRE TRUCK FROM THE PIEDMONT CHAPTER OF THE PINK HEALS TOUR**

WHEREAS, the City of High Point and the High Point Fire Department have provided support to the Piedmont Chapter of the Pink Heals Tour through community outreach and events supporting the mission of the Pink Heals organization in promoting fundraising and awareness; and

WHEREAS, the High Point Fire Department currently houses the Pink Heals Fire Truck in an empty area at High Point Fire Headquarters, Fire Station 2; and

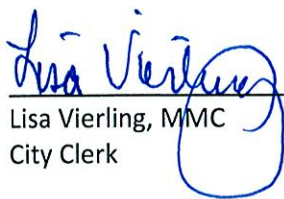
WHEREAS, the Piedmont Chapter of the Pink Heals Tour is the current title holder to the fire truck; and

WHEREAS, the Piedmont Chapter of the Pink Heals Tour no longer has the ability to provide the necessary insurance and maintenance on the fire truck and desires to transfer title of the fire truck to the High Point Fire Department; and

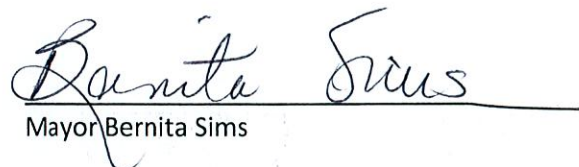
WHEREAS, the City of High Point and the High Point Fire Department desires to accept transfer of the title of the aforementioned truck and to continue to use and display the truck for community outreach opportunities and citizen involvement in High Point.

NOW THEREFORE, BE IT RESOLVED, that the City of High Point approves and accepts transfer of the title of the aforementioned truck to the City of High Point and will include the vehicle in its equipment inventory.

Adopted: September 2, 2014


Lisa Vierling, MMC
City Clerk




Mayor Bernita Sims

**HIGH POINT CITY COUNCIL SPECIAL MEETING
AUGUST 15, 2014 – 12:00 P.M.
CITY MANAGER’S CONFERENCE ROOM**

MINUTES

Present:

Mayor Pro Tem Jim Davis (Ward 5); and Council Members Rebecca R. Smothers (At-Large), Britt Moore (At-Large), Jeff Golden (Ward 1), Judith P. Mendenhall (Ward 3), and Jason Ewing (Ward 6)

Absent:

Mayor Bernita Sims and Council Members Foster Douglas (Ward 2), Jay Wagner (Ward 4)

Staff Present:

Angela Kirkwood, Director of Human Resources
JoAnne Carlyle, City Attorney
Lisa Vierling, City Clerk

Others Present:

Stephen Straus, Developmental Associates, LLC

Mayor Pro Tem Jim Davis chaired the meeting in the absence of Mayor Sims.

Mayor Pro Tem Davis called the meeting to order and explained this meeting was called for the purpose of holding a Closed Session to discuss personnel pursuant to N.C. General Statute 143-318.11(a)(6)

Motion by Council Member Mendenhall, second by Mayor Pro Tem Davis to go into Closed Session pursuant to N.C. General Statute 143-318.11(a)(6) to discuss personnel.

Council convened into Open Session at 2:00 p.m. upon motion by Council Member Mendenhall and second by Council Member Ewing. There was no action taken as a result of the Closed Session.

There being no further discussion, the meeting adjourned at 2:00 p.m. upon a motion duly made and seconded.

Respectfully Submitted,

Attest:

Jim Davis, Mayor Pro Tem

Lisa B. Vierling, MMC
City Clerk

NORTH CAROLINA

**TRANSPORTATION IMPROVEMENT PROJECT –
MUNICIPAL AGREEMENT**

RANDOLPH COUNTY

DATE: 7/31/2014

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

TIP #: B-5114

AND

WBS Elements: 42252.3.FR1

CITY OF HIGH POINT

THIS MUNICIPAL AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department" and the City of High Point, a local government entity, hereinafter referred to as the "Municipality".

WITNESSETH:

WHEREAS, the Department has plans to make certain street and highway constructions and improvements within the Municipality under TIP Project B-5114, in Randolph County; and,

WHEREAS, the Department and the Municipality have agreed that the municipal limits, as of the date of the awarding of the contract for the construction of the above-mentioned project, are to be used in determining the duties, responsibilities, rights and legal obligations of the parties hereto for the purposes of this Agreement; and,

WHEREAS, this Agreement is made under the authority granted to the Department by the North Carolina General Assembly, including but not limited to, the following applicable legislation: General Statutes of North Carolina, Section 136-66.1, Section 160A-296 and 297, Section 136-18, and Section 20-169, to participate in the planning and construction of a Project approved by the Board of Transportation for the safe and efficient utilization of transportation systems for the public good; and,

WHEREAS, the parties to this Agreement have approved the construction of said Project with cost participation and responsibilities for the Project as hereinafter set out.

NOW, THEREFORE, the parties hereto, each in consideration of the promises and undertakings of the other as herein provided, do hereby covenant and agree, each with the other, as follows:

SCOPE OF THE PROJECT

1. The Project consists of the replacement of Bridge No. 136 over US 29-70/I-85 Business on SR 1619 (Prospect Street) in Randolph County.

PLANNING, DESIGN AND RIGHT OF WAY

2. The Department shall prepare the environmental and/or planning document, and obtain any environmental permits needed to construct the Project, and prepare the Project plans and specifications needed to construct the Project. All work shall be done in accordance with departmental standards, specifications, policies and procedures.
3. The Department shall be responsible for acquiring any needed right of way required for the Project. Acquisition of right of way shall be accomplished in accordance with the policies and procedures set forth in the North Carolina Right of Way Manual.

UTILITIES

4. The Municipality, without any cost or liability whatsoever to the Department, shall relocate and adjust all utilities in conflict with the Project and shall exercise any rights which it may have under any franchise to effect all necessary changes, adjustments, and relocations of telephone, telegraph, and electric power lines; underground cables, gas lines, and other pipelines or conduits; or any privately - or publicly-owned utilities.
 - A. Said work shall be performed in a manner satisfactory to the Department prior to the Department beginning construction of the Project. The Municipality shall make every effort to promptly relocate said utilities in order that the Department will not be delayed in the construction of the Project.
 - B. The Municipality shall make all necessary adjustments to house or lot connections or services lying within the right of way or construction limits, whichever is greater, of the Project.
 - C. The Department, where necessitated by construction, will make vertical adjustments of two (2) feet or less to the existing manholes, meter boxes, and valve boxes at no expense to the Municipality.
 - D. If applicable, the Department shall reimburse the Municipality in accordance with the Municipally Owned Utility Policy of the Department approved by the Board of Transportation.
 - E. If the Municipality requests the Department to include the relocation and/or adjustment of municipally owned utilities in its construction contract provisions, the Municipality shall reimburse the Department all costs associated with said relocation. The current estimated cost of this relocation is \$ 24,000 (estimate based on preliminary plans). Reimbursement will be based on final project plans and actual costs of relocation. If a request is received from

the Municipality, a separate Utility Agreement will be prepared to determine the reimbursement terms and an updated cost estimate.

CONSTRUCTION AND MAINTENANCE

5. The Department shall construct, or cause to be constructed, the Project in accordance with the plans and specifications of said Project as filed with, and approved by, the Department. The Department shall administer the construction contract for said Project.
6. It is further agreed that upon completion of the Project, the Department shall be responsible for all traffic operating controls and devices which shall be established, enforced, and installed and maintained in accordance with the North Carolina General Statutes, the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, the latest edition of the "Policy on Street and Driveway Access to North Carolina Highways", and departmental criteria.
7. Upon completion of the Project, the improvement(s) shall be a part of the State Highway System and owned and maintained by the Department.

ADDITIONAL PROVISIONS

8. It is the policy of the Department not to enter into any agreement with another party that has been debarred by any government agency (Federal or State). The Municipality certifies, by signature of this agreement, that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Department or Agency.
9. To the extent authorized by state and federal claims statutes, each party shall be responsible for its respective actions under the terms of this agreement and save harmless the other party from any claims arising as a result of such actions.
10. All terms of this Agreement are subject to available departmental funding and fiscal constraints.
11. By Executive Order 24, issued by Governor Perdue, and N.C. G.S. § 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation, and the Office of the Governor).

