City of High Point

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

Meeting Agenda

Monday, August 4, 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

140224 Proclamation - National Night Out
Proclamation declaring Tuesday, August 5th as National Night Out in High Point.

REGULAR AGENDA ITEMS

FINANCE COMMITTEE - Council Member Moore, Chair

140225 Contract - Purchase of Street Sweeper
Approval of contract using the Houston-Galveston Area Council (HGAC) to purchase a 2015 Tymco Model 600 Street Sweeper at the contract cost of $234,525.00; and declare a 2007 Johnson street sweeper as surplus property and direct staff to dispose of said equipment through the online auction process.

140226 NCDOT - Reimbursement Schedule - Traffic Signal Maintenance
Approval of Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for a new reimbursement schedule (Schedule C) for traffic signal maintenance.

140227 Resolution - Reconveyance of Property - Marsh Furniture
Adoption of a Resolution authorizing the reconveyance of City Property to Marsh Furniture as shown on the attached map.

140228 Budget Ordinance Amendment - Kilby Hotel & First Baptist Church Asbestos Abatement
Adoption of a Budget Ordinance in the amount of $120,000.00 amending the General Fund to appropriate funding for the Kilby Hotel and First Baptist Church on Washington Street for asbestos abatement.

140229 Budget Transfer - Core City Development
Council is requested to approve transfer of funds from the Core City Development account unit to the City Manager's accounting unit.

Pending Items

140191 Resolution - Lease of High Point Theatre Property - Theatre Art Gallery (TAG)
Council is requested to adopt a Resolution authorizing the City to enter into a lease with the Theatre Art Gallery (TAG) at the High Point Theatre. (This item was presented to City Council at the July 21st meeting and deferred to the August 4th agenda to allow staff time to assemble further information on the lease.)

COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers, Chair

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 disucssion at a later date.)

OTHER NEW BUSINESS

140230 Change in Meeting Schedule - Labor Day Holiday
Due to the Labor Day Holiday, Council is requested to change the meeting date of the City Council Meeting scheduled for Monday, September 1st, 2014 to Tuesday, September 2, 2014 at 5:30 p.m. for the Regular Agenda; Public Comment Period at 6:00 p.m. and Public Hearings at 6:15 p.m.

PUBLIC COMMENT PERIOD - 6:00 P.M.

PUBLIC HEARINGS - 6:15 P.M.

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

140223 Ordinance - Demolition of First Baptist Church - Washington Street
Consideration of an ordinance to demolish the First Baptist Church located at 701 Washington Street and award contract to Abatemaster, Inc. for abatement and removal of asbestos. (This item was presented at the July 21st City Council meeting and deferred to the August 4th agenda to allow for advertising of the demolition.)

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT

140231 Appointment - Library Board of Trustees
Council is requested to confirm the appointment of Mr. Philip Flynt to the Library Board of Trustees as an at-large representative (Moore). Mr. Flynt will be filling the expired term of Mr. Bruce Laney who is not eligible for reappointment. Appointment to be effective immediately and will expire October 31, 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

140232 Minutes to be approved
Comprehensive Planning Committee meeting; Thursday, July 17th @

9:00 a.m.
Special Called Meeting; Monday, July 21st @ 3:00 p.m.
Finance Committee; Monday; July 21st @ 4:30 p.m.
High Point City Council Regular Meeting; Monday, July 21st @ 5:30 p.m.

ADJOURNMENT

THE HIGH POINT ENTERPRISE

Affidavit of Publication

State of North Carolina,
Guilford County

To Whom it May Concern:
this is to certify the
advertisement attached
hereto has been published in

The High Point Enterprise

On the following dates:

August 8, 15 2014

Sworn to on this 15th **day**
of August, **2014**

Lisa Robertson
High Point Enterprise Representative

Sworn to and Subscribed
before me this 15th **day**
of August, **2014**

Barbara M Daniels
Notary Public

BARBARA M DANIELS NOTARY PUBLIC GUILFORD COUNTY, NC MY COMMISSION EXPIRES 2-1-17

NOTICE OF INTENT
TO RECONVEY PROPERTY

On or about October 10, 1966 Marsh Furniture Company, conveyed certain tracts of land to the City of High Point by deed recorded in Book 2303 at Page 264, Guilford County Registry. The City of High Point has neither used nor has current use or need of the property and Marsh Furniture Company has requested a reconveyance of the same. On August 4, 2014 the High Point City Council adopted a resolution for the reconveyance of the property and the High Point City Council hereby gives notice of its intent to reconvey the property in accordance with North Carolina General Statutes §153A-177.

Lisa B. Vierling, City Clerk
City of High Point
August 8, 15, 2014

HIGH POINT CITY COUNCIL SPECIAL MEETING
JULY 21, 2014 – 3:30 P.M.
CITY MANAGER'S CONFERENCE ROOM

MINUTES

Present:
Mayor Bernita Sims; 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), Jay Wagner (Ward 4), and Jason Ewing (Ward 6)

Absent:
Council Member Foster Douglas (Ward 2)

Staff Present:
JoAnne Carlyle, City Attorney
David Woodard, Legal Counsel, Poyner & Spruill
Randy McCaslin, City Manager
Lisa Vierling, City Clerk

Mayor Bernita Sims called this Special Meeting 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.

Upon reconvening into Open Session at 4:30 p.m., Mayor Sims announced that Council did agree to appoint JoAnne Carlyle as the City Attorney and approved her contract. This matter is on the July 21, 2014 High Point City Council Regular Agenda and formal action will be taken at that time.

There being no further discussion, the meeting adjourned at 4:30 p.m., which was the scheduled time for the Finance Committee meeting.

Respectfully Submitted,

_____
Bernita Sims, Mayor

Attest:

_____
Lisa B. Vierling, MMC
City Clerk

HIGH POINT CITY COUNCIL
July 21, 2014 – 5:30 P.M.
COUNCIL CHAMBERS

MINUTES

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE

Upon call of the roll, the following Council Members were present. Council Member Mendenhall 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 Judith P. Mendenhall (Ward 3); Council Member Jay Wagner (Ward 4), and Council Member Jason Ewing (Ward 6)

Absent: Council Member Foster Douglas (Ward 2)

MISCELLANEOUS

14021 **Neighborhood Leaders Council - Presentation of Officers Prevost and Burchett**

The Neighborhood Leaders Council will be present to present a plaque to Officer Mike Prevost and Robert Burchett for their work with the area neighborhood associations.

Jerry Mingo and Jim Bronnert presented a plaque to Officer Mike Prevost and Robert Burchett in appreciation for their work with the area neighborhood associations.

Mayor Sims also thanked Officers Mike Prevost and Robert Burchett and pointed out they really do make a difference just having their presence in the neighborhoods.

14022 **Resolutions of Appreciation - Mutual Aid Crews**

Council is requested to adopt Resolutions of Appreciation for the following Cities and Towns who assisted High Point following the ice storm of March 2014: City of Gastonia, City of Asheville, Town of Chapel Hill, Town of Mooresville, City of Raleigh, City of Charlotte, City of Kings Mountain, City of Concord.

Mayor Sims read the resolution into the record expressing High Point's appreciation for their assistance with the March 2014 ice storm that will be forwarded to the City of Gastonia, City of Asheville, Town of Chapel Hill, Town of Mooresville, City of Raleigh, City of Charlotte, City of Kings Mountain, and City of Concord.

REGULAR AGENDA ITEMS

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

140181 **Contract - Side Loading Refuse Trucks**

Approval of contract to Piedmont Peterbuilt in the amount of $492,950 for the purchase of two (2) new side loading refuse trucks ($246,474.00 each) to be used in the automated collection program.

Chairman Moore announced that 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 Piedmont Peterbuilt in the amount of $492,950.00 for the purchase of two (2) new side loading refuse trucks for a total amount of $246,474.00 to be used in the automated collection program.

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

140182 **Contract -Supplemental Agreement - Davis-Martin-Powell**

Approval of contract for Contract Administration and Resident Project Inspection to Davis Martin Powell in the amount of $223,000.00 for the construction of the Highway 66 Sewer and Phase II Water.

Motion by Council Member Moore, second by Council Member Smothers to recuse Mayor Pro Tem Davis and Council Member Wagner on this matter and related matters 140183 Contract- Bid No. 58- Highway 66 Water Improvements, Phase II and 140184 Contract- Bid No. 59- Highway 66 Sewer Improvements due to a possible conflict of interest.

Chairman Moore reported that this matter was discussed during the Finance Committee meeting held at 4:30 p.m. prior to this meeting.

Approved contract with Davis Martin Powell in the amount of $223,000.00 for the construction of the Highway 66 Sewer and Phase II Water for contract administration and resident project inspection.

A motion was made by Council Member Mendenhall, seconded by Council Member Ewing, that this contract be approved. The motion carried by the following 6-0 vote:

Aye (6): Mayor Sims, Council Member Ewing, Council Member Golden, Council Member Mendenhall, Council Member Smothers, and Council Member Moore

Absent (1): Council Member Douglas

Recused (2): Council Member Wagner, and Mayor Pro Tem Davis

140183 **Contract - Bid No. 58 - Highway 66 Water Improvements, Phase II**

Approval of contract awarding Bid No. 58 for the Highway 66 Water Improvements, Phase II. Purchasing and Public Services recommends that contract be awarded to Yates Construction, Inc. in the amount of $1,295,899.58 which is the lowest responsive and responsible bidder meeting specifications.

Motion by Council Member Moore, second by Council Member Smothers to recuse Mayor Pro Tem Davis and Council Member Wagner on this matter and related matters 140182 Contract- Supplemental Agreement- Davis-Martin-Powell and 140184 Contract- Bid No. 59- Highway 66 Sewer Improvements due to a possible conflict of interest.

Chairman Moore reported that this matter was discussed during the Finance Committee meeting held at 4:30 p.m. prior to this meeting.

Approved contract with Yates Construction, Inc. in the amount of $1,295,899.58 which is the lowest responsive and responsible bidder meeting specifications.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that this contract be approved. The motion carried by the following 6-0 vote:

Aye (6): Mayor Sims, Council Member Ewing, Council Member Golden, Council Member Mendenhall, Council Member Smothers, and Council Member Moore

Absent (1): Council Member Douglas

Recused (2): Council Member Wagner; and Mayor Pro Tem Davis

140184 **Contract - Bid No. 59 - Highway 66 Sewer Improvements**

Approval of contract awarding Bid No. 59 for the Highway 66 Sewer Improvements. Purchasing and Public Services recommends that contract be awarded to Yates Construction, Inc. in the amount of $1,739,163.00 which is the lowest responsive and responsible bidder meeting specifications.

Motion by Council Member Moore, second by Council Member Smothers to recuse Mayor Pro Tem Davis and Council Member Wagner on this matter and related matters 140182 Contract- Supplemental Agreement- Davis-Martin-Powell and 140184 Contract- Bid No. 59- Highway 66 Sewer Improvements due to a possible conflict of interest.

Chairman Moore reported that this matter was discussed during the Finance Committee meeting held at 4:30 p.m. prior to this meeting.

Approved contract with Yates Construction, Inc. in the amount of $1,739,163.00, which is the lowest responsive and responsible bidder meeting specifications.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that this contract be approved. The motion carried by the following 6-0 vote:

Aye (6): Mayor Sims, Council Member Ewing, Council Member Golden, Council Member Mendenhall, Council Member Smothers, and Council Member Moore

Absent (1): Council Member Douglas

Recused (2): Council Member Wagner, and Mayor Pro Tem Davis

140185 **Budget Ordinance Amendment - Tub Grinder**

Adoption of a Budget Ordinance amending the 2014-2015 Budget Ordinance to appropriate funds in the amount of $774,888.00 for the purchase of a Tub Grinder for use at the Ingleside Compost Facility.

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

Adopted Ordinance amending the 2014-2015 Budget Ordinance to appropriate funds in the amount of $774,888.00 for the purchase of a tub grinder for use at the Ingleside Compost Facility.

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

Ordinance No. 1773/14-51
Introduced 7/21/2014; Adopted 7/21/2014
Ordinance Book, Volume XVIII, Page 105

140186 **Contract - Tub Grinder**

Approval of contract with James River Equipment in the amount of $774,887.66 for the purchase of a 2014 Morbark 1300B Tub Grinder for use at the Ingleside/Landfill Facilities.

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

Approved the contract with James River Equipment in the amount of $744,887.66 for the purchase of a 2014 Morbark 1300B Tub Grinder for use at the Ingleside/Landfill facilities.

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

140187 **Change Order - Shook Construction - Removal of Building at Westside WWTP**

Approval of Change Order submitted by Shook Construction in the amount of $93,689.35 for the removal of the old control building at the Westside WWTP.

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

Approved Change Order to the Shook Construction contract in the amount of $93,689.35 for the removal of the old control building at the Westside WWTP.

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

140188 **Change Order - Sharpe Brothers Contract - Resurfacing of City Streets, Add-ons**

Consideration and approval of change order number 1 to the Sharpe Brothers contract to add additional streets to the existing resurfacing contract in the amount of $400,000.00.

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

Approved Change Order Number 1 to the Sharpe Brothers contract to add additional streets to the existing resurfacing contract in the amount of $400,000.00.

A motion was made by Council Member 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]

140189 **Agreement of Services - Habitat for Humanity - CHDO Contract**

Approval of Agreement of Services contract between the City of High Point Community Development and Housing Department and Habitat for Humanity of High Point, Archdale and Trinity (Habitat) as a Community Housing Development Organization (CHDO) to build additional affordable housing in the Graves Avenue and West End areas.

Chairman Moore explained 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 Agreement of Services contract between the City of High Point Community Development and Housing Department and Habitat for Humanity of High Point, Archdale and Trinity (Habitat) as a Community Housing Development Organization (CHDO) to build additional affordable housing in the Graves Avenue and West End areas.

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

140190 **Resolution - Sublease of Depot Property - Total Bliss**

Council is requested to adopt a resolution authorizing the City to enter into a sublease agreement with Total Bliss, LLC to locate a Specialty Paint business at the Depot.

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

Adopted a resolution authorizing the City to enter into a sublease agreement with Total Bliss, LLC to locate a Specialty Paint business at the Depot and directed staff to ensure proper language is incorporated into the lease to protect the city.

City Attorney JoAnne Carlyle distributed a draft copy of the lease for Council's review. [draft will be attached in Legistar as a permanent part of these proceedings]

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

Resolution No. 1393/14-33
Introduced 7/21/2014; Adopted 7/21/2014
Resolution Book,Volume XVIII, Page 115

140191 **Resolution - Lease of High Point Theatre Property - Theatre Art Gallery (TAG)**

Council is requested to adopt a Resolution authorizing the City to enter into a lease with the Theatre Art Gallery (TAG) at the High Point Theatre.

Chairman Moore explained this matter was discussed during a Finance Committee meeting held at 4:30 p.m. prior to this meeting. At this meeting, the Committee asked for additional information.

Matter deferred until the August 4, 2014 High Point City Council Meeting in anticipation of receipt of the additional information that was requested.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, to defer this matter until the next meeting (August 4, 2014). The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

140192 **Condemnation - Rich Fork Creek Outfall - 699 Joyce Circle**

Adoption of a Resolution authorizing the City Attorney's office to file condemnation proceedings on the property located at 699 Joyce Circle, High Point, NC. The property is needed for the Rich Fork Creek Outfall project.

Motion by Council Member Moore, second by Council Member Smothers to recuse Mayor Pro Tem Davis and Council Member Wagner on this matter and related matters 140182 Contract- Supplemental Agreement- Davis-Martin-Powell and 140184 Contract- Bid No. 59- Highway 66 Sewer Improvements due to a possible conflict of interest.

Chairman Moore reported that this matter was discussed during the Finance Committee meeting held at 4:30 p.m. prior to this meeting.

Adopted Resolution authorizing the City Attorney's office to file condemnation proceedings on the property located at 699 Joyce Circle, which is needed for the rich Fork Creek Outfall project.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that this Resolution be adopted. The motion carried by the following 6-0 vote:

Aye (6): Mayor Sims, Council Member Ewing, Council Member Golden, Council Member Mendenhall, Council Member Smothers, and Council Member Moore

Absent (1): Council Member Douglas

Recused (2): Council Member Wagner, and Mayor Pro Tem Davis

Resolution No. 1394/14-34
Introduced 7/21/2014; Adopted 7/21/2014
Resolution Book,Volume XVIII, Page 116

140193 **Condemnation - Rich Fork Creek Outfall - 2711 S. NC Hwy 66, Forsyth County**

Adoption of a Resolution authorizing the City Attorney's office to file condemnation proceedings on the property located at 2711 S. NC Hwy 66, Forsyth County, belonging to Benjamin Jordan/Barbara Jordan. The property is needed for the Rich Fork Creek Outfall project.

Motion by Council Member Moore, second by Council Member Smothers to recuse Mayor Pro Tem Davis and Council Member Wagner on this matter and related matters 140182 Contract- Supplemental Agreement- Davis-Martin-Powell and 140184 Contract- Bid No. 59- Highway 66 Sewer Improvements due to a possible conflict of interest.

Chairman Moore reported that this matter was discussed during the Finance Committee meeting held at 4:30 p.m. prior to this meeting.

Removed matter from the Agenda. Staff reported during the Finance Committee meeting that the owners of the property voluntarily settled, so condemnation of the property is no longer necessary.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that this matter be removed. The motion carried by the following 6-0 vote:

Aye (6): Mayor Sims, Council Member Ewing, Council Member Golden, Council Member Mendenhall, Council Member Smothers, and Council Member Moore

Absent (1): Council Member Douglas

Recused (2): Council Member Wagner, and Mayor Pro Tem Davis

140194 **Condemnation - Cedrow Drive Roadway & Sidewalk Improvements - 1503 Cedrow Drive**

Adoption of a Resolution authorizing the City Attorney's office to file condemnation proceedings on the property located at 1503 Cedrow Drive, High Point, belonging to C.A.R.E. Investments, LLC. The property is needed for the Cedrow Drive Roadway & Sidewalk Improvement project.

Motion by Council Member Moore, second by Council Member Smothers to recuse Mayor Pro Tem Davis and Council Member Wagner on this matter and related matters 140182 Contract- Supplemental Agreement- Davis-Martin-Powell and 140184 Contract- Bid No. 59- Highway 66 Sewer Improvements due to a possible conflict of interest.

Chairman Moore reported that this matter was discussed during the Finance Committee meeting held at 4:30 p.m. prior to this meeting. Council Member Smothers pointed out this is a temporary construction easement and would not permanent affect the property.

A motion was made by Council Member Golden, seconded by Council Member Mendenhall, that this Resolution be adopted. The motion carried by the following 6-0 vote:

Aye (6): Mayor Sims, Council Member Ewing, Council Member Golden, Council Member Mendenhall, Council Member Smothers, and Council Member Moore

Absent (1): Council Member Douglas

Recused (2): Council Member Wagner, and Mayor Pro Tem Davis

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

Due to the absence of Chairman Douglas, Mayor Sims asked Council Member Mendenhall to chair this portion of the meeting.

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.

Council Member Mendenhall asked staff to provide an overview of the staff report regarding this housing case.. [staff report will be attached in Legistar as a permanent part of these proceedings].

Katherine Bossi, Local Codes Enforcement Supervisor, explained that the owner did not appear for the hearing, but did have some conversation with the inspector about his interest in making the necessary repairs to the structure. Staff reported that the repairs do exceed 50% of the tax value and there have been no permits issued, no repairs made and the conditions still exist.

Mayor Sims pointed out that the property owner was present. Council Member Mendenhall asked the property owner to come forward. Sammie Chess, Jr., the owner of the property located at 206 E. Ray Avenue, shared that a realty company informed him that they had a client who was interested in purchasing this property, but due to some health issues, he has not been able to follow through. He asked Council to give him 60 days to talk with the perspective buyer as well as a contractor regarding cost of demolition.

Deferred this matter to the Community Housing & Neighborhood Development Committee for 60 days to allow the property owner the additional time requested. Matter due back on or about September 15, 2014.

A motion was made by Council Member Mendenhall, seconded by Mayor Pro Tem Davis, that this Ordinance be deferred to the Community Housing & Neighborhood Development Committee and should be returned on or about 9/15/2014. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

140196 **Ordinance - Demolition of Structure - 1211 Vernon Place**

Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 1211 Vernon Place belonging to Basil N. Agapion.

Katherine Bossi, Local Codes Enforcement Supervisor, presented the staff report, which is hereby attached in Legistar as a permanent part of these proceedings.

She reported that the owner did not appear for the hearing. This structure has a number of major violations. In its present state, necessary repairs to the dwelling exceed 50% of the current tax value. No permits have been issued, and no repairs have been made.

The property owner was not present.

Adopted Ordinance ordering the inspector to effectuate the demolition of a structure located at 1211 Vernon Place.

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

Ordinance No. 1774/14-52
Introduced 7/21/2014; Adopted 7/21/2014
Ordinance Book,Volume XVIII, Page 106

140197 **Ordinance - Demolition of Structure - 208 Brinkley Place**

Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 208 Brinkley Place belonging to Billy M. Hughey and David Hall.

Katherine Bossi, Local Codes Enforcement Supervisor, provided an overview of the staff report regarding this housing case. [staff report is hereby attached in Legistar as a permanent part of these proceedings].

She reported that a fire caused extensive damage to the structure. No permits have been issued and the property owner failed to appear for the hearing. Staff did have a conversation with the property owner, who indicated an interest in demolishing it, but the self-demolition never materialized. The repairs exceed 50% of the tax value and there have been no permits, or repairs made to the property.

It was noted that the property owner was present, but left the meeting before this matter was discussed. Randy McCaslin, Interim City Manager, informed Council that the property owner did agree to the demolition of the structure.

Adopted Ordinance ordering the inspector to effectuate the demolition of a structure located at 208 Brinkley Place.

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

Ordinance No. 1775/14-53
Introduced 7/21/2014; Adopted 7/21/2014
Ordinance Book, Volume XVIII, Page 107

140198 **Ordinance - Demolition of Structure - 524 N. Centennial Street**

Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 524 N. Centennial Street belonging to Willie Taylor Cecil.

