

City of High Point

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



Meeting Agenda

Monday, August 1, 2016

5:30 PM

Council Chambers

City Council

*William S. Bencini, Jr., Mayor
Jeffrey J. Golden, Mayor Pro Tem
Latimer B. Alexander, IV, Cynthia Y. Davis,
James C. Davis, Jason P. Ewing,
Alyce E. Hill, Christopher Williams,
Jay W. Wagner*

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE**RECOGNITIONS AND PRESENTATIONS**

- [160225](#) Presentation by NC House Representative John Faircloth
- [160226](#) Presentation by Mayor Bill Bencini
- [160227](#) Proclamation - National Night Out
Mayor Bencini will present a proclamation designating Tuesday, August 2, 2016 as "National Night Out" in the City of High Point.

STRATEGIC PLAN UPDATE

- [160229](#) Strategic Plan Update

PUBLIC COMMENT PERIOD

- [160228](#) Public Comment Period
A Public Comment Period will be held on the first Monday of the regular City Council meeting schedule at 5:30 p.m. or as soon thereafter as reasonably possible following recognitions, awards and presentations. Our policy states persons may speak on any item not on the agenda.

*Persons who have signed the register to speak shall be taken in the order in which they are listed. Others who wish to speak and have not signed in will be taken after those who have registered.

*Persons addressing City Council are asked to limit their comments to 3 minutes.

*Citizens will be asked to come to the podium, state their name and address and the subject(s) on which they will comment.

*If a large number of people are present to register concerns about the same subject, it is suggested that they might be acknowledged as a unified group while a designated speaker covers the various points. This helps to avoid repetition while giving an opportunity for people present with the same concerns to be recognized.

Thanks to everyone in the audience for respecting the meeting by refraining from speaking from the audience, applauding speakers, or other actions that distract the meeting.

REGULAR AGENDA ITEMS**FINANCE COMMITTEE - Council Member J. Davis, Chair**

- [160230](#) Contract - Purchase of Equipment - Excavator
Council is requested to award to contract to Kubota Tractor Corporation

in the amount of \$102,176.24 for the purchase of a new Kubota excavator to be used by the Public Services Department.

[160231](#) Contract - Purchase of Equipment - Tandem Axle Dump Trucks
Council is requested to award contract to Triad Freightliner in the amount of \$468,492.00 for the purchase of three (3) Freightliner tandem axle dump trucks to be used by the Street Division and Water and Sewer Division of the Public Services Department.

[160232](#) Contract - Purchase of Equipment- Truck Mounted Sewer Vacuum
Council is requested to award contract to Rodders & Jets Supply, Inc. in the amount of \$359,121.61 for the purchase of a 2017 Freightliner with a Vacall Vacuum and declare the old truck as surplus and disposing through the online auction process.

[160233](#) Contract - Purchase of Equipment - Motorola Radio Equipment
Council is requested to award contract to Motorola Solutions, Inc., in the amount of \$454,277.49 for the purchase of radios to replace obsolete radios for the Police Department.

[160234](#) Municipal Maintenance Agreement - NCDOT
Council is requested to authorize the appropriate city official to execute a Municipal Maintenance Agreement with the North Carolina Department of Transportation (NCDOT) for snow and ice removal.

COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE - **Mayor Pro Tem Golden, Chair**

[160235](#) Renewal of Lease Agreement - West End Ministries
Council is requested to approve a three-year lease agreement with West End Ministries for the Bountiful Harvest Community Garden.

[160236](#) Policies for 2016 URGENT REPAIR Program
Council is requested to adopt (1) Procurement and Disbursement Policy 2016 Urgent Repair Program and (2) Assistance Policy Urgent Repair Program - 2016 Cycle.

[160237](#) Ordinance - Demolition of Dwelling - 816 Brentwood Street
Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a dwelling located at 816 Brentwood Street belonging to Derrick A. Knight.

[160238](#) Ordinance - Demolition of Dwelling - 414 Hodgins Street
Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a dwelling located at 414 Hodgins Street belonging to Leon McNeill.

PROSPERITY & LIVABILITY COMMITTEE - Council Member Ewing, Chair

[160239](#) Policy - Messaging on Publically Owned Utility Tanks

Consideration of approval of policy on community messaging on publically owned utility tanks.

GENERAL BUSINESS AGENDA

- [160241](#) Ordinance Amending Fire Prevention Code
Council is requested to adopt an ordinance amendment to update the Fire Prevention Code to the current 2012 NC Fire Prevention Code and appendices.
- [160242](#) Human Relations Commission - Work Plan July 2016-December 2016
Council is requested to approve the Human Relations Commission Work Plan for the period of July 1, 2016 - December 31, 2016.
- [160243](#) Contract Renewal - The Ferguson Group
Council is requested to authorize the renewal of contract with The Ferguson Group (TFG) for the period of July 1, 2016 - June 30, 2017.
- [160244](#) Minutes to Be Approved
Prosperity & Livability Committee Meeting: Tuesday, July 12 @ 11:00 a.m.
Finance Committee Meeting; Wednesday, July 13 @ 4:00 p.m.
Manager's Briefing: Monday, July 18th @ 4:00 p.m.
Regular Council Meeting: Monday, July 18th @ 5:30 p.m.
- [160030](#) Boards & Commissions - Vacancy Report
Attached is the current list of vacancies for all Boards & Commissions.

ADJOURNMENT

**HIGH POINT CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING
JULY 18, 2016 – 5:30 P.M.**

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE

Mayor Bencini called the meeting to order and asked everyone to stand for a moment of silent prayer. The Pledge of Allegiance followed.

Upon call of the roll, the following Council Members were present:

Present: *Mayor William S. Bencini, Jr., Mayor Pro Tem Jeffrey Golden (Ward 1); and Council Members Latimer Alexander (At-Large); Cynthia Y. Davis (At-Large), Christopher Williams (Ward 2), Alyce Hill (Ward 3), Jay Wagner (Ward 4), James C. Davis (Ward 5) and Jason Ewing (Ward 6)*

RECOGNITIONS AND PRESENTATIONS

160197 Proclamation - National Parks & Recreation Month 2016

Lee Tillery, Directors of Parks & Recreation, will be in attendance to accept a proclamation designating July 2016 as “National Parks & Recreation Month” in the City of High Point.

Mayor Bencini read the Proclamation designating July 2016 as "National Parks & Recreation Month" into the record and prior to submitting the Proclamation to Lee Tillery, Director of Parks & Recreation. A photo opportunity followed. [applause]

160221 Proclamation - High Point Police and Community Day

Police Chief Ken Shultz will be in attendance to accept a proclamation designating Monday, July 18, 2016 as “High Point Police and Community Day” in the City of High Point.

Mayor Bencini read the Proclamation designating July 18, 2016 as "High Point Police and Community Day" into the record and presented it to Officer Robert Burchette. [applause and standing ovation]

Following the presentation, Officer Burchette shared some words with Council and the audience. He stated that the Police Department does enjoy a positive relationship with the community they serve and expressed grateful appreciation for this. He noted they could not do their jobs without support from the public. He reported on the statistics before the Initiatives started; High Point was experiencing about 15-15 homicides a year and this number has dwindled down to about 506 per year (saving 10 lives per year). He shared that it takes everyone working together collaboratively to accomplish this and pointed out High Point's Initiatives are modeled throughout the country.

Council Member C. Davis thanked Officer Burchette for his many years of service and pointed out High Point would be losing one of its finest due to his pending retirement in August.

160198 High Point REALTOR® Association - Annual President's Report

Laurie Edward's, President of the High Point REALTOR Association, will make the annual president's report to City Council.

Note: Comments have been summarized; a copy of the entire 2016 Report will be attached in Legistar as a permanent part of these proceedings.

Laurie Edwards, the 2016 President of the High Point Regional Association of Realtors, presented an overview of the 2016 Report on High Point Region Real Estate Market & Association's Social Responsibility. The High Point Region encompasses six towns and parts of four counties in the market (Archdale, Trinity (Randolph County); Thomasville (Davidson County); High Point and Jamestown (Guilford County) and Kernersville (Forsyth County).

Some of the highlights of the 2016 Report were:

- 2016 market is the best they have experienced in six years
- Sales in the three late spring months of 2016 outpaced sales of the same period last year by 25%
- Between 2014 and 2016, they have seen an increase in sales by 72%
- According to a National trend, the average housing price in 2016 is \$153,000 as compared to \$148,000 last year which indicates an upward swing
- In April, May, June of 2016, 58% of the listings sold in 60 days or less as compared to 43% in 2015
- There's still a strong demand for new household formations and there's still a significant amount of group living due to the past recession; once these families start seeking independence more inventory/housing will be needed
- Rental occupancy rates are the highest in years
- Commercial market is experiencing a traditional slowdown (commercial real estate market is resurgent and lags behind the residential by about 15-18 months)
- Due to limited inventory of industrial buildings, there seems to be more and more redevelopment of blighted properties because of a shortage of available retail space
- They are glad to see that some of the buildings are being repurposed instead of being demolished
- New businesses are being aggressively and successfully recruited into this area and the general economic market is on the upswing
- According to a formula developed by the National Association of Realtors, based on the number of sales since the 2015 report, they have created the need and opportunity for more than 850 new jobs
- Overtime, the region will realize \$70,000-\$85,000 in capital infusion, primarily through increased tax base and real estate related services

They are predicting that the home sales will remain strong for at least 3-4 years with many predictors forecasting a 4.8% increase in homes prices in 2016 and another 3.5% next year. Despite the recent record lows, mortgage rates will likely be volatile in 2016 with the 30-year fixed rate ending in 2016, 60 basis points higher than today's level causing builders to shift to a more affordable product to cater to entry level buyers.

Ms. Edwards reported they have participated in the following community endeavors:

- Sponsored with the Public Library on their improvements/makeover
- They have an Honorary Director Program. She thanked Council Member J. Davis for being an Honorary Director
- On board with the "Say Yes to Education" and have rider signs that go on top of the for sale signs to help educate people in Guilford County on the program
- Involved in the community

Ms. Edwards concluded her presentation by relaying to Council that the city is making strides in the permit process and thanked Council for their efforts. She felt hiring Randy Hemann as the Assistant City Manager was an excellent choice and he was one of the reasons they are seeing a good upward trend in this area.

Strategic Plan Update

Update on Blight

Mayor Pro Tem Golden provided an update on some numbers as it relates to the Strategic Plan for Blight. He reported that the city continues to beef up code enforcement. Staff has conducted eight interviews for vacant inspector's positions and have two more interviews scheduled with a plan to have the fourth position filled by the end of August. He then shared some numbers for activities in June:

35 Minimum Housing Complaints
147 Active Minimum Housing Cases
270 Backlog (now down to 241)
5 Demolitions
317 Public Nuisance Complaints (of the 317, 312 are still active)
28 City Abated Public Nuisance Cases
207 Owner Abated Public Nuisance Cases
34 Vehicle Complaints
177 Signs Picked-up

Millennial Task Force

Council Member Ewing reported that the Millennial Task Force met last week and provided some feedback from that meeting. City staff presented the city's Pedestrian Plan to the Task Force which prompted some feedback regarding the Greenway. Some of their feedback on the Pedestrian Plan/Greenway included:

- Surprised to learn that sidewalks are required for new developments
- Wanted to see more biking throughout the city and asked if it was possible to have bike racks installed downtown
- Considering an event where people bike to various downtown businesses to promote multi-modal travel while supporting the local economy

- Did not realize how extensive the city's Greenway is and they are excited about the connector that will link the Greenway to Greensboro
- Suggested more signage on Main Street and other highly traveled roads to welcome and direct people to the Greenway
- Considering a "Plant the Greenway" event to increase more use/traffic to the Greenway. Looking at possibly bringing an organized event together sometime in the fall with the assistance of the Parks & Recreation Department to plant edible food, trees, etc.... along the Greenway

Council Member Ewing reported that a presentation was given on the multi-use downtown stadium concept and the Millennial Task Force expressed support for the idea and stated they would like to have an experience comparable to what Greensboro and Winston Salem has. They desire walkability and "Mom-in-Pop" type shops in and around the downtown multi-use stadium.

The Task Force also discussed the question on how to get young professionals to know what's happening in High Point. They suggested this could be accomplished by a centralized website identifying all the events. Their homework assignment to bring back to the next meeting is to research some cities in the United States that have been successful with millennial retention and economic development and how these cities communicate their events and assets to that population.

Council Member Ewing concluded his report by making Council and the public aware of a Young Professionals Summit being planned for the fall that will be hosted by the United Way of Greater High Point. The Summit will help educate attendees about the City of High Point and the options/events and groups for young people.

Mayor Bencini asked about the anticipated completion date for the final Greenway connector. Deputy City Manager Randy McCaslin explained the city is working its way through various environmental permits that will be required on this section due to it crossing wetlands. He believed the plans are ready to go out for bid, and as soon as the required State and Federal permits are secured, they could move forward.

Council Member C. Davis posed the following questions:

- 1. When does the Millennial Task Force meet and is it advertised or publicized on the city's webpage so that other millennials or interested parties can attend?**

Council Member Ewing explained he wasn't sure if the meetings were listed on the website or if the meetings have been included on the Meeting Schedule and explained the meetings are really not considered "public" meetings. He further explained that the idea was not to have the Task Force grow to be too big, just to be a conduit to go out and have other meetings with millennials.