IT IS UNDERSTOOD AND AGREED upon that the approval of the Project by the Department is subject to the conditions of this Agreement.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

L.S. ATTEST:

CITY OF HIGH POINT

BY: *Lois D. Varley*

BY: *Greg Denko*

TITLE: City Clerk

TITLE: City Manager

DATE: 2/6/2015

DATE: 2/6/2015

"N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization."

Approved by City Council of the local governing body of the City of High Point as attested to by the signature of Clerk of said governing body on 9/2/2014 (Date)

This Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

BY: *[Signature]*

(FINANCE OFFICER)

Federal Tax Identification Number

56-6000231

Remittance Address:

City of High Point

P.O. Box 230

High Point, NC 27261

DEPARTMENT OF TRANSPORTATION

BY: _____

(CHIEF ENGINEER)

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (Date)



August 25, 2014

MEMORANDUM

TO: Randy McCaslin
City Manager

FROM: Eric Olmedo
Budget & Performance Manager

SUBJECT: Agenda Item for City Council

The Public Services Department has received a grant from the State of North Carolina's Community Waste Reduction and Recycling Grant program in the amount of \$25,000. There is a City match of \$4,500 which will come from departmental funds.

The purpose of the grant is to assist local governments in expanding, improving and implementing waste reduction and recycling programs in North Carolina

Approval of this budget amendment will allow these funds to be added to the Solid Waste Fund budget.

cc: Bob Morgan
Jeff Moore

Attachments: Budget Amendment

"AN ORDINANCE AMENDING THE 2014-2015 BUDGET ORDINANCE
OF THE CITY OF HIGH POINT, NORTH CAROLINA
TO APPROPRIATE FUNDS FOR THE COMMUNITY WASTE REDUCTION AND
RECYCLING GRANT PROGRAM

Be it ordained by the City Council of the City of High Point, North Carolina, as follows:

Section 1. The City of High Point has received a Community Waste Reduction and Recycling grant in the amount of \$25,000 to pay for expanding, improving and implementing waste reduction and recycling programs.

Section 2. The 2014-2015 Budget Ordinance of the City of High Point, should be amended as follows:

(A) That the Solid Waste Fund of the City of High Point, is hereby amended as follows:

Grant Revenues	\$ 25,000
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(B) That the Grant Fund expenditures be amended as follows:

Recycling Expenditures	\$ 25,000
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Section 3. That all ordinances, or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. That this ordinance shall be effective from and after its passage."

Adopted September 2, 2014



HIGH POINT FIRE DEPARTMENT

Office of the Chief



August 22, 2014

Randy McCaslin
City Manager
City of High Point

Subject: Request to take ownership of Pink Heals Truck

I respectfully request that the following be included for consideration at the next city council consent agenda meeting on September 2, 2014.

The Piedmont Pink Heals Chapter has turned in their non-profit status and will no longer be doing events. They want to donate the Pink Heals Truck to the Fire Department for use to promote the Pink Heals cause.

The truck is a 1979 American LaFrance Century Pumper (VIN# CE6778) with a value of approximately \$10,000.00. The truck has no value other than a show piece. When Pink Heals purchased the truck it was in very bad shape. The Fire Department mechanics took the refurbishing project on. Working on their own time at night and weekends, they stripped the truck and after it was painted they rebuilt it into a road worthy piece of equipment.

The cost to operate this vehicle on an annual basis will be very minimal in relation to the service it will provide our citizens in some of their worst times. The truck will be another tool that we use for public relations and community events. Our projected operating cost is \$2500.00 or less annually.

The Fire Department is recommending that we move forward with acquiring this piece of equipment, if council so desires.

Sincerely,

Thomas Reid
Fire Chief

**RESOLUTION TO ACCEPT A TRANSFER OF TITLE
FOR A FIRE TRUCK FROM THE PIEDMONT CHAPTER OF THE PINK HEALS TOUR**

WHEREAS, the City of High Point and the High Point Fire Department have provided support to the Piedmont Chapter of the Pink Heals Tour through community outreach and events supporting the mission of the Pink Heals organization in promoting fundraising and awareness; and

WHEREAS, the High Point Fire Department currently houses the Pink Heals Fire Truck in an empty area at High Point Fire Headquarters, Fire Station 2; and

WHEREAS, the Piedmont Chapter of the Pink Heals Tour is the current title holder to the fire truck; and

WHEREAS, the Piedmont Chapter of the Pink Heals Tour no longer has the ability to provide the necessary insurance and maintenance on the fire truck and desires to transfer title of the fire truck to the High Point Fire Department; and

WHEREAS, the City of High Point and the High Point Fire Department desires to accept transfer of the title of the aforementioned truck and to continue to use and display the truck for community outreach opportunities and citizen involvement in High Point.

NOW THEREFORE, BE IT RESOLVED, that the City of High Point approves and accepts transfer of the title of the aforementioned truck to the City of High Point and will include the vehicle in its equipment inventory.

Adopted: September 2, 2014

Lisa Vierling, MMC
City Clerk

Mayor Bernita Sims





**HIGH POINT CITY COUNCIL
AUGUST 18, 2014 – 5:30 P.M.
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING**

MINUTES

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE

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

Present: Mayor Bernita Sims, Mayor Pro Tem James Davis (Ward 5), Council Member Rebecca R. Smothers (At-Large), Council Member Britt Moore (At-Large); Council Member Jeffrey Golden (Ward 1), Council Member Foster Douglas (Ward 2); Council Member Judith P. Mendenhall (Ward 3); Council Member Jay Wagner (Ward 4), and Council Member Jason Ewing (Ward 6)

CONSENT AGENDA ITEMS

Chairman Moore announced that the matters appearing on the Consent Agenda for the Finance Committee were discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting and he would be recommending approval of all items with one motion.

FINANCE COMMITTEE - Council Member Moore, Chair
Committee Members: Wagner, Davis and Sims
(all were present)

140235 Purchase of Equipment- Sewer Jet Vacuum Combination Truck

Council is requested to approve contract through NJPA for the purchase of a 2015 Sewer Jet Vacuum Combination truck for the Fleet Services Department from Rodders & Jet Supply Company at the contract price of \$306,391.10.

This matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting. The Committee recommended approval.

Approved contract with Rodders & Jet Supply Company at the contract price of \$306,391.10 for the purchase of a 2015 Sewer Jet Vacuum Combination truck.

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

140236 Purchase of Equipment - Used Front Loader

Council is requested to approve contract for the purchase of a used front loader refuse truck from Amick Equipment Company for the Fleet Services Department in the amount of \$203,500.00.

This matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting. The Committee recommended approval.

Approved contract with Amick Equipment Company in the amount of \$203,500.00 for the purchase of a used front loader refuse truck.

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

140237 Contract - Motorola Solutions - Portable Radio Replacement

Approval of contract with Motorola Solutions (state contract pricing) in the amount of \$477,463.52 for the purchase of one hundred (100) Motorola APX portable radios and fourteen (14) Motorola APX mobile radios as part of the annual replacement program. New radios will be used to replace older radios currently in use by the Fire and Parks and Recreation Departments.

This matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting. The Committee recommended approval.

Approved contract with Motorola Solutions at State contract pricing in the amount of \$477,463.52 for the purchase of new radios to be used by the Fire and Parks and Recreation Departments.

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

140238 Contract - Sole Source Authorization - Catalogic Licensing and Support Purchase

Council is requested to approve an exception to the bid laws under the "sole source qualification" for the purchase of continued license support and storage indexing from Slait Consulting in the amount of \$33,628.23.

This matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting. The Committee recommended approval.

Approved an exception to the bid laws under the "sole source qualification" for the purchase of continued license support and storage indexing from Slait Consulting in the amount of \$33,628.23.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, to approve an exception to the bid laws under the "sole source qualification" and approve Contract with Slait Consulting. The motion PASSED by a 9-0 unanimous vote.