Katherine Bossi, Local Codes Enforcement Supervisor, provided an overview of the staff report, which is hereby attached as a permanent part of these proceedings.

Ms. Bossi explained this housing case was initiated by an inspector. There are also dilapidated utility buildings on the property. The property owners are deceased and the heirs have no finances to demolish the dwelling. Repairs exceed 50% of the tax value. There have been no permits issued, or any repairs made.

Adopted Ordinance ordering the inspector to effectuate the demolition of a structure located at 524 N. Centennial Street.

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

Ordinance No. 1776/14-54
Introduced 7/21/2014; Adopted 7/21/2014
Ordinance Book, Volume XVIII, Page 108

140199 **Ordinance - Demolition of Structure - 617 Caudell Place**

Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 617 Caudell Place belonging to Dorothy C. Marlitt and Ruth Kennedy.

Katherine Bossi, Local Codes Enforcement Supervisor, provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings.

She reported that this matter was also initiated by an inspector. There are major violations and the property owners failed to appear for the hearing. Repairs exceed 50% of the current tax value of the property. There have been no permits issued, or any repairs made.

Adopted Ordinance ordering the inspector to effectuate the demolition of a structure located at 617 Caudell Place.

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

Ordinance No. 1777/14-55
Introduced 7/21/2014; Adopted 7/21/2014
Ordinance Book, Volume XVIII, Page 109

140200 **Ordinance - Demolition of Structure - 1501 East Avenue**

Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 1501 East Avenue belonging to Jose and Inez Rojas.

Katherine Bossi, Local Codes Enforcement Supervisor, provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings.

Ms. Bossi noted the Police Department reported that this structure was open and vacant. Several major violations were associated with this structure making it an unsafe structure The owners did not appear for the hearing. The dwelling is currently uninhabitable due to the numerous Minimum Housing Code violations. In its present state, necessary repairs to the dwelling exceed 50% of the current tax value. There have been no permits issued, or repairs made to the structure and the conditions still exist.

Adopted Ordinance ordering the inspector to effectuate the demolition of a structure located at 1501 East Avenue.

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

Ordinance No. 1778/14-56
Introduced 7/21/2014; Adopted 7/21/2014
Ordinance Book, Volume XVIII, Page 110

140201 **Ordinance - Demolition of Structure - 1512 Wendell Avenue**

Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 1512 Wendell Avenue belonging to Lelia Brooks.

Katherine Bossi, Local Codes Enforcement Supervisor, provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings.

Ms. Bossi shared that this housing case was initiated due to concerns by a neighbor. There are major violations associated with this property and numerous violations of the

Minimum Housing Code. There are structural violations creating an unsafe dwelling. The dwelling is currently uninhabitable due to the numerous Minimum Housing Code violations. In its present state, necessary repairs to the dwelling exceed 50% of the current tax value. There have been no permits issued, or repairs made to the structure.

Adopted Ordinance ordering the inspector to effectuate the demolition of the structure located at 1512 Wendell Avenue.

A motion was made by Council Member Mendenhall, seconded by Council Member Moore, that this Ordinance be adopted. The motion PASSED by an 8-0 unanimous vote.

140202 **Ordinance - Demolition of Structure - 652 Wesley Place**

Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 652 Wesley Place belonging to Frontgate Enterprises, LLC.

Katherine Bossi, Local Codes Enforcement Supervisor, provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings.

She shared that the structure suffered extensive damage due to a previous fire. The owners did not appear for the hearing. There are numerous violations of the Minimum Housing Code and structural violations creating an unsafe dwelling due to extensive fire. The dwelling is currently uninhabitable due to numerous Minimum Housing Code violations. In its present state, necessary repairs to the structure exceed 50% of the current tax value. There have been no permits issued and repairs have not started. Conditions still exist.

Adopted Ordinance ordering the inspector to effectuate the demolition of a structure located at 652 Wesley Place belonging to Frontgate Enterprises, LLC.

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

Ordinance No. 1780/14-58
Introduced 7/21/2014; Adopted 7/21/2014
Ordinance Book, Volume XVIII, Page 112

140203 **Ordinance - Demolition of Structure - 1508 E. Green Drive**

Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 1508 E. Green Street belonging to Emanuel Agapion.

Katherine Bossi, Local Codes Enforcement Supervisor, provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings.

Ms. Bossi reported that this housing case was initiated due to a number of neighborhood complaints regarding the dwelling. The owner did not appear for the hearing. There are numerous violations of the Minimum Housing Code and structural violations creating an unsafe dwelling. The dwelling is currently uninhabitable due to numerous Minimum Housing Code violations. In its present state, necessary repairs to the dwelling exceed 50% of the current tax value. There have been no permits issued and repairs have not started.

Adopted Ordinance ordering the inspector to effectuate the demolition of a structure located at 1508 E. Green Street.

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

Ordinance No. 1781/14-59
Introduced 7/21/2014; Adopted 7/21/2014
Ordinance Book, Volume XVIII, Page 113

140204 **Ordinance - Demolition of Structure - 1204 Pearson Place**

Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 1204 Pearson Place belonging to Hines G. Smith Estate.

Katherine Bossi, Local Codes Enforcement Supervisor, provided an overview of the staff report, which is hereby attached as a permanent part of these proceedings.

Ms. Bossi shared that this housing case was initiated as a result of neighborhood complaints. There are several major violations and numerous violations of the Minimum Housing Code. There are structural violations creating an unsafe dwelling. The dwelling is currently uninhabitable due to the numerous Minimum Housing Code violations. In its present state, necessary repairs to the dwelling exceed 50% of the current tax value. There have been no permits issued and repairs have not started.

Adopted Ordinance ordering the inspector to effectuate the demolition of a structure located at 1204 Pearson Place.

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

Ordinance No. 1782/14-60
Introduced 7/21/2014; Adopted 7/21/2014
Ordinance Book, Volume XVIII, Page 114

140222 **Contract - Abatemaster, Inc. - Kilby Hotel Site**

Consideration of a contract with Abatemaster, Inc. to abate and remove debris from the Kilby Hotel site.

Interim City Manager Randy McCaslin reported that he was contacted by the property owners late Friday afternoon and they indicated that they do not have the financial resources to clean up the Kilby Hotel site. He explained the Abatemaster, Inc. contract includes total clean-up of the debris. Mr. McCaslin noted the contract does not include a firm number as far as pricing and explained the amount would vary depending on the type of asbestos that is found in the debris. Mr. McCaslin noted Abatement-Labor/equipment/supplies is estimated at $45,020.00 + Landfill fees with 10% handling/overhead added and the estimated landfill fees will range between $15,000-$50,000 (depending on the level of asbestos that is determined). All the testing will be done under the jurisdiction of a state inspector. He informed Council was looking at a minimum of $70,000 for the project.

Mayor Sims asked about the amount invested at the Kilby Hotel site to date and Mr. McCaslin estimated it to be around $19,000.00. Mayor Pro Tem Davis expressed concerns that this one project would deplete the amount that has been budgeted for demolitions for the entire budget year. Mr. McCaslin was certain that the budget would be exceeded and staff would more than likely be bringing a budget amendment to Council for consideration at a later date. It was noted that a lien would be attached to the property.

At this time, **Council Member Mendenhall moved to approve the contract with Abatemaster to abate and remove debris from the Kilby Hotel site. Council Member Smothers made a second to the motion.**

For further discussion, Council Member Smothers asked the city attorney to comment on the exposure to the public regarding the asbestos. Mayor Sims also requested that the contract be a not-to-exceed price. Mr. McCaslin wasn't sure if they could come up with a not-to-exceed price because there were landfill fees involved, tonage, the type of asbestos, etc... At this time, Mayor Sims allowed Rev. Phipps to speak.

Rev. Randall Phipps, Pastor of the First Baptist Church, expressed concerns about the debris that is already on the church property and wanted to make sure that all due diligence is done when they actually do the demolition.

Abigaile Pittman, 210 Louise Avenue, asked if there might be any representative historic features that could be pulled out and saved and put at the Museum. City Attorney JoAnne Carlyle pointed out contamination of the debris would be a problem and would have to be cleaned appropriately. Ms. Carlyle stated she could not specifically address the hazards regarding the asbestos and would defer to the inspectors as far as determining any warnings, but felt the city does have an obligation to go in and clean it up. She pointed out the individual company that is hired to go in and do the demolition

would have to be properly insured and would have responsibilities and accept liabilities which would shield the city somewhat.

Cynthia Davis, 413 Evergreen, expressed concerns regarding the asbestos and the water/drainage/runoff and hoped that the Kilby would be demolished before all the other cases that were heard tonight.

Charity Belton, a resident on Hobson Street and a business owner on Washington Street, asked if it would be possible to salvage the historical placard that was on the Kilby Hotel. Mayor Sims explained that the city will be cleaning up a site and not salvaging a site and wasn't sure if the city could even direct a contractor to look for historic items in the building in the process of the demolition. Council Member Smothers suggested that it might be possible to ask the contractor to retrieve the placard if, by chance, they do see it. Ms. Belton stated it would be great if this could be taken into consideration.

Council Member Mendenhall suggested when the site is cleared, a memorial would be erected identifying the spot and an explanation of the historical significance.

Mayor Sims reiterated her concerns about the not-to-exceed price. Council Member Smothers suggested the city have the contractor provide an estimate of the cost once they start removing the debris at the halfway point. Mayor Sims expressed concerns because the city only received one proposal to do the demolition and she felt the city should not be dealing with open-ended numbers in contracts. Council Member Mendenhall noted that although this is an unexpected, unknown amount, she felt the city did have a responsibility to the community and citizens who frequent this area to ensure that it is safe.

City Attorney JoAnne Carlyle explained that the actual contract language would have some limitations or it would have to come back to Council. She pointed out the Interim City Manager has brought this matter to Council asking for authorization for him to proceed and take whatever action is necessary with Abatemasters. Mr. McCaslin explained staff is trying to move as quickly as possible on the demolition. Mayor Sims still felt there were several clauses in the contract that were not spelled out and suggested if staff could estimate what it might be as far as a dollar amount. Ms. Carlyle stated that she would handle it.

Council Member Mendenhall asked if she should change the wording on her previous motion that Council consider entering into the contract with Abatemaster to abate and remove the debris from the Kilby Hotel site with dollar amounts to be added as a maximum by the City Attorney when the contract is drawn up.

Ms. Carlyle explained that she would not be able to estimate an amount and that it would be difficult for anyone to do this. Mayor Pro Tem Davis suggested putting a cap of $120,000. Council Member Ewing also questioned why only one bid proposal was received. Mr. McCaslin explained that staff was trying to move forward as quickly as possible and since the city has already dealt with Abatemasters on other asbestos

suspected properties, staff suggested to move forward. Council Member Smothers questioned the clarity of the Abatemasters proposal. Ms. Carlyle explained that she is looking at it as a skeleton outlining what the terms should begin to be with the city flushing it out to protect the city and do what needs to be done.

Council Member Mendenhall then withdrew her previous motion and moved to authorize the Interim City Manager to proceed with effectuating the contract with Abatemasters for this demolition. Council Member Smothers made a second to the motion, which carried by an 8-0 unanimous vote. [Council Member Douglas was absent]

Authorized the Interim City Manager to proceed with effectuating the contract with Abatemasters for demolition of the Kilby Hotel.

140223 **Ordinance - Demolition of First Baptist Church - Washington Street**

Consideration of an ordinance to demolish the First Baptist Church located at 701 Washington Street and award contract to Abatemaster, Inc. for abatement and removal of asbestos.

Interim City Manager Randy McCaslin recommended this matter be deferred until the August 4, 2014 meeting due to some concerns that need to be addressed.

Matter was deferred to the August 4, 2014 meeting.

A motion was made by Council Member Mendenhall, seconded by Council Member Moore, that this matter be deferred to the City Council and should be returned by 8/4/2014. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

COMPREHENSIVE PLANNING COMMITTEE - *Council Member Smothers, Chair*

140205 **Resolution of Intent - Street Abandonment Case 14-05 - CHP**

Approval of a Resolution of Intent that establishes a public hearing date of Monday, August 18, 2014 at 6:15 p.m. to consider 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.

Adopted Resolution of Intent establishing a public hearing date of Monday, August 18, 2014 at 6:15 p.m. to consider 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.

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

Resolution No. 1396/14-36
Introduced 7/21/2014; Adopted 7/21/2014
Resolution Book, Volume XVIII, Page 118

140206 **Resolution of Intent - Street Abandonment Case 14-06 - CHP**

Approval of a Resolution of Intent that establishes a public hearing date of Monday, August 18, 2014 at 6:15 p.m. to consider a request by the Technical Review Committee to abandon an unimproved right-of-way lying along the north side of Belmont Drive, approximately 170 feet west of Janice Drive.

Adopted a Resolution of Intent establishing a public hearing date of Monday, August 18, 2014 at 6:15 p.m. to consider a request by the Technical Review Committee to abandon an unimproved right-of-way lying along the north side of Belmont Drive, approximately 170 feet west of Janice Drive.

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

Resolution No. 1397/14-37
Introduced 7/21/2014; Adopted 7/21/2014
Resolution Book, Volume XVIII, Page 119

140218 **Core City Action Plan - FY 2014-2015**

Council is requested to adopt the Core City Action Plan for FY 2014-2015.

Chairwoman Smothers noted this matter was discussed last week during the Comprehensive Planning Committee meeting.

Approved the Core City Action Plan- FY 2014-2015 with a change in item 2 under Summary of Action, which would read.... "Administrative funding for the Core City Program would be budgeted and submitted by the Interim City Manager".

A motion was made by Council Member Smothers, seconded by Council Member Wagner, that the Core City Action Plan-FY 2014-2015 be approved with the recommended change in Number 2 under Summary of Action which would read.... "Administrative funding for the Core City Program would be budgeted and submitted by the Interim City Manager". The motion carried by the following 7-1 vote:

Aye (7): Mayor Sims, 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

Absent (1): Council Member Douglas

140221 **Manager's Report - re: Core City**

Presentation on Core City responsibilities as directed by City Council.

Chairwoman Smothers explained that Interim City Manager Randy McCaslin presented his recommendation regarding this matter during the Finance Committee and this matter will remain in Committee until such time that it can be further discussed.

Acknowledged receipt of Report from the Interim City Manager and referred this matter to Committee.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, to acknowledge receipt of the Report by the Interim City Manager for Requested Changes to the City Project Structure and to refer this matter to Committee. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

PUBLIC COMMENT PERIOD - 6:00 P.M.

Ryan Saunders, *2124 Surrett Drive, addressed Council regarding some recent public comments that have been made and acknowledge that it is not in good taste to make public comments degrading public officials or challenging public officials' ability to do their job, but he felt like he had no option. He mentioned he has contacted several Council Members as well as Interim City Manager Randy McCaslin to bring forward his concerns regarding the PIT and other items. He felt the actions that have been taken regarding the PIT are negatively affecting revitalization efforts and towards other individuals like himself, who would like to see positive action taken in High Point. He clarified that in his recent statements, he was not saying that they should not have insurance in the PIT, but felt if the High Point Theatre was going to be managing the events at the PIT, then they should be responsible for programming community events. He felt leasing the space should be looked at it being a branding opportunity and an opportunity to bring others in, which could lead to other revenue sources (concessions, parking, refreshments, etc....). He pointed out under the proposed lease agreement, it would be prohibitive to putting an event in at the PIT because there would be no reason for him to spend a significant amount of money to bring in a band, etc.... or the type of event they would need to draw people in from out of town without legitimate branding.*

Regarding the HopFest, Mr. Saunders felt there are certain barriers towards entrepreneurs and individuals that come to the city with these types of proposals and whereas in other places, it is encouraged and they want to see these types of events happen. He informed Council that he wants to bring events to High Point and wants to make High Point a better place and does not want to turn other people off from doing things in High Point, but he felt the only way he could raise awareness as to things that are happening was to make the public aware.

Council Member Mendenhall pointed out last year's HopFest held at the Mendenhall Terminal in High Point was successful, but yet Mr. Saunders comments took on a bit of a negative tone and is moving the event to Greensboro. He asked Mr. Saunders to share any underlying reasons why he chose to move the event to Greensboro. Mr. Saunders stated the main reason was the point he was at when he had to make this decision, he had to make solid decisions on booking the band, obtaining sponsors, etc....and he was not able to get concrete information from High Point as to whether or not he was going to be able to hold the event in the space he wanted to hold it in, how it was going to be set up, whether the PIT was going to be involved or not. He pointed out that Greensboro has someone to help individuals with these events and they have infrastructure already in place that allows them to move it forward faster. Council Member Smothers informed Mr. Saunders that she was told that the sponsor for the HopFest wanted to have it in Greensboro and Mr. Saunders replied that it was not true.

Cynthia Davis, 413 Evergreen Avenue, addressed Council regarding Aaron Clinard's third proposal that was distributed during a Comprehensive Planning Committee meeting that was held on Thursday. She expressed some concerns and noted it was her understanding that Council has already voted several times, but yet there are more proposals. She expressed agreement and disagreement with the various sections as follows:

- *Agrees with the fact that the formation of the new entity would be a private corporation*
- *Agrees that it's okay for them to branch out and call themselves IGNITE High Point, Inc.*
- *Agrees with their By-Laws being modeled after the High Point Economic Development Corporation*
- *Disagrees with the $211,186 that is now authorized in the new city budget because this money is for the city project position, which she thought was to be restructured and brought back to the city and retitled as "core city coordinator." She felt these monies should not be available to the IGNITE High Point private corporation*
- *Agrees that the $105,593 would be raised by the private community*
- *Disagrees with the city fund an additional $105,593 because of it being a private corporation and would rather see those funds utilized by the High Point EDC entity either through small business incentives, or other grants for small businesses or entrepreneurship at City Hall*
- *Disagrees with the three-year contingent contract which would total $316,779 because the city has its own EDC*
- *Agrees that the $400,000 brownfield grants would be used by the Core City Coordinator's position because those monies would be funneled through the city*
- *Disagrees that in "e" it refers to the President of IGNITE High Point, Inc. would be Wendy Fuscoe. She pointed out Ms. Fuscoe is currently a city employee and asked if she has or could have dual positions.*

Julius McLaughlin, 317 Woodbury, addressed Council regarding a pending housing case. He shared that he is going through a foreclosure and the tenant had to move out of the structure this past Friday and this was the reason why some of those issues have not been completed. He asked for some additional time to get things completed. Council instructed Interim City Manager Randy McCaslin to get his name and contact information to talk with him further regarding this matter.

Rev. Little, 710 Washington Street, asked if he could get an update regarding the Washington Street improvements. Mr. McCaslin reported that staff is planning on moving ahead with the project and talking with an existing contractor about the possibility of adding this project onto an existing contract. Staff is currently evaluating the information and expects to bring something to the Comprehensive Planning Committee Meeting on Thursday.

Keith Brown, 3728 Pembroke Terrace, asked Council to consider televising its meetings and did not understand how High Point could be in the Top 10 cities in North Carolina and not televise meetings. He also suggested having Council meetings at High Point University at least five times a year because of their state of the art facilities, which would allow those meetings to be televised.

Thomas Lugarich, 153 C Old Mill Road, thanked the City Council for their service. He shared that his ward representative on the City Council promised that he would reduce the tax rate and he was actually surprised that he has a Councilman that actually listens to him. He agreed with the previous suggestion to televise the meetings so the residents can see what Council has to put up with on a daily basis (the good, the bad and the ugly). He offered to share some of his ideas about how to revitalize the city for a dollar and pointed out there are about 1,000 old buildings downtown that could be restored for a meager amount of money--just like Greensboro and Winston Salem have done.

Larry Diggs, 1127 Biltmore Avenue, asked about the status of the transportation study and how long it would take. Council Member Mendenhall stated she felt the same way and felt it would hear more rapidly from the consultant because there were some really good ideas that came out of the initial meeting. She hoped this would be on the front-burner because there were a lot of people at the meeting that were excited about what could happen and a lot of good information was shared.

Mayor Sims asked if staff could give an update on this. Mark McDonald, Director of Transportation, explained the Short Range Transit Plan is in progress and they did meet in May. He mentioned that the next meeting is scheduled for August or September and the consultants are working on recommendations from the last meeting.

Ross Lackey, 500 Lindell Drive, addressed Council regarding growing produce on his property and trying to start a small farm to serve the people in High Point and trying to do it correctly by getting the required permits and paying the appropriate taxes. He explained the two courses of options that the city has laid in front of him are: 1) Get a retail license, which is not what he is trying to do; or 2) Get a Peddler's License, which

requires him to move every 30 minutes. He shared all he is trying to do is grow produce on his land and sell it at another location to the public, but what he wants to do does not currently fit into the system that the city currently has. He felt Council needs to really focus on the rules that are currently in place and allow people in the community to start businesses and create enterprise on a community and neighbor level.

There being no further comments, the Public Comment Period was declared closed.

PUBLIC HEARINGS - 6:15 P.M.

COMPREHENSIVE PLANNING COMMITTEE - *Council Member Smothers, Chair*

140207 **BRC Whites Mill, LLC - Land Use Plan Amendment Case 14-03**
A request by BRC Whites Mill, LLC and the City of High Point Planning & Development Department to change the Land Use Map Classification for approximately 3.5 acres from Office to a Community/Regional Commercial classification. The site is lying west of Eastchester Drive and to the north and south of Ramsay Street.

The public hearing regarding this matter and related matter **140208 Ordinance- BRC Whites Mill, LLC- Zoning Case 14-06** *was held on Monday, July 21, 2014 at 6:15 p.m.*

Andy Piper with Planning and Development provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings.

Following the presentation of the staff report, Chairwoman Smothers opened the public hearing and asked if there was anyone present who would like to comment in support of or in opposition to the Land Use Plan Amendment Case 14-03 or the Zoning Case 14-06.

