City of High Point

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

Minutes

Monday, August 5, 2013

4:45 PM

Council Chambers

City Council

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

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE

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

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

Absent 1 - Council Member Foster Douglas

Special Acknowledgements

Congratulations to Fire Chief Tommy Reid

City Manager Strib Boynton introduced Tommy Reid, the recently appointed Fire Chief. Chief Reid has been a part of the High Point Fire Department for 32 years. Mayor Sims congratulated Chief Reid on his promotion.

Mayor Sims then recognized scouts from Boy Scout Troop #55 who were attending the meeting working on their Citizenship in the Community and Communications badge: Austin Young, Parker Young, Neil Brown and Andy Wehr.

REGULAR MEETING ITEMS

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

(all were present)

130206

Contract - Bid No. 04 - Oak Hollow Substation Modifications

Approval of contract awarding Bid No. 04 for the purchase of electric materials necessary for modifications to the Oak Hollow Substation. Purchasing and the Electric Department recommends that contract be awarded to Peak Substation Services in the amount of $219,800.00 which is the lowest responsible and responsive bidder meeting specifications.

Attachments: Bid No. 04 - Oak Hollow Substation Modifications

Garey Edwards, Director of Electric Utilities, explained this contract would be for steel to tie into the Oak Hollow Substation. Chairman Moore asked if there were any questions or comments. There being none, Council approved contract with Peak Substation Services for modifications to the Oak Hollow Substation in the amount of $219,800.00 which is the lowest responsible and responsive bidder meeting specifications.

Approved contract with Peak Substation Services for modifications to the Oak

Hollow Substation in the amount of $219,800.00.

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

130207 **Contract - Bid No. 07 - Metalclad Switchgear**

Approval of contract awarding Bid No. 07 for the purchase of two metalclad switchgear lineups for the Eastchester and Deep River substations. Purchasing and the Electric Department recommends that contract be awarded to Schneider Electric USA in the amount of $697,891.00 which is the lowest responsible and responsive bidder meeting specifications.

Attachments: Bid No. 07 - Metalclad Switchgear

Garey Edwards, Director of Electric Utilities, reported this is to replace some outdated switchgear at the Eastchester and Deep River substations. The funds have been approved and are in the capital budget. He pointed out outdated switchgears are a safety hazard and mentioned one failed catastrophically on Eastchester about a year ago.

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

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

130208 **Budget Ordinance Amendment - Front Loader Refuse Collection Truck**

Adoption of a budget ordinance amending the 2013-2014 Budget Ordinance to appropriate funds in the amount of $213,599.00 for a front loader refuse collection truck.

Attachments: Budget Ordinance Amendment - Front Loader Refuse Collection Truck

Note: This matter was discussed with 130209 Contract Bid No. 08- Front End Loader Cab/Chassis. Please refer to this matter for specific comments on this matter.

Referred this matter to the Finance Committee for additional information.

A motion was made by Council Member Davis, seconded by Council Member Wagner, that this Ordinance be referred to the Finance Committee. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

130209 **Contract - Bid No. 08 - Front End Loader Cab/Chassis**

Approval of contract awarding Bid No. 08 for the purchase of a new 2014 Peterbuilt 320 cab and chassis. Purchasing and the Fleet Services Division recommends that contract be awarded to Piedmont Peterbilt, LLC in the amount of $126,333.00; and combined with the purchase of a New Way Mammoth 40 yard heavy duty front loading body in the amount of $87,266.00 makes the total cost of the complete unit $213,599.00.

Attachments: Bid No. 08 - Front Loader Truck

Richard McMillan, Assistant Director of Public Services, explained this is a replacement truck for the frontloader currently being used to pick up recycling dumpsters. The plan is to move forward with this truck purchase and have the city assume responsibility for offering this service with considerable cost savings than what the city is currently paying Republic to pick up multi-family garbage. Staff reported a projected savings to be in excess of $100,000 a year and noted the city can exit out of the current contract with Republic with a 60-day notice. Council Member Davis questioned the timing of this and thought staff was going to do a presentation before Council which would include a projected savings. Council Member Wagner stated he, too, was a little hesitant to move forward with the purchase at this time because there were other companies who have expressed an interest in making presentations before Council on how the city handles waste and this has not yet happened. Council Member Smothers noted her issue is related to the overall Enterprise Fund realizing that staff would have to have some lead time to order equipment of this caliber.