140239 Contract -Sole Source Authorization - Anti-Virus, Firewall & Security System Maintenance

Council is requested to approve an exception to the bid laws under the "sole source qualification" for annual maintenance and support for Trend Micro Anti-virus software, RSA authentication Manager, Checkpoint Firewall, Radware Linkproof and Websense Security systems from nGuard, Inc. in the amount of \$67,039.21.

This matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting. The Committee recommended approval.

Approved an exception to the bid laws under the "sole source qualification" for annual maintenance and support for Trend Micro Anti-virus software, RSA authentication Manager, Checkpoint Firewall, Radware Linkproof and Websense Security systems from nGuard, Inc., in the amount of \$67,039.21.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, to approve an exception to the bid laws under the "sole source qualification" and approved the contract with nGuard, Inc.. The motion PASSED by a 9-0 unanimous vote.

140240 Contract - Lease of Equipment - Copy/Printers

Council is requested to approve a contract through US Communities for replacement of the city's copier/printer fleet to Ricoh in the projected annual lease amount of \$103,200.00.

This matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting. The Committee recommended approval.

Approved contract with Ricoh in the projected lease amount of \$103,200.00 through US Communities.

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

140241 NCDOT - Letter of Concurrence - Kivett Drive / College Drive - Speed Limits

Council is requested to approve a Letter of Concurrence regarding ordinance updates for sections of Kivett Drive and College Drive. This update is required to ensure that current posted speed limits on each of these streets match the most current ordinance for both the City and North Carolina Department of Transportation (NCDOT).

This matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting. The Committee recommended approval.

Approved a Letter of Concurrence regarding ordinance updates for sections of Kivett Drive and College Drive.

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

140242 NCDOT - Municipal Agreement - Skeet Club Road Sidewalks

Council is requested to approve a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for the construction of sidewalks on the upcoming Skeet Club Road improvement project (sidewalks).

This matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting. The Committee recommended approval.

Approved a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for the construction of sidewalks on the upcoming Skeet Club Road improvement project (sidewalks).

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

140243 Amendment - Façade Improvement Program Policy

Consideration of an amendment to the City's Façade Improvement Program policy.

This matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting. The Committee recommended approval.

Approved the Amendment to the City's Façade Improvement Program Policy.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that the Amendment to the Façade Improvement Program Policy be approved. The motion PASSED by a 9-0 unanimous vote.

140244

Amendment - City of High Point Water & Sewer Rate Schedule

Council is requested to approve an amendment to the City of High Point Water & Sewer Rate Schedule which includes a change in customer fees when the city receives all or any portion of their ad valorem taxes.

This matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting. The Committee recommended approval.

Approved an Amendment to the City of High Point Water & Sewer Rate Schedule, which includes a change in customer fees when the city receives all or any portion of their ad valorem taxes.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that the Amendment to the City of High Point Water & Sewer Rate Schedule be approved. The motion PASSED by a 9-0 unanimous vote.

COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE - Council Member Douglas, Chair

Committee Members: Mendenhall, Ewing and Golden
(all were present)

140245 Ordinance - Demolition of Structure - 1404 A & B Furlough Avenue

Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 1404 A & B Furlough Avenue belonging to Paul Kostraba.

Chairman Douglas asked staff to report on this housing case. Katherine Bossi, Local Codes Enforcement Supervisor, provided a brief summary of the major violations as contained in the staff report, which is hereby attached in Legistar as a permanent part of these proceedings. The owners did not appear for the hearing. This case was initiated due to extensive fire damage to the duplex to the interior walls and within each dwelling unit. Staff cited numerous violations of the Minimum Housing Code and structural violations creating an unsafe dwelling. Staff reported that the dwelling is currently uninhabitable due to the extensive fire damage and in its present state, necessary repairs to the dwelling exceed 50%

of the current tax value. No repairs have been made and no permits issued; conditions still exist.

Ms. Bossi shared some additional photographs that were not included in the packet.

Adopted Ordinance ordering the inspector to effectuate the demolition of a structure located at 1404 A & B Furlough Avenue.

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

Ordinance No. 1789/14-67

Introduced 8/18/2014; Adopted 8/18/2014

Ordinance Book Volume XVIII, Page 121

140246

Ordinance - Demolition of Structure - 1226 S. Downing Street

Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 1226 S. Downing Street, belonging to Jorge Alberto Ortiz Alvarez.

Chairman Douglas asked staff to report on this housing case. Katherine Bossi, Local Codes Enforcement Supervisor, provided a brief summary of the major violations as contained in the staff report [which is hereby attached in Legistar as a permanent part of these proceedings]. The owners did not appear for the hearing. Staff cited numerous violations of the Minimum Housing Code. The dwelling is currently uninhabitable due to the lack of plumbing, electrical and heating systems and numerous Minimum Housing Code violations. In its present state, necessary repairs to the dwelling exceed 50% of the current tax value. No repairs have been made and no permits have been issued; conditions still exist.

Adopted Ordinance ordering the inspector to effectuate the demolition of a structure located at 1226 S. Downing Street.

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

Ordinance No. 1790/14-68

Introduced 8/18/2014; Adopted 8/18/2014

Ordinance Book, Volume XVIII, Page 122

UPDATE ON KILBY HOTEL AND FIRST BAPTIST CHURCH

Randy McCaslin, Interim City Manager, reported that the asbestos has been removed from First Baptist Church. The following Monday, the contractor started the clean-up on the Kilby, which is near completion with no damage to the church. It was noted that the windows are still intact. Mr. McCaslin noted he would get back to the City Council with a complete accounting of the actual cost as soon as all the costs are tabulated.

COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers, Chair**140247 Policy - Private Art Display Policy**

Council is requested to approve a Private Art Display Policy which will create organized guidelines for the application, acceptance and display of private art and art projects on public grounds.

Chairwoman Smothers explained this came to the City Council as a request from a citizen and when it was initially discussed, the City asked Theatre Art Galleries (TAG) to perform a review of the appropriateness of any art that the City might be asked to display. TAG has worked with staff in the formation of a policy, which is before Council. She noted there was some discussion regarding insurance on the art and how it might be managed both for the benefit for the artist and establishing value of work that would be displayed. She suggested rather than Council moving forward and adopting the policy before them tonight, it might be beneficial to have Jeff Horney, Executive Director for TAG, offer comments relating to how value can be established and expand on the insurance issue.

Jeff Horney addressed Council and noted TAG is absolutely thrilled to be involved in this process. He noted they met on Friday and the issue of the liability insurance was briefly discussed and met again with the City Manager today. He explained the concern is the artists that will be exhibiting their work in the future are doing some at a considerable expense to themselves and although they could defray some of the costs with installation, etc..., there is still a lot involved. He asked if the City could more easily and more cost effectively have a rider to cover it, rather than require liability from the individual artists. Chairwoman Smothers then asked if it would cause any problems if Council defers this matter to enable continuing conversation because there is the issue of establishing value and this is such a new area for the City.

Mr. Horney replied that a group is currently looking at September 14th to get this up by Pre-Market. Chairwoman Smothers pointed out until the policy is adopted, they would not be able to do it and asked where the rest of Council stood on this issue. Council Member Mendenhall asked if the artist contributing the art would be determining the value. Mr. Horney explained typically they would do replacement cost, not the retail value. Council Member Moore inquired about a setup timeframe and Mr. Horney replied that there is a fair amount of prep work that has to be done and it has to start now in order to get it ready by mid-September. He pointed at this point, everything is on hold and ready to go once the policy is approved and noted the installation itself would take two days.

Chairwoman Smothers asked Mr. Horney if he has reviewed the policy before Council and pointed out that the liability clause states that the City will not assume responsibility for any loss or damage to art exhibited on public property. Mayor Pro Tem Davis pointed out the City of Greensboro requires any artists providing artwork is required to have insurance and have a rider that names the city as an insured. He noted that the City of High Point is currently self-insured with a \$50,000 deductible, which means that the City would be on the hook for \$50,000 per occurrence and if the City does assume liability, they would be assuming liability for every piece of artwork up to \$50,000.

Mr. Horney felt these were valid concerns, but he did not feel he could answer for the entire group. He asked if it might be possible for Council to go ahead and adopt the policy, then amend it later if necessary. City Attorney JoAnne Carlyle felt the legal department would be able to get back with Mr. Horney within the next day or two to let them know what the options might be with regards to the additional insurance policy, rider, etc.....