Charlie Melvin, 300 N. Greene Street, Greensboro, attorney representing the applicant, reported that they have spent a good deal of time discussing this development with staff as to proper zoning, uses, conditions and came up with a rezoning application he felt was appropriate. They had very positive meetings with the Sutton Place community in which they got good response and cooperation. He noted that Blue Ridge Companies has agreed to all the conditions that the Sutton Place HOA requested them to include. He explained there were a few of the requests that they felt would not really be enforceable under zoning conditions, so Blue Ridge has entered into an agreement with the Sutton Place HOA to cover those (i.e. limit noise if there is outdoor seating at a restaurant to the southern portion of the property). He mentioned as a part of the development for the 2.5 acres in the Alexandria Park Apartments, extensive improvements were done along Eastridge as it abuts this property and Ramsey Street had some substantial enhancements and was extended to White's Mill Road and noted Ramsey Street would be the only access to this property.

Jim Girdich, *representing Blue Ridge Companies (BRC)- Whites Mill, LLC, 5826 Samet Drive, addressed Council in support of both requests and is requesting this Land Use*

Plan Amendment and Rezoning to allow them to market the 2.5 acres to a wider range of potential users. He explained that while they have actively tried to market the property under the current zoning of GO-H (General Office-High Intensity) since 2006, but they have not been fortunate enough to find an appropriate user to allow them to develop it. The requested CZ-LB District is intended to accommodate moderate intensity and is consistent with the immediate Eastchester area and they feel if the rezoning is successful, they can attract a mix of users to support the development. He pointed out this is a true infill opportunity which would utilize existing city infrastructure, some of which BRC has already provided and have no additional impacts to city services while adding to the city's tax base. He shared that they met with the neighbors and continue to have an open dialogue with them and through these meetings, they have come to an agreement on several development conditions, which address their concerns.

Keith Brown, 3728 Pembroke Terrace, President of Sutton Place HOA, complimented Blue Ridge Companies on how they handled this and noted they are fine with everything. He shared they did have a problem with the noise, but they felt the mitigating factors they agreed to and put in place would make it work to their satisfaction.

Chairwoman Smothers asked if there was anyone else who would like to speak regarding this matter. There being none, the public hearing was closed.

Adopted Resolution approving LUPA Case 14-03 based on consistency with the City's adopted plans and considers this action to be reasonable and in the public interest based on the statements in the Staff Analysis section of this report.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that the Resolution be adopted changing the Land Use Map Classification for approximately 3.5 acres from Office to a Community/Regional Commercial classification. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

Resolution No. 1398/14-38
Introduced 7/21/2014; Adopted 7/21/2014
Resolution Book, Volume XVIII, Page 120

140208 **Ordinance - BRC Whites Mill, LLC - Zoning Case 14-06**

A request by BRC Whites Mill, LLC to rezone approximately 2.5 acres from a Conditional Use General Office High-Intensity (CU GO-H) District to a Conditional Zoning Limited Business (CZ-LB) District. The site is lying at the southwest corner of Eastchester Drive and Ramsay Street *(2513 Eastchester Drive).*

Note: For specific comments made at the public hearing regarding Rezoning Case 14-06, please refer to 140207 Land Use Plan Amendment Case 14-03.

The public hearing for this matter and related matter 140207 BRC Whites Mill, LLC- Land Use Plan Amendment Case 14-03 was held at 6:15 p.m. on Monday, July 21, 2014.

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

Adopted Ordinance providing for the rezoning of this property from a Conditional Use General Office High-Intensity (CU GO-H) District to a Conditional Zoning Limited Business (CZ-LB) District 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 in the Staff Analysis section of the Staff Report.

A motion was made by Council Member Smothers, seconded by Council Member Moore, that the Ordinance be adopted rezoning this property from a Conditional Use General Office High-Intensity (CU GO-h) District to a Conditional Zoning Limited Business (CZ-LB) District. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

Ordinance No. 1783/14-61
Introduced 7/21/2014; Adopted 7/21/2014
Ordinance Book, Volume XVIII, Page 115

140209 **Ordinance - Deep River Center LLC - Zoning Case 14-07**

A request by Deep River Center LLC to rezone approximately 2.2 acres from a Conditional Use Shopping Center (CU-SC) District to a Conditional Zoning Shopping Center (CZ-SC) District. The site is lying at the southwest corner of W. Wendover Avenue and Penny Road *(4015 Precision Way).*

The public hearing for this matter was held at 6:15 p.m. on Monday, July 21, 2014.

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

Following the presentation of the staff report, Chairwoman Smothers opened the public hearing and asked if there was anyone present who would like to comment in support of or in opposition to this rezoning request.

Abigaile Pittman, 210 Louise Avenue, who is providing planning assistance to the applicant, spoke in favor of this request. She noted the applicant agrees with the pitched roof condition and she met with Pastor Wagoner of the Deep River Friends Meeting on May 29th to review the applicant's proposal. A citizen's information meeting was held on June 2nd and everyone who attended the meeting expressed satisfaction with the application. Ms. Pittman shared that they have made a genuine effort to do their due diligence with the church in this matter. She also pointed out that since 1999 when the

no drive thru condition was approved, they now have knowledge about the character of the development and the surrounding area with most of it being built-out. She noted this is a quality commercial area and the proposed drive thru has been designed to be compatible with the overall character of the area and to not be incompatible with the Deep River Friends Meeting. She explained there is also a precedent for a screen drive thru at Walgreens constructed on the site at the northeast corner of the intersection, which permitted a drive thru subject to conditions very like the ones offered in this request.

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

Chairwoman Smothers expressed appreciation to the applicant for reaching out and working with the church and the very generous attitude of the church recognizing that development will take place.

Considering past discussion regarding walkability in the Palladium area, Council Member Ewing asked if it might be feasible for construction of sidewalks between this area and the Palladium. Mark McDonald, Director of Transportation, noted it would be feasible, but he was not sure if it would be required of this developer for this particular development. Mayor Sims asked if there might be any potential changes relating to the intersection, impact of the turn lanes. Mr. McDonald replied not on this site, but added that staff is currently looking at the possibility of extending the turn lane on Eastchester at some point.

Adopted Ordinance providing for the rezoning of this property from a Conditional Use Shopping Center (CU-SC) District to a Conditional Zoning Shopping Center (CZ-SC) District based on consistency with the City's adopted plans and finds this action to be reasonable and in the public interest by adopting the statements in the Staff Analysis section of the Staff Report.

A motion was made by Council Member Smothers, seconded by Council Member Moore, that the Ordinance be adopted authorizing the rezoning of this property from a Conditional Use Shopping Center (CU-SC) District to a Conditional Zoning Shopping Center (CZ-SC) District. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

Ordinance No. 1784/14-62
Introduced 7/21/2014; Adopted 7/21/2014
Ordinance Book,Volume XVIII, Page 116

140210 **Ordinance - High Point University - Amendment to Zoning Case 12-06**

A request by High Point University to amend Conditional Zoning Case 12-06 (CZ12-06) to amend the development & dimensional standards, landscaping conditions and transportation conditions. The site is bounded by Montlieu Avenue, N. College Drive and Boundary Avenue.

The public hearing for this matter was held at 6:15 p.m. on Monday, July 21, 2014.

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

Following the presentation of the staff report, Chairwoman Smothers opened the public hearing and asked if there was anyone present who would like to offer comment.

Ron Guerra, representing High Point University, spoke in favor of the request and noted this is a straightforward request and they were following Transportation's recommendations having the second entrance.

Mayor Sims asked if this will be the main entrance into their parking lot. Mr. Guerra explained there will be two entrances. HPU is reworking the Montlieu Avenue entrance and there would be another entrance off Boundary. He also noted there would be open parking for staff, auxiliary personnel, so they don't anticipate a lot of coming and going throughout the day. Mayor Sims asked about signalization at Boundary and asked staff if this increase in parking would warrant something different at this intersection. Mark McDonald, Director of Transportation, stated staff would need to keep an eye on it. Mayor Sims also asked about placement of fencing and landscaping since there is limited site distance. Mr. Guerra noted they would be located the fence back and the site distance is really almost half-way up the parking lot.

Chairwoman Smothers asked if there was anyone else who would like to speak or if there were any further questions. There being none, the public hearing was closed.

Adopted Ordinance amending Conditional Zoning Case 12-06 (CZ 12-06) based on consistency with the City's adopted plans by adopting the statements in the Staff Analysis section of the Staff Report.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that the Ordinance be adopted amending Conditional Zoning Case 12-06 (CZ 12-06). The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

Ordinance No. 1785/14-63
Introduced 7/21/2014; Adopted 7/21/2014
Ordinance Book,Volume XVIII, Page 117

140211 **Ordinance - Heritage Home Group, LLC - Zoning Case 14-08**

A request by Heritage Home Group, LLC to rezone approximately 8.6 acres from a Conditional Use Planned Unit Development-Limited (CU-PDL) District to a Conditional Zoning General Office-Moderate-Intensity (CZ GO-M) District. The site is lying along

the west side of Eastchester Drive, approximately 1,300 feet south of Deep River Road. *(1925 Eastchester Drive).*

The public hearing regarding this matter was held at 6:15 p.m. on Monday, July 21, 2014.

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

Following the presentation of the staff report, Chairwoman Smothers opened the public hearing and asked if there were any comments in support of or in opposition to this request.

Chuck Truby, President- CPT Engineering, 4400 Tyning Street, addressed Council in support of this request. He noted that Heritage Group has bent over backwards in an effort to address the concerns of the Lake Point townhome community. He explained they presented a plan to the HOA that couldn't be part of the zoning condition, so they have a formal written legal document that outlines what Heritage Home will do and what the HOA will do. He noted they would basically be doing a supplemental landscaping plan on the Lake Point property that would be maintained by Lake Point in the future, but would help create more screening than what is presently there. He shared that the Board of Directors for the HOA agreed to support the rezoning. He explained Heritage Home Group is basically putting 250 employees in this building, which will require them to add 130 parking spaces and the only place this could be done was along the north side.

Roxanne Burnstein, 3 Captain's Point, Greensboro, spoke on behalf of her employer, Heritage Home Group. She noted that they are absolutely thrilled to join the High Point community and reiterated that approval of this rezoning would allow them to install the needed additional parking spaces and the net effect of that is they get to bring 200 more high quality jobs to High Point. She explained to do this, they will also have to displace some of their brands and to do that, they are undergoing a 120,000 square foot of new leased space in downtown High Point.

Chairwoman Smothers asked if there was any further comments. There being none, the public hearing was closed. Chairwoman Smothers pointed out when the original project came in, there was strong opposition to it being a showroom, and she welcomed its transition back to what it was originally supposed to be, which is office.

Adopted Ordinance rezoning this property from a Conditional Use Planned Unit Development-Limited (CU-PDL) District to a Conditional Zoning General Office-Moderate-Intensity (CA GO-M) District based on consistency with the City's adopted plans, and determines this action to be reasonable and in the public interest by adopting the statements in the Staff Analysis section of the Staff Report.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that the Ordinance be adopted to rezone this property from a Conditional Use Planned Unit Development-Limited (CU-PDL) District to a Conditional Zoning General Office-Moderate Intensity (CZ GO-M) District. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

Ordinance No. 1786/14-64
Introduced 7/21/2014; Adopted 7/21/2014
Ordinance Book, Volume XVIII, Page 118

OTHER NEW BUSINESS

140212 **Appointment of City Attorney and Approval of Contract**

Consideration of the appointment of the city attorney and approval of contract.

Mayor Sims explained that a few months ago Council asked Legislators to approve a change in the city's Charter that would allow for the City Attorney to report to Council instead of the manager and the bill was approved by the NC General Assembly and ratified by the Governor. She noted that Council made Ms. Carlyle an offer of employment, which she accepted.

Appointed JoAnne L. Carlyle as the City Attorney and approved the Memorandum of Understanding.

A motion was made by Council Member Mendenhall, seconded by Council Member Ewing, to appoint JoAnne Carlyle as the City Attorney and approve the Memorandum of Agreement between the City of High Point, North Carolina and JoAnne L. Carlyle. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT

140214 **Citizens Advisory Council - Reappointment**

Council is requested to confirm the reappointment of Mr. Willie Davis (Ward 1 -Golden) to the Citizens Advisory Council. Appointment to be effective immediately and will expire May 31, 2016.
Approved the reappointment of Willie Davis to the Citizens Advisory Council.

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

140215 **Appointment - Planning & Zoning Commission**

Council is requested to confirm the appointment of Mr. Jim Armstrong to the Planning and Zoning Commission as the Ward 3 representative. Mr. Armstrong will be filling the unexpired term of Mr. Ed Spivey who has resigned due to health concerns. Appointment to be effective immediately and will expire July 1, 2015.

Approved the appointment of Mr. Jim Armstrong to the Planning and Zoning Commission.

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

140216 **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.

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

140217 **Minutes to be approved**

- Budget Review Session; Tuesday, May 27th @ 3:00 p.m.
- Budget Review Session; Wednesday, May 28th @ 3:00 p.m.
- Community Housing & Neighborhood Dev. Committee; Tuesday, June 10th @ 9:00 a.m.
- Comprehensive Planning Committee; Tuesday, June 10th @ 10:00 a.m.
- Budget Review Session; Tuesday, June 10th @ 11:00 a.m.
- Finance Committee; Monday, June 16th @ 4:00 p.m.
- High Point City Council Regular Meeting; Monday, June 16th @ 5:30 p.m.

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

CLOSED SESSION- ECONOMIC DEVELOPMENT

At 8:17 p.m., a motion was made by Council Member Wagner, seconded by Council Member Mendenhall to suspend the rules and go into Closed Session pursuant to N.C.G.S. 143-318.11(a)(4) to discuss potential economic development projects.

Upon reconvening into Open Session at 8:50 p.m., Mayor Sims announced there was no action taken as a result of the closed session.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 8:50 p.m. upon motion duly made and seconded.

Respectfully Submitted,

_____
Bernita Sims, Mayor

Attest:

_____
Lisa B. Vierling, MMC
City Clerk

FINANCE COMMITTEE
JULY 21, 2014 – 4:00 P.M
CITY MANAGER'S CONFERENCE ROOM

MINUTES

PRESENT:
Chairman Moore, Mayor Sims, Council Members Wagner and Davis

OTHERS PRESENT:
Council Members Ewing, Golden, Mendenhall and Smothers

STAFF PRESENT:
Randy McCaslin, Interim City Manager; Bob Morgan, Interim Assistant City Manager; Eric Olmedo, Budget Officer; Jeron Hollis, Communications Officer; Terry Houk, Director of Public Services; Richard McMillan, Assistant Director of Public Services; Wendy Fuscoe, Core City Development Director; Gary Smith, Director of Fleet Services; Mike McNair, Director of Community Development; Henry Moon, Right of Way Coordinator; 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

140181 **Contract – Side Loading Refuse Trucks**

Approval of contract to Piedmont Peterbuilt in the amount of $492,950.00 for the purchase of two (2) new side loading refuse trucks ($246,474.00 each) to be used in the automated collection program.

Gare Smith advised that they would like to sell one of the existing trucks in their fleet that has had a lot of maintenance issues and retain the other as a spare. The City of Burlington is interested in the one truck that the City wants to sell to use for parts.

Mayor Sims asked how many trucks are in the fleet. Mr. Smith stated they only have one spare in the fleet. Recently the spares are used on a daily basis.

A motion was made by Council Member Moore, seconded by Council Member Davis to forward this matter to Council with a favorable

recommendation of approval. Motion passed unanimously. (Vote 4-0)

140182 **Contract – Supplemental Agreement – Davis-Martin Powell**

Approval of contract for Contract Administration and Resident Project Inspection to Davis Martin Powell in the amount of $223,000.00 for the construction of the Highway 66 Sewer and Phase II Water.

Council Members Davis and Wagner stated they needed to recuse themselves from this vote. ***Since both Council Member Davis and Wagner are on the Finance Committee this matter will be considered at the Committee of the Whole.***

140183 **Contract – Bid No. 58 – Highway 66 Water Improvements, Phase II**

Approval of contract awarding Bid No. 58 for the Highway 66 Water Improvements, Phase II. Purchasing and Public Services recommends that contract be awarded to Yates Construction, Inc. in the amount of $1,295,899.58 which is the lowest responsive and responsible bidder meeting expectations.

Council Members and Davis and Wagner stated they needed to recuse themselves from this vote. ***Since both Council Member Davis and Wagner are on the Finance Committee this matter will be considered at the Committee of the Whole.***

140184 **Contract – Bid No. 59 – Highway 66 Water Improvements**

Approval of contract awarding Bid No. 59 for the Highway 66 Sewer Improvements. Purchasing and Public Services recommends that contract be awarded to Yates Construction, Inc. in the amount of $1,739,163.00 which is the lowest responsive and responsible bidder meeting specifications.

Council Members and Davis and Wagner stated they needed to recuse themselves from this vote. ***Since both Council Member Davis and Wagner are on the Finance Committee this matter will be considered at the Committee of the Whole.***

140185 **Budget Ordinance Amendment – Tub Grinder**

Adoption of a Budget Ordinance amending the 2014-2015 Budget Ordinance to appropriate funds in the amount of $744,888.00 for the purchase of a Tub Grinder for use at the Ingleside Compost Facility.

Eric Olmedo noted that the cover memo for this matter incorrectly stated that the budget amendment has and amount of $744,888.00 and it should be corrected to $774,888.00.

Mayor Sims asked what account these funds will come out of. Mr. Olmedo stated the funds will come out of the Landfill Fund.

A motion was made by Mayor Sims, seconded by Council Member Davis to forward this matter to Council with a favorable recommendation for adoption. Motion passed unanimously. (Vote 4-0)

140186 **Contract – Tub Grinder**

Approval of contract with James River Equipment in the amount of $744,887.66 for the purchase of 2014 Morbark 1300B Tub Grinder for use at the Ingleside/Landfill Facilities.

Mayor Sims noted the corrected purchase price of $774,888.00.

A motion was made by Mayor Sims, seconded by Council Member Davis to forward this matter to Council with a favorable recommendation of approval. Motion passed unanimously. (Vote 4-0)

140187 **Change Order – Shook Construction – Removal of Building at Westside WWTP**

Approval of Change Order submitted by Shook Construction in the amount of $93,689.35 for the removal of the old control building at the Westside WWTP.

Terry Houk advised this building was buried in the 1980s with the upgrade. It was backfilled over and left in place. The current footprint for the NRCY building foundation will be right on top of the old building, so it will have to be dug out and compacted.

A motion was made by Council Member Moore, seconded by Mayor Sims to forward this matter to Council with a favorable recommendation of approval. Motion passed unanimously. (Vote 4-0)

140188 **Change Order – Sharpe Brothers Contract – Resurfacing of City Streets, Add-ons**

Consideration and approval of change order number 1 to the Sharpe Brothers Contract to add additional streets to the existing resurfacing contract in the amount of $400,000.00.

Randy McCaslin advised that Council came back at the end of the budget process and took $400,000 out of the fund balance and put it towards

street resurfacing, and this change order is for those funding of those additional roads.

Council Member Davis asked how roads got to the top of the list. Terry Houk stated that they have a third party that does an assessment and then staff looks at the areas and try to balance it between different areas.

A motion was made by Mayor Sims, seconded by Council Member Davis to forward this matter to Council with a favorable recommendation of approval. Motion passed unanimously. (Vote 4-0)

140189 **Agreement of Services – Habitat for Humanity – CHDO Contract**

Approval of Agreement of Services contract between the City of High Point Community Development and Housing Department and Habitat for Humanity of High Point, Archdale and Trinity (Habitat) as a Community Housing Development Organization (CHDO) to build additional affordable housing in the Graves Avenue and West End areas.

Mike McNair stated that this is a contract with Habitat for a two year period for ten properties. Habitat has been building in Graves Avenue.

A motion was made by Council Member Davis, seconded by Mayor Sims to forward this matter to Council with a favorable recommendation of approval. Motion passed unanimously (Vote 4-0)

140190 **Resolution – Sublease of Depot Property – Total Bliss**

Council is requested to adopt a resolution authorizing the City to enter into a sublease agreement with Total Bliss, LLC to locate a specialty paint business at the Depot.

Randy McCaslin stated that a couple of years ago City Project came to Council wanting to use the Depot for a coffee shop that was working with a group out of Greensboro that was operating a similar facility in Greensboro. The coffee shop never really opened up and operated. The emphasis behind the sublease with Total Bliss is to bring people downtown.

Council Member Smothers stated that it would be nice to have heard about this project earlier, instead of hearing about it the first time on the agenda. Council Member Davis asked who had the legal authority to do this since Council has not been involved until today. JoAnne Carlyle stated that in essence if Council approves the sublease today they will be ratifying the actions that the committee took. Ms. Carlyle stated she is a little uneasy because if they were discriminating in their selection that could be the only legal exposure she could think of because Council did

not set the group, did not chose the group, so legally they acted without authority at this point.

Council Member Mendenhall stated that in some of the results listed, Total Bliss is not the one that received the most votes or had the biggest average, and stated she would like to know how they decided to skip over Fields Café and Retail and drop down to Total Bliss. Wendy Fuscoe stated that they omitted the information on the first cut where they had 18 submissions, so they picked the top nine and of those nine they asked them to submit a business plan. What Council is not seeing is the follow up score sheet where Total Bliss did come in ahead. Council Member Mendenhall stated that she feels if there is any item that needs to have legal look at it, it needs to go to them before it appears on the agenda, because that is embarrassing to JoAnne and to Council, and it happens a lot. JoAnne Carlyle stated that Brent Cole and herself actually did the sublease and based it pretty much on what the Depot had and the sublease itself is not a problem, rather it is just what Council may be condoning by having no control over the process and the selection of the people that made the decision as well as the criteria that they used. Council Member Mendenhall stated she thought those are issues that any Council should be aware of, because they are red flags. Council Member Mendenhall stated they have had several times where they would say have you looked at this lease or contract, and they haven't, and that is not good in her opinion.

Council Member Davis asked if one of the eighteen applicants came back and stated they were discriminated against or did not agree with the selection process. JoAnne Carlyle stated she did not know the answer to that because she is not privy to what the criteria was.

Council Member Smothers asked if the opportunity was open for anybody. Wendy Fuscoe stated it was advertised in the paper for about a month, it was posted on the website and they did everything they could to get the word out.

Mayor Sims stated she did see one advertisement regarding the space, and she did agree that somehow when they do these promotion type things that it probably does need to go in front of legal so that it gets past the smell test and that Council is aware that it is happening. Ms. Carlyle stated that Council can still adopt the sublease tonight for a year or less by resolution.