Pat Pate, Assistant City Manager, noted that right now the city has a front end loader in its fleet that needs to be replaced, so part of the issue is with the existing service with picking up recyclables. So as part of that issue, staff recommends moving forward with the lease purchase to buy this vehicle which would allow continued operations. He also explained that there will be some additional significant discussions on the MRF operation, which is separate from the collection activities, but from a discussion standpoint, it could be combined. He pointed out that collection would still need to be done no matter what the city does with the MRF project and right now staff still needs it to continue the operations with the existing truck. He informed Council that should the decision be made for the city to take over the contract for the existing apartment pick-ups, then this truck would allow it, explaining that the existing truck would not due to its age and condition. The purchase of the new truck would basically allow the city to continue with the current operations because it affords the opportunity for expansion. He explained the existing truck is in bad condition, so staff thought it would be prudent to move forward with purchasing the front end loader truck since this would also give Council the opportunity for other options/decisions in the future.

Council Member Davis questioned the budget ordinance amendment and the purchase of this truck since this was not a line item in the budget that was just adopted. Mr. Pate explained staff felt it would be prudent as this would allow an expansion of service and could be done as a lease purchase. He pointed out this was laid out as an option in the budget discussions and the decision was made to come back with a broader package of information on the variety of things that could be done. Mr. Pate noted that the city would realize enough savings to pay for the debt service rather easily. Council Member Mendenhall asked about a time frame for the presentation/discussions on the proposed Enterprise Fund. City Manager Strib Boynton explained that staff plans to review the MRF as well as wastewater and other capital items on Thursday morning at 9:00 a.m. Mr. Pate further explained the meeting would be basically to talk about some of the on-going capital projects and noted the Enterprise Fund discussion would ultimately take place as part of the budget discussions for next year. He noted that preliminary discussions would still be necessary to give staff direction in looking for either establishing or not establishing the sanitation as an enterprise fund. Council Mendenhall asked if cancellation of the contract would come from the City Council. Mr. Pate stated he was uncertain as to if cancellation of the contract with Republic would require Council approval or if staff could cancel it, but assured Council that the managers would want to make sure Council is informed before anything is done.

Due to the questions from Council regarding this purchase and the uncertainty as to the cancellation of the contract, Council Member Davis recommended both the budget ordinance amendment for the front loader refuse collection truck and the contract for the purchase of the front end loader cab/chassis be referred to the Finance Committee to allow time to get some additional information. Council Member Smothers asked if it would be possible for staff to have the additional information ready for discussion when Council meets on Thursday morning. Mr. Pate felt staff could be ready as far as the answer regarding the contract on Thursday. Council Member Mendenhall questioned the order of the agenda items and asked why the budget ordinance amendment was on the agenda before the actual truck purchase. Mr. Pate explained that Council could not approve the purchase of the truck without first having the funds available for the purchase.

Referred this matter to the Finance Committee for additional information.

A motion was made by Council Member Davis, seconded by Council Member Wagner, that this matter was referred to the Finance Committee. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

130210 **Contract - Bid HGAC - Two Pierce Fire Engine/Pumper Trucks**

Approval of award of contract through HGAC for the purchase of two (2) Pierce fire engine/pumper trucks. Purchasing and the Fire Department recommends that contract be awarded to Atlantic Emergency Solutions Inc., in the amount of $962,434.00, which is the lowest responsible, responsive bidder meeting specifications.