Council Member C. Davis felt placing the meeting dates and times on the website or another location where the millennials could find it would encourage them to attend and listen to the conversations and this would allow an opportunity for the millennials to be engaged and

share their thoughts and ideas. Council Member Ewing offered to mention this to the chair of the Millennial Task Force.

2. *Have we diversified further in regards to the Task Force?*

Council Member Ewing replied that the Task Force has been expanded and mentioned that there was a young African-American gentleman who expressed an interest in serving and was present in the audience when Sara Belle Tate provided the update at the June meeting. He now serves on the Task Force and they have also added a Hispanic member as well.

PUBLIC COMMENT PERIOD

160224

Public Comment Period

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Thanks to everyone in the audience for respecting the meeting by refraining from speaking from the audience, applauding speakers, or other actions that distract the meeting.

Note: This is a summary of the comments made during the Public Comment Period. The transcript of the full comments will be attached in Legistar as a permanent part of these proceedings.

The following persons addressed Council during the Public Comment Period:

David Macchiarolo addressed Council to raise awareness regarding a national resource--the Amateur Radio Service. He proceeded to provide a brief history of the Amateur Radio or the "Ham" Radio as it is also popularly called. He pointed out the High Point Amateur Radio Club is a valuable community resource made up of a very diverse group of individuals who share a common interest in amateur radio and community service including one of, if not the youngest licensed amateur radio operators in the area who is only 11 years of age, Melinda Riewe. He mentioned their club recently held a training event, their annual Field Day Exercise, and they were privileged to have the Honorable Cynthia Davis as their special guest and noted Ms. Davis actually made several radio contacts herself. Additional

information about the High Point Amateur Radio Club can be found by visiting their website at www.w4ua.org.

Mr. Macchiarolo shared a brochure with Council on the HP ARC (High Point Amateur Radio Club), which will be attached in Legistar as a permanent part of these proceedings.

Council Member C. Davis commented that she had the privilege of working with Melinda, the 11-year-old, and she seemed to be very excited. She pointed out there is a lot of math and science involved in the operations and wanted to know if there was anything that Council could do to encourage Mindy in her endeavors to continue with the math and science that is involved with the ham radios.

Michael Sawyer, 513 North Avenue, addressed Council regarding a variety of issues (i.e. police, where he lives, surveillance, money not being spread about in the city like other cities that give back to the people, can give more assistance to people by giving them the help they need to help them do for themselves, technology, etc....).

CONSENT AGENDA ITEMS

Chairman J. Davis reported that the Finance Committee met on July 13th and recommended approval of the following matters under the Consent Agenda.

Note: Although one motion was made to approve/adopt these matters under the Finance Committee Consent Agenda, action on all of these matters will be reflected throughout the Consent Agenda portion of these minutes as being made and seconded by the same persons.

FINANCE COMMITTEE - Council Member J. Davis, Chair
Committee Members: J. Davis, C. Davis, Alexander and Hill
(all were present)

160201 Contract - Amick Equipment - Knuckleboom Truck

Council is requested to approve contract with Amick Equipment for the purchase of a used 2014 International with a Petersen TL-3 knuckleboom loader in the amount of \$110,000.00.

Approved contract with Amick Equipment for the purchase of a used 2014 International with a Petersen TL-3 knuckleboom loader in the amount of \$110,000.00.

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

160202 Contract- Pierce Enforcer Fire Trucks

Council is requested to approve contract with Atlantic Emergency Solutions in the amount of \$2,158,243.00 for the purchase of three (3) Pierce Enforcer Fire Trucks.

Approved contract with Atlantic Emergency Solutions in the amount of \$2,158,243.00 for the purchase of three (3) Pierce Enforcer Fire Trucks.

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

160203 Contract - Black & Veatch - Ward Water Treatment Plant Improvements

Council is requested to approve contract to Black & Veatch in the total amount of \$889,000.00 for Electrical and HVAC improvements as part of the Ward Water Treatment Plant improvements.

Approved contract with Black & Veatch in the total amount of \$889,000.00 for Electrical and HVAC improvements as part of the Ward Water Treatment Plant improvements.

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

160204 Sole Source Contract - Trayer Engineering - 15 kV Pad Mounted Protective Switches

City Council is requested (1) approve an exemption to the bid laws under the sole source qualification for standardization and (2) approve the purchase of four (4) switches from Trayer Engineering for the total amount of \$206,119.00 and authorize the appropriate city official to execute all necessary documents.

Approved an exemption to the bid laws under the sole source qualification for standardization and approved the purchase of four (4) switches from Trayer Engineering for the total amount of \$206,119.00 and authorized the appropriate city official to execute all necessary documents.

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

160205 ElectriCities Joint Purchasing Agreement

Council is requested to approve a three-year Joint Purchasing agreement with ElectriCities.

Approved a three-year Joint Purchasing agreement with ElectriCities.

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

160206 Contract - Johnson Controls, Inc. - HVAC and Fire Alarm Service

Council is requested to approve contract to Johnson Controls, Inc., in the amount of \$317,330.00 for HVAC and Fire Alarm Service Contracts for various city facilities.

Approved contract with Johnson Controls, Inc. in the amount of \$317,330.00 for HVAC and Fire Alarm Service Contracts for various city facilities.

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

160207 Joint Governmental Interlocal Agreement - PTRWA

Council is requested to authorize the City Manager to execute an amended joint governmental agreement between the Piedmont Triad Regional Water Authority and other member governments.

Authorized the City Manager to execute an amended Joint Governmental Agreement between the Piedmont Triad Regional Water Authority and other member governments.

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

160208 Resolution - Urban State Match - Purchase of City Buses

Council is requested to adopt a Transportation Program Resolution, to allow staff to apply for the Urban State Match Program funding for funding to purchase fourteen (14) new city buses.

Adopted a Transportation Program Resolution to allow staff to apply for the Urban State Match Program funding to purchase fourteen (14) new city buses.

A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this Resolution be adopted. The motion PASSED by a 9-0 unanimous vote.

Resolution No. 1632/16-32

Introduced 7/18/2016; Adopted 7/18/2016

Resolution Book, XIX, Page 102

160209 Resolution - Donation of Surplus Equipment - Mt. Zion Baptist Church

Council is requested to adopt a Resolution approving the donation of surplus computer equipment to Mt. Zion Baptist Church pursuant to NCGS§ 160A-280.

Adopted a Resolution approving the donation of surplus computer equipment to Mt. Zion Baptist Church pursuant to N.C. General Statute 160A-280.

A motion was made by Council Member C. Davis, seconded by Council Member J. Davis, that this Resolution be adopted. The motion PASSED by a 9-0 unanimous vote.

Resolution No. 1633/16-33

Introduced 7/18/2016; Adopted 7/18/2016

Resolution Book, XIX, Page 103

160210 NCDOT - MPO Agreement - Use of Planning Funds

Council is requested to approve an MPO Agreement with the North Carolina Department of Transportation (NCDOT) for the use of Planning (PL) funds for Planning Activities.

Approved an MPO Agreement with the North Carolina Department of Transportation (NCDOT) for the use of Planning (PL) funds for Planning Activities.

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

REGULAR AGENDA ITEMS

FINANCE COMMITTEE - Council Member J. Davis, Chair
Committee Members: J. Davis, C. Davis, Hill and Alexander
(all were present)

Chairman J. Davis explained these two finance-related matters were placed on the Regular Agenda due to receiving a split vote in the Finance Committee Meeting held on July 13th at 4:00 p.m.

160199 Contract - Old Dominion Brush, Inc. - Truck Mounted Vacuums

Council is requested to approve contract with Old Dominion Brush, Inc. in the amount of \$511,612.59 for the purchase of three (3) Vacuum Debris Collectors for use by the Public Services Department for cleaning storm drains, gutter, etc.

Gary Smith, Fleet Services Manager, explained these vacuum debris collectors will be used for cleaning storm drains, gutters, leaf collection and litter on the roadways and would allow the division to expand in the current level of service delivery. These three additional trucks were approved in the 2016-2017 budget.

Council Member C. Davis asked the following questions:

1. How many of these trucks does the city currently have?

Mr. Smith replied there are currently four of these trucks.

2. Are they operable now?

Mr. Smith replied all four trucks are in good condition.

3. How will they be used, once purchased?

Mr. Smith explained once these three additional trucks are purchased, that will give the city the ability to have two spares that would allow ease of service/maintenance, unforeseen repairs, etc.....

Council Member C. Davis asked Mr. Smith to confirm that he has said in the past that he normally prefers that these purchases be staggered due to the maintenance and the replacements don't take place all at once. Mr. Smith replied this is still the policy.

At this time, Council Member J. Davis **MOVED TO APPROVE** the contract with Old Dominion Brush, Inc. Council Member. Council Member Alexander made a **SECOND**.

For further discussion, Council Member C. Davis stated that she would not be supporting this item because she felt the city could do what is necessary with the four we already have. She felt the purchases could be as it would be less maintenance costs and less of a burden on the taxpayers.

Approved the contract with Old Dominion Brush, Inc. in the amount of \$511,612.59 for the purchase of three (3) Vacuum Debris Collectors.

The MOTION to APPROVE carried by the following 8-1 vote:

Aye (8): Council Member Hill, Council Member Williams, Council Member Ewing, Council Member Wagner, Mayor Pro Tem Golden, Mayor Bencini, Council Member Alexander, and Council Member J. Davis

Nay (1): Council Member C. Davis

160200 Contract - Piedmont Peterbilt - Side Loading Refuse Trucks

Council is requested to approve contract with Piedmont Peterbilt in the amount total amount of \$737,232.00 for the purchase of three (3) Peterbilt trucks with New Way side loading refuse bodies.

Gary Smith, Fleet Services Manager, asked for Council's approval to purchase three side loading refuse trucks that are in need of replacement due to age and operating hours. He explained that the department currently has 13 routes with four spares, which gives them a total of 17 trucks and he would like to increase the spares to five, which would give them a total of 18 trucks. Two of the trucks for replacement are nine years old with over 11,000 operating hours and staff will sell these. Staff would like to retain the third replacement truck as a spare.

Council Member C. Davis reiterated she has the same questions about this item as the previous item **160199 Old Dominion Brush, Inc.- Truck Mounted Vacuums** and although she understands the need for the vehicles, she understands the desire and the practice in the past has been to stagger the purchase of the vehicles. She asked Mr. Smith if this was correct and he replied that it was.

At this time, **Council Member J. Davis MOVED APPROVAL of the contract with Piedmont Peterbilt. Council Member Alexander made a SECOND.**

For further discussion, Council Member C. Davis stated she would not be supporting this item as well for the previous statements made on the previous item as she believed that the purchase of these trucks could be staggered where the city would still have the spare, then spread it out so that taxpayers aren't having to maintain and/or replace items of bulk at one time.

Approved contract with Piedmont Peterbilt in the amount of \$737,232.00 for the purchase of three (3) Peterbilt trucks with New Way side loading refuse bodies.

The MOTION to APPROVE carried by the following 8-1 vote:

Aye (8): Council Member Hill, Council Member Williams, Council Member Ewing, Council Member Wagner, Mayor Pro Tem Golden, Mayor Bencini, Council Member Alexander, and Council Member J. Davis

Nay (1): Council Member C. Davis

COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE - Mayor Pro Tem Golden, Chair

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

160211 Ordinance - Vacate/Close - 1017 Oakview Road

Council is requested to adopt an ordinance ordering the inspector to effectuate the vacating and closing of a dwelling located at 1017 Oakview Road belonging to Ouida Kent.

Transcript

Lori Loosemore: Good evening Mayor and City Council. Tonight we're bringing four cases. The first one is for a vacate/close at 1017 Oakview Road. The inspection was made on March 22, 2016 and it had enough violations to be in violation of the Minimum Housing Code. The hearing was held on April 12, 2016. The owner did not appear, but I did speak with her at a later date. She had requested additional time. Her order to repair or vacate was issued with a compliance date of May 23, 2016. Today the repairs still have not been made and the tenant is still occupying the property. I believe the owner and her attorney are here.

Chairman Golden: One quick question, Lori. All this stuff is interior. Do you know who made the complaint?

Lori Loosemore: The tenant who was living in the house is the one who filed and made the complaint.

Council Member Alexander: Is the tenant.....I believe I read in our paperwork that currently the property owner is trying to get the tenant to pay.

Lori Loosemore: She had tried to unsuccessfully evict the tenant, but it was not upheld by the magistrate.

Council Member Alexander: And the reason it was not upheld?

Lori Loosemore: They'll have to answer to that.

Chairman Golden: At this time, we'll open the public hearing in regards to this matter.