Council Member Davis stated he has not seen anything about the utilities. Wendy Fuscoe stated those are included in the lease. JoAnne Carlyle noted that based on the City's Ground Lease with the Railroad they will

have to turn over 10% of Total Bliss total receipts to the Railroad, so there will have to be some accounting with Total Bliss.

Wendy Fuscoe stated that when they did this originally it was because over a four or five year period and the Transportation Department got very little money, so when they first did it they signed a three year free rent and then realized that is not a smart move to do. So this time they had an appraiser come and give what the fair market rent for that would be, which was $500.

Council Member Moore stated when the coffee shop came in it did not work out, and asked if that lease was patterned after the lease in Greensboro or did they draft their own. Wendy Fuscoe stated that lease they did with the coffee shop is one they drafted. JoAnne Carlyle stated she drafted that lease from scratch because Greensboro's was a straight out lease, and they do not have a ground lease with the Railroad.

Council Member Ewing stated there is no end date on the Lease itself. JoAnne Carlyle stated there is not now, but there will be. Ms. Carlyle further stated that Wendy Fuscoe sent legal some information this morning that will tie up the loose ends. Council Member Ewing noted that it is going to be a prelease for six months and then 50%. JoAnne Carlyle stated that after a year they will have to come back before Council for approval, because if you extend a lease with a municipality for more than a year you are required to hold a public hearing.

Council Member Davis asked if there is an idea on what the utilities for the space cost for a year's time. Ms. Fuscoe stated she did not and that the coffee shop that was in there was minimal. Council Member Davis stated he felt in the second six months there will be 2% costs, which would be $250 and if the utilities cost $350 -$400 a month they are still backing up this lease.

Council Member Ewing stated that a concern he has was that the coffee shop was never in there, and he would like to see some sort of a performance clause in the lease, at least for the first six or twelve months since they are offsetting costs. JoAnne Carlyle stated that there is something in the lease like that.

Mayor Sims stated that she happened to be on Broad Street and went into the location that Total Bliss occupies now, and he really does have a pretty nice little shop and he is hoping that he is going to win this. He basically stated to Mayor Sims if he was chosen he was looking forward to the opportunity to move into that space. The Broad Street area is challenged because there is no parking and it is out of the way. Mayor Sims stated that she felt with what they are doing with the paints he is

doing a decent business in the location he is in, and from this he wants to continue to paint in that particular space and then use this other as sort of a retail place to sell, and it could work very well in his favor if he moves to this location.

Council Member Mendenhall stated she does not have a problem with this particular company, because it sounds like it will work in there, but this is a resolution authorizing the sublease, but will the Council see the sublease. JoAnne Carlyle stated that they did not attach it because it was still in a draft form and with today what they know it is almost ready.

Council Member Mendenhall then asked if they are authorizing the lease even though it is not complete. JoAnne Carlyle stated that they are authorizing the appropriate individuals that are appointed by the City to execute the lease on Council's behalf.

Mayor Sims noted that Council has to trust that the city attorney is going to protect the interests of the City Council as they move forward with this process. JoAnne Carlyle stated that from an attorney's point there is going to be a lot of legal ease that are attached, but the main points of the money involved, who was chosen, most of those are all being discussed right now, and we can get hard copies to Council.

Mayor Sims stated that unless there is something that has not been discussed with this Council she did not know if any reason why they could not proceed. JoAnne Carlyle stated that everything they have mentioned today is already in there.

Cindy Davis stated that as a citizen she is curious of how many other businesses were High Point businesses versus Greensboro business, because the business that opened the coffee shop was from Greensboro. Wendy Fuscoe stated she did not know exactly, but Total Bliss is really a franchise, the owners are in Greensboro but the manager is High Point. Cindy Davis stated she really wanted to know how many High Point businesses applied rather than other businesses. Mayor Sims noted that Total Bliss is a High Point and right now he is in High Point. Wendy Fuscoe stated that everybody that she talked with was a High Point business.

A motion was made by Council Member Wagner, seconded by Mayor Sims to forward this matter to Council with a favorable recommendation of adoption. Motion passed unanimously. (Vote 4-0)

140191 **Resolution – Lease of High Point Theatre Property – Theatre Art Gallery (TAG)**

Council is requested to adopt a resolution authorizing the City to enter into a lease with the Theatre Art Gallery (TAG) at the High Point Theatre.

Council Member Ewing asked if this is the lease they talked about during the non-profit grant process. Eric Olmedo stated it was.

Council Member Mendenhall asked why they have Item C, and she thought they all agreed it was great that TAG was there because they did the galleries and this says the City is going to get 25% commission for all merchandise including art that they sell at fundraising events where admission is charged. JoAnne Carlyle stated that came over from the Theatre, and she thought that is what their arrangement had been with them.

Council Member Mendenhall asked who would have authorized it. Council Member Davis stated he thought it was at the same time that they gave them rent without a lease. Council Member Mendenhall stated she has a problem with it. Council Member Smothers stated she also has a problem with it because TAG is providing a service in a city facility that the city does not have to pay to provide, and they are trying to generate the dollars to put back into the program. Council Member Mendenhall stated that we are charging them, and then we turn around and give them a grant.

Mayor Sims felt that if Council is going to provide the space for free and they are providing a service, to her if they do not put something into the lease they are saying it is open to anybody who wants to come and provide the same service.

Council Member Mendenhall felt that they should make that determination, their office is there and everything else.

Council Mendenhall stated she does not have a problem with TAG being at the Theatre, she has a problem with 25% for a non-profit who is just trying to do something good for the theatre and the city. Council Member Davis stated he did not think that TAG is actually selling the artwork, they are just kind of a conduit, the artist is actually collecting the check and that is probably why they do not collect the commission.

Mayor Sims is asking if Counsel is suggesting they remove that clause and not charge anything. Council Member Ewing asked if they could move this matter to Thursday's agenda and get more information from David Briggs.

Council Member Moore suggested that they move this matter to Thursday's agenda for receipt of information regarding the commission payment.

Council Member Ewing stated he would like to table this matter until they can receive more information from David Britt and TAG.

Council Member Davis felt that it was just a gentlemen's agreement and they did not even know it was in there.

140192 **Condemnation – Rich Fork Creek Outfall – 699 Joyce Circle**

Adoption of a Resolution authorizing the City Attorney's office to file condemnation proceedings on the property located 699 Joyce Circle, High Point, NC. The property is needed for the Rich Fork Creek Outfall project.

Council Member Wagner and Davis felt they should be recused from voting on this item because it is making possible the Highway 66 project. This item will move forward to Council for consideration of the Committee of the Whole.

140193 **Condemnation – Rich Fork Creek Outfall – 2711 S. NC Hwy. 66, Forsyth County**

Adoption of a Resolution authorizing the City Attorney's Office to file condemnation proceedings on the property located at 2711 S. NC Hwy. 66, Forsyth County, belonging to Benjamin Jordan/Barbara Jordan. The property is needed for the Rich Fork Creek Outfall project.

JoAnne Carlyle stated that this matter has been settled and will need to be removed from the agenda.

140194 **Condemnation – Cedrow Drive Roadway & Sidewalk Improvements – 1503 Cedrow Drive**

Adoption of a Resolution authorizing the City Attorney's office to file condemnation proceedings on the property located at 1503 Cedrow Drive, High Point, belonging to C.A.R.E. Investments, LLC. The property is needed for the Cedrow Drive Roadway & Sidewalk improvement project.

Randy McCaslin stated that the problem with this condemnation is that the house was put into a trust, so the occupants cannot even sign for an easement, and it will have to be condemned in order to get the necessary easement.

Henry Moon advised that basically a couple who had bought this house had moved it into a company, then they did not file their papers with the Secretary of State, therefore the company basically dissolved, and they

are also going into foreclosure, so there is no legal wway with a dissolved company they can sign the City's agreement.

A motion was made by Council Member Wagner, seconded by Council Member Davis to forward this matter to Council with a favorable recommendation of approval. Motion passed unanimously. (Vote 4-0)

OTHER MATTERS

Meredith Street Apartments Update

Randy McCaslin stated it is his understanding that based on legal advice that the City cannot work out an arrangement with First Citizens. First Citizens is asking for assurance that the City legally cannot give.

JoAnne Carlyle explained that what First Citizens has requested this because Unity is not bringing any money to the table, so one of the things that First Citizens began to request of the City was a guarantee. According to the statutes, the only type of guarantee that a City can enter into is a guarantee of those Section 108 Funds. When they advised the bank that is the only guarantee the City could enter into the Bank backed away.

Council Member Smothers asked if this was true exclusively for First Citizens or all banks. JoAnne Carlyle stated she would have liked to seen them try another bank. Randy McCaslin stated that is the discussion they want to have. Their options are to: (1) go out and try to talk with other banks and see if there is interest and see if they will not hold the City to the same guarantee, (2) the City finance the entire project through Section. Ms. Carlyle stated a third way would be to have a referendum, but she does not see Council voting for that option. Mr. McCaslin stated that the final option would be to just demolish it.

Council Member Davis stated he had the opportunity to talk with Andrew Putnam, the Vice President at First Citizens, and he had these concerns, and the only way the deal would be attractive to a bank is that the City will guarantee all of the money.

Mayor Sims stated that she felt sure that any bank who could get a city to guarantee a loan would love to have it in that bank, but she did not know if it is the responsibility of the City to go out and try to find a bank to do this for an individual that we have pretty much given the property to. Mayor Sims felt that the leg work in terms of the financial piece really ought to be something that Unity does, not the City. Mayor Sims stated the terms kept changing and when they kept coming back with one thing there was always something else, and she was not certain if there was ever an intent on their behalf short of the City going in and saying it will pay for whatever they incur. Mayor Sims stated she did not know if they go back to Unity and ask them to look for additional financing,

and was concerned about the time this process has taken from the whole demolition process up to this piece, and the people in that community are expecting a result from City Council.

Council Member Smothers stated that they did not give Unity anything, and the City does not own the property, it is owned by Schwartz. Mayor Sims stated they did agree to help them out with the renovation and rehab. Council Member Moore stated that the people that are expecting something from this Council have to realize for years this has been looked at to make something out of it. Mayor Sims asked what they got. Council Member Moore stated they got a lot of effort and you cannot just put a new rebuilt building there without making sure you fund it and move it forward and make it profitable without having the taxpayer cover it. Mayor Sims stated that she did not think the community had a problem with tearing it down, but Council said this is decent housing stock and we don't think we can make better use of this property short of tearing down the buildings, but the community's expectation was that something was going to be done that was going to improve or enhance the property values where they live right now and that they would not be looking at an eyesore, that is the commitment that was made to them. Council Member Moore stated to this point he feels this Council has done everything they can to make that happen.

Council Member Davis stated that they have had all this conversation about doing something in the core, and asked if it would be beneficial if the City renegotiate, because he wanted $405,000.00 for the complex. Council Member Wagner stated that they could renegotiate and buy that and then offer it to some other developer that has money in a favorable term to do something with this property.

Randy McCaslin stated that they have had an initial conversation with the Housing Authority, and there was some interest on their part about managing it for the City if Unity fell out of the picture, but he felt that if they went back to them and asked them to take Unity out of the picture he felt they would be looking to the City to finance it. Council Member Davis stated if the City could buy that property for $250,000.00 and offered it to a developer, like Wynnefield Properties, they may have something there that would work.

Council Member suggested that the City Attorney contact the owners and ask if the property is for sale. Randy McCaslin asked if this is something Council would like staff to pursue.

Council Member Golden stated that the property as it stands is not all secure and some of the units have doors wide open. Randy McCaslin stated that he has asked Kathryn Bossi to send her people back out to the property and secure the property, and Community Development took care of some mowing out there.

Mayor Sims stated that one thing needs to happen and if the community is still interested in doing this, they need to come back and in the meantime she felt they need to check with Schwarz to see if he is interested at a favorable price.

Mike McNair stated that he suspects that First Citizens' behavior is the nature of all banks out there, but he can certainly check around.

Mayor Sims asked if the City could use Section 108 funds to purchase the property. Mr. McNair stated they could. Mayor Sims asked if they could use Section 108 loan money for the renovation. Mike McNair stated they could use Section 108 monies for the whole project.

Council Member Mendenhall stated she would like to see some figures in using Section 108 monies.

P-Card Update

Randy McCaslin handed out some information on P-cards. They have done their best to reduce the number of P-cards in the City from 360 to 248.

Council has asked for information at their last meeting about the internal auditor position. Mr. McCaslin handed out a memo with a survey showing what other cities and counties are doing.

Randy McCaslin stated that there will be more work on the finance standpoint with reduction of P-cards by way of more purchase orders and having checks cut.

Council Member Davis asked if the monthly numbers on meals purchased have come down. Eric Olmedo stated they do not know. JoAnne Carlyle noted that from a legal standpoint that if they reduce the P-cards it does increases the risk of misuse by in a sense of urgency somebody is going to give somebody else their P-card number and it will be a violation to the cardholder and with the city policy.

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 Britt Moore

High Point City Council

Application for Appointment To Boards and Commissions

All appointments to City boards and commissions are made by the Mayor and City Council and are not limited to those persons who fill out applications.

Name: Philip Britton Flynt **Date Submitted:** May. 11, 2014
Street Address: 1208 E Springfield Rd
High Point NC 27363

Email: pbflynt@hotmail.com

Employer: Piedmont Triad Ambulance & Rescue
Business Address: PO Box 534, High Point, NC, 27261
Phone home: 336-431-8782 **work:** 336-887-3411 **fax:**

Do you live inside the corporate limits of High Point? **Yes**
If not, do you live within High Point's extraterritorial zoning jurisdiction? **Yes**

Please select (in order of preference) the boards and commissions on which you would be willing to serve.

1. **Library Board of Trustees**
2. **Parks & Recreation Commission**
3. **Theatre Advisory Committee**

Have you participated in the City Government 101 Course? **No**

Please list any work, volunteer, and/or educational experience that you would like us to consider in the review of your application.
Avid reader. Presently volunteering with Boy Scouts as an Unit Commisioner.

Office of the Mayor
City of High Point
North Carolina

PROCLAMATION…

WHEREAS, the National Association of Town Watch (NATWA) is sponsoring a nationwide crime, drug and violence prevention program on August 5, 2014 entitled" National Night Out"; and

WHEREAS, the "31st Annual National Night Out" provides a unique opportunity for High Point to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, the City of High Point, Neighborhood Associations, Neighborhood Watch Groups, High Point Community Against Violence Crime and Community Development and Housing Department plays a vital role in assisting the City of High Point Police Department through joint crime, drug and violence prevention efforts in High Point and is supporting "National Night Out 2014" locally; and

WHEREAS, it is essential that all citizens of High Point be aware of the importance of crime prevention programs and impact that their participation can have on reducing crime, drugs, and violence in the City of High Point; and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the "National Night Out" program.

NOW, THEREFORE, be it resolved that the High Point Council, hereby proclaims Tuesday, August 5, 2014 as

"National Night Out In High Point"

and calls upon all citizens of the City of High Point to join the High Point Police Department, and the National Association of Town Watch in supporting the" 31st Annual National Night Out".

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 4th day of August, 2014.

_____

Bernita Sims, Mayor

NATIONAL NIGHT OUT
AUGUST 5th , 2014
SOUTHSIDE EVENTS

1. East Central Burnshill	1230 Franklin Ave River of Life Church Mr. Mingo	6:00- 8:00 Ice Cream
2. Hilliard St	Hilliard Baptist Church 2311 Westchester Dr Ms Cleveland	6:00-8:00 Desserts
3. Pershing St.	1107 Lake Ave. Full Gospel Church Ms McDowell	6:00 – 7:30 Hot Dogs
4. West End	903 W English Rd Westend Ministries Chris Gillespie	4:00 – 6:30 Hotdogs
5. Swathmore Apt.	116 E. Swathmore Clubhouse Ms Cobb	6:00- 8:00 Hot Dogs
6 Macedonia	401 Lake Ave Resource Center Dell McCormick	5:30- 8:00 Hot Dogs
7.Reconciliation Ministries	410 Brentwood St Ms Fairley	6:30- 8:00 Hot Dogs

8. Newgate Apts.	600 Granby Ave Ms Chadmon	5:30- 7:30 Cookout
9. SpringBrook **Spring Meadow**	Granville St Senior Center Ms Rogers	5:30- 8:00 Hot Dogs
10. Williams Memorial	Old Brentwood School 1400 Brentwood St. Ms McClean	6:00- 8:00 Cookout
11. Highland Mills	1015 Mill Ave Highland Methodist Pastor Sypole	5:30-8:00 Hot Dogs
12. Park Terrace	Club House 885 Sharon Circle Gary Kirkman	6:00- 7:30 Pizza
13. Avondale	Hickory Chapel& Kivett Wesleyan Church Guy Vail	6:30-8:00 Desserts
14. Cox Ridge	1209 Cox Ave Erik Snider	6:30- 8:00 Hot dogs
15. Williamsburg West	Williamsburg Cul de Sac Roger Marcum	7:00-8:30 Desserts
16.		

NATIONAL NIGHT OUT
AUGUST 5, 2014
NORTH

1. **Oakview Association** – 503 James Road (Oakview Rec. Center) 6pm- 8pm
   Cook Out
   Jim Bronnert
2. **Cedrow Association** – Montlieu Elementary School 5pm-8pm
   Cook Out
   William Strickland
3. **English Woods/Fieldstone Watch** – Briarcliff Ct.(cul-de-sac) 6:30pm – 8:30pm
   Covered Dish
   Jim Tanner
4. **Laurel Oak Ranch** – 6200 Old Plank Road (Park) 6:30pm until…
   Cook Out
   Chris Kopchik
5. **Admiral Point Apts** – 3725 Admiral Dr 6:00pm-8:00pm
   Cook Out
   Mrs. Shropshire
6. **High Point Museum** – 1859 E. Lexington Avenue 7:30pm…
   Refreshments and Movie
   Teresa Loflin
7. **Graves Avenue (Habitat Homes)** – 1724 Brooks Av 6pm–7pm
   Ice Cream
   Susan Wood
8. **Five Points Association** – Washington Terrace Park 5pm-7pm
   Cook Out
   Mrs. Bennett
9. **Washington St. Assoc.** – 623 E Washington St (Jackie's Place) 5pm-8pm
   Cook Out
   Aretha Robinson
10. **Willow Woods Apts.** – 3019 Ingleside Dr 6pm-7pm
    Spaghetti Dinner
    Jerrica
11. **Eagle Glenn Neighborhood** – Knollcrest Hills (dead end) 6:30pm-8:30pm
    Ice Cream Social
    Mrs. Morgan
12. **Cottsmore Watch** – 3694 Oak Chase Dr (poolhouse)
    Ice Cream Social
    Tony Watson

Department of Transportation

July 29, 2014

MEMORANDUM **AGENDA ITEM**

TO: Bob Morgan
Interim Assistant City Manager

FROM: Mark McDonald, P.E.
Transportation Director

SUBJECT: New NCDOT Reimbursement Schedule for Traffic Signal Maintenance (Schedule "C")

The North Carolina Department of Transportation (NCDOT) has presented the City of High Point with an updated reimbursement schedule for the maintenance of state-owned traffic signals that are operated as part of the City's control system (Schedule C). This agreement applies to preventative and routine maintenance, component testing, repair, and replacement, and construction activities associated with intersection upgrades and rebuilds. High Point's current system is comprised of 216 signalized intersections, including 36 owned by the City.

The last Schedule C revision occurred in 2009. The new schedule covers preventative maintenance and the replacement of damaged, inoperative, or obsolete equipment. It includes updated pricing for equipment and materials, as well as the potential for periodic adjustments to reflect the addition of new signals and changing component costs, subject to funding availability. Its application will be retroactive to July 1, 2014 and is effective for one (1) year, but may be renewed annually by the City Manager for up to five (5) additional years before a new agreement is required.

Reimbursement funding under this agreement is capped at $295,000 annually. The City submits requests for reimbursement to NCDOT every quarter, and the amount received varies based on the work performed, the equipment and materials used, and the addition or deletion of signals in the system. From July 2009 – June 2014, the annual reimbursement for traffic signal maintenance averaged $220,400.

Recommendation

The High Point Department of Transportation recommends City Council's approval of this Municipal Agreement with NCDOT. Our Traffic Operations Engineer, Matt Carpenter, will be available to address questions from Council at the Finance Committee meeting and also in regular session on Monday August 4, as necessary.

c J.M. Mills, P.E.
Randy McCaslin
Matt Carpenter, P.E.
File
Donald Huffines
Jeff Moore
James Baker
Dawn McPherson
Eric Olmedo
Tabatha J'Arrante

City of High Point, P.O. Box 230, 211 South Hamilton Street, High Point, NC 27261 USA
Phone: 336.883.3225/3226 Fax: 336.883.8568 TDD: 336.883.8517

NORTH CAROLINA
GUILFORD COUNTY

MUNICIPAL OPERATIONS - TRAFFIC CONTROL DEVICES
TRAFFIC SIGNALS AGREEMENT
SCHEDULE C
DATE: 6/5/2014

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

AND

WBS Element: 36247.7.3

CITY OF HIGH POINT

THIS 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, hereinafter referred to as the "Municipality."

W I T N E S S E T H:

WHEREAS, Section 1108 of the Moving Ahead for Progress in the 21st Century (MAP-21) allows Surface Transportation Program (STP) funds to be available for certain specified transportation activities; and,

WHEREAS, the provisions of the North Carolina General Statutes (NCGS) §136-66.1 and §136-18 authorize the Municipality to contract with the Department for the installation, repair, operations, and maintenance of highway signs and markings, electric traffic signals and other traffic control devices on State Highway System streets within the Municipality; and,

WHEREAS, the Department and the Municipality have a mutual interest in the efficient and effective operation of traffic signals within the Municipality; and,

WHEREAS, the Department and the Municipality recognize that each party to this Agreement has an obligation and responsibility to provide for the safe, orderly, and efficient flow of traffic on their respective street systems; and,

WHEREAS, the Municipality finds that it is in the best public interest to operate traffic signals at certain intersections that are on the State's Highway System within or near the Municipality; and,

WHEREAS, the Department finds it desirable and advantageous to reimburse the Municipality for costs incurred when the Municipality operates traffic signals at certain intersections that are on the State Highway System within or near the Municipality;

NOW, THEREFORE, the Department and the Municipality do hereby agree as follows:

1. GENERAL PROVISIONS

FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT

All parties to this Agreement, including contractors, subcontractors, and subsequent workforces associated with any work under the terms of this Agreement, shall provide reports as required by the Federal Funding Accountability and Transparency Act (FFATA) for this Project.