Approved the Private Art Display Policy as presented.

A motion was made by Council Member Smothers, seconded by Council Member Moore, that Private Art Display Policy be approved. The motion PASSED by a 9-0 unanimous vote.

Pending Items

140221 Manager's Report - re: Core City

Presentation on Core City responsibilities as directed by City Council. (At the July 21st City Council Meeting, this item was postponed for discussion at a later date.)

Council Member Smothers moved to suspend the rules to bring this matter out of pending so action could be taken regarding same. Council Member Mendenhall made a second to the motion to suspend the rules. The motion carried by an 8-1 vote. [Council Member Wagner dissented]

Council Member Smothers pointed out this matter is currently on the pending list and that the legal staff advised that Council does need to approve the position entitled Core City Administrator.

Council Member Smothers then moved that the position of the Core City Administrator be added to the list of personnel employed by the City of High Point. Council Member Mendenhall made a second to the motion. The motion carried by an 8-1 vote as follows:

Aye (8): Mayor Sims, Council Member Douglas, Council Member Ewing, Council Member Golden, Council Member Mendenhall, Council Member Smothers, Council Member Moore, and Mayor Pro Tem Davis
Nay (1): Council Member Wagner

OTHER NEW BUSINESS

140248 Contract - Executive Search - City Manager Position

Approval of contractual agreement for executive search for the City Manager position.

Mayor Sims explained that Council assigned a committee consisting of four Council Members (Sims, Douglas, Smothers and Davis) to review information submitted on potential search firms to begin the process of hiring High Point's next city manager. The committee is recommending awarding the contract to Developmental Associates, LLC to begin the search/process for the new city manager. She explained that all the consultants interviewed indicated they did not feel there would be any lack of candidates coming forward to apply for this position. Mayor Sims asked for Council's concurrence to give her the authority to

execute the contract with Developmental Associates, LLC for the purpose of beginning the search for the new city manager.

Council Member Smothers then moved approval of the contract with Developmental Associates, LLC and authorized the Mayor to execute the contract. Council Member Douglas made a second to the motion.

For further discussion, Council Member Smothers asked if a handout was available for the public to understand the context or content of the search because she felt it would answer many of the concerns/questions that have been raised. It was noted that nothing was received from the consultant, but City Attorney JoAnne Carlyle suggested the City could release the proposal that was submitted by Developmental Associates, LLC. [the proposal will be attached in Legistar as a permanent part of these p Council Member Mendenhall recalled that the consultant agreed to prepare a press release that would explain the process and would have it available by the meeting.

Council Member Smothers noted for the record that the press release certainly would be forthcoming and it would outline the process that would give the public ample opportunity to have input in the process, as well as those newly elected council members who would be in place after the hiring of the city manager. She noted the schedule would be announced as soon as it is received and meetings could take place as early as next Monday.

At this time, Council Member Mendenhall felt it was important to issue the following statement to the public: "I feel that it's important that the public understand that the manager is selected for his ability to lead the city and his or her responsibility is to advise the Council, to consider the priorities of whatever Council is seated and look at how those priorities might be carried out. But from a financial and a staffing possibility, to provide options. Ideas, projects, issues, come and go as do elected officials, but the manager is the solid person who is there at all times to work with every Council and to carry out that Council's objectives. So, no matter what elected body selects the manager, it should be the person who is the most qualified to run the City and it has nothing to do...as unfortunately the editorial indicated, it has nothing to do with political viewpoints. In fact, I haven't read the Code of Ethics, but I'm sure that in some way, shape or form, the manager's Code of Ethics alludes to that fact. I have worked with three managers and two interims--one of which is our very capable Mr. McCaslin--and I have never, ever heard a manager express a political viewpoint. I just think that the paper was way off base in what they indicated to the general public about that. And the public needs to understand that. That's important."

At this time, David Rosen stated he was hoping to make some comments prior to the Council voting on this matter. Mayor Sims explained that the Public Comment Period is generally the first meeting of the month and that this particular agenda item does not allow for public comment. She offered to speak with Mr. Rosen after the meeting to hear his concerns.

There being no further discussion, the Mayor called for a vote on the motion to approve the contract with Developmental Associates, LLC and authorize the Mayor to execute the contract. **The motion PASSED unanimously.**

PUBLIC HEARINGS - 6:15 P.M.**COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers, Chair****140249 HighMark School Development, LLC - Amendment to Zoning Case 13-04**

A request by HighMark School Development, LLC to amend Conditional Zoning District 13-04 to revise the transportation conditions. The site consists of two parcels, one lying at the southeast corner of Clinard Farms Road and Barrow Road, and the other on the south side of Clinard Farms Road approximately 2,500 feet east of the intersection of Barrow Road.

The joint public hearing for this matter and related matter **140250 HighMark School Development, LLC- Amendment to Special Use Permit Case 13-03** was duly held on Monday, August 18, 2014 at 6:15 p.m.

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

Chairwoman Smothers asked if the downsizing changed the traffic counts for this area. Matt Carpenter with the High Point Transportation Department explained the study did not have to be redone because it was within the 12-month window, but noted it did result in a reduction in trips.

Following the presentation of the staff report, Chairwoman Smothers opened the public hearing and asked if there were any comments. There being none, the public hearing was closed.

Adopted Ordinance amending Conditional Zoning District 13-04 revising the transportation conditions based on consistency with the City's adopted plans. Council finds this action to be reasonable and in the public interest by adopting the statements as identified in the staff report.

A motion was made by Council Member Smothers, seconded by Mayor Pro Tem Davis, that the Ordinance be adopted amending Conditional Zoning District 13-04 to revise the transportation conditions. The motion PASSED by a 9-0 unanimous vote.

**Ordinance No. 1791/14-69
Introduced 8/18/2014; Adopted 8/18/2014
Ordinance Book, Volume XVIII, Page 123**

140250 HighMark School Development, LLC - Amendment to Special Use Permit Case 13-03

A request by HighMark School Development, LLC to amend transportation conditions for Special Use Permit 13-03 and to amend the SUP Site Plan. The site is lying along the south side of Clinard Farms Road, approximately 2,500 feet east of Barrow Road.

Note: Prior to this matter being heard, those persons desiring to speak regarding this matter were duly sworn.

The public hearing for this matter and related matter **140249 HighMark School Development, LLC- Amendment to Zoning Case 13-04** was duly held on Monday, August 18, 2014 at 6:15 p.m.

Herb Shannon of Planning and Development presented the staff report, which is hereby attached as a permanent part of these proceedings.

Following the presentation of the staff report, Chairwoman Smothers opened up the public hearing for comment. There being none, the public hearing was closed.

Approved the Amendment to Special Use Permit Case 13-03 to amend transportation conditions and to amend the SUP Site Plan based on the findings in the staff report.

A motion was made by Council Member Smothers, seconded by Mayor Pro Tem Davis, that this Amendment to Special Use Permit Case 13-03 be approved. The motion PASSED by a 9-0 unanimous vote.

140251

Resolution - City of High Point - Street Abandonment Case 14-05

A request by the Technical Review Committee to abandon a partially improved alley lying along the west side of N. Elm Street, between Gatewood Avenue and Church Avenue.

The public hearing for this matter was duly held on Monday, August 18, 2014 at 6:15 p.m.

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

Chairwoman Smothers opened the floor for comments. There being no one present to speak regarding this matter, the public hearing was closed.

This abandonment of the public's interest and conveyance of the right-of-way to the abutting property owners, as provided by state statutes, is found not to be contrary to the public's interest and is found not to deprive owners in the vicinity of the right-of-way reasonable means of ingress and egress to their property.

Adopted Resolution authorizing the abandonment of a partially improved alley lying along the west side of N. Elm Street, between Gatewood Avenue and Church Avenue with the retention of an electrical utility easement along the full length and width of this right-of-way.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this Resolution be adopted authorizing the abandonment of a partially improved alley lying along the west side of N. Elm Street, between Gatewood Avenue and Church Avenue. The motion PASSED by a 9-0 unanimous vote.