Council Member C. Davis: *I'm sorry Councilman Golden, can you wait just a moment? There was a side conversation. Is there something the city attorney needs to share with the rest of us?*

City Attorney JoAnne Carlyle: *A council member just had a question about procedure.*

Council Member C. Davis: *Okay.*

Chairman Golden: *It's probably the same question I had if I had to do anything before I opened the hearing. Well at this time, if there's anyone to speak about this address please come forward.*

Ray McAllister: *My name is Ray McAllister. I represent Ms. Kent. Ms. Kent has rented houses in the city for many years. She has 11 properties at the present time. In February, the tenants moved into a facility on Oakview Road. They were not supposed to have dogs. They brought in two pit bulls. They paid the rent. It's a one-year lease. They paid in February and they paid in March. In the interim, they called the city and complained about the deficiencies in the house. Ms. Kent went over there, inspected and said that they would have those fixed immediately. She called her plumber. The renters refused to let the plumber in. She called a contractor. They refused to let the contractor in. Ultimately, Lori went over there with her along with a police officer and apparently people were home and they denied access. The locks had been changed. The lease clearly provides that the landlord has a right to visit. They locked her out and now they use that as an offensive weapon on the rent. They went to Magistrates court. Ms. Kent was there. She had a difficult time explaining her case. Those matters are on appeal at this point. Although with one matter with the Magistrate, they asked for \$7,000-the tenants did and the Magistrate gave them two month's rent free. Out of the kindness of her heart, she's not appealing that, but they will not leave. Now they owe rent, excluding the two free months, for May, June and July. We are happy to have the Council issue this order, we just want some time to comply to get them out of the property. So that's why we are here today. We have no objection to the action the Council undertakes, but the owner has tried diligently to get them out with no success to date.*

Council Member Alexander: *May I ask of our attorney, should we issue an Order to Vacate and Close? I'm assuming the tenant will be notified.*

City Attorney JoAnne Carlyle: *The tenant will receive notice.*

Council Member Alexander: *And how long will they have to leave the property?*

City Attorney Carlyle: *I don't know the exact timing, but I do know that if they do not move, we'll actually become a party that assists you and there will be charges filed.*

Council Member J. Davis: *Can I ask a question? Do we shut the utilities off once we issue this order?*

City Attorney Carlyle: *No.*

Council Member J. Davis: *We don't?*

Council Member Hill: Did I read that there are no active utilities, or they have active utilities?

Council Member J. Davis: If we issue an Order to Vacate and Close, why don't we shut the utilities off?

City Attorney Carlyle: We only do that under certain circumstances. I mean if we shut them off, the liabilities that we would open the city up to if we turn somebody's air or heat off.

Council Member J. Davis: But if we issue an order saying you have to be out by this date and we cut the utilities off that date, that makes more sense to me.

Chairman Golden: We can't have somebody dying of a heat stroke.

City Attorney Carlyle: You're absolutely right, Council Member Davis, but there are other avenues we have. Some due process, but there are other avenues that we have legally that we can pursue. I guess that's how the courts and the judges have said in the past that we've got these other avenues that we can take, which actually is a misdemeanor charge.

Council Member J. Davis: But....let me ask you this since we can't cut the utilities off when we order someone to vacate, but if they don't pay their bill we can go out there and cut their utilities off and we're not liable.

City Attorney Carlyle: That is under a contractual obligation. We consider them in breach of their agreement at that point in time. We also allow some lenience in that area too.

Council Member Hill: Should we grant this request and go ahead and issue the order, is that not effectively the same as an eviction? I mean, does this not hasten your process instead of waiting for the appeal?

City Attorney Carlyle: In my opinion it does somewhat, which is why I was looking at his attorney. I presume in some ways this might actually assist them.

Ray McAllister: It's our intent after we receive the Order to file for another action to proceed with eviction and that would be part of it. All I wanted Council to know is this is not neglect on the part of the owner. She has been through a nightmare dealing with this and we will get it done. Really we're not.....I would think many of these things like a leaking toilet or a dishwasher that doesn't work. They claim they don't work, but they're not major repairs. The house is not falling down. Flea infestation-the only dogs that have been there are their dogs. Thank you, Mayor Bencini and Council.

Mayor Bencini: Thank you, Mr. McAllister.

Chairman Golden: Are the tenants here? Is there anyone else to speak on this matter? Anybody Else? Well I'm going to **MOVE that we issue the Ordinance to Vacate and Close 1017 OAKVIEW ROAD.**

Council Member Alexander: SECOND.

Mayor Bencini: We have a **MOTION** and a **SECOND**. Any further discussion? [none]
All those in favor, say Aye.

Mayor Bencini; Mayor Pro Tem Golden; and Council Members Alexander, C. Davis, Williams, Hill, Wagner, J. Davis and Ewing: Aye.

Mayor Bencini: Opposed? [none]

That MOTION CARRIES. [9-0 vote]

[end of transcript]

Adopted the Ordinance to Vacate and Close the dwelling located at 1017 Oakview Road.

Ordinance No. 7226/16-46
Introduced 7/18/2016; Adopted 7/18/2016
Ordinance Book, Volume XIX, Page 109

160213

Ordinance - Demolition of Dwelling - 1015 Washington Street

Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a dwelling locate at 1015 Washington Street, belonging to Betty T. Phillips.

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

The initial inspection was conducted on March 29, 2016 with a hearing on April 21, 2016. The owner did appear for the hearing and it was established that there were numerous violations of the Housing Code as well as multiple structural violations of the property. Ms. Loosemore reported that she informed Ms. Phillips, the property owner, at that time that she would be issuing an Order to Repair or Demolish based on the cost of repairs exceeding more than 50% of the property value. An Order to Repair or Demolish was issued on March 28, 2016 with a compliance date of May 30, 2016.

Ms. Loosemore explained that she was later contacted by Ms. Phillips and her contractor and they were requesting additional time to make the repairs. They submitted a very vague timeframe that stated they were going to start some interior demolition and shoring up the exterior. Ms. Loosemore noted several inspectors visited the property and no work was performed. She then shared some pictures of the exterior that were taken from the roof of the structure in August 2015 by the High Point Fire Department. The owner's contractor did apply for a permit on July 7th, but was unable to obtain a permit because he was not a licensed general contractor. At that time, they submitted an application of \$150,000 in repairs, but nothing has been resubmitted since that time.

At this time, Chairman Golden asked if there was anyone present who would like to speak regarding this matter.

Arnold Phillips, property owner, informed Council that they have an engineer's drawing to get the building gutted and taken care of, but have been unable to pull a permit to gut it out. Ms. Loosemore pointed out because the repairs exceed \$30,000, they are required to have a licensed general contractor to do the work and pull the permits and this was why they were denied the permit.

Council Member J. Davis asked Mr. Phillips if he was willing to hire a licensed general contractor and he replied that he was. Council Member C. Davis asked Mr. Phillips if two weeks would give him enough time for him to secure a licensed general contractor. Mr. Phillips responded that it would be. Council Member J. Davis asked if once a permit is pulled, if it would give them another year to make the repairs and if conditions could be put on it. Mr. Phillips informed Council that he did have financing in place to do the work. Council Member Alexander explained in the past Council has made accommodations for others that have not followed through on work that should have been done. Mr. Phillips assured Council that they were going to renovate the building and bring it up to Code. Council Member C. Davis asked if it might be possible to do the same thing for Mr. Phillips as Council did for another property owner at the last meeting and give him an extension or a delayed effective date on the demolition. Council Member J. Davis felt if Mr. Phillips has the financial means to renovate, he would like to try to salvage the building.

Council Member Alexander stated he had no problem issuing an Order with a date certain at the end of the year with a review as to the progress being made to make sure that the construction is being done. Council Member Ewing asked if Council could delay this matter until the first meeting in August and if the property owner has not secured a licensed general contractor by that point, Council could move forward with action on the demolition. City Attorney JoAnne Carlyle recommended that Council table it. A brief discussion followed regarding the timing; Council Member Alexander suggested to defer it until the August 15th City Council Meeting as this would give the property owner thirty days to hire a licensed general contractor and get the permit pulled. Mr. Phillips agreed that this additional time would work.

Deferred action on this matter until the August 15, 2016 City Council Meeting.

A motion was made by Council Member Ewing, seconded by Council Member Wagner, that this Ordinance be deferred to the August 15, 2016 City Council Meeting. The motion PASSED by a 9-0 unanimous vote.

160214

Ordinance - Demolition of Dwelling - 913 Carter Street

Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a dwelling locate at 913 Carter Street, belonging to Lecia L. Christian.

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

The property was originally inspected on March 4, 2015 with a hearing held on March 31st. No one appeared for the hearing. An Order to Repair or Demolish was issued on April 2nd with an expiration date of July 6, 2015. Ms. Loosemore advised that the owner did obtain a residential permit on April 6, 2015, but never contacted the city for an inspection. She noted that staff did have to obtain a warrant to get inside to get the interior pictures. She reported that there were no interior repairs made, but she could see where the owner had done some roof repairs. Council Member J. Davis asked what the original permit was pulled for. Ms. Loosemore explained it was a residential alterations permit. Chairman Golden asked why this owner would not need a general contractor as in the previous housing case. Ms. Loosemore replied that it depends on the assessed dollar amount for the repairs and that property owners can do the repairs if the repairs are less than \$30,000 without a general contractor, but any electrical, plumbing or mechanical would require a general contractor to do that work.

At this time, Chairman Golden asked the property owner to come forward.

***Anthony Jordan**, who resides at 908 Brentwood Terrace, informed Council that he has been purchasing homes for his grandkids and restoring them. He advised that he just got the notice that the city wants to tear down this property. He noted that they have been paying taxes on this property for years and just put a new roof on it. He questioned why staff targeted his house and did not understand why he was the only one that received a notice because there were 20-30 more houses in the same neighborhood that did not get a notice.*

***Lecia Christian**, the property owner, added that it was not necessary for the city to obtain a warrant to get inside the home that her son told them they could go in there. Council Member J. Davis asked why they pulled a permit before and did not ask for an inspection. Ms. Christian stated they did the roof repairs first and she did call Ms. Loosemore to let her know they were finished with the roof, but could not recall if it was inspected or not. Council Member C. Davis asked if they had the financial resources to do the electrical and plumbing and Ms. Christian stated they do.*

Deferred action on this matter until the August 15, 2016 City Council Meeting to allow the property owner additional time to acquire a licensed general contractor and to have the proper permits pulled.

A motion was made by Mayor Pro Tem Golden, seconded by Council Member Ewing, that this matter be deferred to the August 15, 2016 City Council meeting to allow the property owner time to acquire a general contractor and have the proper permits pulled. The motion PASSED by a 9-0 unanimous vote.

160215

Ordinance - Demolition of Dwelling - 401 Hobson Street

Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a dwelling located at 401 Hobson Street, belonging to Clell Erwin Snider Estate.

Transcript

***Lori Loosemore:** This property was originally inspected on February 5, 2013. Had a hearing on February 26, 2013. Ms. Francis Taylor did attend the hearing. An Order to*

Repair or Demolish was issued on February 27, 2013 with a compliance date of May 27, 2013. A permit was obtained in April of 2014, but did not have any inspections. We did have to obtain a warrant as well to go into this property to get the picture today and as you know Ms. Taylor and then Mr. Taylor, no relation, are here for the meeting.

Chairman Golden: *I guess we'll hear from the Taylors.*

Kenny Taylor [prospective new owner]: *We did have a permit for the house to do the work. I just ran into some bad situations of some deaths in my family, which I had to pay some funeral expenses. I really don't want to get into that if I don't have to. So I took care of that. The house doesn't have any junk around it. It's cleaned up. I've started the demo. We're ready to go ahead and get started. It's only going to cost me about \$5-\$6,000 to fix the house. So we've got the money and we're ready to go ahead and do it if you can just give us the time. I'm doing most of the work myself except for the.....you can do work on the house, but you can't do the electrical and the plumbing.*

Frances Taylor [representing the Estate of Clell Erwin Snider]: *Over the years, too, that house was not neglected. We tried our best to bring it up to par. I inherited it from my brother and there were tenants there then, but when they moved out we had trouble getting new ones to move in, so we boarded it up. But every time we put plywood up, people in the neighborhood or somewhere would rip it down. So we put plywood up several times. Then finally we decided we would go in and really remodel it and fix it, put locks and good doors on it. My son and I did that. We worked hard on it and spent a lot of money on it. We painted. We painted the cabinets. We cleaned the floors. I got down on the floors and scrubbed them. We did a lot of repairs. Everything was working. There was a heater there. It's gone because I don't know where it sent. We did rent the property to an older lady and she moved out without telling us and when we finally found out, the house was awful. There were suitcases, clothes, everywhere. Dirt everywhere. Homeless people or drug addicts, I don't know who it was, came in. They stole the hot water heater. They stole the commode. They just took everything and then I had to pay to have it cleaned up again. So I put it up for sale and Mr. Taylor and I have an agreement that he's going to bring it up to par and he's going to do the work himself. So far, I've had to pay for having the yard mowed every summer since 2000. I've paid the taxes on it and I'm getting nothing for it. But he's going to do the repair work. I'm not able to do it because I can't do repair work and it would cost me too much to have to pay somebody to do it. So we have an agreement and he's going to bring it up to standards the way it's supposed to be and I think he can do it. We just need an extension.*

Council Member Alexander: *So you continue to own the property;*

Ms. Taylor: *That's right.*

Council Member Alexander: *And Mr. Taylor, you're going to make the improvements on the property?*

Mr. Taylor: *We went to a lawyer and he failed to do his part as far as putting it over in my name. I tore that out and cleaned up all the trash. That's where I started doing the demolition and stuff.*

Council Member C. Davis: so the house will be your house?

Ms. Taylor: It will be his house.

Mr. Taylor: I have other properties that I have done.

Council Member Alexander: When do you think you can have this well on its way?

Mr. Taylor: I say if you can give me six months. I mean I'm going to do all the work. I'm paying all the expenses. My main expense is going to be my plumber. I have to pay for the plumber and I have to get a licensed plumber. I have to get a licensed electrician.