COMPLIANCE WITH STATE/FEDERAL POLICY

The Municipality and/or its agent, including all contractors, subcontractors, or sub-recipients, shall comply with all applicable Federal and State policies and procedures, stated both in this Agreement and in the Department's guidelines and procedures.

FAILURE TO COMPLY - CONSEQUENCES

Failure on the part of the Municipality to comply with any of the provisions of this Agreement will be grounds for the Department to terminate participation in the costs of the Project and, if applicable, seek repayment of any reimbursed funds.

2. SCOPE OF THE PROJECT

The Municipality shall operate the traffic signals as defined in the Appendices and as indicated hereinafter:

A. The operation of intersections on the State Highway System, both at the hardware and software levels, will be subject to the approval of the Department and will reflect the needs of traffic on both the State Highway System and the Municipal System.

B. In the event the Department and the Municipality cannot agree on issues affecting the operation of these intersections, the decision of the Department will be final.

C. The Municipality agrees to an annual audit of the performance of intersection equipment and systems. The audit is to be performed by the Department and the Municipality.

D. The Municipality shall not install any traffic control devices, nor make any traffic signal phasing changes, on any State Highway System street without the prior approval of the Department, pursuant to NCGS §20-169.

E. The Municipality shall operate the traffic signals in accordance with North Carolina General Statutes, the Department's current policies and guidelines, and all local codes and ordinances. If, in the opinion of the Department, the Municipality does not operate the signal system in accordance with the specified criteria, the Department shall have the right to enter into a separate operational agreement with a private contractor and deduct these costs from the Municipality's funds allocated under NCGS §136-41.1 and the Appendices as included in the Agreement.

F. The Department shall review and concur with any contract entered into by the Municipality for the operation of any traffic signal(s).

- Any contract entered into with another party to perform work associated with the requirements of this Agreement shall contain appropriate provisions regarding the utilization of Disadvantaged Business Enterprises (DBEs), or as required and defined in Title 49 Part 26 of the Code of Federal Regulations and the North Carolina Administrative Code. These provisions are incorporated into this Agreement by reference https://connect.ncdot.gov/municipalities/Pages/Bid-Proposals-for-LGA.aspx.

- The Municipality shall not advertise nor enter into a contract for services performed as part of this Agreement, unless the Department provides written approval of the advertisement or the contents of the contract.

- If the Municipality fails to comply with these requirements, the Department will withhold funding until these requirements are met.

3. TIME FRAME

This agreement shall be for the current state fiscal year, beginning July 1, 2014 and ending June 30, 2015. At the end of the fiscal year, the provision of services and quality of results may be reviewed by the Department and Municipality. The Agreement may be extended for additional fiscal years, contingent upon the increase of NCDOT maintenance funds by the General Assembly. Extensions may be made in one (1) year increments, incorporating any mutually agreed upon adjustments, with the end of the final fiscal year of service being June 30, 2020. On behalf of the Municipality, extensions may be authorized and executed by the Town/City Manager and/or Mayor without further resolution of the Town/City Council. The agreement may be terminated by either party upon a thirty (30) day written notice.

4. FUNDING

The funding for this Project includes Federal and State funds. The funding is 23% Federal and 77% State.

5. REIMBURSEMENT

The Department shall reimburse the Municipality quarterly, based on an annual amount, for the operation of the traffic signals, as included below:

A. The Municipality shall submit a quarterly itemized invoice to the Department for said costs no later than three (3) months after the scheduled quarterly invoicing date. This invoice will include the appropriate documentation and reflect the amount due for services performed by the Municipality during the quarter. The Department will reimburse the Municipality each quarter for work performed up to a total annual amount not to exceed $295,000, unless additional reimbursements are approved by the Department. All final invoices must be submitted within one (1) year after the work is performed or said work will be considered non-billable and will not be paid for by the Department. The Department, at its option, may elect to increase the reimbursement rates shown in the Appendices of this Agreement up to three percent (3%) each year in consideration of inflation rates and cost increases, subject to the availability of funds and the performance of the Municipality.

B. The Department shall reimburse the Municipality upon approval by the Department's Division Engineer and the Fiscal Management Section.

C. Said reimbursement shall be limited to operational costs, which would include tasks associated with insuring the continuous, safe and efficient operation of traffic signals, traffic signal systems, and control facilities. Examples include, but are not limited to, operational performance reviews, emergency repairs to system components, periodic evaluation and adjustment to operational timing parameters, computer system and software upgrades, operational upgrades to maintain or improve safety or efficiency, etc.

D. The Department will not reimburse operational costs for activities that do not have a direct and immediate effect on the continuous, safe and efficient operation of traffic signals, traffic signal systems, and control facilities including, but not limited to, painting of poles and signal cabinets, vegetation control adjacent to facilities, interior and exterior care of traffic control centers and parking areas, furniture for traffic control centers, etc.

E. The Municipality agrees that it shall bear all costs for which it is unable to substantiate actual costs.

F. Any costs incurred by the Municipality prior to written notification by the Department to proceed with the work may not be eligible for reimbursement.

G. Equipment secured as a non-participating item by the Department (100% Municipality costs) will continue as non-participating items with respect to operations. The Division Engineer will provide the necessary forms for documentation.

6. FORCE ACCOUNT

GENERAL

Work performed by the Municipality's own forces is considered Force Account work. Force account work that is not a part of the operational work included under this Agreement is only allowed when there is a finding of cost effectiveness for the work to be performed by some method other than contract awarded by competitive bidding process. Written approval from the FHWA Division Administrator is required prior to the use of force account by the Municipality. Said invoices for force account work shall show a summary of labor, labor additives, equipment, materials and other qualifying costs in conformance with the standards for allowable costs set forth in Office of Management and Budget (OMB) Circular A-87 (www.whitehouse.gov/omb/circulars/index.html). Reimbursement shall be based on the Appendices as included herein.

EMERGENCY WORK

Under current Department policy, if force account work is necessary and performed by the Municipality during emergency occurrences or occurrences that endanger public safety, additional information shall be submitted, with each quarterly invoice, to document the emergency situation, actions taken during the occurrence and the resolution. Approval must be obtained from the Department and the FHWA-NC Division office, before reimbursement will be made.

7. RECORDS AND REPORTS

A. In accordance with OMB Circular A-133, "Audits of States, Local Governments and Non-Profit Organizations" (www.whitehouse.gov/omb/circulars/index.html) dated June 27, 2003 and the Federal Single Audit Act Amendment of 1996 and NCGS §159-34, the Municipality shall arrange for an annual independent financial and compliance audit of its fiscal operations. The Municipality shall furnish the Department with a copy of the annual independent audit report

within thirty (30) days of completion of the report, but not later than nine (9) months after the Municipality's fiscal year ends.

B. The Municipality shall adhere to applicable administrative requirements of Title 49 Code of Federal Regulations, Part 18 (www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm) and Office of Management and Budget (OMB) Circulars A-102 (www.whitehouse.gov/omb/circulars/index.html) "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments." Reimbursement to the Municipality shall be subject to the policies and procedures contained in Title 23 Code of Federal Regulations, Part 140 and Part 172, which is being incorporated into this Agreement by reference at www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm and by Office of Management and Budget (OMB) Circular A-87 (www.whitehouse.gov/omb/circulars/index.html) "Cost Principles for State, Local, and Indian Tribal Governments." Reimbursement to the Municipality shall be subject to the guidance contained in Title 2 Code of Federal Regulations, Part 170 (http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf) and Office of Management and Budget (OMB) "Federal Funding Accountability and Transparency Act" (FFATA). Said reimbursement shall also be subject to the Department being reimbursed by the Federal Highway Administration and subject to compliance by the Municipality with all applicable federal policy and procedures.

C. The Municipality shall keep and maintain all books, documents, papers, accounting records, other such cost records and supporting documentation and evidence as may be appropriate to substantiate costs incurred under this Agreement. Further, the Municipality shall make such materials available at its office at all reasonable times during the Agreement period, and for five (5) years from the date of the final payment made under this agreement, for inspection and audit by the Department's Financial Management Division and FHWA.

8. ADDITIONAL PROVISIONS

A. This Agreement does not transfer legal control of, or responsibility, or legal liability for the State Highway System roads described herein to the Municipality, nor does it prohibit the Department from taking any action or undertaking any responsibilities with regard to such roads. This Agreement is solely for the benefit of the Municipality and the Department and not for the benefit of any other persons, including but not limited to, members of the public or users of the State Highway System roads, and no third party rights are created, or intended to be created, by this Agreement.

B. The Municipality shall comply with Title VI of the Civil Rights Act of 1964, (Title 49 CFR, Subtitle A, Part 21). Title VI prohibits discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.

C. 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.

D. Each of the parties covenants that if it enters into any subcontracts in order to perform any of its obligations under this contract, it shall require that the contractors and their subcontractors comply with the requirements of NC Gen. Stat. Article 2 of Chapter 64. In this E-Verify Compliance section, the words contractors, subcontractors, and comply shall have the meanings intended by N.C. Gen. Stat. § 160A-20.1.

E. The Municipality shall certify to the Department compliance with all applicable Federal and State laws and regulations and ordinances and shall indemnify the Department against any fines, assessments or other penalties resulting from noncompliance by any entity performing work under contract with the Municipality.

F. The Municipality is solely responsible for all agreements, contracts, and work orders entered into or issued by the Municipality for this work. The Department shall not be held liable by the Municipality for any expenses or obligations incurred for the work except those specifically eligible for the federal funds and obligations as approved by the Department under the terms of this Agreement. The Department shall not reimburse the Municipality any costs that exceed the total approved funding at any time.

G. The Municipality will indemnify and hold harmless the Department, FHWA, and the State of North Carolina, their respective officers, directors, principals, employees, agents, successors, and assigns from and against any and all claims for damage and/or liability in connection with the work performed pursuant to this Agreement. The Department shall not be responsible for any damages or claims for damages, which may be initiated by third parties.

H. The Department must approve any assignment or transfer of the responsibilities of the Municipality set forth in this Agreement to other parties or entities.

I. By Executive Order 24, issued by Governor Perdue, and NCGS §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).

J. This Agreement contains the entire agreement between the parties and there are no understandings or agreements, verbal or otherwise, regarding this Agreement except as expressly set forth herein.

K. The parties hereby acknowledge that the individual executing the Agreement on their behalf is authorized to execute this Agreement on their behalf and to bind the respective entities to the terms contained herein and that he has read this Agreement, conferred with his attorney, and fully understands its contents.

L. A copy or facsimile copy of the signature of any party shall be deemed an original with each fully executed copy of this Agreement as binding as an original, and the parties agree that this Agreement can be executed in counterparts, as duplicate originals, with facsimile signatures sufficient to evidence an agreement to be bound by the terms of the Agreement.

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

ATTEST:

BY: _____

TITLE: _____

DATE: _____

CITY OF HIGH POINT

BY: _____

TITLE: _____

DATE: _____

NCGS §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.

BY: _____
(FINANCE OFFICER)

(SEAL)

Remittance Address:

City of High Point

_____

_____

DEPARTMENT OF TRANSPORTATION

BY: _____
(CHIEF ENGINEER)

DATE: _____

PRESENTED TO BOARD OF TRANSPORTATION ITEM O: _____

APPENDIX I

MUNICIPAL OPERATIONS AGREEMENT – SCHEDULE C

Traffic Signal Operations Program

Key Components of a "Good" Level of Service:

1. Maximum Emergency Response Times
   - Trouble calls – 4 hours
   - Repair Knockdowns – 8 hours
   - Absence of a signal indication – Next working day
   - Repair/replace inoperative loops – 15 calendar days
2. Operational Performance Reviews
   - Perform the required minimum tasks at 6-month, 12-month and two-year intervals
   - Replace LED modules after 5 years of service
3. System Component Repairs
   - Repair equipment in a timely manner to support emergency and operational needs
   - Upgrade equipment firmware as appropriate to address items affecting operational efficiency and safety
   - Certify the proper operation of conflict monitors/malfunction management units on an annual basis

APPENDIX I

MUNCIPAL OPERATIONS AGREEMENT – SCHEDULE C

Operational Performance Review (OPR) Checklist – Traffic Signals

		Interval		
		6 MO	12 MO	2 YEARS
Cabinet	Lubricate hinges and lock	x		
	Replace Filters	x		
	Check Door Gasket	x		
	Check Anchor Bolts / Extension Bolts	x		
	Check for water seepage, dust accumulation; reseal base if needed	x		
	Check Grounding Resistance and Bonding Connections and Conductors	x		
	Check for current wiring schematics, Signal plans, and Maintenance Records	x		
	Check condition and operation of fan and thermostat	x		
	Check ground fault receptacle and insure no control equipment plugged into receptacle	x		
	Measure service voltage	x		
	Check interior lamps; replace as required	x		
	Check physical condition of meter / service disconnect	x		
	Clean and vacuum Cabinet	x		
	Visually check Line Filter and surge arrester	x		
	Inspect Foundation and exterior for damage, vandalism, and the presence and condition of signal inventory number	x		
	Test police panel switches		x	
	Place insect and/or rodent poison in cabinet if infestation is present	x		
Conflict Monitor	Verify conflict monitor certification date is within 12 months	x		
	Perform field check of operation. Remove load switch to create red fail and observe response of monitor. Ensure stop timing is implemented.		x	
Load Switches / Flashers	Check load switches and flashers for tight and secure fit into the socket	x		
	Check operation of all indicator lights	x		
Auxiliary Logic	Check for operation as per signal plans	x		

APPENDIX I

MUNCIPAL OPERATIONS AGREEMENT – SCHEDULE C

Operational Performance Review Checklist – Traffic Signals

		Interval		
		6 MO	12 MO	2 YEARS
Relays	Visually inspect condition of all relays and replace if necessary	x		
Terminal Connections	Check for discoloration and corrosion	x		
	Tighten all terminal connections	x		
	Check labels and replace as needed	x		
	Check programming of red monitor jumpers if present	x		
	Check condition of all loading resistors	x		
Controllers	Verify date and time, correct any discrepancies (if applicable)	x		
	Verify programming parameters	x		
	Verify proper software version	x		
	Verify operation per signal plan (phasing operation, timings, signal head display, pavement markings, etc.)	x		
	Check all harnesses and connections	x		
	Verify proper operation of any preemption circuits	x		
	Check operation of display and backlight	x		
	Check time clock settings	x		
	Check that Posted Speed Limit matches signal plan	x		
Detection Sensors	Inspect condition of all inductive loops and lead ins; Repair/replace as needed	x		
	Verify proper operation of detection sensors, meg; replace or repair as needed	x		
	Verify loop lead in cable is twisted in cabinet	x		
	Check loop lead-ins for correct labeling and phase assignments	x		
	Check alignment and proper operation of all out of street detection	x		
Detector Units	Check detector for proper operation and sensitivity	x		
	Verify stretch and delay programming and operation	x		

APPENDIX I

MUNCIPAL OPERATIONS AGREEMENT – SCHEDULE C

Operational Performance Review Checklist – Traffic Signals

		Interval		
		6 MO	12 MO	2 YEARS
Pedestrian Push Buttons	Check and actuate push buttons on all approaches of actuated crosswalks and visually verify pedestrian signal operation (Verify operation of all push buttons)	x		
	Check push button lamp (if applicable) for operation	x		
	Check push button alignment and accessibility	x		
	Check audio operation and direction	x		
	Check push button signs; clean or replace if necessary	x		
Pedestrian Heads	Re-lamp incandescent bulbs or replace LEDs if needed		x	
	Check condition, alignment and operation	x		
	Clean lenses and reflectors			x
Signal Heads and Blank Out Signs	Check for proper alignment, operation, and condition	x		
	Check condition of back plates (if used)	x		
	Check for proper height	x		
	Clean lenses, signs and LED modules; replace as needed			x
	Check for wear on the span wire and signal mounting hardware			x
Metal Poles and Mast Arms	Inspect for rust and spot paint as required		x	
	Inspect joints for rust and cracks at arm/upright location and at base plate		x	
	Visually inspect anchor bolts and mast arm bolts for condition and tightness		x	
	Check pole grounding and connections		x	
	Inspect for damage; document and report any damage found.		x	
	Check and secure pole caps and hand hole covers		x	
	Inspect all wiring and conduit in pole		x	
	Visually inspect condition of foundation		x	

APPENDIX I

MUNCIPAL OPERATIONS AGREEMENT – SCHEDULE C

Operational Performance Review Checklist – Traffic Signals

		Interval		
		6 MO	12 MO	2 YEARS
Wood Poles and Span Wire	Check pole for splitting	x		
	Check pole below grade for rot	x		
	Check clamps and all hardware	x		
	Check guy wire, anchors, and guards; repair if needed	x		
	Verify all spans are bonded to pole ground	x		
	Check pole grounding and connections	x		
Pull Boxes	Check the ground rod, clamp connection, and bonding of conduits if applicable		x	
	Check all cables in pull box for pinching by lid, including level of pull box		x	
	Check for abnormal amount of water; verify proper drainage		x	
	Check lid for abnormal condition and fit		x	
Systems Equipment	Ensure the controller operates in mode selected by master		x	
	Check any special equipment (transceivers, etc.) for proper operation		x	
	Disconnect controller from master and check for free or backup operation		x	
Conduit	Visually inspect all conduits; repair as needed		x	
Pavement Markings	Verify that pavement markings match intersection plans	x		
	Inspect condition of pavement markings	x		

MUNICIPAL OPERATIONS AGREEMENT – SCHEDULE C

Traffic Signals Reimbursement Schedule

The Department will reimburse the Municipality for operation of traffic signals on the following schedule.

Place a check beside the value for each function(s) the Municipality agrees to perform under any line item if all functions are not selected.

Place a check beside the value under "Total" if the Municipality is to perform all functions for any line item.

Item		Emergency Response		Operational Performance Reviews		System Component Repairs		Total	
A.	Vehicular Signal Section (average of 10 head/int. or 30 section/int.)	☐	$1.26	☐	$10.22			☑	$11.48
B.	Pedestrian Signal Head (Average of 4 heads/int.)	☐	$3.15	☐	$20.99			☑	$24.14
C.	Fiber-Optic or LED Blank-out Sign	☐	$12.60	☐	$12.60			☑	$25.20
D.	Pretimed Electronic Controller/Cabinet	☐	$75.58	☐	$138.56	☐	$228.90	☑	$443.04
E.	2-8 Assigned Phase Actuated Controller/Cabinet	☐	$75.58	☐	$503.84	☐	$272.50	☑	$851.92
F.	2-8 Assigned Phase Actuated Controller/Cabinet with Machine-vision Detection	☐	$75.58	☐	$503.84	☐	$817.50	☑	$1,396.92
G.	Flashing Beacon Controller/Cabinet	☐	$12.60	☐	$125.96			☑	$138.56
H.	Travel Costs for Operational Performance Reviews at Signalized Intersection (no Flashers)			☐	$62.98			☑	$62.98

Item		Lump Sum Payment		
CA.	Replace loop (includes labor, materials, and other cost for sawcutting and sealing)[1]	☑	$7.58	per foot of sawcut
CB.	Furnish and install Lead-in Cable	☑	$2.02	per foot installed
CC.	Furnish and install Conduit	☑	$7.03	per foot installed
CD.	Furnish and install 3/8-inch messenger cable and incidental hardware	☑	$3.19	per foot installed
CE.	Furnish and install 4 or 7-conductor signal cable	☑	$3.07	per foot installed

Item		Lump Sum Payment	
CF.	Furnish and install Standard size Junction Box	☑	$369.32
CG.	Furnish and install cover for Standard size Junction Box	☑	$59.95
CH.	Furnish and install Oversized Junction Box	☑	$515.00
CI.	Furnish and install cover for Oversized Junction Box	☑	$133.90
CJ.	Furnish and install Riser	☑	$544.87
CK.	Furnish and install 40-foot Class 3 Wood Pole[2]	☑	$962.02
CL.	Remove and dispose of Wood Pole.	☑	$201.00
CM.	Furnish and install Guy/Anchor Assembly	☑	$353.29
CN.	Furnish and install Grounding System	☑	$245.25
CO.	Furnish 12-inch 3-Section Vehicular Signal Head[2]	☑	$149.50
CP.	Furnish 12-inch 4-Section Vehicular Signal Head[2]	☑	$199.50
CQ.	Furnish 12-inch 5-Section Vehicular Signal Head[2]	☑	$339.50
CR.	Furnish 8-inch 3-Section Vehicular Signal Head[2]	☑	$102.20
CS.	Furnish Pedestrian Signal Head[2]	☑	$104.04
CT.	Furnish LED indication – 12-inch RED ball[2]	☑	$22.05
CU.	Furnish LED indication – 12-inch YELLOW ball[2]	☑	$23.16
CV.	Furnish LED indication – 12-inch GREEN ball[2]	☑	$22.50
CW.	Furnish LED indication – 12-inch RED Arrow[2]	☑	$23.00

Item		Lump Sum Payment	
CX.	Furnish LED indication – 12-inch YELLOW Arrow[2]	☑	$24.00
CY.	Furnish LED indication – 12-inch GREEN Arrow[2]	☑	$24.00
~~CZ.~~	~~Furnish LED indication – 8-inch RED ball[2]~~	☐	~~$23.00~~
~~DA.~~	~~Furnish LED indication – 8-inch YELLOW ball[2]~~	☐	~~$23.00~~
~~DB.~~	~~Furnish LED indication – 8-inch GREEN ball[2]~~	☐	~~$21.50~~
DC.	Furnish LED Indication – 12-inch Hand	☑	$46.25
DD.	Furnish LED indication – 12-inch Man	☑	$85.00
DE.	Furnish LED indication – 12-inch Hand/Man Overlay	☑	$70.00
DF.	Furnish LED indication – 12-inch Hand/Man Overlay with Countdown Module	☑	$95.00
DG.	Furnish Pretimed/Actuated Controller[2]	☑	$1,389.00
DH.	Furnish Pole-Mounted Cabinet[2]	☑	$3,850.00
DI.	Furnish Base-Mounted Cabinet with auxiliary file[2]	☑	$4,675.00
DJ.	Furnish Base-Mounted Cabinet without auxiliary file[2]	☑	$4,375.00
DK.	Furnish LED Blank-Out Sign[2]	☑	$2,188.00
~~DL.~~	~~Furnish 3-channel NEMA Plus Conflict Monitor[2]~~	☐	~~$230.00~~
~~DM.~~	~~Furnish 6-channel NEMA Plus Conflict Monitor[2]~~	☐	~~$437.80~~
~~DN.~~	~~Furnish 12-channel NEMA Plus Conflict Monitor[2]~~	☐	~~$537.40~~
DO.	Furnish NEMA TS-2 Malfunction Management Unit[2]	☑	$649.80

APPENDIX II

MUNICIPAL OPERATIONS AGREEMENT – SCHEDULE C
TRAFFIC CONTROL DEVICES – LEVEL C

Items included on this schedule may be added or deleted to those checked above by a request in letter form signed by the Mayor, Clerk (or Manager). The letter should be sent in quadruplicate to the Division Engineer accompanied by four (4) copies of the SCHEDULE with all appropriate items checked. If the Division Engineer approves the new SCHEDULE he should sign, as approved, all four (4) copies of the Municipality's letter of request. The Division Engineer then forwards one copy of the letter and SCHEDULE to the DOT Controller and Local Programs Management Office, returns a copy of each to the Municipality, and retains a copy for his file. The new SCHEDULE will then become effective at the beginning of the next quarter for reimbursement.