**Resolution No. 1401/14-41
Introduced 8/18/2014; Adopted 8/18/2014
Resolution Book, Volume XVIII, Page 123**

140252 Resolution - City of High Point - Street Abandonment Case 14-06

A request by the Technical Review Committee to abandon a unimproved right-of-way lying along the north side of Belmont Drive, approximately 170 feet west of Janice Drive.

The public hearing for this matter was duly held on Monday, August 18, 2014 at 6:15 p.m.

Herb Shannon of Planning and Development presented the staff report, which is hereby attached in Legistar as a permanent part of these proceedings.

This abandonment of the public's interest and conveyance of the right-of-way to the abutting property owners, as provided by state statutes, is found not to be contrary to the public's interest and is found not to deprive owners in the vicinity of the right-of-way reasonable means of ingress and egress to their property.

Adopted Resolution authorizing the abandonment of a partially improved alley lying along the west side of N. Elm Street, between Gatewood Avenue and Church Avenue with the retention of the following easements: 1) A 20-foot wide sanitary sewer easement centered over an existing 8-inch sewer line; and 2) A 20-foot wide stormwater easement centered over an existing 30-inch stormwater line.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this Resolution authorizing the abandonment of an unimproved right-of-way lying along the north side of Belmont Drive, approximately 170 feet west of Janice Drive be adopted. The motion PASSED by a 9-0 unanimous vote.

**Resolution No. 1402/14-42
Introduced 8/18/2014; Adopted 8/18/2014
Resolution Book, Volume XVIII, Page 124**

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT**140253 Boards and Commissions - Vacancy Report**

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

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

140255 Reappointments - Historic Preservation Commission

Council is requested to confirm the reappointment of Julius Clark (Ward 2 appt) and Tom Lugarich (Ward 5 appointment) to the Historic Preservation Commissions. Reappointments to be effective immediately and will expire July 1, 2017.

Since these reappointments did not originally appear on tonight's Agenda, motion was made by Council Member Mendenhall, seconded by Council Member Moore to suspend the rules to add these reappointments to the Agenda for consideration. The motion to suspend the rules carried unanimously.

Approved the reappointment of Julius Clark and Tom Lugarich to the Historic Preservation Commission.

A motion was made by Council Member Douglas, seconded by Council Member Wagner, that these reappointments be approved. The motion PASSED by a 9-0 unanimous vote.

140256 Reappointment - Library Board of Trustees

Council is requested to confirm the reappointment of Forrest Littleton (Ward 2 appt) to the Library Board of Trustees. Appointment to be effective immediately and will expire October 31, 2016.

Since this reappointment did not originally appear on tonight's Agenda, motion was made by Council Member Mendenhall, seconded by Council Member Moore to suspend the rules to add it to the Agenda for consideration. The motion to suspend the rules carried unanimously.

Approved the reappointment of Forrest Littleton to the Library Board of Trustees.

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

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

140254 Minutes to be approved

- Briefing Session; Tuesday, July 22, 2014 @ 8:30 a.m.
- Comprehensive Planning Committee Meeting; Thursday, July 24, 2014 @ 9:00 a.m.
- Finance Committee Meeting; Monday, August 4, 2014 @ 4:30 p.m.
- Regular Council Meeting; Monday, August 4 2014 @ 5:30 p.m.

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

A motion was made by Council Member Mendenhall, seconded by Council Member Moore, that the preceding minutes be approved. The motion PASSED by a 9-0 unanimous vote.

Miscellaneous

Mayor Sims noted that she was asked by Council Member Moore to remind the Council and the audience about some upcoming events that will be taking place in the City of High Point and encouraged those who could to attend: Hospice Taste of the Town, August 19th @ Oak Hollow Mall; John Coltrane Jazz and Blues Festival, August 30th @ Oak Hollow Festival Park; and the Cycling event on September 5th and 6th that will take place downtown High Point.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 6:25 p.m. upon motion duly made and seconded.

Respectfully Submitted,

Bernita Sims, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk

Fleet Services Department

Gary L. Smith

DIRECTOR



DATE: August 26, 2014

TO: Eric Olmedo, Budget & Evaluation

FROM: Gary L. Smith, Director of Fleet Services

Gary L. Smith

SUBJECT: Agenda Item – Landfill Compactor Remanufacture

I respectfully request that the following be included for consideration on the next Council Agenda scheduled for September 2nd:

The approval to refurbish a 2005 CMI/Terex 550 Landfill Compactor at a cost of \$345,000. Road Machinery Services in Statesville manufactured this compactor and has a program to refurbish this machine for half the cost of a new machine. This process would include a new engine, new exhaust system, new drive pumps and motors, replacing all hoses, new heat, air, fire suppression, pickup and delivery of the machine. Also includes a six month parts and labor warranty. This compactor is no longer being produced and the refurbish option will give us another four to five years useful life. Surry County has recently refurbished a similar compactor and they are satisfied with the results.

This 2005 CMI/Terex is the oldest of three being used at the landfill today. The City of High Point has used the Terex compactor since 1997 and it continues to work well for our landfill environment. There is no compactor to compete with the CMI/Terex 550 which compacts more than any other landfill compaction machine of similar size along with compaction in one pass saving fuel and hours on equipment. Greater compaction also equates to a longer landfill life. Other benefits include minimal operator training required, along with service and maintenance contracts being issued to one vendor.

pc: Jeff Moore, Finance Director
pc: Tarinda Chappell, Purchasing
pc: Cindy Duncan-Smith, Executive Assistant



Requisition #

CITY OF HIGH POINT
SOLE SOURCE JUSTIFICATION
FORM (For Items Costing \$500.00 or More)
Statutory Reference N.C.G.S. 143-129(e)6

Vendor: Item(s):

Justification:

Refurbish a 2005 CMI/Terex 550 Landfill Compactor at a cost of \$345,000. Road Machinery Services in Statesville manufactured this compactor and has a program to refurbish this machine for half the cost of a new machine. This process would include a new engine, new exhaust system, new drive pumps and motors, replacing all hoses, new heat, air, fire suppression, pickup and delivery of the machine. Also includes a six month parts and labor warranty. Only vendor in NC that can perform this rebuild.

Estimated expenditure for the above item(s):

CHECK ALL ENTRIES BELOW THAT APPLY TO THE PROPOSED PURCHASE.
ATTACH A MEMO CONTAINING JUSTIFICATION AND SUPPORT DOCUMENTATION.

1. ☒ Performance or price competition for a product are not available.
2. ☒ A needed product is available from only one source of supply.
3. ☐ Standardization or compatibility is the overriding consideration.
4. ☒ The parts/equipment are required from this source to permit standardization.
5. ☐ None of the above applies. A detailed explanation and justification for this sole source request is contained in attached memo and support documentation.

The undersigned requests that competitive procurement be waived and that the vendor identified as the supplier of the material or service described in this sole source justification be authorized as a sole source for the material or service.

Department Head/Authorized Personnel

Digitally signed by Gary Smith
DN: cn=Gary Smith, o=City of High Point,
ou=Financial Services,
email=gary.smith@highpointnc.gov, c=US
Date: 2014.08.26 08:54:47 -0400

Department/Division

Date Approval Process

Under \$5,000 (Purchasing Manager)

\$5,000-\$30,000 (Financial Services Director)

\$30,000 – Up (City Council)

Digitally signed by Tarinda Chappell
DN: cn=Tarinda Chappell, o=City of High Point, ou=Purchasing,
email=tarinda.chappell@highpoint.gov, c=US
Date: 2014.08.26 11:38:38 -0400

A handwritten signature in black ink, appearing to read "Jeffrey A. Moore".

Digitally signed by Jeffrey A. Moore
DN: cn=Jeffrey A. Moore, o=City of High Point, NC, ou=Financial
Services Director, email=jeff.moore@highpointnc.gov, c=US
Date: 2014.08.26 11:42:58 -0400

Digitally signed by Randy E. McCaslin
DN: cn=Randy E. McCaslin, o, ou,
email=randy.mccaslin@highpointnc.gov, c=US
Date: 2014.08.26 13:27:56 -0400



Road Machinery Services, Inc.