Council Member J. Davis: Say someone stole the commode?

Ms. Taylor: Well, they took everything.

Council Member C. Davis: Mr. Taylor, I'd like to say that I'm sorry to hear about the loss of your family members and the burden that that placed on your ability to repair the home. I just wanted to acknowledge that you said that.

Council Member J. Davis: well I would **MOVE** that we do the same thing as we did with the last one. He says he has the ability to pay for it and the willingness to do it. He can pull the building permit and start some repairs.

Chairman Golden: Are you okay with that?

Mr. Taylor: What's that?

Chairman Golden: Going ahead and getting your plumber and electrician and pulling your permits for August 15th.

Mr. Taylor: Like I said I can do the general repairs. I've got most of the supplies already.

Chairman Golden: So you want to do your part first?

Mr. Taylor: Yes.

Council Member Alexander: You're asking for six months?

Mr. Taylor: Yes.

Council Member Alexander: What if we make a **MOTION** to demolish for January 30th, that gives you six months. .

Mr. Taylor: That'll be fine. It'll be done by then.

Council Member Alexander: *To get it done and then if you choose between now and then not to have it done by then,*

Chairman Golden: *What is the date of the January meeting?*

Council Member C. Davis: *He was just dropping it to the end of the month.*

Council Member Alexander: *We can do it for any date. He asked for six months. This is July. You said the last day of the month in January for an order to demolish. That gives him six months and a few days.*

Mr. Taylor: *I didn't know the permit had expired.*

Council Member Alexander: *If it's not done it's on for demolition. It doesn't return back to us.*

Chairman Golden: *So he does not get the year if he pulls the permit?*

Council Member Alexander: *Well if work is going on, they're not going to...*

Chairman Golden: *I know that, but what I'm saying is he pulls the permit and he don't do any work, will he have that year?*

JoAnne Carlyle: *No. The permits good for six months.*

Council Member J. Davis: *Permits are good for a year, but we're giving an order in six months. If he hasn't called for an inspection. He'd have to have an inspection that's either approved or failed. You know for a permit.*

Council Member Alexander: **I'll make a MOTION to issue an Order for Demolition on 401 Hobson Street with an effective date of January 30, 2017.**

Council Member C. Davis: **SECOND.**

Council Member Ewing: *I want to make sure that you know that we're going to tear it down January 30th unless you come back and tell inspections that it meets the code.*

Mr. Taylor: *No problem.*

Lori Loosemore: *I do want to make sure that Mr. Taylor understands that....on your previous application you signed that you were going to be living there so that you could do all the.....and that you were the owner, so when you pull the permits you can't do that because you're not going to be living there, it's going to be rental property.*

Council Member Ewing: *That brings up a question.....I don't think it affects our action, but from a permitting standpoint, if he's not yet the titled owner.*

Lori Loosemore: *Ms. Taylor will have to pull the permit.*

Mr. Taylor: We're in the process, the lawyer is going to call us back.

Mayor Bencini: Any further discussion? [none] **That MOTION carries. [9-0 unanimous vote]**

[end of transcript]

Adopted a Demolition Ordinance for 401 Hobson Street with an effective date of January 30, 2017.

Ordinance No. 7227/16-47
Introduced 7/18/2016; Adopted 7/18/2016
Ordinance Book, XIX, Page 110

PLANNING & DEVELOPMENT COMMITTEE - Council Member Wagner, Chair

160216 Roadside Historic Marker Request

A request by the High Point Museum to place roadside historic markers recognizing the High Point Speedway at the southwest corner of the intersection of Johnson Street and Scarlett Drive and Tri-City Speedway at the southeast corner of Skeet Club Road and Lumsden Lane in the public right-of-way.

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

The High Point Museum has requested to place roadside historic markers in two locations recognizing two old speedways:

1. The High Point Speedway (which opened in 1940; a one-mile oval dirt track)
Marker to be located at the intersection of Johnson Street and Scarlett Drive.
2. The Tri-City Speedway (operated for about 10 years from 1947-1957)
Marker to be located at the intersection of Lumsden Lane off Skeet Club Road.

Mr. Robbins then shared the language for the marker statements and noted the language was reviewed as well as the markers by the Historic Preservation Commission on May 11th and they recommended approval of the request. Mr. Robbins shared a location map and advised that both of these tracks have since been developed with houses.

Council Member J. Davis asked for confirmation that they are only seeking approval for the markers and that the city is not being asked to fund them. Mr. Robbins advised that there is no funding request associated with this request. Council Member C. Davis asked who would be paying for the markers. Assistant City Manager Randy Hemann reported that fundraising is still underway. Council Member C. Davis asked if it will come back to Council if the fundraising efforts do not work out. Council Member Alexander pointed out they are not

asking for funding from the city; they are requesting to place the markers at these locations with the verbiage that has been approved.

Council Member Alexander then MOVED APPROVAL of the request to place roadside historic markers recognizing the High Point Speedway at the southwest corner of the intersection of Johnson Street and Scarlett Drive and Tri-City Speedway at the southeast corner of Skeet Club Road and Lumsden Lane in the public right-of-way. Council Member Williams made a SECOND to the motion.

For further discussion, Council Member C. Davis advised that she could not support it because her question was not answered regarding what would happen if the fundraising efforts do not work and if it would come back to Council for funding. Mayor Bencini explained this would be a subsequent request and it would not have anything to do with the request that is currently before Council. Council Member C. Davis stated the only problem she really has with the markers is there are no visible remnants of a speedway, but she has no problem with the verbiage. She stated she did not see the point in putting up a marker if it was uncertain as to whether or not the city would end up paying for the marker. Council Member Hill felt the point of the marker is to say although there are houses on the property now, once it was something else. Council Member J. Davis advised that he had no problem approving the request because there is not a funding request associated with it and any funding requests would have to come back to Council.

Council Member C. Davis reiterated there is nothing there to look at and felt it was a waste of dollars. Mayor Bencini reminded Council Member C. Davis that it was not the city's dollars.

There being no further discussion, the **MOTION** carried by a 9-0 unanimous vote.

Approved the request to place roadside historic markers recognizing the High Point Speedway at the southwest corner of the intersection of Johnson Street and Scarlett Drive and Tri-City Speedway at the southeast corner of Skeet Club Road and Lumsden Lane in the public right-of-way was approved.

160223 Easement Reconveyance ER 16-0001 - 341 S. Wrenn Street

Council is requested to approve an Easement Reconveyance, abandoning an existing City of High Point overhead utility easement, on property addressed as 341 S. Wrenn Street.

Council Member Alexander MOVED to suspend the rules to add this matter to the agenda for consideration. Council Member Wagner made a SECOND to the motion, which carried by a 9-0 unanimous vote.

Deputy City Manager Randy McCaslin explained this is an old electric easement that is no longer needed, the service lines have been taken down, and the owner would like the easement removed from the plat.

Approved an Easement Reconveyance, abandoning an existing City of High Point overhead utility easement on property addressed as 341 S. Wrenn Street.

A motion was made by Council Member Wagner, seconded by Council Member Alexander, that this Easement Conveyance be approved. The motion PASSED by a 9-0 unanimous vote.

PUBLIC HEARING

160217 Ordinance - Altenpoh, LLC - Zoning Map Amendment 16-14

A request by Altenpoh, LLC to rezone approximately 1.34 acres from a Conditional Use Light Industrial (CU-LI) District to the General Business (GB) District (0.32 acres) and to the Light Industrial (LI) District (1.02 acres). The site is lying along the west side of Westchester Drive, approximately 840 feet north of W. English Road (2700, 2702 and 2710 Westchester Drive).

The public hearing for this matter was held on Monday, July 18, 2016 at 5:30 p.m.

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

This is a request to rezone a total of 1.34 acres, which is a portion of the larger parcel lying along the west side of Westchester Drive, approximately 840 feet north of West English Road. The applicant has requested to rezone a .32 acre portion of the larger parcel encompassing the 3,600 sq. ft. building to the General Business (GB) District in order to allow business or personal service uses or retail uses--all of which are permitted under GB zoning in this structure. They will be subdividing a lot around it. They are requesting the GB District because the property fronts along an established commercial corridor and due to the small size of the structure, it is not suitable for industrial uses. The remaining land area of the site has both Light Industrial (LI) and Conditional Use-Light Industrial (CU-LI) zoning. The CU-LI District was established in 1993 and it had one single zoning condition attached, a condition prohibiting access to an alley lying at the southern boundary of that property. The alley was never improved and was later abandoned, so there is no longer a need for that condition. Staff suggests the request to establish GB District zoning along Westchester Drive frontage and an LI District to the rear of this parcel is consistent with the development pattern, land use and the Land Use Map for this portion of the city's planning area.

Staff is recommending approval of this rezoning request. The Planning & Zoning Commission held a public hearing on this request at their June 28th meeting and recommended approval by a unanimous 7-0 vote.

Following staff's presentation, Chairman Wagner opened the public hearing and asked if there was anyone present who would like to speak regarding this request. There being none, the public hearing was closed.

Adopted an Ordinance to rezone approximately 1.34 acres from a Conditional Use Light Industrial (CU-LI) District to the General Business (GB) District (0.32 acres) and to the Light Industrial (LI) District (1.02 acres).

A motion was made by Council Member Wagner, seconded by Council Member C. Davis, that this Zoning Map Amendment be adopted. The motion PASSED by a 9-0 unanimous vote.

Ordinance No. 7223/16-43

Introduced 7/18/2016; Adopted 7/18/2016

Ordinance Book, XIX, Page 106

GENERAL BUSINESS AGENDA

160218 Ordinance Amendment - Offenses Against Peace and Order

Council is requested to adopt an amendment to the High Point Code of Ordinance amending Section 12-1-10 of Title 12, Chapter 1 - Offenses against public peace and order.

Deputy City Manager Randy McCaslin advised the upswing in the economy has prompted more and more requests from contractors to work during evening hours. The city's ordinance currently prohibits commercial operations/construction between 10:00 p.m. and 7:00 a.m. Mr. McCaslin explained that the Bank of America on N. Main Street is undergoing major construction/renovation and a contractor has approached the city to seek permission to work after these hours so they can complete the project in a specified period of time. Staff is recommending that these contractors be allowed to work past 10:00 p.m. at night with a permit from the city manager's office. He assured Council that proximity to residential property would be taken into consideration when using these permits.

Council Member J. Davis asked if this has been an issue in the past and noted he was not aware of the time restrictions. He shared that most roofing contractors start early around 6:00 a.m. in the summertime due to the heat and asked if this change could be considered at the same time. Council Member C. Davis stated she has no problems with this suggested change that Council Member J. Davis mentioned, but would feel better if there was some kind of distance from the residential neighborhoods. She pointed out that noise carries and echoes and would funnel into the neighborhoods which would impact the quality of life. She expressed safety concerns in her neighborhood and shared that it sounds like gun shots when Burton Chemicals starts tossing pallets. She reiterated this was a safety issue and she could not support the commercial aspect of it because of that.

Council Member Alexander suggested to deal with the ordinance amendment that is currently before Council, then come back later to look at a proposed suggestion on the other. Council Member Ewing pointed out there are other portions of the ordinance that might warrant being amended, one being steam whistles.

Adopted an Amendment to the High Point Code of Ordinances amending Section 12-1-10 of Title 12, Chapter 1- Offenses against public peace and order.

A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Golden, that this matter be adopted. The motion carried by the following 8-1 vote:

Aye (8): Council Member Hill, Council Member Williams, Council Member Ewing, Council Member Wagner, Mayor Pro Tem Golden, Mayor Bencini, Council Member Alexander, and Council Member J. Davis

Nay (1): Council Member C. Davis

Ordinance No. 7224/16-44

Introduced 7/18/2016; Adopted 7/18/2016

Ordinance Book, XIX, Page 107

Council Member Ewing then MOVED to place the other portions of the Ordinance in the Planning and Development Committee for further review. Council Member Alexander made a SECOND to the MOTION. This motion carried by a unanimous 9-0 vote.

160222 Ordinance Amendment - Parking Violations - Civil Penalty

Council is requested to adopt an amendment to the High Point Code of Ordinances amending Section 5-1-41 (a) of Title 5, Chapter 1, Article C - Parking Violations of the Code of Ordinance of the City of High Point.

Deputy City Manager Randy McCaslin advised that parking of these commercial type vehicles are prohibited and the fine is currently \$5. He noted that some Council Members have expressed that they would like to see this fine increased. The Police Department is also in favor of this change. Mr. McCaslin stated he mentioned this to the Legal Department and they suggested the whole section needs to be reviewed for changes. Staff is requesting Council increase the fine from \$5 to \$50 for now, then have Legal review the remainder of the ordinance and come back at a later date to revise the whole section.

Council Member Williams stated he was looking for a larger fine similar to what is in the Noise Ordinance (i.e. \$200, increased to \$300). City Attorney JoAnne Carlyle agreed a lot of the City's Code needs to be reviewed and updated. She explained this action tonight is a quick fix until staff could review the whole thing. She pointed out this would be a civil penalty, not an infraction or a misdemeanor, which makes a huge difference as far as enforcement. Council Member Alexander expressed appreciation for the willingness of Legal to take a look at it and felt this was a step in the right direction. He discouraged any grace periods and felt the Police Department should just place the tickets on the vehicles and move on. Council Member J. Davis shared that PART solved the problem with trucks parking in the PART parking lot on Old Plank Road by having the trucks towed. Ms. Carlyle advised the city has the authority to tow in the ordinance as well.