The Department reserves the right of verification that all selected functions are being properly performed. If it is determined that any authorized function is not being performed, the reimbursement will be reduced accordingly.

_____

CITY OR TOWN

_____ _____

CLERK DATE

_____ _____

MAYOR OR MANAGER DATE

DEPARTMENT OF TRANSPORTATION

_____ _____

DIVISION ENGINEER DATE

Item		Lump Sum Payment	
DP.	Furnish Type 2010 or Type 2018 Conflict Monitor with Absence of Red Monitoring[2]	☑	$466.00
DQ.	Furnish Detection Camera/Sensor with Enclosure[2]	☑	$1,590.00
~~DR.~~	~~Furnish Single Channel NEMA TS-1 Loop Detector Unit[2]~~	☐	~~$90.00~~
~~DS.~~	~~Furnish Two-Channel NEMA TS-1 Loop Detector Unit[2]~~	☐	~~$160.00~~
DT.	Furnish Two-Channel NEMA TS-2 Loop Detector Unit[2]	☑	$78.00
DU.	Furnish Two-Channel TYPE 222 Loop Detector Unit[2]	☑	$48.75
DV.	Furnish and replace Audible Pedestrian Signal[2]	☑	$436.00
DW.	Perform Annual Inspection on Railroad-Interconnected Intersections	☑	$197.30

[1] Replacement of defective loop with loop of identical or upgraded design requires no prior approval. Upgrading of functional rectangular loops to Quadrupole design requires prior approval from Division Traffic Engineer.

[2] Requires prior approval form Division Traffic Engineer for reimbursement of non-emergency replacements. If item is covered under warranty, Municipality will not be reimbursed without prior approval of Division Traffic Engineer.

Emergency Response: This function includes all labor and incidental items to bring the operation of the intersection into reasonable conformance with the existing plan of record. Reimbursements for items CA through DV will be given for items utilized in the completion of this work. Sufficient spare equipment must be purchased at the expense of the maintaining agency to insure all intersections are continuously operating according to the plan of record.

Operational Performance Reviews: This function includes the labor and materials as outlined in the attached Operational Performance Checklist. *Reimbursements for items CA through DV will be given for items utilized in the completion of this work only upon prior approval by the Division Traffic Engineer.* Where specialty equipment is not addressed specifically in the attached schedule, manufacturer's recommendations should be followed to insure continued optimum operation. Sufficient spare equipment must be purchased at the expense of the maintaining agency to allow the completion of this work.

System Component Repairs: This function includes labor, parts and materials to repair electronic traffic signal control components. This work typically involves in-house repair of electronic assemblies by troubleshooting and replacing specific integrated circuit chips, repairing damaged printed circuit traces, and making circuit modifications. This work includes making hardware, firmware and software upgrades to equipment to insure optimum operation. This work must be completed in a timely manner to support the emergency response and operational performance review functions.

MUNICIPAL OPERATIONS AGREEMENT – SCHEDULE C

SIGNALS LIST

SIGNAL LOCATION		STATE ID
Ashland St./Balfour Dr. & Main		08-0504
Archdale Rd. & Balfour Dr.		08-0505
Main St. & I-85 SB Ramp		08-0515
Main St. & I-85 NB Ramp		08-0516
Aldridge Rd/Renola Rd & Main		08-0646
Comanche/Tarheel Dr. & Main		08-0592
Baker/Petty & Main		08-0402
Archdale Rd. & Hwy 62 (Liberty/Trindale)		08-0134
Hwy 62 (Liberty/Trindale) & Main		08-0135
Archdale Rd. & Main		07-0208
Main & Fairfield		07-0734
Brentwood & Fairfield		07-0869
Baker & Fairfield		07-0813
College & Main		07-0804
Main & Nathan Hunt		07-0805
Farley & Main		07-0198
Surrett Dr. & Farley/Finch		07-2171
Main & Plaza Ln.		07-1290
Fairfield & Plaza Ln.		07-1291
Main & Ward		07-0797
Green & Ward		07-0799
Kearns & Main		07-0801
Centennial & Main		07-1005
Main & Market Center		07-0803
Grimes & Main		07-0794
Green & Hamilton		07-0789
Hamilton & Russell		07-0998
Russell & Wrenn		07-1000
Main & Russell		07-0288
Elm & Russell		07-0997
College/Market Center & Surrett		07-0947
Elm & Market Center		07-0948
Green & Market Center		07-0949
Green & Trinity		07-0809
Green & I-85 Business/US 29-70 SB Ramp		07-0414
Green & I-85 Business/US 29-70 NB Ramp		07-0416

Fairfield & Uwharrie		07-0200
Fairfield & Surrett		07-0738
Surrett & Corporation/Eden Terrace		08-0707
Surrett & Sealy		08-0303
English & Ward		07-0777
Country Club & Westchester		07-0736
Lexington & Westchester		07-0756
Chestnut & Westchester		07-0774
Phillips & Westchester		07-1374
Coventry & Westchester		07-0735
Ward & Westchester		07-0105
Burton & Westchester		07-0778
Market Center Dr. & Old Thomasville Rd.		07-0944
English & Market Center Dr.		07-0779
English & South Rd.		07-0946
Kivett & Lindsay		07-0994
Chestnut & English		07-0773
English & West Point		07-0776
Green & Wrenn		07-0788
Green & Main		07-0787
Elm & Green		07-0791
Green & Grimes		07-0792
Green & Taylor		07-0795
Centennial & Green		07-0995
Centennial & Russell		07-0996
Park & Russell		07-0999
Green & Park		07-0587
College & Russell		07-1178
College & Wise		07-1177
College & Kearns		07-1176
College & Green		07-1179
Brentwood & Green		07-1483
Green & US 311 Ramp SB		07-2002
Green & US 311 Ramp NB		07-2003
Brentwood & Business I-85/US29-70 SB Ramp		07-1363
Brentwood & Business I-85/US 29-70 NB Ramp		07-0379
English & Hamilton		07-1002
English & Wrenn		07-1004
English & Main		07-0770
Elm & English		07-0771
English & Lindsy		07-0772
High & Main		07-0785
Commerce & Main		07-0786

Farriss & Main		07-0761
Eastchester & Main		07-0753
Eastchester & Johnson		07-0737
Hartley & Johnson		07-1744
Eastchester & Hartley		07-1447
Centennial & College		07-1923
Main & Parkway		07-0762
Main & State		07-0755
East Mall & Hartley		07-1746
Centennial & Eastchester		07-0754
College & Lexington		07-0916
Lexington & McGuinn		07-0759
Johnson & Lexington		07-0814
Hamilton & Lexington		07-1001
Lexington & Rotary		07-0815
Main & Parris		07-0216
Main & Old Winston		07-0752
Hartley & Main		07-1455
Bellevue/Bue & Main		07-0894
Main & US 311		07-0893
Main & Old Plank Rd		07-1736
US 311 & Old Plank		07-1477
Hartley & Old Winston		07-1989
Main & Westover		07-2057
Penny & Wendover		07-0892
Premier & Wendover/Windstream Way		07-1857
Tarrant & Wendover		07-1441
Morris Farm & Wendover		07-1834
Piedmont Parkway & Wendover		07-1737
Guilford College & Wendover Ramp EB		07-1889
Guilford College & Wendover Ramp WB		07-1890
Guilford College & Hill Top/Piedmont Parkway		07-1217
Eastchester & US 311 NB Ramp		07-1623
Eastchester & Cypress Court/Gordon		07-1425
Eastchester & Penny		07-1527
Eastchester & Premier		07-1856
Eastchester & Willard Dairy/Mendenhall Parkway		07-1420
Eastchester & Clinard Farm/Piedmont Parkway		07-1525
Eastchester & Regency		07-1603
Eastchester & Gallimore Dairy		07-1438
Eastchester & Lassiter		07-1980
Eastchester & US 311 SB Ramp		07-1624
Eastchester & Hickswood		07-1937

Centennial & Kivett		07-0783
Hamilton & kivett		07-0782
Kivett & Wrenn		07-0781
Kivett & Main		07-0780
Hayden & Kivett		07-0993
Elm & Kivett		07-0402
College & Montlieu		07-0766
Lexington/Greensboro Rd & Montlieu		07-0760
Deep River & Greensboro Rd.		07-0457
Greensboro Rd. & US 311 Ramp SB		07-1593
Greensboro Rd. & US 311 Ramp NB		07-1592
Enterprise & Greensboro Rd.		07-1272
Greensboro Rd. & Penny		07-1323
Main & Scientific		07-1461
Main & Oakdale		07-1437
Main & Dillion/Ragsdale		07-1268
Dillion & Rail Road Crossing		07-2127
Guilford & Main		07-0197
Main & Westwood		07-0768
Church & Main		07-0769
College & Leonard		07-0586
College & Kivett		07-0915
Hoskin/Oneka & Kivett		07-0550
Brentwood & Kivett		07-1482
Kivett & US 311/I-74 Ramp SB		07-2005
Kivett & US 311/I-74 Ramp NB		07-2004
Kivett & Pendleton		07-1467
Kivett & Scientific		07-0856
Kivett & Triangle Lake		07-2052
Kivett & Harvey		07-1283
Kivett & Business I-85 SB Ramp		07-1578
Kivett & Business I-85 NB Ramp		07-1579
I-85 Bus NB Ramp & US 311 NB Ramp		07-2089
I-85 Bus NB Ramp & US 311 SB Ramp		07-2012
I-85 Bus SB Ramp & US 311 SB Ramp		07-2010
I-85 Bus SB Ramp & US 311 NB Ramp		07-2009
Main & Montlieu		07-0763
Lexington & Main		07-0757
Johnson & I-74/US 311 NB Ramp		07-1735
Johnson & I-74/US 311 SB Ramp		07-1265
Hartley & West Mall		07-1745
Eastchester & North Mall		07-1748
Centennial & Lexington		07-0758

Eastchester & Wendover		07-0493
Wendover & Samet		07-1999
Piedmont Parkway & Morris Farm		07-2069
Piedmont Parkway & Tarrant		07-1920
Eastchester & Deep River		07-2101
Penny & Samet		07-1981
Braddock & Skeet Club		07-2053
Barrow & Skeet Club		07-1473
Barrow & Southwest School		07-1879
Barrow & Willard Dairy		07-2116
Johnson & Skeet Club		07-0935
Wendover & Gisbourne		07-0105
Boundary & College (Flasher)		07-1275
Westchester & Wickliff (Flasher)		07-1276
Green & Lindsay (Flasher)		07-1277
Number of NCDOT Signals:		**180**

Fleet Services Department

Gary L. Smith
DIRECTOR

NORTH CAROLINA'S INTERNATIONAL CITY™

DATE: July 29, 2014

TO: Eric Olmedo, Budget & Evaluation

FROM: Gary L. Smith, Director of Fleet Services Gary L. Smith

SUBJECT: Agenda Item – Street Sweeper

I respectfully request that the following be included for consideration on the next Council Agenda scheduled for August 4th:

The purchase of a new street sweeper using the Houston-Galveston Area Council HGAC contract at a cost of $234,525 directly from the manufacturer. This is a 2015 Tymco Model 600 Sweeper and is similar to the other sweepers we are currently using.

This will replace a 2007 Johnson street sweeper is at the point of replacement in terms of useful life and maintenance costs. Sweepers are typically high maintenance equipment under the best of circumstances and this unit is not worth investing additional maintenance funds. Funding for this equipment is appropriated in the vehicle replacement account.

This request also includes declaring the 2007 Johnson street sweeper as surplus property and directing staff to dispose of said equipment through the online auction process.

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

TYMCO
600

TYMCO
600

“AN ORDINANCE AMENDING THE 2014-2015 BUDGET ORDINANCE
OF THE CITY OF HIGH POINT, NORTH CAROLINA
TO APPROPRIATE FUNDS FOR THE KILBY HOTEL AND FIRST BAPTIST CHURCH
ASBESTOS ABATEMENT

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

Section 1. Due to the collapse of the Kilby Hotel and the potential issues at the First Baptist Church, the High Point City Council has directed staff to proceed with asbestos abatement on these properties.

Section 2. In order to appropriate these funds, the 2014-2015 Budget Ordinance of the City of High Point, should be amended as follows:

(A) That the General Fund expenditures be amended as follows:

Building Inspections expenditures	$ 120,000

(B) That the General Fund revenues be amended as follows:

Appropriated Fund Balance	$ 120,000

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 this 4th day of August, 2014

City Attorney
JoAnne L. Carlyle

NORTH CAROLINA'S INTERNATIONAL CITY™

DATE: **July 30, 2014**

TO: **City Council and City Manager**

FROM: **JoAnne L. Carlyle, City Attorney**

RE: **Reconveyance of Property to Marsh Furniture**
August 4th Council Agenda Item

Council is requested to consider a Resolution authorizing the Mayor to execute a quitclaim deed that will reconvey certain property acquired from Marsh Furniture Company on October 10, 1966 by deed recorded in Book 2303, Book 264, Guilford County Registry. City of High Point has neither used nor has current need of the property. To effectuate this item a quitclaim deed would be executed by the Mayor after the Notice of Intent to Reconvey has been advertised once per week for two consecutive weeks.

I will be glad to answer any questions you may have regarding this matter.

City of High Point, P.O. 230, 211 South Hamilton Street, High Point, NC 27261 USA
Phone: 336.822.4745 Fax: 336.883.2129
E-mail: joanne.carlyle@highpointnc.gov

RESOLUTION of the HIGH POINT CITY COUNCIL
APPROVING RECONVEYANCE
OF REAL PROPERTY

WHEREAS, the City of High Point owns property which was acquired from Marsh Furniture Company ("Marsh") on or about October 10, 1966 by deed recorded in Book 2303, Page 264, Guilford County Register of Deeds; and

WHEREAS, the City provided no payment or other consideration to Marsh for the acquisition; and

WHEREAS, the City has never made use of the property and is not aware of any future need of the property; and

WHEREAS, Marsh desires to use the property for improvements to its business located within the City of High Point and Marsh has requested that the property be returned; and

WHEREAS, the North Carolina General Statute §153A-177 authorizes a city to re-convey real property without consideration to the original property owner if the City no longer intends to use the property and after the City has provided notice of its intent to do so by publication once a week for two weeks.

NOW THEREFORE, THE CITY COUNCIL FOR THE CITY OF HIGH POINT RESOLVES THAT:

1. Notice of Intent to Reconvey the property acquired from Marsh Furniture Company on or about October 10, 1966 by deed recorded in Book 2303, Page 264, Guilford County Register of Deeds shall be published once a week for two weeks in accordance with NCGS §153A-177; and

2. After completion of the necessary publications, the Mayor of the City of High Point is authorized to execute all documents necessary to reconvey the property to Marsh Furniture Company.

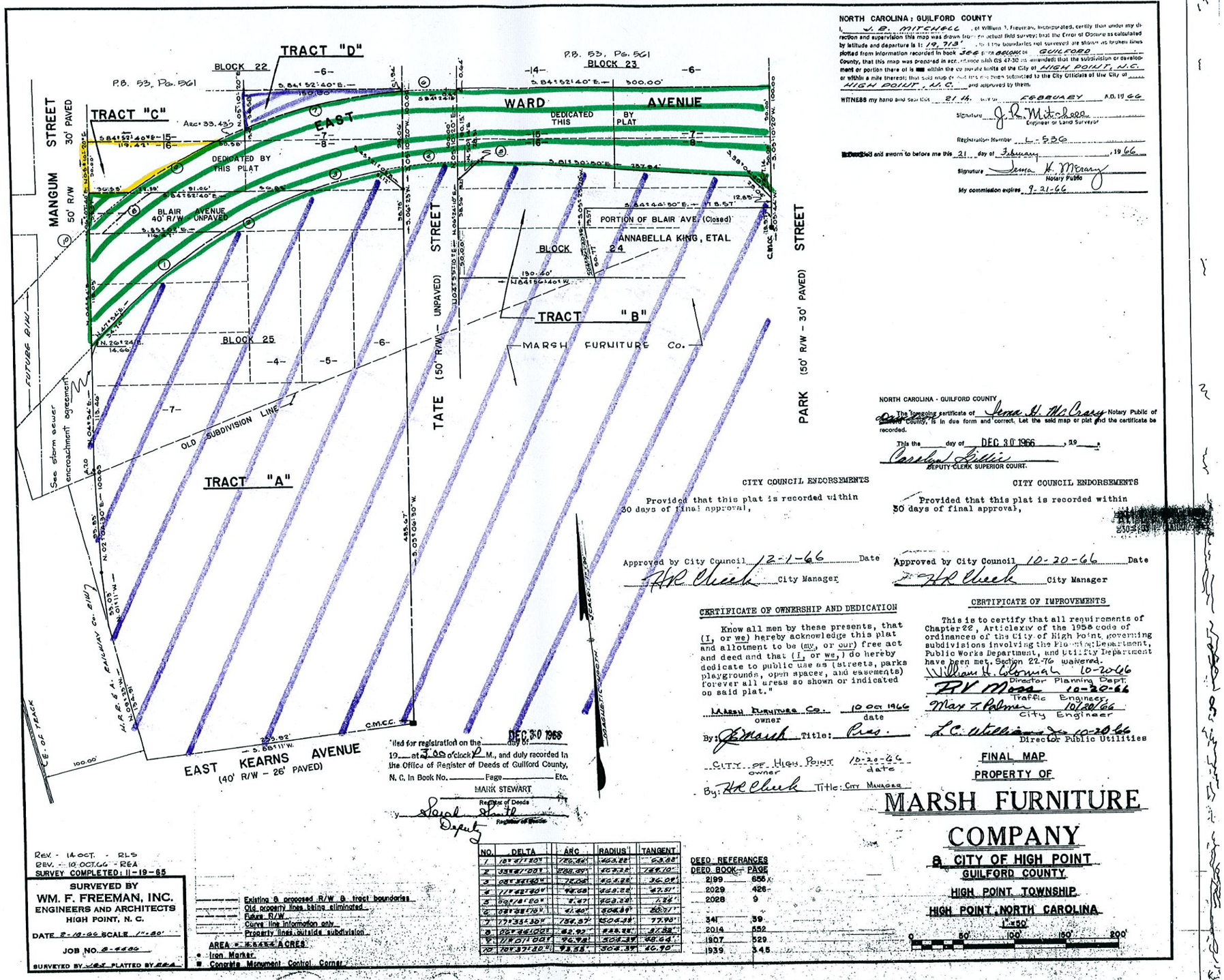
Adopted this 4th day of August, 2014.

CITY OF HIGH POINT

By: _____
Bernita Sims, Mayor

_____
Lisa Vierling, City Clerk

Book 40 Page 61



NORTH CAROLINA ; GUILFORD COUNTY

I, J. B. MITCHELL, of William F. Freeman, Incorporated, certify that under my direction and supervision this map was drawn from an actual field survey; that the Error of Closure as calculated by latitude and departure is 1:10,719; that the boundaries not surveyed are shown as broken lines plotted from information recorded in book 366 page 61 of GUILFORD County, that this map was prepared in accordance with GS 47-30 as amended; that the subdivision or development or portion there of is ■ within the corporate limits of the City of HIGH POINT, N.C. or within a mile thereof; that said map or plat has been submitted to the City Officials of the City of HIGH POINT, N.C. and approved by them.

WITNESS my hand and seal this 21st day of FEBRUARY A.D. 1966

Signature J. B. Mitchell
Engineer or Land Surveyor

Registration Number L-536

Subscribed and sworn to before me this 21 day of February, 1966

Signature Irma H. McCrary
Notary Public

My commission expires 9-21-66

NORTH CAROLINA - GUILFORD COUNTY

The foregoing certificate of Irma H. McCrary Notary Public of Guilford County, is in due form and correct. Let the said map or plat and the certificate be recorded.

This the DEC 30 1966 day of _____, 19__.

Carolyn Gillis
DEPUTY CLERK SUPERIOR COURT.

CITY COUNCIL ENDORSEMENTS

Provided that this plat is recorded within 30 days of final approval,

Approved by City Council 12-1-66 Date

H R Cheek City Manager

CITY COUNCIL ENDORSEMENTS

Provided that this plat is recorded within 30 days of final approval,

Approved by City Council 10-20-66 Date

H R Cheek City Manager

CERTIFICATE OF OWNERSHIP AND DEDICATION

Know all men by these presents, that (I, or we) hereby acknowledge this plat and allotment to be (my, or our) free act and deed and that (I, or we,) do hereby dedicate to public use as (streets, parks playgrounds, open spaces, and easements) forever all areas so shown or indicated on said plat."