Attachments: Contract - Purchase of Fire Trucks

Fire Chief Tommy Reid explained these two truck purchases, if approved, would replace Engines 1 and 9 which were purchased in 1998 (15 years old) and would go into reserve status to replace a 1989 and a 1986 truck. He shared that it is more than just replacing the trucks because of the mileage, but the older trucks lack much needed safety features. The new trucks have rollover protection, airbags, protection for the occupants of the cab, etc..... Council Member Ewing asked if this purchase follows the replacement schedule that was discussed during the budget reviews. City Manager Strib Boynton noted this is a lease purchase and confirmed two pumpers were included as part of the replacement schedule in this year's budget. Council Member Davis asked for assurances that these trucks were not selected because of all the "bells and whistles." Chief Reid explained these trucks are middle of the line trucks and would be on the frontline for a minimum of 15 years and contain the safety features which is the most important aspect.

Approved contract with Atlantic Emergency Solutions, Inc. in the amount of $962,434.00, which is the lowest responsible, responsive bidder meeting specifications.

A motion was made by Council Member Mendenhall, seconded by Council Member Davis, that this Contract be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

130211 **Budget Ordinance Amendment - Ralph Lauren Electrical Infrastructure Project**

Adoption of an ordinance amending the 2013-2014 Budget Ordinance to appropriate funds in the amount of $600,000.00 for the Ralph Lauren Electrical Infrastructure Project approved by the High Point City Council July 15, 2013.

Attachments: Budget Ordinance Amendment - Ralph Lauren Generator

Ordinance No. 7001/13-33
Introduced 8/5/2013; Adopted 8/5/2013
Ordinance Book Volume XVIII, Page 33

Adopted ordinance amending the 2013-2014 Budget Ordinance to appropriate

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

130212 **Utility Relocation Agreement - NCDOT - Skeet Club Road Widening Project**

Council is requested to authorize the City Manager to execute a Utility Relocation Agreement with the North Carolina Department of Transportation (NCDOT) for the relocation of electric utilities in connection with the Skeet Club Road widening project.

Attachments: Utility Relocation Agreement (Skeet Club Road) signed

Garey Edwards, Director of Electric Utilities, reported this is a standard agreement that outlines the responsibilities for the city as well as the state for this project. He noted Council recently approved a similar agreement for the water and sewer for this project. The agreement protects the city's rights after the road is done.

Approved the Utility Relocation Agreement with the North Carolina Department of Transportation (NCDOT) for the relocation of electric utilities in connection with the Skeet Club Road widening project.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Davis, that this Utility Relocation Agreement be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

130213 **Resolution - Guilford County Multi-Agency DWI Task Force**

Council is requested to adopt a Local Government Resolution authorizing the City Manager to file an application contract with the Governor's Highway Safety Program to continue the High Point Police Department's contract with the Guilford County Multi-Agency DWI Task Force for FY 2013-2014.

Attachments: Resolution - Governors Highway Safety Program

signed Resolution - Governor's Highway Safety Program

Resolution No. 1325/13-48
Introduced 8/5/2013; Adopted 8/5/2013
Resolution Book, Volume XVIII, Page 48

Adopted a Local Government Resolution authorizing the City Manager to file an application contract with the Governor's Highway Safety Program to continue the High Point Police Department's contract with the Guilford County Multi-Agency DWI Task Force for FY 2013-2014.

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

130214 **Amendment to Interlocal Agreement - City of High Point/Forsyth County - Property Tax Collection**

Council is requested to approve an amendment to the Interlocal Agreement between Forsyth County and the City of High Point for property tax collection services by the Forsyth County Tax Administration for areas of High Point located in Forsyth County.

Attachments: Amendment - Forsyth County Tax Collection - Interlocal Agreement

Forsyth County Interlocal Agmt - Signed

Approved an amendment to the Interlocal Agreement between Forsyth County and the City of High Point for the purposes of property tax collection services.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this Amendment to the Interlocal Agreement between the City of High Point and Forsyth County be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

Closed Session- Economic Development

At 5:25 p.m. Mayor Pro Tem Moore moved to suspend the rules and enter into closed session for the purpose of a report from staff regarding a proposed economic development project. Council Member Mendenhall made a second to the motion which carried unanimously.

Upon reconvening into open session at 5:40 p.m., Mayor Sims announced that

Council did consider a proposed economic development project in closed session, but no decision was made by Council and no action was taken at this time.