Council Member C. Davis asked if there was a place for commercial vehicles to park if they need an area inside the city limits and if there was something that could be done to accommodate this need. She suggested the city could charge a fee for the parking and receive revenue from them to park in a designated area. Council Member Williams pointed out the trucks do have other options and oftentimes parking near their homes is just a matter of convenience for them.

Council Member Wagner asked if the money for these violations would go to the schools since it is a civil penalty. Ms. Carlyle stated she double checked and the fees would be retained by the city.

Adopted an Amendment to the High Point Code of Ordinances amending Section 5-1-41 (a) of Title 5, Chapter 1, Article C- Parking Violations of the Code of Ordinance of the City of High Point.

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

Ordinance No. 7225/16-45

Introduced 7/18/2016; Adopted 7/18/2016

Ordinance Book, page XIX, Page 108

160219 Reappointment - Housing Authority Board - Bob Davis

Council is requested to confirm the reappointment of Bob Davis to the High Point Housing Authority Board effective December 22, 2017 and expiring December 22, 2021.

Deputy City Manager Randy McCaslin advised that the Housing Authority has some large projects coming up in the next few years and although Bob Davis' term is not yet up, they would like to have the continuity of his leadership through those large projects and extend his term.

Council Member Wagner MOVED to APPROVE the reappointment of Bob Davis to the High Point Housing Authority effective December 22, 2017 and expiring December 22, 2021. Council Member Williams made a SECOND.

For further discussion, Council Member C. Davis felt extending his term that far out was ridiculous and suggested to keep the letter of recommendation for the Council that would be seated at the time his term expires.

There being no further discussion, the **MOTION CARRIED by an 8-1 vote** as follows:

Aye (8): Council Member Hill, Council Member Williams, Council Member Ewing, Council Member Wagner, Mayor Pro Tem Golden, Mayor Bencini, Council Member Alexander, and Council Member Davis

Nay (1): Council Member Davis

160220 Minutes to Be Approved

- Community Housing & Neighborhood Development Committee Meeting - Tuesday, June 14th @ 9:00 a.m.
- City Manager's Briefing Session - Monday, June 20th @ 4:00 p.m.
- Regular Meeting - Monday, June 20th @ 5:30 p.m.

Approved the preceding minutes as submitted by the City Clerk

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

160030 Boards & Commissions - Vacancy Report

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

Note: This information is included for informational purposes only.

Other Business

Passing of Long-time YMCA Leader Bob Rule

Council Member Wagner announced the passing of long-time YMCA Leader Bob Rule on Saturday. Mr. Rule had a 38-year career with the YMCA and following his retirement 21 years ago, remained active with the YMCA.

Public Records Request made by Council Member C. Davis Questioned

Council Member Alexander asked Council Member C. Davis if she wanted to comment on her recent public records request that he described as peculiar. Council Member C. Davis recently made a verbal public records request to the city clerk on July 15th for the visual/audio recordings for the 3rd floor elevators and the Commerce Street parking lot from 4:35 p.m. to 5:15 p.m. **Council Member C. Davis asked the city clerk if the request was out of order in regards to public records and the city clerk replied that there is no request for a public record that is out of order for any information that the city has that is public record.** Council Member Alexander questioned the request and asked Council Member C. Davis what she was looking for because he felt staff time should not have been spent on such a strange request. **Mayor Bencini asked Council Member C. Davis if there was a security concern or if something was going on.** Council Member C. Davis replied that the request was of a private nature and she did not feel a need to justify her request. Council Member Alexander pointed out that Council Member C. Davis has submitted a lot of requests for information and noted that staff is busy and unless there is a good reason for the request, he did not feel the request was justified.

Request by the Muslim Community for Cricket Field

Council Member C. Davis informed Council that she was approached by the Muslim Community requesting a place for them to play Cricket. She noted they are currently using the field off Ward Avenue, but it has no evening lighting. There are six teams that play and they would like to see the city offer other fields with lights, bleachers, restrooms, etc.... She asked if it might be possible to convert an existing field to a field that can be used for Cricket.

Mayor Bencini asked Council Member J. Davis to take this up with the Parks & Recreation since he serves as the Council liaison. Council Member J. Davis asked that an email with the details be sent to him. Council Member Hill shared that she has also heard this request. Mayor Pro Tem Golden reminded Council that a similar request for a football team came before Council recently and they were told they had to pay for lighting and use of the fields.

High Point Police to Hold Community Forum

Jeron Hollis, Director of Communications & Public Engagement, reminded Council of the community forum that will be hosted by the High Point Police Department to be held on Thursday, July 21st from 6:00 p.m. to 7:30 p.m. and encouraged attendance. He explained this is another opportunity for the Police to explain their programming as a city and things that they are doing to keep the community safe.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 7:23 p.m. upon motion duly made by Council Member Alexander and second by Council Member Ewing.

Respectfully Submitted,

William S. Bencini, Jr., Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Motorola Radio Purchase

From: Steve Lingerfelt, Director of Information
Technology Services

Meeting Date: August 1, 2016

Public Hearing: No

**Advertising Date /
Advertised By:**

Attachments: Motorola Solutions Inc. Radio Quote

PURPOSE:

The City needs to purchase Motorola portable and mobile radios to replace older radios as part of the annual replacement program.

BACKGROUND:

Information Technology Services is recommending the City of High Point purchase one hundred eleven (111) portable radios as part of its annual eight (8) year radio replacement cycle. The radios purchased will be replacing radios in the Police Department.

BUDGET IMPACT:

The City of High Point will use existing funds in the FY 2016-17 budget to purchase the radios from Motorola Solutions, Inc. The total cost of the radios is \$454,277.49 which is the state contract price.

RECOMMENDATION / ACTION REQUESTED:

The Department of Information Technology Services recommends approval of the contract and that the appropriate City official and/or employee be authorized to execute all necessary documents.



**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Information Technology Services**

COUNCIL AGENDA DATE: **August 1, 2016**

BID NO.: CONTRACT NO.: **NC 725G** DATE OPENED:

DESCRIPTION:

Motorola radio replacement purchase.

PURPOSE:

The City of High Point utilizes an eight year replacement cycle to replace older radios in it's inventory. One hundred eleven radios will be replaced this year. The radios will be replaced in the Police Department.

COMMENTS:

The purchase is made using the NC procurement contract 725G.

RECOMMEND AWARD TO: **Motorola Solutions Inc.** AMOUNT: **\$454,277.49**

JUSTIFICATION:

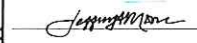
The purchase is needed to replace older radios in inventory as part of an eight year replacement cycle.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
501243	522601			\$454,277.49
TOTAL BUDGETED AMOUNT				\$454,277.49

DEPARTMENT HEAD: **Steve Lingerfelt** Digitally signed by Steve Lingerfelt
Date: 2016.07.14 09:13:48 -04'00' DATE: **July 14, 2016**

**The Purchasing Division concurs with recommendation submitted by the ITS and recommends
award to the lowest responsible, responsive bidder Motorola Solutions Inc. in the amount of \$ 454,277.49.**

PURCHASING MANAGER: **Erik Conti** Digitally signed by Erik Conti
DN: cn=Erik Conti, o=us, email=erik.conti@highpointnc.gov, c=US
Date: 2016.07.14 10:01:51 -04'00' DATE: **Jul 14, 2016**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR:  Digitally signed by Jeffrey A. Moore
DN: cn=Jeffrey A. Moore, o=City of High Point, NC, ou=Financial Services Director, email=jfmoore@highpointnc.gov, c=US
Date: 2016.07.15 10:31:41 -04'00' DATE: **Jul 15, 2016**

CITY MANAGER: **Greg Demko** Digitally signed by Greg Demko
DN: cn=Greg Demko, o=High Point, ou=High Point, email=greg.demko@highpointnc.gov, c=US
Date: 2016.07.22 08:56:57 -04'00' DATE: **Jul 22, 2016**

CITY OF HIGH POINT AGENDA ITEM

**Title: Truck Mounted Sewer Vacuum**

From: Gary Smith, Fleet Director

Public Hearing: N/A

Attachments: Bid Recommendation Form

Meeting Date: August 1, 2016

Advertising Date / N/A

Advertised By: N/A

PURPOSE:

The Storm Water Division of Public Services is currently using a sewer vacuum that is in need of replacement due to safety concerns and continuous maintenance issues. Using a National Joint Powers Alliance (NJPA) contract a 2017 Freightliner with Vacall Model AJV812 is recommended for council approval.

BACKGROUND:

The Storm Water Division is currently using a 2007 Sterling with a Vac Con body that is used daily for performing storm drain maintenance and opening clogged storm drains. The Vacall Model AJV812 vacuum is similar to the ones used by the Water & Sewer Division and will meet their needs. The price of \$359,121.61 is for the sewer vacuum truck, warranty, training, and delivery. Estimated delivery is 180-210 days.

BUDGET IMPACT:

Funds are available in 2016-17 budget

RECOMMENDATION / ACTION REQUESTED:

The Fleet Services Department recommends purchasing the new 2017 Freightliner with a Vacall Model AJV812 sewer vacuum from Rodders & Jets Supply Inc. Recommendation also includes declaring the old truck as surplus and disposing through the online auction process.



Current



Proposed



**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Fleet Services**

COUNCIL AGENDA DATE: **August 1, 2016**

BID NO.: **NJPA** CONTRACT NO.: **022014-GRD** DATE OPENED:

DESCRIPTION:

2017 Freightliner with a Vacall Model AJV812 Vacuum

PURPOSE:

The Storm Water Division of Public Services is currently using a 2007 Sterling with a cleaner and vacuum system that is in need of replacement due to age and hours. This truck is used daily for performing storm drain maintenance and opening clogged storm drains.

COMMENTS:

The price of \$359,121.61 is for the sewer vacuum truck, warranty, training, and delivery. Estimated delivery is 180-210 days.

RECOMMEND AWARD TO: **Rodders & Jet Supply Company** AMOUNT: **\$359,121.61**

JUSTIFICATION:

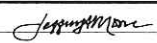
This truck is similar to other jet vacuum combination trucks they are currently using. The staff agrees that it will meet their needs.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
501271	532401			\$359,121.61
TOTAL BUDGETED AMOUNT				

DEPARTMENT HEAD: **Gary L. Smith** Digitally signed by Gary L. Smith
Date: 2016.07.21 10:09:31 -04'00' DATE: **Jul 21, 2016**

The Purchasing Division concurs with recommendation submitted by the **Fleet Services** and recommends award to the lowest responsible, responsive bidder **Rodders & Jet Supply Co.** in the amount of \$ **359,121.61**.

PURCHASING MANAGER: **Erik Conti** Digitally signed by Erik Conti
DN: cn=Erik Conti, o=ou,
email=erik.conti@highpointnc.gov, c=US
Date: 2016.07.21 15:44:38 -04'00' DATE: **Jul 21, 2016**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR:  Digitally signed by Jeffrey A. Moore
DN: cn=Jeffrey A. Moore, o=City of High Point, NC,
ou=Financial Services Director,
email=jeff.moore@highpointnc.gov, c=US
Date: 2016.07.21 21:34:41 -04'00' DATE: **Jul 21, 2016**

CITY MANAGER: **Greg Demko** Digitally signed by Greg Demko
DN: cn=Greg Demko, o=High Point, ou=High Point,
email=greg.demko@highpointnc.gov, c=US
Date: 2016.07.22 09:00:04 -04'00' DATE: **Jul 22, 2016**

HIGH POINT HUMAN RELATIONS COMMISSION BY-LAWS

Section I - Purpose of the Commission

The Human Relations Commission is devoted to:

- i. The study of problems in the area of human relations;
- ii. The promotion of equity for all citizens;
- iii. The promotion of understanding, respect, and goodwill among all citizens;
- iv. The provision of channels of communication among diverse groups;
- v. Encouraging the employment of qualified people without regard to race, color, religion, gender, sex, age, national origin, disability or genetic information.
- vi. Encouraging youth to become better trained and qualified for employment.

Deleted: racial, ethnic, and religious groups

Deleted: <#>Dispute resolution¶

Section II - Membership and Attendance

Membership:

The Human Relations Commission shall be selected for membership in the following manner:

- The Mayor shall nominate one (1) member
- City Council members will make the additional eight (8) nominations
 - One (1) nomination should be made by each of the six (6) ward representatives and one (1) by each of the two (2) at large City Council members.
- All nominees shall be confirmed by the approval of the City Council
- All nominees must reside within the city of High Point

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In the event any nominees are not approved by City Council, the person making the original nomination shall submit an alternate nomination. There is no requirement that the Commission membership have representation from all wards. The City Council will endeavor to create a composition for the Commission that fairly represents the social, economic, gender, and ethnic composition of the population of the city. The City Council may in its discretion appoint up to five (5) high school and two (2) college/university student representatives from high schools and/or colleges and universities located within the city of High Point. Such student representatives will be non-voting members of the Commission. City Council shall appoint one (1) member of City Council to act as the liaison to the Commission. The appointed liaison shall attend the Commission meetings and keep City Council informed as to the activities of the Commission.