MARSH FURNITURE Co. 10 OCT 1966
owner date

By: J. B. Marsh Title: Pres.

CITY OF HIGH POINT 10-20-66
owner date

By: H R Cheek Title: City Manager

CERTIFICATE OF IMPROVEMENTS

This is to certify that all requirements of Chapter 22, Article IV of the 1956 code of ordinances of the City of High Point, governing subdivisions involving the Planning Department, Public Works Department, and Utility Department have been met. Section 22-76 waivered.

William H. Coleman 10-20-66
Director Planning Dept.

R V Moss 10-20-66
Traffic Engineer

Max T Palmer 10/20/66
City Engineer

L C Wilkins 10-20-66
Director Public Utilities

Filed for registration on the DEC 30 1966 day of 19__ at 3:00 o'clock P M., and duly recorded in the Office of Register of Deeds of Guilford County, N. C. in Book No. _____ Page _____ Etc.

MARK STEWART
Register of Deeds

by Leigh Stuart
Deputy Register of Deeds

NO.	DELTA	ARC	RADIUS	TANGENT
1	18°47'30"	120.46'	623.28'	60.85'
2	33°58'00"	288.39'	487.28'	148.10'
3	08°34'00"	78.08'	521.28'	39.08'
4	11°42'30"	98.68'	483.28'	49.51'
5	00°18'00"	2.47'	523.28'	1.24'
6	03°35'00"	41.40'	504.89'	20.71'
7	17°35'30"	154.97'	504.28'	77.98'
8	09°46'00"	82.92'	486.28'	41.58'
9	18°10'00"	96.92'	305.39'	48.64'
10	70°37'30"	93.88'	304.39'	56.90'

DEED REFERANCES

DEED BOOK	PAGE
2199	655
2029	426
2028	9
341	39
2014	552
1907	529
1939	345

REV. - 14 OCT. - RLS
REV. - 10 OCT. 66 - REA
SURVEY COMPLETED: 11-19-65

SURVEYED BY
WM. F. FREEMAN, INC.
ENGINEERS AND ARCHITECTS
HIGH POINT, N. C.

DATE 2-10-66 SCALE 1"=50'

JOB NO. 8-1466

SURVEYED BY WFF PLATTED BY REA

Existing & proposed R/W & tract boundaries
Old property lines being eliminated
Future R/W
Curve line information only
Property lines outside subdivision

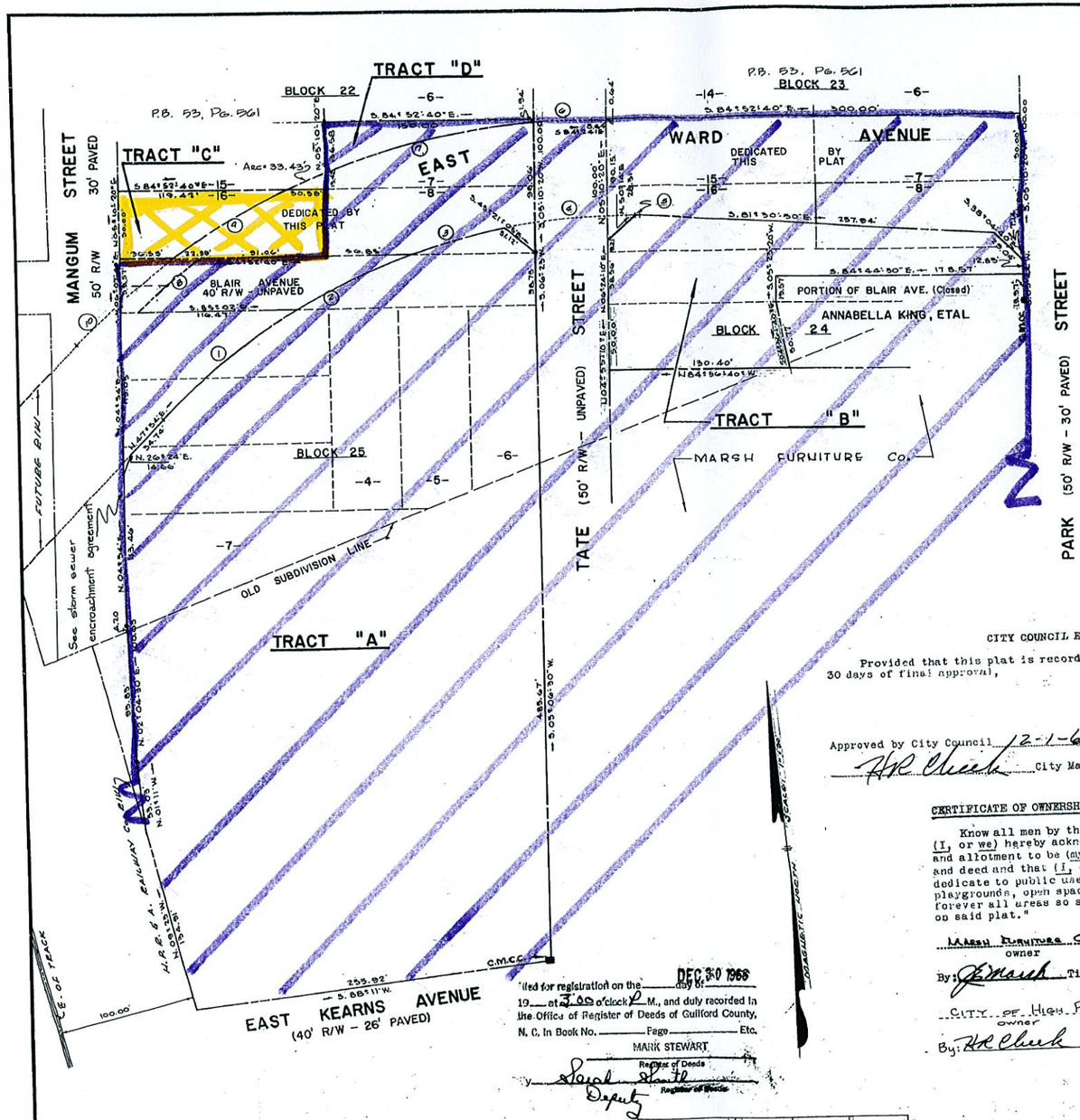
AREA = 5.5455 ACRES

● Iron Marker.
■ Concrete Monument Control Corner.

FINAL MAP
PROPERTY OF
MARSH FURNITURE COMPANY
& CITY OF HIGH POINT
GUILFORD COUNTY
HIGH POINT TOWNSHIP
HIGH POINT, NORTH CAROLINA

1"=50'
0 50' 100' 150' 200'

Book 40 Page 61



NORTH CAROLINA : GUILFORD COUNTY

I, J. B. MITCHELL, of William F. Freeman, Incorporated, certify that under my direction and supervision this map was drawn from an actual field survey; that the Error of Closure as calculated by latitude and departure is 1: 19,713'; that the boundaries not surveyed are shown as broken lines plotted from information recorded in book 564 page 561 of the GUILFORD County, that this map was prepared in accordance with GS 47-30 as amended; that the subdivision or development or portion there of is ■ within the corporate limits of the City of HIGH POINT, N.C. or within a mile thereof; that said map or plat is ☐ is subjected to the City Officials of the City of HIGH POINT, N.C. and approved by them.

WITNESS my hand and seal this 21 st. day of FEBRUARY A.D. 19 66

Signature J. B. Mitchell
Engineer or Land Surveyor

Registration Number L-536

Subscribed and sworn to before me this 21 day of February, 1966

Signature Jessa H. McCrary
Notary Public

My commission expires 9-21-66

NORTH CAROLINA - GUILFORD COUNTY

The foregoing certificate of Jessa H. McCrary Notary Public of Guilford County, is in due form and correct. Let the said map or plat and the certificate be recorded.

This the ___ day of DEC 30 1966, 19___.

Carolyn Gillie
DEPUTY CLERK SUPERIOR COURT.

CITY COUNCIL ENDORSEMENTS

Provided that this plat is recorded within 30 days of final approval,

Approved by City Council 12-1-66 Date
H.R. Cheek City Manager

CITY COUNCIL ENDORSEMENTS

Provided that this plat is recorded within 30 days of final approval,

Approved by City Council 10-20-66 Date
H.R. Cheek City Manager

CERTIFICATE OF OWNERSHIP AND DEDICATION

Know all men by these presents, that (I, or we) hereby acknowledge this plat and allotment to be (my, or our) free act and deed and that (I, or we,) do hereby dedicate to public use as (streets, parks playgrounds, open spaces, and easements) forever all areas so shown or indicated on said plat."

MARSH FURNITURE Co. 10 Oct 1966
owner date

By: J. E. Marsh Title: Pres.

CITY OF HIGH POINT 10-20-66
owner date

By: H.R. Cheek Title: City Manager

CERTIFICATE OF IMPROVEMENTS

This is to certify that all requirements of Chapter 22, Article XIV of the 1958 code of ordinances of the City of High Point governing subdivisions involving the Planning Department, Public Works Department, and Utility Department have been met. Section 22-76 waivered.

William H. Gilmah 10-20-66
Director Planning Dept.

R.V. Moss 10-20-66
Traffic Engineer

Max T. Palmer 10/20/66
City Engineer

L.C. Utsler 10-20-66
Director Public Utilities

FINAL MAP
PROPERTY OF

MARSH FURNITURE COMPANY & CITY OF HIGH POINT

GUILFORD COUNTY
HIGH POINT TOWNSHIP
HIGH POINT, NORTH CAROLINA

1"=50'

0 50 100 150 200

Filed for registration on the DEC 30 1966 day of
19___ at 3:00 o'clock P M., and duly recorded in the Office of Register of Deeds of Guilford County, N. C. in Book No. ___ Page ___ Etc.

MARK STEWART
Register of Deeds

By Hazel Smith
Register of Deeds
Deputy

NO.	DELTA	ARC	RADIUS	TANGENT
1	18°27'30"	170.44'	465.22'	86.06'
2	33°41'00"	268.37'	409.22'	138.10'
3	08°51'00"	76.08'	514.22'	38.09'
4	11°42'30"	98.68'	483.22'	49.51'
5	00°18'20"	8.47'	483.22'	1.24'
6	08°38'00"	41.46'	504.89'	20.77'
7	17°35'30"	154.87'	504.39'	77.95'
8	09°46'00"	82.92'	486.22'	41.58'
9	17°01'00"	90.98'	306.39'	45.64'
10	10°37'30"	93.55'	502.39'	46.90'

DEED REFERANCES	
DEED BOOK	PAGE
2199	655
2029	426
2028	9
341	39
2014	552
1907	529
1939	345

REV. - 14 OCT. - RLS
REV. - 10 OCT. 66 - REA
SURVEY COMPLETED: 11-19-65

SURVEYED BY
WM. F. FREEMAN, INC.
ENGINEERS AND ARCHITECTS
HIGH POINT, N. C.

DATE 2-10-66 SCALE 1"=50'

JOB NO. 8-4466

SURVEYED BY WFF PLATTED BY REA

Existing & proposed R/W & tract boundaries
Old property lines being eliminated
Future R/W
Curve line information only
Property lines outside subdivision

AREA = 8.6666 ACRES

● Iron Marker.
■ Concrete Monument Control Corner.

Ownership before dedication
City of High Point
Marsh Furniture

City of High Point
Budget & Evaluation Office

August 1, 2014

MEMORANDUM

TO: Randy McCaslin
Interim City Manager

FROM: Eric Olmedo
Budget & Performance Manager

SUBJECT: Agenda Item for City Council

The attached documentation is an accounting of funds being transferred from the Core City Development accounting unit (101541) to the City Manager's accounting unit (101111) and the Special Appropriations accounting unit (101491).

Since this action will not increase the total appropriation of the General Fund, the action necessary to make these changes will be a budget transfer, not a budget amendment.

Upon approval of the attached budget transfer, the Budget staff will make the necessary changes in the accounting system. Please let me know if you have any questions.

cc: Bob Morgan
Jeff Moore

Attachments: budget transfer

P.O. 230, 211 South Hamilton Street, High Point, NC 27261 USA
Fax: 336.822.7027 Phone: 336.883.3018 TDD: 336.883.8517

Accounting Unit 101541 - Core City Development

Account	Account Description	FY 2014-2015 Approved Budget	FY 2014-2015 Amended Budget	$ Change
511101	Regular Full -Time	$ 103,208	0	$ (103,208)
511401	Vehicle Allowance	6,000	0	(6,000)
511402	Cellular Allowance	1,430	0	(1,430)
512101	Group Health Care	6,818	0	(6,818)
512102	Group Life Insurance	221	0	(221)
512103	Dental Care	240	0	(240)
512104	Workers Compensation	663	0	(663)
512201	Social Security-FICA	8,464	0	(8,464)
512202	Retirement-LGERS	7,822	0	(7,822)
520102	Memberships and Dues	1,000	0	(1,000)
521102	Postage, Mailing, Shipping, Courier	500	0	(500)
521199	Miscellaneous Services & Charges	2,500	0	(2,500)
521299	Other Printing Services	3,000	0	(3,000)
522408	Computer Replacement Rental	750	0	(750)
522501	Centrex, Regular Lines	1,570	0	(1,570)
523102	Office Rental (i.e.Core City.)	6,000	0	(6,000)
526101	Supplies, Parts, and Tools	1,000	0	(1,000)
527101	Consulting & Professional Fees	25,000	0	(25,000)
529704	Local Grant Match	35,000	0	(35,000)
	TOTAL	**$ 211,186**	**-**	**$ (211,186)**

Accounting Unit 101111 - City Manager

Account	Account Description	FY 2014-2015 Approved Budget	FY 2014-2015 Amended Budget	$ Change
511101	Regular Full -Time	$ 647,627	$ 750,835	$ 103,208
511401	Vehicle Allowance	12,000	12,700	700
511402	Cellular Allowance	3,510	4,940	1,430
511407	Internet Allowance	600	600	-
512101	Group Health Care	40,908	47,726	6,818
512102	Group Life Insurance	1,329	1,550	221
512103	Dental Care	1,440	1,680	240
512104	Workers Compensation	428	1,091	663
512201	Social Security-FICA	50,777	59,241	8,464
512202	Retirement-LGERS	46,926	54,748	7,822
512207	401-A Deferred Compensation	8,408	8,408	-
520102	Memberships and Dues	7,412	7,412	-
520103	Departmental Training	8,300	8,300	-
521102	Postage, Mailing, Shipping, Courier	400	400	-
521199	Miscellaneous Services & Charges	7,000	18,620	11,620
522408	Computer Replacement Rental	4,216	4,216	-
522501	Centrex, Regular Lines	3,399	3,399	-
526101	Supplies, Parts, and Tools	8,000	8,000	-
526301	Rent of Equipment	11,000	11,000	-
527101	Consulting & Professional Fees	135,500	135,500	-
529704	Local Grant Match	-	35,000	35,000
				-
	TOTAL	**$ 999,180**	**$ 1,175,366**	**$ 176,186**

Accounting Unit 101491 - Special Appropriations

Account	Account Description	FY 2014-2015 Approved Budget	FY 2014-2015 Amended Budget	$ Change
512104	Workers Compensation	$ 577,436	$ 577,436	$ -
512105	Unemployment Insurance	355,000	355,000	-
520303	Institute of Government	12,161	12,161	-
520304	Triad Council of Governments	22,154	22,154	-
521199	Miscellaneous Services & Charges	344,218	344,218	-
527101	Consulting & Professional Fees	200,000	200,000	-
528201	General Property Insurance	100,000	100,000	-
528301	Auto Liability Insurance	100,000	100,000	-
528401	General Insurance	600,000	600,000	-
528403	Official Bonds	7,000	7,000	-
529401	Rescue Squad	5,000	5,000	-
529402	National Guard	2,500	2,500	-
529408	HP Convention & Visitor's Bureau	1,435,000	1,435,000	-
529409	High Point Arts Council	117,063	117,063	-
529410	Joint Historical Commission	2,000	2,000	-
529413	Theatre Art Gallery	31,000	31,000	-
529417	The City Project	-	35,000	35,000
529421	Southwest Renewal Foundation	38,500	38,500	-
529422	Mental Health Association of the Triad	25,000	25,000	-
529423	Macedonia Family Resource Center	9,000	9,000	-
529424	Open Door Ministries	20,000	20,000	-
529428	West End Ministries	20,000	20,000	-
529429	Helping Hands	10,000	10,000	-
529705	Grant Projects Pending	100,000	100,000	-
	TOTAL	**$ 4,133,032**	**$ 4,168,032**	**$ 35,000**
	GRAND TOTAL	**$ 5,343,398**	**$ 5,343,398**	**$ -**

COMPREHENSIVE PLANNING COMMITTEE
Chaired by Council Member Smothers
(COMMITTEE OF THE WHOLE)
JULY 17, 2014 – 9:00 A.M.
THIRD FLOOR CONFERENCE ROOM

MINUTES

PRESENT:
Council Member Smothers, Mayor Sims, Council Members Davis, Douglas, Ewing, Golden, Mendenhall, Moore, and Wagner

STAFF PRESENT:
Randy McCaslin, City Manager
Bob Morgan, Assistant City Manager
Jeron Hollis, Communications Officer
Loren Hill, Economic Development
Mary Sizemore, Library Director
Heidi Galanti, Senior Planner
David Briggs, Director of High Point Theater
JoAnne Carlyle, City Attorney
Brent Cole, Assistant City Attorney
Lisa Vierling, City Clerk
Dawn Sparks, Deputy City Clerk

OTHERS PRESENT:
Cindy Davis – Member of Planning and Zoning Commission
Chris Dudley – High Point University
Peter Freeman – Freeman Kennett Architects
John Kennett – Freeman Kennett Architects
Jerry Mingo
Jim Bronnert – Parks & Recreation Commission
David Rosen – We Heart High Point
Elijah Lovejoy
Monica Peters – We Heart High Point

MEDIA PRESENT:
Pat Kimbrough, *High Point Enterprise*
Jordan Greene – *Triad City Beat*

HPU Area Growth Plan Update
Chris Dudley from High Point University was present to give an update on High Point University's Growth Plan. Mr. Dudley stated that he did have a chance in February to discuss some of their plans with the Planning & Zoning Commission. High Point University is trying to do a better job at getting their future plan information out to the community by holding meetings with community and religious leaders in the community. Mr. Dudley stated that the University is a thriving, changing and growing organization and the plans they have are all very market driven.

The University has over $200,000,000 in building projects planned over the next five to six years.

- The Montlieu Avenue closure will officially close on July 31st. The University has been working closely with City officials to develop a plan for that communication as it relates to the closure. Beginning on July 31st the University will begin their development of Montlieu Avenue with the School of Health Sciences, Pharmacy and the Undergrad Science Building. The Montlieu Avenue entrance will not be used, except for the construction entrance.
- At the intersection of Montlieu Avenue and North College and Boundary there is a parking lot expansion underway. The University came to Planning & Zoning last month and was approved unanimously and it will be coming before Council at their next council meeting.
- At the Centennial and North Avenue construction a new entrance is underway. This has always been an entrance to the campus and the construction is to beautify the entrance with the building of a welcome center and a turn lane off the east side of the road into the entrance. Completion is scheduled for August 23rd.
- Construction of a new Athletic Performance Center is planned, which is a 40,000 square foot building at the cost of $9 million. Opening of the building is planned before school begins.
- Construction of a Center for Student Success is scheduled in the area of North Avenue/Fifth Street. The building is about 50,000 square feet at a total cost of $20,000,000. The facility will house all the experiential learning programs. Completion is scheduled for April of 2015.
- Construction of a much needed Residential Complex is planned. The area has already been zoned for a residential complex. The University is planning the complex to be like Centennial Square. This project is scheduled for August of 2015. It will accommodate about 350 students.
- The Health Sciences and Pharmacy Building is planned for construction. It will be over 200,000 square feet at a cost of about $85,000,000. The target completion date is set for March 30, 2017. The University is well underway with all their accreditation processes as well as design.
- The Undergraduate Science Building is in the process of being planned. The University anticipates a state of the art building. There is not a specific timetable set for this project, but the University is anticipating completion to be 2017-2019.

Council Member Mendenhall asked what the University will be using as its main entrance into the campus. Mr. Dudley stated that the University Avenue entrance will be used. North Avenue will also be a major entrance as well as Panther Drive.

Mayor Sims asked if the turn lane construction on Centennial would cause any traffic issues during construction along with the closing of Montlieu. Mr. Dudley stated that he did not believe it would because the construction is well underway and it is not prohibiting any of the flow of traffic on Centennial.

Council Member Smothers stated that two key questions that arose from the general interest in the community had to do with what the University's projected plan is for major

construction projects, which have been outlined, and also if there was sufficient property existing within the University footprint to accommodate that. Mr. Dudley stated that all of the projects that the University has planned are within the campus as it stands today. Council Member Smothers stated that a recognition came up some time ago about the presence of the Wesleyan School and the University along Eastchester and Centennial and with the Wesleyan plans for a distant campus, which almost begs the question of what that land use conversion would be in time. Council Member Smothers asked if the University had any interest about looking at the future land use potential for that property. Mr. Dudley stated that the University does have about 450 students that live in this location and administrative buildings there as well, but the University has no other plans for that area or the extension of that area at this time. Council Member Smothers felt that the University has a vested interest in what does redevelops there. Mr. Dudley stated that the entire community has a vested interest in what develops there.

Library Parking Plaza Update

Peter Freeman presented the Library Parking Plaza update. Mr. Freeman stated that the Library Plaza is one of the fourteen points of development set out in the Ignite High Point Charrette process.