P.O. Box 5392 • 1336 Northside Drive • Telephone (704) 872-9528
STATESVILLE, NORTH CAROLINA 28687

Mr. Steve Pendry, Landfill Superintendent
City of High Point
PO Box 230
High Point, NC 27261

Dear Mr. Pendry:

I am writing in response to your discussion with our representative Charles King regarding a Certified Remanufacture on your 3-90E GJ434 Landfill Compactor. Road Machinery Services would be pleased to perform this process as outlined below.

<u>Engine:</u>	Replace engine with a Cummins Factory Recon. Engine of identical specifications. Install new exhaust system including pipes and muffler. Install new air precleaner and intake boots. Install new engine isolators.
<u>Torsional Damper:</u>	Replace with a remanufactured damper.
<u>Drive Line:</u>	Replace universal joints and balance shaft.
<u>Pump Drive Gear Box:</u>	Remanufacture with new bearing seals and hard parts as needed.
<u>Traction Drive Pumps:</u>	Replace with new original equipment pumps.
<u>Traction Drive Motors:</u>	Replace with new original equipment motors.
<u>Planetary Wheel Drives:</u>	Remanufacture with new bearings and seals and hard parts as needed.
<u>Hydraulic System:</u>	Replace all hoses (hydraulic and hydrostatic) with new hoses and fittings. Install Remanufactured Steering Cylinders Install Remanufactured Blade Cylinder. Install Remanufactured Belly Pan Cylinders. Install Remanufactured Hood Cylinders. Install New Hydraulic Pump. Install New Dyna-jack Remanufacture Hydraulic Control Valve.

<u>Cooling System:</u>	Remove radiator, subcontract cleaning and pressure test to radiator service company, reinstall with new water hoses, new thermostats and new heater hose. Clean fuel cooler and gearbox cooler.
<u>Electrical System:</u>	Install new batteries, remanufactured alternator and starter, new wiring harness, new gauges, new joysticks, etc.
<u>Operators Compartment:</u>	New Safety Glass and Weather Stripping. New Top Insulation. New Side and Firewall Insulation. New Operators Seat. New Heater Assembly. New Air Conditioning Assembly. New AM/FM CD Player Install New Fire Suppression System.
<u>Articulating Joint:</u>	Replace Bearings.
<u>Dozer Blade:</u>	Repair as needed. Install New Cutting Edges.
<u>Mainframe:</u>	Straighten all sheet metal, repair cracks if present, straighten handrails, sandblast, prime, paint and decal.
<u>Service:</u>	Replace all fluids, oils and filters, clean tanks.
<u>Wheels:</u>	Remanufacture with new wrappers and cleats.
<u>Warranty:</u>	Six months parts, labor and mileage on entire machine.
<u>Extended Powertrain Warranty:</u>	3 years or 5000 hours from date of delivery. (Whichever comes first.)
<u>Price (including hauling)</u>	\$345,000.00 (Excluding sales tax)

We appreciate your interest and would be pleased to provide this service. If you have further questions please contact us.

Sincerely,



Mark Hiatt
Vice President

**COMPREHENSIVE PLANNING COMMITTEE
BRIEFING (ELECTRICITIES)
AUGUST 19, 2014 – 4:00 P.M.
3RD FLOOR LOBBY CONFERENCE ROOM**

MINUTES

Present:

Chairwoman Rebecca R. Smothers (At-Large), Mayor Bernita Sims; Mayor Pro Tem Jim Davis (Ward 5); and Council Members Britt Moore (At-Large), Jay Wagner (Ward 4), and Jason Ewing (Ward 6)

Absent:

Council Members Jeff Golden (Ward 1), Foster Douglas (Ward 2), and Judith P. Mendenhall (Ward 3)

Staff Present:

Randy McCaslin, Interim City Manager; Bob Morgan, Interim Assistant City Manager; Garey Edwards, Director of Electric Utilities; Jeron Hollis, Communications Officer; Eric Olmedo, Budget Evaluation Officer; Loren Hill, President-High Point Economic Development Corporation; Bob Martin, Director of Customer Service; Lisa Vierling, City Clerk

Others Present:

Graham Edwards, CEO, ElectriCities
Strib Boynton, Chair- NCMPA1 Board of Commissioners
Latimer B. Alexander, IV- ElectriCities Board of Commissioners
Cynthia Davis, Chair- Planning & Zoning Commission; Citizen; 2014 City Council Candidate
Bill Bencini, Chair- Guilford County Commissioners; Citizen; 2014 Mayoral Candidate

News Media:

Pat Kimbrough, *High Point Enterprise*

Note: The Power Point presentation will be attached as a permanent part of these proceedings.

Update- ElectriCities of North Carolina, Inc.

Graham Edwards, CEO, ElectriCities of North Carolina gave a brief background on the ElectriCities history and back ground and expounded on the Eastern Agency Asset Sale and what it means for NCMPA1.

There are 87 NC Public Power communities that ElectriCities serves. ElectriCities is the management arm of three different companies: Trade Association, NCMPA1 (NC Municipal Power Agency 1 (High Point is one of nineteen members), and NC Eastern Municipal Power Agency (NCEMPA) (32 members in the eastern part of the state). He reminded Council that

there are two nuclear units at the Catawba Plant (NCMPA1 owns a total of 75% of Catawba Unit 2 through contractual arrangements). NCMPA 1 owns 37.5% of the Catawba Plant, which is the largest share. Mr. Edwards pointed out that Catawba is one of the best operating nuclear stations in the country with some of the lowest costs in the entire company and great capacity factors. He shared that NCMPA1 also has exchange agreements with Duke Power to exchange power between Catawba and the McGuire nuclear units. ElectriCities has two full-time employees located on site representing NCMPA1's interests at the Catawba Plant. He then shared that the Eastern Agency jointly owns four units: Harris Plant; Mayor Plant; Brunswick Plant; and the Roxboro Unit 4 Plant. Mr. Edwards pointed out that NCMPA1 has more ownership just in the Catawba Plant than the Eastern Agency has in all its units. The outstanding indebtedness for NCMPA1 is between 1.3 and 1.4 billion dollars and the outstanding indebtedness for the Eastern Agency is 1.9 billion dollars. Interim City Manager Randy McCaslin pointed out that High Point is basically responsible for about 17-18% of NCMPA1's indebtedness.

ElectriCities is governed by NCMPA1 and NCEMPA (Eastern Agency) Board of Commissioners (with the three major responsibilities similarly being to accept/reject wholesale rates; adopt budgets and concurrence with debt issuance) and the ElectriCities Board of Directors (has oversight of ElectriCities staff to make sure they are carrying out the responsibilities, policies/procedures, strategies for all three organizations). Mr. Edwards shared the current portfolio of service offerings by ElectriCities, (i.e. economic development, legal representation, safety and training, etc.....). He pointed out that as far as reliability goes, Public Power does it better than others throughout the country and noted that Public Power in North Carolina boasts of a 38.09 minute average restoration time with the others taking two to three times longer to restore power.

Mr. Edwards noted that there has been one consistent message from the members to lower the electric rates and this could be accomplished by selling assets and restructuring debt. He noted ElectriCities is constantly evaluating and reviewing what should be done. He explained one of the opportunities to lower rates for the Eastern Agency would be to sell its power generation assets and purchase wholesale power from Duke Energy Progress.

Council Member Moore asked Mr. Edwards if he foresees a change in their service by the sell-out and Mr. Edwards replied that he did not because they are not selling their distribution systems (only the ownership in the power plants and they would continue to operate and maintain the electric distributions).

Mr. Edwards explained they would be able to lower their rates by doing this and would become more cost competitive by this deal and there would be long-term economic benefits for the Eastern Power Agency members. He then shared some of the terms and conditions of the Purchase Power Agreement that Duke Power has agreed to (which has a 30-year term). New debt to be issued at closing (\$480 million) (defeasance bonds) which will be repaid over a 10-year period by Eastern Power Agency. The basic benefit of this asset sale is to reduce wholesale power cost and reduce the risk (a lot of it associated with the coal ash). Mr. Edwards then reviewed the schedule and timeline with an anticipated transaction close date of July 1, 2015 (with all 32 members having to vote on proceeding with the deal).