Terms:

The term of office for each Commission member shall be as follows:

- i. All members will serve a two-year staggered term
- ii. No member shall serve more than three (3) consecutive terms
- iii. Each member shall hold office until the qualification and appointment of his/her successor or until one (1) year has lapsed since the expiration of the term for which the member was appointed, which first occurs
- iv. In order to establish staggered terms the original voting members of the commission shall be appointed as follows:
 - a. Three members for a one-year term

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- b. Three members for a two-year term
- c. Three members for a three-year term
- d. Thereafter, each newly appointed voting member shall serve for a two-year term.

Attendance:

Members are expected to attend regular meetings as required. After review, the executive committee may recommend to City Council whether a member should be retained or removed from the Commission. The recommendation will be determined by the following:

- i. Three consecutive absences from regularly scheduled meetings if notification of any such absence has not been submitted to the chairperson or staff liaison prior to the meetings where the absence occurred.
- ii. Five absences from regularly scheduled meetings of the board in any calendar year if notification of any such absence has not been submitted to the chairperson or staff liaison prior to the meetings where the absence occurred.

In the event that a vacancy occurs by reasons stated in Section II, the chairperson or director of the affected commission shall immediately notify the City Council liaison, so that the vacancy can be filled in accordance with city ordinance by the City Council.

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Members may also be removed from the Commission by breach of Section III of the by-laws governing general conduct of commissioners.

Section III - General Conduct

Government appointees are expected to meet high standards of conduct, which enhance and maintain public confidence in the operation of the Commission. In order to instill public confidence in the actions and decisions of the Commission members will adhere to the following:

- i. Be cognizant of your individual actions as a member of the Commission.
- ii. Commissioners are expected to act at all times with integrity demonstrating good faith, honesty, and due diligence on behalf of the public interest.
- iii. Commissioners are expected to participate, prepare, and regularly attend meetings in order to adequately carry out the duties expected of them.
- iv. The public conduct and language of commissioners must be free of discrimination, harassment, and hate acts prohibited by local, state, and federal laws. Conduct should reflect social standards of courtesy, respect, and dignity.
- v. Commissioners must not reveal or divulge information deemed confidential by the Commission or director received in the course of their duties. Confidential information must not be used for any purpose outside that of undertaking the work of the Commission to which they have been appointed. Commissioners must comply with the public comment protocols established by the City or Commission. If none exist, Commissioners must refer to the chair or director for guidance before making public comment on Commission matters.
- vi. Commissioners may not make individual personal statements, editorials, speeches,

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- appearances, or requests for information on behalf of the Commission.
- vii. Commissioners' work or endeavors should not result in any financial or other substantive gain for personal increase and/or profit, or for organized entities to which the Commissioner may have membership or affiliation. (Private gain does not include honoraria for service on other agencies, boards or commissions).
 - viii. Commissioners must inform the chair or director of any circumstance that may have a negative or harmful impact on their respective abilities to perform the duties required of their appointments or that could reflect negatively upon the Commission.

Commented [FD1]: Verified that this refers to any HRC acting as an individual and not in consent of the group or Council

Section IV - Conflict of Interest

Commissioners must avoid any activity that might impair or impugn the independence, integrity or impartiality of the Commission. There must be no apprehension of bias, based on what a reasonable person might perceive.

Commissioners who are in any doubt must disclose their circumstances and consult with the chair or director. In practical terms, Commissioners should ensure that:

- i. All personal financial interests, assets, and holdings are distinct from and independent of any decision, information or other matter that may be heard by or acted upon by the commission.
- ii. Activities undertaken as a private citizen are kept separate and distinct from any responsibilities held as a member of the Commission.
- iii. Activities undertaken individually as a member of other agencies, boards, or commissions are kept separate and distinct from the Commission.
- iv. Recusal is expected when agencies, organizations, boards, and commissions you are affiliated with come before the Commission for action.
- v. Commissioners may not receive any form of payment for products, services, or acts done as a part of commission sponsored or supported events.
- vi. Other memberships, directorships, voluntary or paid positions or affiliations remain distinct from work undertaken in the course of performing their duties as public appointees. Actions taken in the course of performing duties as public appointees neither cause nor suggest the reality or perception that their ability to perform or exercise those duties has been or could be affected by private gain or interest.

Section V - Election, Tenure, and Duties of the Chair & Vice Chair

The commission shall elect from its membership a Chair and Vice Chair, each for a one-year term and they will be eligible for re-election. Their duties shall be those generally assigned by the nature of their offices. Interim elections may be held if any such office is vacated.

Section VI - Committees

In accordance to Section 2.3.5 of the City ordinance, City Council may, as necessary and upon request from the Commission, appoint or approve the appointment of committees related to specific human relations problems. These committees shall be composed of adult residents of

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the City that are not members of the Commission and chaired by a member of the Commission. Standing Committees of the Commission shall be appointed by vote of City Council after suggestions by the Commission and discussion by City Council. Each Committee shall chaired by a

current commissioner. Ad hoc committees will be formed as needed. The following shall constitute the Standing Committees:

Standing Committees:

- Executive
- Interfaith
- International Advisory

Section VII - Conduct of Business

- i. Quorum - A quorum for the official conduct of business shall consist of a simple majority of voting Commission members.
- ii. Business shall be conducted in accordance with Robert's Rules of Order.
- iii. Meeting Time
 - a. The Commission shall hold monthly meetings, which shall be conducted on the second Thursday of each month at 5:30p.m. at City Hall.
 - b. Meeting times or location can be changed by a majority vote or in case of emergency by the Chair.
 - c. Additional meetings as needed shall be called by the Chair, Vice Chair, or any three members.
 - d. The Commission shall hold an annual retreat in November.
- iv. Time Commitment - members have agreed to a minimum time commitment of 3 hours per month (this is inclusive of regular Commission and committee meetings).
- v. Meetings are open to the public with the Commission reserving the right to move into private session.

Section VIII – Work Plan

The Commission shall submit a work plan to City Council in January and July of each year. The work plan should list the proposed activities of the Commission and any associated budget requests.

Section IX – Changes and Amendments

The by-laws may be changed and/or amended by motion passed by three-fourths of the entire Commission, which includes voting members and City Liaisons, provided written notice of the proposed amendment(s) is mailed to all Commission members at least 10 days prior to the meeting which action proposed is to be taken. The changes are then submitted to City Council for approval.

Deleted: Standing Committees of the Commission shall be appointed by vote of the Commission after discussion by the Commission. Each Committee shall annually elect appropriate officers from among its membership if deemed necessary. Interim elections may be held if any such office is vacated. The following shall constitute the Standing Committees with responsibilities as described under each:¶

¶
Standing Committees:¶
Executive (nominations)¶
Fair Housing¶
Education & Seminars¶
Interfaith¶
International Advisory¶
Special Programs¶

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High Point City Council
Public Comment Period- Transcript
August 1, 2016

160228 Public Comment Period

A Public Comment Period will be held on the first Monday of the regular City Council meeting schedule at 5:30 p.m. or as soon thereafter as reasonably possible following recognitions, awards and presentations. Our policy states persons may speak on any item not on the agenda.

*Persons who have signed the register to speak shall be taken in the order in which they are listed. Others who wish to speak and have not signed in will be taken after those who have registered.

*Persons addressing City Council are asked to limit their comments to 3 minutes.

*Citizens will be asked to come to the podium, state their name and address and the subject(s) on which they will comment.

*If a large number of people are present to register concerns about the same subject, it is suggested that they might be acknowledged as a unified group while a designated speaker covers the various points. This helps to avoid repetition while giving an opportunity for people present with the same concerns to be recognized.

Thanks to everyone in the audience for respecting the meeting by refraining from speaking from the audience, applauding speakers, or other actions that distract the meeting.

Julius Clark: Tonight I'm going to talk briefly. For the past 12 years you all realize that we have been hosting the Veteran's Day Service. Again we are making an attempt to do that and our special speaker will be Commander Sergeant Major Timothy T. Allen from the McDonald Army Health Center. That's November 11th at 11:00 a.m. and we ask that you all that can to please come and attend and support our veterans. But I'm going to take it one step further as the gentleman just said, there are some folks in the community that's trying to do some things. I'm still trying to do some things. December the 17th, we are fortunate enough to be recognized to host "Grief Across America" here in High Point. We were recognized in 2014, but we were unable to pull it off, so here we are again and this time we're able to host "Grief Across America." We have 169 veterans buried over at Greenhill, plus eleven unknown. So the tractor trailer will come and deliver the wreaths and we need veterans. We need volunteers to place those wreaths on the site to honor, remember and teach. So that is my message in reference to what we're doing over at Greenhill Cemetery.

I want to go down to something that has been bothering me for the last five years. We've been watching things happen in the City of High Point. Good, bad and indifferent, but the bad is that we've allowed things to happen. The Kilby was knocked down. The Kilby hotel. First Baptist was knocked down. Odd Fellowes was knocked down, but in that time, they turned around and brought in Emerywood, Highland Cotton Mill, Pickett Cotton Mill, Allen Jay for the National Register. I've been trying for five years to put the Rosetta C. Baldwin historical African-American Museum/Home in the National Register. The only question that was asked was about ownership and in 2013, we acquired ownership. So that answered the question, but somehow

Mr. Bob Robbins and the staff did not even follow a directive from Benjamin Briggs and Mr. Peter Freeman to move forward. So I'm here to understand and ask the question....

Is there discriminatory practices happening here in High Point?

Because somehow we're seeming to not understand that all of High Point [beep] is what is important. And I don't get wrapped too much into "Black Lives Matter" because all lives matter. So you cannot talk about the City of High Point if you don't talk about all of High Point. So thank you for this opportunity to speak briefly on that and we'll come back again and brief you as to where we are as far as our mission in trying to do more in the City of High Point and in our community. Are there any questions?

Council Member C. Davis: I have one, Julius. What time on the 17th of November?

Julius Clark: It's 11:00 to 12:00.

Council Member C. Davis: Thank you.

Julius Clark: Thank you.

Mayor Bencini: Thank you, Julius. It's good to see you doing well. Next up is Lisa Vierling's lesser half, Carl.

Carl Vierling: Good evening. I just want to thank you for your support of the community gardens in and around High Point. Since City Council approved the "Adopt-a-Lot" policy, we've had at least 15 brand new community gardens started and the impact is far more than about growing food. It's been about the community coming together. Neighbors talking to one another. We've had kids get involved. And one of the things that we've heard out of the Bountiful Harvest garden is from a business owner, "This is one of the very best things that's happened in the West End area in 30 years." So we appreciate your support of that because it's made a real difference. It's exciting to see as people are beginning to bring in the harvest from this year. In the Burnshill area, we actually did a cooking demonstration with food coming out of their garden. So we're teaching people how to cook their own food, empowering them to make decisions. And if it wasn't for the support of the City Council, that wouldn't be possible. So we really appreciate going forward with your continued support for all these community gardens. Thank you.

Mayor Bencini: Thank you, Carl.

David Rosen....

David Rosen: Good evening Council and hello community members. You know the start of this meeting was great. A lot of great things going on and I want to keep that energy going. A lot of you know that the Human Relations Department has been revamped and some of you know things we've been doing, some of you don't. So for the next 2 minutes and 40 seconds, I want to say thank you to Council for taking the steps and believing in the nine members as well as our

Division Manager, Fanta Dorley back there and Felicia Jones who is also one of the commissioners. So just real quick, just to touch base....within the last four to five weeks, we've had a very, very successful Ramadan dinner. I think Cynthia you were there. Bill you were there. I personally couldn't be there; I had a wedding to photograph. And Chief Shultz.....he split, no there he is, was there and we brought together a very diverse group of people at the Macedonia Family Center and had a very successful event and partnered with the Divan Center. We put together an excellent program and it just shows that when a community gets together we can and we will do great things.

Two weeks ago, we had a wonderful program here that the chief helped put on about things going on inside the Police Department and with all due respect to our High Point Enterprise, there were more than 75 people here. I think there were closer to 150-200 people. It was standing room only with residents all around the city being able to ask questions to our Chief and him being able to answer those questions was extremely powerful. It's just another step that our agency is taking to make good, positive changes here in our community. So that was excellent, so Chief thank you for that.

Last week a few people in our department attended a neighborhood association meeting in conjunction with Community Development and that was great because we got to hear from different neighborhoods, the Latino Family Center. Concerns they had that they brought up to us, so when we have our meeting, we've got a litany of things that we're taking back to our group, not just to listen, but to put forth into action. So I wanted you all to hear from me representing our department with Human Relations that good things are happening. Sometimes you've got to forget about all the other negative things going on in the press because there's a lot of positive energy and there's a lot of people that care sincerely about our city. So I thank you in putting the past behind with what happened with the other board and believing in these nine members. And also without the leadership of Fanta and Jeron, y'all need to know this could never have happened. So I thank you. That's it.

Mayor Bencini: Thank you, David. Alice Wall.

Alice Wall: Hello. I'm Alice Wall and I am here.....

Mayor Bencini: What's your address please.