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT

130215 **Appointment - Parks and Recreation Commission - Jim Bronnert**

Council is requested to confirm the appointment of Jim Bronnert to the Parks and Recreation Commission as the Ward 4 (Wagner) appointment. Appointment will be effective immediately and will expire July 1, 2015.

Attachments: BRONNERT Jim 2013

At the recommendation of Council Member Jay Wagner, Council approved the appointment of Jim Bronnert to the Parks & Recreation Commission.

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

120229 **Boards and Commissions - Vacancies**

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

Attachments: Vacancy Report.pdf

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

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

130216 **Approval of the following Minutes**

Finance Committee Meeting held Monday, July 15th @ 4:00 p.m.
High Point City Council Regular Meeting held Monday, July 15th @ 4:45/5:30 p.m

Attachments: July 15 2013 Finance Committee
July 15 2013 High Point City Council

Approved the preceding minutes as submitted.

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

Other Matters

NATIONAL NIGHT OUT

Council thanked staff for their assistance in compiling the list for the National Night Out which included 30 opportunities to attend and participate in the planned festivities.

CRITS BIKE RACE

Mayor Pro Tem Moore also thanked staff for their assistance in making the National Criterium Races such a huge success and shared that the National Criterium will return to High Point the last weekend in July of 2014. Council Member Wagner echoed this and mentioned they did get a report at the City Project meeting from Jeff Morgan, who is on the board for that event, and he shared that their attendance numbers indicated they had over 10,000 people (this far exceeded the 8,000 anticipated).

PUBLIC COMMENT PERIOD - 5:15 P.M.

Kilby Hotel

Myra Williams, who resides at 2700 Cottage Place, Greensboro, addressed Council regarding the Kilby Hotel. She shared that she, along with her mother, is the Fifth generation of ownership of the Kilby Hotel and she was challenged the integrity of Council. Several supporters of the Kilby Hotel were present in the audience and she asked them to stand. Ms. Williams proceeded by sharing a brief history of the Kilby Hotel. She noted in its glorious days, the hotel was the heartbeat of the African-American community and to Washington Drive and the entire community was built around the hotel. She informed Council that saving the Kilby Hotel is extremely important to the historical district of Washington Drive and asked Council not to contribute to them losing a huge part of the African-American history in High Point. She shared their future plans for the Kilby which include having store front businesses on the first floor, small office suites on the second floor and affordable apartments on the third floor. She asked Council what they could help them with in going forward with their plans for the building.

Council Member Smothers asked how much money the family is planning to put into the building. Ms. Williams replied that they presently do not have any money to put into it, but have applied for historical tax credits as well as for their 501(c)3 non-profit status. They have been looking for investors, but don't have any at this point. Council Member Davis asked Ms. Williams what her family has done to secure the building to keep it from falling in. Ms. Williams explained they have not done anything, but they do have a structural engineers report that states the structure is sound. Council Member Golden asked if they have an estimate on what it would cost to shore up the building while anticipating the remodeling. Ms. Williams noted estimates they have received for shoring and gutting the building reflect a maximum number of $300,000 and a minimum of $175,000. Mayor Sims asked Ms. Williams if she could share a timeline with Council for the building as it exists now. Ms. Williams noted the city staff has ordered a repair to demolish and within 90 days they have to see some progress. She explained their issue is coming up with the funding for shoring up the building--that is why she is asking the city to assist them in saving the Kilby Hotel. Council Member Smothers pointed out the roof has already collapsed on the building and questioned why the building would need to be shored up if they were told that it is a very stable building. Ms. Williams explained she was told the way the building is built, when they start the gutting process the building would not explode, but would implode.

Council Member Davis asked Ms. Williams how long she and her family have been trying to raise the funds to shore up the building. Ms. Williams noted they have been trying to raise the funds since January, but they recently met with the city and were told that they would be receiving the letter giving them 90 days to repair or demolish--but she has not yet received the letter. Mayor Sims asked how much it would cost them to rehab the building the way they envision it to be and Ms. Williams noted $2.83 million. Council Member Davis asked Ms. Williams what assurances she could give Council that they would be able to raise the additional $2.5-$2.8 million to do the renovations if they get enough money to shore up and gut the building. Ms. Williams reiterated that they have applied for their 501(c)3 status and they are in the process of applying for some grants.