Mr. Edwards explained this type of sale would not be good for NCMPA1 because the economics don't work because the wholesale power cost is very competitive; the term and cost of the debt (presently less than 3%); short energy throughout the year with excess energy to sell during nights and weekends). NCMPA1 is in a better position than Eastern Power Agency from a cost/debt perspective as well as an availability of energy throughout the year. He noted that ElectriCities has looked at it and the Board of Commissioners did authorize them to go out for proposals two years ago and the bids received were not compelling with the most being offered being \$1 billion. He then gave a "hypothetical" for a Catawba ownership sale scenario, which indicated that NCMPA1 would be about \$1.4 billion worse off than staying the present course, which does not make economic sense. He pointed out an alternative would be restructuring the current debt with a majority of the debt scheduled to be paid off in 2020. He explained this would push out some of the debt which would reduce the present costs, but it would increase costs later on. This would increase NCMPA1's costs over long-term about \$9 million. He pointed out it would make more sense for NCMPA1 to pay off the debt as soon as possible because this would result in more flexibility in the future and would be more cost effective over the long-term. ElectriCities Board of Directors have reviewed this on several occasions and have recommend NCMPA1 stay the course and pay the debt off as soon as possible.

Mr. Edwards then shared a graph showing NCMPA1 wholesale cost comparisons, which showed that High Point is in the middle from a power cost standpoint for the Agency. According to the Residential Rate Comparisons for NCMPA1 that shows High Point's average residential electric cost at \$121.34 compared to Duke Energy Carolinas average residential electric cost at \$113.99. He complimented High Point on doing such a great job with its electric system keeping the costs down from a distribution standpoint, reducing losses, upgrading system, but that High Point's growth has also helped out on the residential side. He reminded Council that staying the course would make High Point more competitive and even more competitive in 2020 due to being debt free.

Council Member Ewing asked if there is an assumption that NCMPA1 would not incur such debt again for the next 30 years. Mr. Edwards explained they have an appropriate amount of financing built into these projections for capital additions moving forward with a certain amount in rates on an annual basis with financing a certain amount, but beyond 2032 all capital additions are built into the rates. He noted they anticipate issuing very little debt after the 2020-2021 timeframe and no debt issued after the 2032 timeframe. Mayor Sims asked if ElectriCities offers any energy saving programs. Mr. Edwards replied they have energy and conservation programs that they work with all the membership on, but they rely on the individual members to implement programs such as the Duke Power energy efficient light bulb program. Mr. McCaslin pointed out the City does have some of the energy kits located at the warehouse and these are distributed when customers participate in the on-line audit. Mr. Edwards pointed out these programs do make a difference and audits have shown that customers can have their consumption reduced by about 25-30%. Garey Edwards, Director of Electric Utilities, added that High Point also offers a commercial program for trading out light fixtures for more efficient ones, which is very popular.

Chairwoman Smothers explained that all this happened because Duke did not have the capital to invest in new construction for the production of power and it took a Constitutional Amendment

in the State of North Carolina to enable these cities to participate in the ElectriCities partnership. She also pointed out there were several events that happened along the way (i.e. drastic increase in construction costs for plants as a result in the 3-mile Island incident, 9-11, etc....). Mr. Boynton felt the decision for NCMPA1 to stay the course and be largely debt free by 2020 has always been the guiding principle and has proven to be the wise course. Chairwoman Smothers noted residents look at the tax rate and not how it was derived. Latimer Alexander, who sits on the ElectriCities Board of Directors, explained there is also a big difference in the robust grids that High Point has, with a nominal amount of deferred maintenance and this has resulted in very stable rates for High Point electric customers.

Chairwoman Smothers thanked Mr. Edwards for coming and making the presentation.

The meeting adjourned at 4:55 p.m. upon motion duly made and seconded.

Respectfully Submitted,

Rebecca R. Smothers, Chair

Attest:

Lisa B. Vierling, MMC
City Clerk

Office of the Mayor
City of High Point
North Carolina

PROCLAMATION...

WHEREAS: Hunger and poverty are public health issues of critical concern in the United States, the State of North Carolina and the City of High Point; and

WHEREAS: September has been declared Hunger Action Month by Feeding America, the nation's largest domestic hunger-relief organization; and

WHEREAS: Second Harvest Food Bank of Northwest NC is the Feeding America affiliate serving our community and, with its partner programs in High Point is committed to engaging community members and organizations in addressing the problem of hunger and providing resources to meet the needs of our residents; and

WHEREAS: Inadequate nutrition diminishes the capacity of children to learn, exacerbates health conditions among seniors and others and saps the strength of working families; and

WHEREAS: one in six residents of Northwest North Carolina is food insecure and the problem of hunger is even more significant among our children; and

WHEREAS: The City of High Point recognizes the critical role of Second Harvest Food Bank of Northwest NC and its partner programs in helping to meet the nutritional needs of many in our community and wishes to encourage citizen involvement in and support of their work;

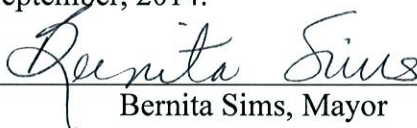
NOW, THEREFORE, the High Point City Council hereby recognizes September, as

HUNGER ACTION MONTH

in the City of High Point.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the City of High Point, North Carolina this 2nd day of September, 2014.


Bernita Sims, Mayor

**FINANCE COMMITTEE
AUGUST 18, 2014 – 4:30 P.M
CITY MANAGER’S CONFERENCE ROOM**

MINUTES

PRESENT:

Committee Chair Moore, Mayor Sims, Council Members Wagner and Davis

OTHERS PRESENT:

Council Members Douglas, Ewing, Golden, Mendenhall and Smothers

STAFF PRESENT:

Randy McCaslin, Interim City Manager; Bob Morgan, Interim Assistant City Manager; Eric Olmedo, Budget Officer; Jeron Hollis, Public Information; Gary Smith, Director of Fleet Services; Jeff Moore, Director of Finance; Matt Carpenter, Traffic Signal Engineer; Terry Houk, Director of Public Services; Steve Lingerfelt, Director of Information Technology Services; Bob Martin, Director of Customer Service; JoAnne Carlyle, City Attorney; Brent Core, Assistant City Attorney; Lisa Vierling, City Clerk; Dawn Sparks, Deputy City Clerk

MEDIA PRESENT:

Pat Kimbrough, *High Point Enterprise*

OTHERS PRESENT:

Cindy Davis, Planning & Zoning Commission

Committee Chair Moore stated there were several items on the Consent Agenda and asked if anyone had any questions regarding any of those items.

CONSENT AGENDA

140235 Purchase of Equipment – Sewer Jet Vacuum Combination Truck

Council is requested to approve contract through NJPA for the purchase of a 2015 Freightliner Sewer Jet Vacuum Combination Truck for the Fleet Services Department from Rodders & Jet Supply Company at the contract price of \$306,391.10.

Gary Smith clarified that both trucks are used daily, and when one is out of service the other truck basically picks up the slack. Since this truck is such a unique piece of equipment they cannot be rented. Gary Smith stated that when the actual pump on the truck is in use, the odometer operates at that same time, which actually adds hours to the truck. Mr. Smith stated that the trucks they are using now are ten years old, and due

to their age and uniqueness lead time to replacing broken parts is long. Terry Houk advised that these trucks are also shared with storm water.

Mayor Sims asked if these trucks were available for lease. Mr. Smith stated that they are not available at the local rental market because it is such an odd and huge piece of equipment it is just not available as a rental.

140236 Purchase of Equipment – Used Front Loader

Council is requested to approve contract for the purchase of a used front loader refuse truck from Amick Equipment Company for the Fleet Services Department in the amount of \$203,500.00.

There were not questions regarding this item.

140237 Contract – Motorola Solutions – Portable Radio Replacement

Approval of contract with Motorola Solutions (state contract pricing) in the amount of \$477,463.52 for the purchase of one hundred (100) Motorola APX portable Radios and fourteen (14) Motorola APX mobile radios as part of the annual replacement program. New radios will be used to replace older radios currently in use by the Fire and Parks and Recreation Departments.