Alice Wall: I'm sorry. I live at 4000 Whitetail court here in High Point. I've been a resident here ever since 1959 and I've been living where I am ever since 1990. The problem that I'm having is noise. There is a family that lives next door to me at 4001. They play music all the time and sometimes the music sounds like there's a horse in a stable kicking. And I mean I keep my grandson and when I go home in the evening, all I want to do is relax and get some peace and quiet, but I can't because of the noise. And they have been, you know, several times warned about their noise. On the 25th of June they had a party. There was a lot of people there and they even had a DJ, microphones and all this stuff outside. More than myself complained and they're still playing the music. What they'll do is they'll turn the music down, then turn it up and when someone comes to tell them to turn the music down or turn it off. They'll turn it down and then they are just as nice as they can be because they know they are wrong, but yet and still I be in my

house and that's all I can hear is that music and the thumping of that bass in my living room and it goes from my living room to my garage and I still hear it. I just want some peace and quiet and them to stop playing that music so loud. And then when they say they've got it down, it's not. So I don't know. Is there any questions as far as that is concerned?

Mayor Bencini: Mr. Manager, could you get somebody from our [inaudible].....

Alice Wall: Someone else will talk with me?

Mayor Bencini: Mr. Hank Wall.

Council Member C. Davis: I think he might have stepped out.

Mayor Bencini: He must have stepped out. Alfred Hinson.

Alfred Hinson: Hello, my name is Alfred Hinson. I'm here on behalf of my sister-in-law, Yvonne Bynum. We received a letter from the City of High Point that the property is a nuisance and the nuisance is a result of the kudzu that is on city property that we have continuously tried to remove over and over again. I think that it is really unfair to have someone to come out and label the area as a nuisance when we've done everything that we possibly could to correct it and also we talked to the city on numerous occasions to come out and try to clean up the area where the kudzu exists. I spent a little money not too long ago, about two years ago, to have the fence repaired and painted. The fellow that did the painting for us used a machete to cut the kudzu away from the fence. The kudzu is on the property adjacent to our property line. The letter stated that the problem was at 1197 Day Place. That's the vacant lot that the property is on and on that vacant lot there is a big brick fireplace that my father-in-law built and it is there for family gatherings. But the kudzu has come across the fence and is about to cover the fireplace. I think it's absolutely ridiculous that we were given a notice that it's a nuisance where the nuisance is the result of the city not clearing up the land. And if we go out and pay for it, we, as responsible taxpayers, if we clean up our lot, get the kudzu off our lot, it's going to grow again. I was recently reading some stuff on the internet that kudzu can grow at least a foot a day and it's growing and we can't do anything about it. My request to you is to have the city go out there and clean up the area around our property line and also around the area of 1200 Crawford Street because that kudzu runs all through that particular area. A few years ago we owned the property at 1200 Crawford Street and we had a young guy who [beep] was living there who had the ability to keep it clean, but right now we don't intend to spend any money when the city is not doing anything to help us. I'll answer any questions that you might have.

Mayor Bencini: Mr. Manager, could you also get somebody from staff to get with Mr. Hinson to look into this? It sounds like the city has some issues with the kudzu as well.

Council Member C. Davis: Mr. Mayor, I have a question. If the kudzu is on our property and it encroached on theirs, will we take care of what has encroached and sort of carried over because it was our issue? That's the question that I have.

Mayor Bencini: I think that's a valid question, but I think the first thing we need to do is have the city investigate what actually is going on. Thank you.

Courtney Holder.

Courtney Holder: Thank you. I'm Ms. Courtney Holder and I live on 109-A Chestnut Drive here in High Point. There's a couple of on-going issues. I've lived here 18 years at least, well almost 18 years. I've always been a loner type person. I've always been....I worked hard at an early age to become a genius to not be dependent on other people so other people could automatically respect me and how much I know and automatically know not to help me or treat me like I'm stupid. And I just want the freedom to be able to.....like I ride a bicycle everywhere. I can't really afford to have a car or anything and I just want the freedom to be able to ride into town, pick up groceries with minimal interaction as possible along the way. Do my own thing. Not be helped in any way. Not be assisted and the freedom to come back home without being bothered. Anyway, the things I run into for instance I'll see a car in the distance of a block in my path, which that's fine. I've already got it worked out. I'm going to stop and wait my turn. They can finish doing whatever they're going to do and then I'll go. I mean that's simple right? But instead, the vehicles will back up, demand that I go when I don't want to go, when I want to go last as I planned because I plan every little thing I do almost in advance. Like I see a little problem area and I want to work on it. I've got a strategy already in place, but it's like others interfere with that. I mean other examples is like in stores.....I mean on the point of sale terminal, it tells you how to scan your card. The instructions are on the machine. I'm literate. I can read and a lot of these stores, it offends me deeply because I've always felt from a very early age that it's immoral and wrong to help anyone unless they ask and I've never once done that to anybody. If people come up to me, I'm more than happy to help if they need it, but I don't automatically assume that others are stupid, that they need my help, that they're broke. And I don't go look for situations to interact with strangers because the way I look at it is my life is my life and I live alone. I draw disability and I should have a right to run my life and not be mothered, babied, taken care of [beep] treated like I'm stupid. Oh, and I know I need to wind it up, butas far as strangers treating me this way, assuming I need help or whatever, please forgive me for saying this but I noticed that four out of five times when it has happened to me, it's from African-Americans and that's where I see a connection, an issue. It even reached the point to where unfortunately charges have been brought against me because of a reaction to unwanted help back in May where I pretty much just told them off. That's all....I was charged with disorderly because of that. And it's like they provoked me with the unwanted help and refused to listen to my side of the story and got belligerent and demanded I leave the premises which I did with protest, but I left.

Mayor Bencini: Excuse me, Courtney. Could you wrap this up? You're way over the three minutes.

Courtney Holder: I'm sorry. But anyway all of y'all know what I can do about the unwanted help and nosey people sticking their nose in my life and strangers encroaching on me? I'm all ears, but thank you for listening.

Mayor Bencini: Anyone else present that cares to speak tonight?

I'm sorry, Hank Wall stepped out and he was on the list. We'll let you come after him.

Hank Wall: Good afternoon. My wife spoke earlier, but I just wanted to kind of follow up what she had stated on a few things. I had to step out with my grandson. He wanted to talk and he's not old enough to come to the meeting yet. In reference to the noise that we've had with my neighbor, I'm really just not satisfied with the police response. I have a copy of the ordinance. I have a copy of the penalties to be assessed if the citizen is not following the ordinance. But we've had police out there four times in the last month. Four times. And I even, one night, the 25th of June, our neighbor had a party that was so loud. We're in a cul-de-sac on top of a hill. The neighbors that were down the hill in the other cul-de-sac on the opposite side of the street had called the police. This was the 25th of June. We called the police three times since then. The last report was Friday night. The last call was Friday night and the officer.... after we spoke with the officer, my wife was very upset so I had to talk to her and the officer tried to tell us that he did not even hear the noise. We were hearing the noise through the wall in our home and he said when he came up that he couldn't even hear it. Now that's an outright lie and I'm supposed to depend on my police force for that and I know they're lying to my face? So I don't know whether there's a committee in place. I don't know what to do. In this particular instance, I've gone through the protocol, but I've been living in this city for 64 years. I'm 66 years old. I pay taxes here. I've been paying taxes since I was an adult. I'm not happy with the service and something needs to be done. I asked the supervisor that was on call Friday night how many times are you going to send officers out here before you cite these people? How many times does it take? And I've even had people that are sitting up here right here in my house that heard it and officers say they didn't hear it. That's all I've got to say. Any questions?

Mayor Bencini: Thank you Mr. Wall. We appreciate you making us aware of the problem and we will do all that we can to make sure that this problem is resolved.

Hank Wall: Is there a committee in place to handle this?

Mayor Bencini: There is not a committee. We are the committee. The High Point City Council. Our manager answer to us and our police chief answers to our manager. So you're talking to the committee. We hope you'll come back if you don't get some resolution and let us know.

Council Member C. Davis: So what I hear you're saying to us is that you just want us to follow the ordinances that we have in place?

Hank Wall: Yes. If it was me, I would have been cited. If I lived beside the mayor and the cops had to come out there four or five times, I guarantee you I would have been cited.

Mayor Bencini: Thank you Mr. Wall.

Anybody else? Mr. Thomas?

Frank Thomas: Rev. Frank Thomas. I represent Mt. Zion Baptist Church at 753 Washington Street. I just wanted to address Council today and say a word of thanks for adopting the

resolution to transfer surplus equipment, the computers to Mt. Zion Baptist Church for our computer labs. Just to give you an update, the purpose of the computers is to work with our community writing center where we partner with HPU for students from Kirkman Park elementary School. They get dropped off at the church. HPU students come and meet them at the church and help them with homework and other activities. The computer lab will assist in that way and we hope in the very near future to transform that computer lab, not just for an afterschool program, but an evening computer lab for evening writing skills for adults. So I just wanted to say thank you to Council for assisting us in this way. The demolition is about to start in the Fellowship Hall to redo the basement and create the computer lab so I hope the city won't mind storing them for a few days until that gets done. Thank you very much.

Mayor Bencini: Thank you, Reverend. Anyone else? Seeing no one, we'll close the Public Comment Period.

[end of transcript for Public Comment Period]

**ORDINANCE AMENDING TITLE 5 – PUBLIC SAFETY – CHAPTER 2. FIRE
PREVENTION AND PROTECTION – ARTICLE B. FIRE PREVENTION CODE –
SECTION 5-2-21 ADOPTION OF FIRE PREVENTION CODE OF THE HIGH POINT
CODE OF ORDINANCES**

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of High Point that Title 5, Chapter 2, Article B, Section 5-2-21 be amended as follows:

Sec. 5-2-21 – Adoption of fire prevention code.

- (a) There is hereby adopted by the city for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion that certain code, known as the Fire Prevention Code, 1976 Edition, as recommended by the American Insurance Association (formerly the National Board of Fire Underwriters,) and Standards of the National Fire Protection for Spray Application Using Flammable and Combustible Materials No. 33, 1973 Edition, and for Tank Vehicles for Flammable and Combustible Liquids No. 385, 1974 Edition, ~~save and except such portions as are in conflict and/or inconsistent with the provisions of this code of ordinances, of which fire prevention code and standards (No. 33 and No. 385)~~ **and entitled the North Carolina State Building Code: Fire Prevention Code, 2012 Edition and including the North Carolina State Building Code: Fire Prevention Code Appendices B, C, D, F, and H.** ~~not~~ **Not** less than three (3) copies are on file in the office of the city clerk, and the same are hereby adopted and incorporated as fully as if set out in length herein, and the provisions of the ~~fire prevention code and standards~~ **North Carolina State Building Code: Fire Prevention Code, 2012 Edition** shall control within the limits of the city.
- (b) **Amendments to the to the North Carolina State Building Code: Fire Prevention Code, 2012 Edition, which are adopted and published by the North Carolina State Building Code Council, shall be effective and incorporated herein at the time of the amendments' adoption, including Appendices B, C, D, F, and H.**

Adopted this the 1st day of August, 2016.

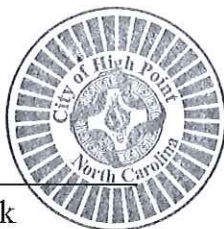


Mayor William S. Bencini, Jr.

ATTEST:



Lisa B. Vierling, City Clerk





**City of High Point
Human Relations Commission**

Work Plan: July 2016 - December 31, 2016

- I. Action Items: July 2016 - December 2016
- II. Individual Work Plans for Action Items July 2016 - December 2016

I. Action Items: July 2016 - December, 2016

- Have HRC information flyer translated Spanish
- HRC “meet and greet” with High Point, Burlington, Greensboro, and Winston-Salem HRCs and human relations staff.
- Research and plan cultural diversity training for HRC.
- Select a City of High Point “Humanitarian of the Year” recipient, to be announced as part of the 2017 MLK Day Celebration
- Plan a multi-cultural storytelling event at the library for the City of High Point.

Recommended Human Relations Work Plan: Translate HRC Flyer into Spanish

<i>1. Refine the identified highest priority initiatives into specific statements to be achieved.</i>	<u>RECOMMENDED INITIATIVE:</u> Based on feedback from the community, the HRC would like to translate its current flyer into Spanish. The English and Spanish versions of the flyer can be brought to HRC events and be given to those who come to the Human Relations office in City Hall.
<i>2. Identify when progress toward or successful completion of the initiative will be measured.</i>	<u>RECOMMENDED TIMELINE:</u> Translated flyer completed by September 2016.
<i>3. Identify the results or evidence to document successful completion of the initiative.</i> <i>ID meaningful milestones to measure progress when initiative completion is beyond the Work Plan cycle.</i>	<u>RECOMMENDED SUCCESS INDICATORS</u> Translated flyer.
<i>4. Identify the resources needed for this initiative to be successful.</i>	<u>RESOURCES:</u> City staff.
<i>5. What else does the Commission need to move forward successfully?</i>	<u>OTHERS:</u> N/A

Recommended Human Relations Work Plan: Participate in Triad HRC Retreat

<i>1. Refine the identified highest priority initiatives into specific statements to be achieved.</i>	<u>RECOMMENDED INITIATIVE:</u> The HRC would like to invite commissioners and Human Relations staff from the Winston-Salem, Burlington, and Greensboro Human Relations Commissions to meet the High Point HRC. The purpose is to meet Commissioners from neighboring cities and to introduce ourselves.
<i>2. Identify when progress toward or successful completion of the initiative will be measured.</i>	<u>RECOMMENDED TIMELINE:</u> Ideally the retreat in September, depending on availability of commissioners and space availability.
<i>3. Identify the results or evidence to document successful completion of the initiative.</i> <i>ID meaningful milestones to measure progress when initiative completion is beyond the Work Plan cycle.</i>	<u>RECOMMENDED SUCCESS INDICATORS:</u> Successful hosting of “meet and greet” with other local commissioners.
<i>4. Identify the resources needed for this initiative to be successful.</i>	<u>RESOURCES:</u> Commissioners’ availability. Venue (Deep River Rec Center or other community space). \$300 for food (i.e., pasta, salad, bread, and tea).
<i>5. What else does the Commission need to move forward successfully?</i>	<u>OTHERS:</u> Participation and help from Human Relations staff.