Mayor Sims told Ms. Williams that she has Council between a rock and a hard place and although she has been very supportive of the Kilby Hotel and the process, the issue revolves around public safety and what is in the best interest of the individuals who traverse the street. She pointed out there could be potential consequences to Council if they ignore the fact that the building is not safe and it has the potential to impact others who traverse the streets and the sidewalks in that area. She stated that she personally would like to see the Kilby Hotel rehabbed because it was part of the initial discussions of the Core City and Washington Street Plan because they talked about it being an anchor building that would bring to the vitality and the renovation/rehabilitation of the whole community. But there are not many options on the table at this point because the city is looking at a very fiscally conservative budget with no extra money. The Mayor welcomed any recommendations from Ms. Williams and her family as to what the city can possibly do to make it happen. Mayor Pro Tem Moore concurred with Mayor Sims and noted there are many people/organizations that have come to the city asking for funding while the private sector continues to struggle also. He shared that unfortunately there are many buildings in many cities that hold sentimental and historical value, all struggling for funding.

Council Member Mendenhall commended Ms. Williams for taking the steps to file for non-profit status since this could open up the possibility of private foundation grants and even grants from the public sector which would be helpful to them. She noted this is a fairly large amount of money for a Council that has also struggled on how to make ends meet as they went through the budget process. Council Member Davis reiterated his support for things happening on Washington Drive and agreed that the significance of the Kilby was very important to High Point, but safety is the number one issue for him and pointed out the building is in danger of falling and possibly hurting someone. He stated he was not in the position to offer up taxpayer money when the city has no ownership or stake in the property. Council Member

Smothers thanked Ms. Williams for alerting Council and noted that when they do get the notice, it will put this issue back before the City Council.

Ms. Williams noted she was told in the past that funds might be available for revitalization on Washington Drive. Council Member Smothers explained after the Washington Street plan was done, there was a private investor/developer that did meet with Ms. Williams' uncle when he was still part owner along with her mother and made some offer toward renovation of the building at that time. Ms. Williams noted that she was not aware that this took place. Mayor Sims mentioned there has been some input on the part of the city mainly for infrastructure where the city has gone in and done some work in various communities/neighborhoods, but it was never purported that the city had a pot of money that the neighborhoods would be able to tap into or be able to lend from or even use as grants to help or assist with revitalization efforts.

Randy McCaslin, Assistant City Manager, gave a brief update and reported over the last two weeks that Planning and Inspections has met with five or six different property owners--most were commercial. Staff is trying to put the property owners on notice that the Chief Building Inspector has evaluated each of the properties and they are structurally unsound and in danger of collapse. He noted they should be receiving a letter from the city sometime this week that will start a 90-day process that will give them an opportunity to make some repairs and shore up the building within that 90-day period. At the end of the 90-day period, another evaluation will be done of the building immediately and then following that, it will be brought back to the City Council for a determination as to whether to demolish the property or not. Council Member Golden asked if staff has seen the letter Ms. Williams referred to that says the building is structurally safe. Mr. McCaslin explained that he has not personally seen it, but the Inspections department has evaluated it and it says the building can be shored up and made structurally safe.

Andretti Barnes, 1311 E. Commerce, pleaded with Council to partner with the family so they can get the process rolling and preserve the building because it does bring a lot of history to High Point. He noted the building brings a lot of joyment to the black community as well as to other people in the community and shows strength and togetherness. He felt everyone working collectively could make this happen.

Beverly Bard, 2205 Delaine Point in High Point, addressed Council. She expressed concerns regarding some recent legislation that is being considered in the NC Legislature (i.e. gun issue; energy/pollution; public education; reducing early voting and same day registration). She appealed to the City Council to help citizens deal with the NC Legislature changes that have come to pass.

ADJOURNMENT

At 6:20 p.m. upon motion duly made and seconded, the meeting was adjourned to Thursday, August 8, 2013 at 9:00 a.m.

Respectfully Submitted,

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Bernita Sims, Mayor

Attest:

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Lisa B. Vierling, MMC
City Clerk