Steve Lingerfelt stated that the City replaces 1/8th of their inventory each year. There are about 900 radios total in service, and they are buying about 114 this year. Council Member Douglas asked if these radios are compatible. Mr. Lingerfelt stated that they are, and that they actually looked at a different company to make sure they were getting the best price. There are plans to upgrade the system to a P25 and once that is done it opens the City up to more vendors.

140238 Contract – Sole Source Authorization – Catalogic Licensing and Support Purchase

Council is requested to approve an exception to the bid laws under the “sole source qualification” for the purchase of continued license support and storage indexing from Slait Consulting in the amount of \$33,628.23.

There were no questions regarding this item.

140239 Contract – Sole Source Authorization – Anti-Virus, Firewall & Security System Maintenance

Council is requested to approve an exception of the bid laws under the “sole source qualification” for annual maintenance and support for Trend

Micro Anti-virus software, RSA authentication Manager, Checkpoint Firewall, Radware Linkproof and Websense Security systems from nGuard, Inc. in the amount of \$67,039.21.

There were no questions regarding this item.

140240 Contract – Lease of Equipment – Copy/Printers

Council is requested to approve a contract through US Communities for replacement of the city's copier/printer fleet to Richo in the projected annual lease amount of \$103,200.00.

There were no questions regarding this item.

140241 NCDOT – Letter of Concurrence – Kivett Drive/College Drive – Speed Limits

Council is requested to approve a Letter of Concurrence regarding ordinance updates for sections of Kivett Drive and College Drive. This update is required to ensure that current posted speed limits on each of these streets match the most current ordinance for both the City and North Carolina Department of Transportation (NCDOT).

Matt Carpenter stated that the speed limit on this road has been changed for a long time, and this is just for record keeping purposes to make sure the records match up with what the signs are.

140242 Municipal Agreement – Skeet Club Road Sidewalks

Council is requested to approve a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for the construction of sidewalks on the upcoming Skeet Club Road improvement project (sidewalks).

Council Member Moore stated that this City has anxiously awaited the widening of Skeet Club, but felt the costs were large because of the installation together with the fact that the city will have to upkeep the sidewalks. Council Member Moore asked what role the City had in the design the sidewalk. Matt Carpenter stated that at this point the State designs the sidewalks and they are required on both sides. The sidewalks are going to be installed behind the curb inside the right of way. Council Member Moore felt this is the most expensive way to do those sidewalks.

140243 Amendment – Façade Improvement Program Policy

Consideration of an amendment to the City's Façade Improvement Program policy.

Council Member Davis asked if they are using the old committee on the façade grant, or have they chosen a new committee. Mr. McCaslin stated they probably will go with a new committee simply because the first year they had good participation, but the second year they started getting substitutions for those committee members.

140244 Amendment – City of High Point Water & Sewer Rate Schedule

Council is requested to approve an amendment to the City of High Point Water and Sewer Rate Schedule which includes a change in customer fees when the city receives all or any portion of their ad valorem taxes.

There were no comments regarding this item.

Following the discussion of the items on the consent agenda, Council Member Moore made a motion, seconded by Council Member Wagner to forward the items on the consent agenda to Council with a favorable recommendation of approval. Motion passed unanimously. (Vote 4 – 0)

Other Items**Showroom Tax – Antiques and Interiors**

Randy McCaslin stated with regards to the complaint from Antiques and Interiors regarding the showroom tax staff has spoken with Mr. Aspley a number of times. Mr. McCaslin stated that Mr. Aspley simply does not agree with the tax.

Mr. McCaslin stated that if Antiques and Interiors did not sell wholesale and did not cater to the designer market the tax would not apply. Bob Martin advised that if Mr. Aspley closed during market and didn't have market traffic, or did not utilize the Market Authority's services he would be excluded from the tax.

Mr. Martin stated that he has been told through other market contacts that Mr. Aspley does have market traffic. Mr. Martin stated that his staff will check on Antiques and Interiors during this coming October Market and look for evidence of Market traffic.

Mayor Sims suggested the City request Mr. Aspley provide sales tax information to the City so that the City is not speculating as to whether or not he is collecting sales tax. Mr. Martin stated that Mr. Aspley filled out the form for the business license, and he is the one that claimed that his business is 85% wholesale.

Council Member Wagner stated the real question is if he is a wholesaler, and if he is collecting sales tax or not, and if he is not that answers the question. Mayor Sims stated if Mr. Aspley is willing to provide his sales tax information, and staff can verify that he is actually collecting the sales tax, then he is not a wholesaler.

JoAnne Carlyle stated that Council needs to be very careful of how the City releases, reveals, shares, or requests information, and some of that information may already be available to the City. Council Member Mendenhall stated that she advised Mr. Aspley a year ago that all he needed to do is simply get a retail license and then the Market Authority will not promote his business as part of the market, but Mr. Aspley wants it both ways.

Randy McCaslin advised that if Council is in agreement with this information, staff will go back to Mr. Aspley and tell him that Council has reviewed it and unless he can prove otherwise he will have to pay the tax. Council Member Davis stated he is in agreement with the Mayor's idea to ask him to produce his sales tax records.

Public Art

Council Member Smothers stated that at tonight's meeting there will be some discussion about the Public Art issues and asked Ms. Carlyle if she could explain the insurance issue.

Ms. Carlyle stated that she spoke briefly this morning with Jeff Horney and met the artist, as well as Bill Phillips and Tammy from the Market. One of the concerns they had was that the City would be looking to the artist to insure whatever piece of art is placed on our public property, and they asked if the City would reconsider that. Ms. Carlyle advised them that decision is up to Council. The City has a couple of options. One is they could tack the insurance onto its self insurance policy. The City's deductible for that kind of loss is \$50,000, so one of the key things that the City wants to do if it is tacked onto its self insured policy is to make sure they lock in from the artist the actual value of the piece that they are lending or putting on city property, and then in addition insure that the artist identifies whatever pieces are there. Ms. Carlyle stated that she spoke with Everett Arnold at the Insurance Advisory Committee and asked if the City had another option. Mr. Arnold stated there was another option and it would require the City to purchase a special policy, but this option would be more expensive than the option of tacking it on to the city's self insured policy.

Council Member Davis asked why the City would insure somebody else's artwork and yet allow them permission to place it on public property. JoAnne Carlyle stated that is why she drafted the policy the way it is, because normally that is how it is done. The city is offering the artist an opportunity, it is great for the citizens at large, but it is also good for the artist too. Ms. Carlyle stated that Jeff Horney suggested this morning that they really aren't sure they can afford it. Ms. Carlyle asked if TAG could look at it because they have an insurance policy as well and maybe they could add the artist as an additional insured. Mr. Horney did not seem receptive of this idea.

Council Member Smothers asked if the artist could give a waiver. Council Member Smothers stated her concern was more about vandalism such as graffiti than someone stealing the art.

Mayor Sims stated her concern was that the insurance part is not so problematic as to how they determine the value, because an artist could value a piece of art at a high value. Mayor Sims stated that value is subject to the interpretation of the artist. Council Member Moore asked if they could consider a value up to a certain amount of dollars no matter what the artwork is.

Council Member Davis stated he thought the original intent was that the city would provide the land and the artist would provide the artwork, pad, and labor of putting it in, and removing it, and he never thought that the City would be asked to provide insurance. JoAnne Carlyle advised that Greensboro adds their insurance onto their self insured policy at a \$100,000 deductible.

Council Member Wagner suggested that if the artist is willing to donate the art to the city then the city would insure it, but if it is not going to be donated then the artist should insure it. Council Members Wagner and Mendenhall stated they did not feel the city should insure artwork that is not the City's.

Randy McCaslin stated that Mr. Horney and the artist are both expected to be at tonight's meeting.

Mayor Sims suggested they offer the artist the insurance coverage but the artist has to reimburse the city for the costs of that insurance, and perhaps it would give them a more affordable rate.

Bob Morgan stated that he called one of the Greensboro City Attorneys and they advised that the art that is short term requires the artist to provide the insurance.

Council Member Smothers stated that in tonight's council meeting this matter will be deferred to staff to get the insurance issue finalized.

ADJOURNMENT

The meeting adjourned at 5:30 p.m. on a motion duly made and seconded.

Respectfully Submitted,

Dawn J. Sparks, CMC
Deputy City Clerk

Council Member Moore