Once the Charrette was done they went through a conceptual design process for the library:

- Main Street after the Parkway intersection actually begins to turn to the east, but from Lexington Avenue down to Parkway the angle of the road is almost a true north access, so one of the things they looked at in all of the concepts was how they could emphasize that axis in order to bring more dignity to the library.
- The original conceptual plan included a gathering space, and that gathering space was placed close to the front door of the library.
- There were some other interesting components, with the idea of creating a grove of trees in the parking lot. That idea is something they wish to continue for several reasons to make it a more pleasant space and to provide shade.
- Another piece of the original plan was to develop the backside of the library. What has happened over time is the intersection of Main Street and Sunset has become more important and they have added a clock tower at that location to give more importance to that intersection.

After going through the Charrette process there were some ideas and comments that began to arise. One of the fundamental pieces and comments was whether or not the library was in fact an appropriate place to have a large gathering space where they could have music venues and farmers markets. Mr. Freeman stated that at that point they began to look at this project as a plaza having more to do than the singular mission of the library itself. In talking about that and in keeping with the original intent of the charrette they liked the idea of reducing the amount of programming on this site, but at the same time the city continues to have the need for a public gathering space and it has the need for a farmer's market, and they would like to make sure while they are

working on this that they continue to push the idea of those spaces happening at other sites in the city.

In this particular plan are the following:

- The continued idea of the grove parking to provide shading
- Having important things happening on the south side of the building with the use of the clock tower and a sun dial to begin to understand the orientation of the library through the use of the sun dial
- Doing community gardens on the south side of the building
- The thought of developing a botanical garden to give a different feel to the entire plaza. This can turn Krispy Kreme into a coffee shop, which can in turn allow people to take a book and walk down into a botanical garden and enjoy the site in a different way.
- The use of a series of fountains that lead to the front door
- The green area in front of the area in front, which is about 1/5 of an acre, can actually support gathering of 250 – 300 people.
- The opportunity to provide a community Christmas tree at the front fountain area.

The project works well from a safety and security standpoint. Pedestrian wise there is a lot of connectivity that ties into the First Presbyterian Church and allows easy pedestrian access to the Woodrow neighborhood, Johnson Street, and Hamilton neighborhoods. On the east side of the site the development allows for a great pedestrian connectivity to the west side.

As the site currently stands there is a crossroad that is a safety problem. A big concern from the last plan was that the parking was not adjacent to the building, and they spend a lot of time and focus making sure that they have parking much closer to the front door. They have continued the drive through drop off exactly as it is now. The book mobile continues to be in the same location. The library building will work exactly as it has been, but what will happen is the parking lot works much better.

There are a total of 203 cars that can be parked on site. Currently the parking allows for 178 cars. They have attempted to fix a lot of the vehicular circulation problems that exist in the parking lot now. One of the ideas that came out of the process is whether they should approach Krispy Kreme and ask them to think about how they could do a little do a different prototype or change what they are doing to make it more pedestrian friendly and provide better cross circulation with the library site.

Another important aspect that needed to be considered is the two parcels not owned by the library on Elm Street adjacent to the roundabout. The plan has the ability to develop the majority of the parking in all of the plaza both on the south side of the building and the front of the building and phase in the buying of the two parcels along Elm Street if need be.

Council Member Smothers stated that Mr. Freeman did get some input back from various council members and that before they spend the time to put the numbers on the

project he would like Council's approval. Council Member Smothers stated that she had suggested to the Manager that they also have some staff examination of the plan in terms of transportation and traffic movement. Randy McCaslin stated that engineering, transportation, and parks and recreation have all looked at the plan and are comfortable with it.

Council Member Ewing stated that a couple of concerns that came out of the Library Board on this plan was the continuity between the lot closest to North Main and someone having to go all the way around the parking lot to access the other handicapped spaces. The other concern was the roundabout where people will drive in and drop off their books and the handicapped spaces adjacent to that creating a traffic issue.

Council Member Mendenhall stated she was one of the ones that sent some suggestions, and she felt that this project is so beautiful and she feels it enhances and retains the dignity of what a library is.

Mayor Sims stated that she had heard a comment about construction fatigue in this area, and noted that some type of construction has been ongoing in this area of Main Street for years and at some point in time there has to be relief from this. Mayor Sims stated that if they are going to do anymore construction in this area they need to go ahead and get it all done at once so they have a completed finished product and they are not consistently having to deal with barriers.

Council Member Mendenhall made a motion, seconded by Council Member Wagner to refer this matter to staff for cost estimates for the Library Project, and direct staff to bring back a time table to coordinate with the burying of the overhead utility lines.

Mayor Sims stated that she would not support the motions together because she is not sure where she stands with the whole burying of the utility lines on North Main.

Council Member Mendenhall restated her original motion, seconded by Council Member Wagner to support the Library Parking Plaza Project and that staff work on coming back to Council with the dollar figures taking into account everything that the City needed to be aware of, and to see the project in phases. The motion passed unanimously. (9-0 vote)

Council Member Mendenhall made a motion, seconded by Council Member Wagner for staff to provide estimates on the burying of the power lines and how that might be integrated into the overall development of the Library. Motion passed unanimously. (9-0 vote)

Pit Project Update

Randy McCaslin stated there was an event at The Pit on Monday night. Some of Council were in favor of the event and others had problems with it. The City has

received two more requests to use The Pit within the next thirty days. David Briggs has put together a draft form outlining policies and procedures, addressing whether they want to charge events for using The Pit, and whether or not the Council wants to require potential users to come up with liability insurance. Mr. McCaslin was concerned that the more conditions they put on The Pit the less it will be used because of the costs involved with using the property. The original direction from Council was to try to get something that will bring people downtown.

Council Member Smothers stated that Council also wanted to identify what it would take for people to use it. They have addressed the safety issues with the installation of some fencing. Mr. McCaslin stated that they have installed some temporary fencing and will follow up that with some permanent fencing at Council's direction.

Council Member Smothers asked if they have put up fencing sufficiently to keep the public off of property which is not the City's. Mr. McCaslin stated that they cannot fence the property off from the private properties and keep people out of the private property because there are too many entrances and exits and the City does not control all of the areas.

Council Member Smothers asked JoAnne Carlyle her legal opinion of The Pit issues. Ms. Carlyle stated that there are a number of issues. The biggest issue is the question about liability insurance because generally that is something that is required of anybody that is doing business with the City. Ms. Carlyle felt that at some point the City would be served with a lawsuit even with liability insurance in place, but the insurance would protect the City from damages, but if they do not require the liability insurance the City will have total exposure. Ms. Carlyle stated that property has so many different leasehold interests, it has air rights to certain parts of it, and they are uncertain about the lower area. Mr. McCaslin clarified that The Pit is made up of three levels. There is a lower level that has an entrance from Commerce Street, there is the main area that enters beside the Depot, and then there is an upper level that comes in from a walkway on Main Street.

Council Member Davis referred to the event that was held at The Pit on Monday and asked if the liability insurance provided for that event. Mr. McCaslin stated that they informed the event that if they were serving alcohol then they would have to require the liability insurance, but without the alcohol the caterer did have some level of insurance, but it is uncertain whether it named the City as an additional insured.

Mr. McCaslin stated that to have an event they need to have liability insurance for an event which is anywhere from $250 to $500, and with alcohol it goes up from there. It is usually based on number of participants.

Council Member Smothers stated that Brian Saunders had stated at some point about trying to get exclusive leasehold for The Pit, and that the insurance was so expensive it could not be done on a single event basis.

Council Member Ewing asked if the City could take out liability insurance on The Pit and then make that part of the fee for using The Pit. Mr. McCaslin felt they could do that.

Mayor Sims stated they could take out all the insurance policies they want but it still would not prevent any entity from going above and beyond whatever that liability insurance is, and when you begin adding rides and games, tents, etc. it needs a whole different discussion. JoAnne Carlyle stated that the other issue they have to consider is if they do not require whoever is using that venue or any others to purchase the liability insurance like they do for everyone else, then what guidelines do they apply equally across the board.

Council Member Mendenhall stated she feels that Council has the responsibility to ensure that they protect the city the best they can and how they choose to do that is what this Council is going to have to decide.

Council Member Davis stated he understands there were some murals painted at The Pit, and asked what the policy is on that. Randy McCaslin stated that was allowed at the first party, and so they did not change anything for this one. Monica Peters stated that they did get permission to do the murals and it was Brian Saunder's event. Ms. Peters stated that Mr. Saunders was not going to advise the city about the murals, but she felt it was her obligation to let the City to know about the event and she signed the permit for the event, even though it was not her event. Randy McCaslin stated that they did not talk about the mural paintings. Council Member Davis stated that his point is that they did not get permission from the City to paint the murals. Mr. McCaslin stated that they were left with two choices, they either go down and arrest people as trespassers or try to work it out the right way.

Council Member Smothers stated that the Council has a proposed contract from David Briggs, and since Council or the City Attorney has not seen this contract before she asked if Council wants to put this on the agenda for next week to approve that this has to be completed with whatever additions suggested by the legal staff that deals with the insurance. David Briggs stated he has drafted a standard contract that is very similar to what was used for the Theater and the Terminal. The permit process is used as the entry way to get to the contract. Mr. Briggs stated that with this particular event Monica Peters stepped forward in a very short time frame. Mr. Briggs stated that part of the reason why they did not pursue the insurance angle was because Ms. Peters had agreed that there would be no alcohol served, and looking at the Parks & Recreation fees and charges they require insurance for every event that has alcohol and it does not require the insurance if there is not alcohol served.

Council Member Davis stated that they have been working with Brian Saunders trying to get him exclusive lease for over a year or so, and asked if they were moving forward with that. Mr. Briggs stated that would still be up to Council as to whether it is Brian Saunders, Peter Freeman, or whomever that pursues that lease agreement. There will still be other issues involved. There are people who have rental spaces in that parking lot, there are access issues for Charles Simmons' property and the two properties adjacent to that, and then the upper area is having trouble getting any information from those owners.

Council Member Smothers suggested that they make the upper area off limits until they have the support of those property owners.

Mayor Sims felt they not include this on Monday's agenda and allow the legal team to look over the contract presented. Council Member Smothers stated that in the meantime there are two people who want to use The Pit. Mayor Sims stated she would not support them moving forward with the two proposed events without finalizing the agreement, and she is not in agreement in Council moving forward without a document that protects the City, because it opens the City wide open for exposure.

Council Member Mendenhall stated that she has been hearing that there are two events pending, and asked if those event planners contacted the City. Randy McCaslin advised that he received an email on one had a verbal communication on the other. Council Member Mendenhall agreed with the Mayor, although two events were done already, now that this Council is aware that there is anticipated use of The Pit Council has an obligation to do it the right way to protect the City, and she felt until such time they have something in place The Pit cannot be used.

Council Member Davis wanted to clarify that there are some parking spaces in The Pit that would have to be moved to the parking garage, and also some unresolved issues with Charles Simmons and other owners, and if Council is asking the City Attorney to make this agreement so they can look at it by Tuesday, will they be able to get all those issues worked out by then as well. Mr. McCaslin stated they can work out the issues on the parking spaces, but the ones with the property owners would take more time because they have been trying for months to work those out.

Mayor Sims stated that she does not want to stop anyone from being able to utilize that space because she felt that is part of what all this discussion has been about encouraging use and people to come downtown, but she feels it needs to happen in an orderly fashion and right now it is in disorder, and so she would respectfully ask that anyone out there who wants to use the space to give Council the opportunity to work through the issues that they have so they can move forward and do it in the right way.

Council Member Davis stated that in the future if they cannot work out the issues with the owners, would Peter Freeman's plan with the elevators and the bathrooms be money well spent if they cannot use the whole property. Mr. Freeman stated it technically would still work but what they are working on is developing a plan that accommodates all these issues and additionally with some kind of non-profit entity that actually holds the lease from the City to allow that to happen. Mr. Freeman stated he wants to present this plan in thirty days.

Council Member Mendenhall made a motion that staff be authorized to review the proposed contract language from David Briggs and come back to Council when they are comfortable that they have all the issues taken care of and that potential users be advised that until the City has worked out the arrangements satisfactorily from a security and liability standpoint there will be no event. The motion was seconded by Council Member Wagner.

Discussion on the Motion:

Council Member Smothers stated she felt there does exist at least an opportunity for some interim measure that makes The Pit useable for most activities that take place, and asked if the staff can come up with how to make it useable. **Council Member Mendenhall agreed to Council Member Smother's recommendation and noted she also wants whatever needs to happen for staff to move forward.**

Council Member Douglas asked the City Attorney if the City is protected as it stands now, because events are already requested and the liability piece is not in place. Randy McCaslin stated that liability insurance is in place, it just is not the City's and what the City Attorney is saying is they need the additional insurance. JoAnne Carlyle stated that she hears referral to the parks, but if they talk about a park versus actually a leasing of a space for an event those are two different legal thoughts that go into that.

Mayor Sims requested they include in the motion enough language to have the City protected to move forward with the events that are requested. Council Member Mendenhall agreed to this. Council Member Smothers stated that they would like to have it next week. JoAnne Carlyle stated that she would have like to have gone ahead and begun working on this earlier but they did not know that it existed. Council Member Smothers asked if legal could have something by Thursday of next week. JoAnne Carlyle stated the legal needs time to sit down and nail down the areas that have the areal rights and the three tiers and what is going to be permissible from other staff to make sure whatever form they use is correct.

Following discussion on the motion Mayor Sims suggested the motion read "just enough" to have the city protected in order to move forward with two events that were previously mentioned.

Mayor Sims suggested that the motion be revised to authorize staff to review the proposed contract language from David Briggs to ensure the City is protected in order to move forward with the two event events that were previously mentioned.

Council Member Mendenhall agreed to the revised motion. Legal staff was directed to review the proposed language and be prepared to bring it back to Council during a Comprehensive Planning Meeting to be scheduled sometime within the next week.

Mayor Sims suggested that blackout dates be added to let individuals know what dates would not be available.

There being no further discussion the motion carried by a 9-0 unanimous vote.

Core City

Council Member Smothers stated she previously provided Council with a Statement of Intent that has been updated to include some items and some dollar amounts identified. The purpose of this is to put in a fairly precise form what exactly the Council has discussed, committed to, and has anticipated more activity around for this next year and it gives the public a clearer understanding of what the intent is.

Noted in the statement are the following:

- Library parking lot amount is to be determined.

- Traffic study issues with a briefing to come next week.

- The Five Points Land Use Transportation Study will begin next year and it will probably take 18 months to two years to do it, and Council Member Smothers noted it is the only I-74 interchange which has the potential of reshaping that neighborhood and providing a gateway into the City. Council Member Moore asked when that study will be back. Council Member Mendenhall stated there has been one meeting with the community folks for the consultants to gather input on potential changes in bus routes and scheduling, and that meeting was several weeks ago, and they still have not heard back about when the next meeting is scheduled.

- Council Member Wagner stated Item 2. Administrative funding for the Core City Program is to be budgeted at the level it was in 2012-2013, and asked if that is correct. Council Member Smothers stated that is what they had directed the manager, and it came back to Council in his budget at $211,000 rather than the $198,000. Council Member Smothers stated she was not sure if that included the approximate $11,000. Council Member Wagner stated his question is what the difference is in the amounts. Council Member Smothers stated that until they get it from Randy McCaslin it can be changed to reflect anything, but the main thing was that administrative funding was supposed to be at least the 2013 level. Mayor Sims stated included in that was also the façade monies, which were increased and asked if that was correct. Council Member Smothers stated that was not included in this, and is on the next page. Mayor Sims stated she understands where it is in this paper, but she understood that the $35,000 was in that money. Randy McCaslin stated that the $35,000 was in the $211,000 2013/2014 and 2014/2015 budgets. Randy McCaslin clarified in the current year budget that was just approved it is in there at $35,000.

Council Member Mendenhall made a motion that this item be placed on Monday's Agenda for consideration and the administrative funding piece, the façade grant portions of the plan need to be worked out so they are not separate items if in fact the façade monies are included.

Council Member Smothers amended the motion to state that the administrative funding for the Core City Program would be budgeted. Council Member Mendenhall agreed to the amended language.

Discussion:

Mayor Sims noted that the motion should read as "has been budgeted" because it is already there. Council Member Smothers stated she understood that, but at the point

they were talking about the City Project and bringing it in house it had to have some administrative funding in the budget.

Mayor Sims clarified they are not amending the budget. Council Member Mendenhall asked if they could change the language from "would be" to "is budgeted".

Council Member Mendenhall stated that her main motion is to get this item on the agenda for Monday night and stated that Council Member Smothers can work on any wording changes that need to be made before it comes back to Council in final form.

Mayor Sims stated that on its face she felt it is something they can move forward with and put on the agenda for Monday based on Council Member Smothers cleaning up the document. Council Member Mendenhall agreed to this.

Council Member Wagner seconded the motion.

There being no further discussion the motion carried by a 9-0 unanimous vote.

Council Member Smothers noted that this item will be on Monday night's Consent Agenda.

Core City Board Funding Request

Mayor Sims stated that she has received information from Aaron Clinard requesting that Council consider a newly defined plan for Core City, which is contained in a memorandum sent to Mayor Sims. Mr. Clinard asks that Council look at the possibility of continuing a relationship with the City and City Project for funding of the position that they see as being the President to their Board. Mayor Sims stated that this is something that she committed to Mr. Clinard that she would bring before Council because they are still looking for a position of compromise as it relates to the entire City Project Board. Mayor Sims stated that she has talked with several of the Council Members. Mayor Sims presented Mr. Clinard's memorandum to Council for them to review and think about, and felt since this document was forwarded to her she would like to give a response to the memorandum. Mayor Sims stated it is not tied directly into the Core City discussion they just had, but it is a request on a part of that Board that they consider some funding for their organization and for a specified period of time.

Council Member Smothers stated she does not have a problem with dealing with this now, because they have handed the Manager a task to bring back to Council next week a reworked position and it will be presented at Monday's meeting, and she is not ready to scrap that because she feels it fits definitely into other areas that need attention going forward as of August 1st. Mayor Sims stated that she does not see it as scrapping anything, and what they have asked the Manager to do still remains the same, this is just a request from the Board for funding and she feels this has nothing to do with the Plan they just discussed adopting on Monday, instead she sees it as if it's the political will and the appetite of Council to look at the possibility of assisting them with this request. Mayor Sims stated she does not see this as an impact on the position that

they are talking about, other than requiring additional dollars, and she does not know what that is going to look like.

Council Member Ewing stated that in his opinion they would be looking at an extra $5,592, splitting it in half.

Mayor Sims stated they could have this discussion now if they like, but she feels they need to look at it and think about it first.

Council Member Wagner stated that he thought this was a reasonable compromise that will allow what has been currently asked of the Manager to continue to occur and it is not a replacement for what has been asked of him to do, and both of these things can happen at the same time, and he felt this is a compromise that is reasonable and that will preserve a real public/private partnership between the city and the business community and nonprofit community, which is supportive of this.

Council Member Moore stated that in 2007 when it first started there was some back and forth discussion as to what the original intent and setup of the City Project was going to be. They were going to help and try to implement the Core City Plan, but in the agreement there wasn't a time table. Council Member Moore stated he has heard from both sides that the time table was as quickly as possible they would become fully self-sustained, and he has heard that it was not really specifically in writing and it was understood that would never really happen. Council Member Moore asked if anyone could tell him which of these was correct.

Mayor Sims stated that she did not believe there was anything formally adopted that gave them a drop dead date certain that they were supposed to be independent of the City, and there was conversation that was had but it was not part of a formal motion nor was it when they adopted the plan, nor when they implemented the City Project as an organization. Mayor Sims further stated that there was conversation but nothing formally adopted. Mayor Sims stated that she believes that if they move forward with this there needs to be a date certain that they are on their own, and in the meantime the request that they have made of Council is reasonable and the question remains whether or not they want to move forward with it.

Council Member Wagner agreed with the Mayor Sim's statement and stated that if it was deemed so important by Council at that time they would have finalized it. Council Member Wagner pointed out that this does not talk about the City solely funding the new entity, but there is going to be private support as well and he felt it is a true public/private partnership and thought it was a very reasonable compromise.

Council Member Smothers stated that it is one area that there certainly has been some interest in generating private dollars, it is not however the only one and there are other thoughts and initiatives that are independent of this that are also attracting private interest. Council Member Smothers further stated that her concern is that there is starting to be some clear lines about who is doing what, because they have had several situations that can develop that has city staff people competing with each other in situations that are embarrassing.

Council Member Golden stated that they are asking Council to fund half of this position for the next three years, then it also suggests the City will continue to go ahead and get the coordinator position up and running, and asked if this is two different positions. Mayor Sims stated she is looking at this as two separate things, the Core City Coordinator position is going to be doing a lot of things because there are a lot of areas that are identified in the Plan that needed to be addressed, with this private partnership it is her thought that they were going to specifically work on an Ignite High Point Project and other things that came out of that study that was done by Duany as well as some other focal areas within the community. Mayor Sims stated that she feels that at this point their idea is more or less around continuing what is already been started with the road dieting and all those other pieces and components.

Council Member Smothers stated that this goes back to the same kind of complicated situation of The Pit that they are now saying has got to have recommendations from staff that deal with the legality, the liability, and there are people working on different things that are sending out mixed messages.

Mayor Sims stated she understood that, so when they come back to this Committee with their concerns in those areas that would need to be addressed through this document, but she is not saying they are going to exclusively be here or there, they have the right to work on whatever they want to work on.

Council Member Moore stated that this is a good example of why he is so leery of public/private partnerships, but they definitely need more clarity and formalization if anything comes out of this, because he felt they could get lost in who is leading what.

Council Member Mendenhall suggested that as Council looks at this if there are areas that Council would suggest be changed they need to bring those to the table because any kind of a compromise involves two parties, and so far this is only one party's compromise.

Public Art on Private Properties

Brent Cole stated at the last Committee Meeting they talked about public art on private property. The policy has not been amended significantly and direction is needed from Council about who was going to review it and actually look at the pieces. It was discussed about being a city department or community collaboration with staff members who know something about art.

Mayor Sims suggested that TAG do it.

The Council agreed with the suggestion that TAG do it.

ADJOURNMENT

The meeting adjourned at 11:30 a.m. on a motion duly made and seconded.

Respectfully Submitted,

_____

Dawn J. Sparks, CMC
Deputy City Clerk

_____

Council Member Rebecca Smothers,
Committee Chair