Recommended Human Relations Work Plan: HRC Cultural Diversity Training

<i>1. Refine the identified highest priority initiatives into specific statements to be achieved.</i>	<u>RECOMMENDED INITIATIVE:</u> HRC members to research cultural diversity training for HRC in 2017.
<i>2. Identify when progress toward or successful completion of the initiative will be measured.</i>	<u>RECOMMENDED TIMELINE:</u> Research starting August 2016; with implantation depending on programming dates.
<i>3. Identify the results or evidence to document successful completion of the initiative.</i> <i>ID meaningful milestones to measure progress when initiative completion is beyond the Work Plan cycle.</i>	<u>RECOMMENDED SUCCESS INDICATORS</u> Commissioners able to: • Understand local problems that may arise in the area of human relations; • Promote equity for all citizens; • Promote understanding, respect, and goodwill among all citizens; • Facilitate channels of communication among racial, ethnic, and religious groups;
<i>4. Identify the resources needed for this initiative to be successful.</i>	<u>RESOURCES:</u> Proposed event budget will be submitted along with supporting materials when training is selected.
<i>5. What else does the Commission need to move forward successfully?</i>	<u>OTHERS:</u> Training and budget approval from council.

Recommended Human Relations Work Plan: Select a City of High Point “Humanitarian of the Year”

1. Refine the identified highest priority initiatives into specific statements to be achieved.	<u>RECOMMENDED INITIATIVE:</u> Select a City of High Point “Humanitarian of the Year” recipient, to be announced as part of the 2017 MLK Day Celebration.
2. Identify <i>when</i> progress toward or successful completion of the initiative will be measured.	<u>RECOMMENDED TIMELINE:</u> Call for nominations would go out in October, and the HRC would select a the recipient at the December HRC meeting.
3. Identify the results or evidence to document successful completion of the initiative. <i>ID meaningful milestones to measure progress when initiative completion is beyond the Work Plan cycle.</i>	<u>RECOMMENDED SUCCESS INDICATORS:</u> Awarding of “Humanitarian of the Year” at the 2017 MLK Day Celebration.
4. Identify the resources needed for this initiative to be successful.	<u>RESOURCES:</u> Approximately \$100 for award.
5. What else does the Commission need to move forward successfully?	<u>OTHERS:</u> HRC needs assistance from City’s Office of Communications in soliciting nominations via the City of High Point’s website and social media.

Recommended Human Relations Work Plan: Host a Multi-cultural Storytelling Festival

<i>1. Refine the identified highest priority initiatives into specific statements to be achieved.</i>	<u>RECOMMENDED INITIATIVE:</u> Host a multi-cultural storytelling event for the City of High Point.
<i>2. Identify when progress toward or successful completion of the initiative will be measured.</i>	<u>RECOMMENDED TIMELINE:</u> End of October 2016 (Saturday 10/22 or 10/29).
<i>3. Identify the results or evidence to document successful completion of the initiative.</i> <i>ID meaningful milestones to measure progress when initiative completion is beyond the Work Plan cycle.</i>	<u>RECOMMENDED SUCCESS INDICATORS</u> Successful hosting of storytelling event at the city library.
<i>4. Identify the resources needed for this initiative to be successful.</i>	<u>RESOURCES:</u> Partnership with library, schools, and other literacy groups.
<i>5. What else does the Commission need to move forward successfully?</i>	<u>OTHERS:</u> HRC needs assistance from City's Office of Communications in advertising via the City of High Point's website and social media.

HIGH POINT HUMAN RELATIONS COMMISSION BY-LAWS

Section I - Purpose of the Commission

The Human Relations Commission is devoted to:

- i. The study of problems in the area of human relations;
- ii. The promotion of equity for all citizens;
- iii. The promotion of understanding, respect, and goodwill among all citizens;
- iv. The provision of channels of communication among diverse groups;
- v. Encouraging the employment of qualified people without regard to race, color, religion, gender, sex, age, national origin, disability or genetic information.
- vi. Encouraging youth to become better trained and qualified for employment.

Section II - Membership and Attendance

Membership:

The Human Relations Commission shall be selected for membership in the following manner:

- The Mayor shall nominate one (1) member
- City Council members will make the additional eight (8) nominations
 - One (1) nomination should be made by each of the six (6) ward representatives and one (1) by each of the two (2) at large City Council members.
- All nominees shall be confirmed by the approval of the City Council
- All nominees must reside within the city of High Point

In the event any nominees are not approved by City Council, the person making the original nomination shall submit an alternate nomination. There is no requirement that the Commission membership have representation from all wards. The City Council will endeavor to create a composition for the Commission that fairly represents the social, economic, gender, and ethnic composition of the population of the city. The City Council may in its discretion appoint up to five (5) high school and two (2) college/university student representatives from high schools and/or colleges and universities located within the city of High Point. Such student representatives will be non-voting members of the Commission. City Council shall appoint one (1) member of City Council to act as the liaison to the Commission. The appointed liaison shall attend the Commission meetings and keep City Council informed as to the activities of the Commission.

Terms:

The term of office for each Commission member shall be as follows:

- i. All members will serve a two-year staggered term
- ii. No member shall serve more than three (3) consecutive terms
- iii. Each member shall hold office until the qualification and appointment of his/her successor or until one (1) year has lapsed since the expiration of the term for which the member was appointed, which first occurs
- iv. In order to establish staggered terms the original voting members of the commission shall be appointed as follows:
 - a. Three members for a one-year term

- b. Three members for a two-year term
- c. Three members for a three-year term
- d. Thereafter, each newly appointed voting member shall serve for a two-year term.

Attendance:

Members are expected to attend regular meetings as required. After review, the executive committee may recommend to City Council whether a member should be retained or removed from the Commission. The recommendation will be determined by the following:

- i. Three consecutive absences from regularly scheduled meetings if notification of any such absence has not been submitted to the chairperson or staff liaison prior to the meetings where the absence occurred.
- ii. Five absences from regularly scheduled meetings of the board in any calendar year if notification of any such absence has not been submitted to the chairperson or staff liaison prior to the meetings where the absence occurred.

In the event that a vacancy occurs by reasons stated in Section II, the chairperson or director of the affected commission shall immediately notify the City Council liaison, so that the vacancy can be filled in accordance with city ordinance by the City Council.

Members may also be removed from the Commission by breach of Section III of the by-laws governing general conduct of commissioners.

Section III - General Conduct

Government appointees are expected to meet high standards of conduct, which enhance and maintain public confidence in the operation of the Commission. In order to instill public confidence in the actions and decisions of the Commission members will adhere to the following:

- i. Be cognizant of your individual actions as a member of the Commission.
- ii. Commissioners are expected to act at all times with integrity demonstrating good faith, honesty, and due diligence on behalf of the public interest.
- iii. Commissioners are expected to participate, prepare, and regularly attend meetings in order to adequately carry out the duties expected of them.
- iv. The public conduct and language of commissioners must be free of discrimination, harassment, and hate acts prohibited by local, state, and federal laws. Conduct should reflect social standards of courtesy, respect, and dignity.
- v. Commissioners must not reveal or divulge information deemed confidential by the Commission or director received in the course of their duties. Confidential information must not be used for any purpose outside that of undertaking the work of the Commission to which they have been appointed. Commissioners must comply with the public comment protocols established by the City or Commission. If none exist, Commissioners must refer to the chair or director for guidance before making public comment on Commission matters.
- vi. Commissioners may not make individual personal statements, editorials, speeches,

- appearances, or requests for information on behalf of the Commission.
- vii. Commissioners' work or endeavors should not result in any financial or other substantive gain for personal increase and/or profit, or for organized entities to which the Commissioner may have membership or affiliation. (Private gain does not include honoraria for service on other agencies, boards or commissions).
 - viii. Commissioners must inform the chair or director of any circumstance that may have a negative or harmful impact on their respective abilities to perform the duties required of their appointments or that could reflect negatively upon the Commission.

Section IV - Conflict of Interest

Commissioners must avoid any activity that might impair or impugn the independence, integrity or impartiality of the Commission. There must be no apprehension of bias, based on what a reasonable person might perceive.

Commissioners who are in any doubt must disclose their circumstances and consult with the chair or director. In practical terms, Commissioners should ensure that:

- i. All personal financial interests, assets, and holdings are distinct from and independent of any decision, information or other matter that may be heard by or acted upon by the commission.
- ii. Activities undertaken as a private citizen are kept separate and distinct from any responsibilities held as a member of the Commission.
- iii. Activities undertaken individually as a member of other agencies, boards, or commissions are kept separate and distinct from the Commission.
- iv. Recusal is expected when agencies, organizations, boards, and commissions you are affiliated with come before the Commission for action.
- v. Commissioners may not receive any form of payment for products, services, or acts done as a part of commission sponsored or supported events.
- vi. Other memberships, directorships, voluntary or paid positions or affiliations remain distinct from work undertaken in the course of performing their duties as public appointees. Actions taken in the course of performing duties as public appointees neither cause nor suggest the reality or perception that their ability to perform or exercise those duties has been or could be affected by private gain or interest.

Section V - Election, Tenure, and Duties of the Chair & Vice Chair

The commission shall elect from its membership a Chair and Vice Chair, each for a one-year term and they will be eligible for re-election. Their duties shall be those generally assigned by the nature of their offices. Interim elections may be held if any such office is vacated.

Section VI - Committees

In accordance with Section 2.3.5 of the City ordinance, City Council may, as necessary and upon request from the Commission, appoint or approve the appointment of committees related to specific human relations problems. These committees shall be composed of adult residents of

the City that are not members of the Commission and chaired by a member of the Commission. Standing Committees of the Commission shall be appointed by vote of City Council after suggestions by the Commission and discussion by City Council. Each Committee shall be chaired by a

current commissioner. Ad hoc committees will be formed as needed. The following shall constitute the Standing Committees:

Standing Committees:

- Executive
- Interfaith
- International Advisory

Section VII - Conduct of Business

- i. Quorum - A quorum for the official conduct of business shall consist of a simple majority of voting Commission members.
- ii. Business shall be conducted in accordance with Robert's Rules of Order.
- iii. Meeting Time
 - a. The Commission shall hold monthly meetings, which shall be conducted on the second Thursday of each month at 5:30p.m. at City Hall.
 - b. Meeting times or location can be changed by a majority vote or in case of emergency by the Chair.
 - c. Additional meetings as needed shall be called by the Chair, Vice Chair, or any three members.
 - d. The Commission shall hold an annual retreat in November.
- iv. Time Commitment - members have agreed to a minimum time commitment of 3 hours per month (this is inclusive of regular Commission and committee meetings).
- v. Meetings are open to the public with the Commission reserving the right to move into private session.

Section VIII – Work Plan

The Commission shall submit a work plan to City Council in January and July of each year. The work plan should list the proposed activities of the Commission and any associated budget requests.

Section IX – Changes and Amendments

The by-laws may be changed and/or amended by motion passed by three-fourths of the entire Commission, which includes voting members and City Liaisons, provided written notice of the proposed amendment(s) is mailed to all Commission members at least 10 days prior to the meeting which action proposed is to be taken. The changes are then submitted to City Council for approval



Prosperity & Livability Committee
Members: Ewing, Hill, Wagner and Williams
Chaired by Council Member Ewing
3rd Floor Lobby Conference Room
July 12, 2016 – 11:00 A.M.

MEETING MINUTES

Present:

Committee Chair Jason Ewing, and Committee Members Alyce Hill, Jay Wagner and Chris Williams

Also Present:

Council Members Cynthia Davis and Latimer Alexander

Staff Present:

Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; Jeron Hollis, Communications & Public Engagement Mike McNair, Director of Community Development; Michelle McNair, Community Resource Manager; Mark McDonald, Transportation Director; JoAnne Carlyle, City Attorney; Maria Smith, Deputy City Clerk and Lisa Vierling, City Clerk

Others Present:

Judy Stalder, TREBIC; Barry Kitley, HPU; Meredith Mitchell, Leadership: High Point

News Media:

Pat Kimbrough, High Point Enterprise

Handouts:

- *Policy for Traffic Calming Devices in Residential Areas*
- *City of Raleigh Neighborhood Traffic Management Program*

Note: These handouts will be attached as a permanent part of these proceedings.

Chairman Ewing called the meeting to order at 11:08 a.m.

1) **Discussion regarding advertising on publically owned properties**

Chairman Ewing noted although the topic on the agenda says “advertising on publically-owned properties” it is actually “community messages on publically-owned properties”. He asked City Attorney JoAnne Carlyle to provide some background on this matter. Ms. Carlyle advised in the past there have been discussions about whether or not the city could put signage or an emblem/symbol on the city’s water towers. She mentioned a 4th Circuit North Carolina case in the past that indicated cities are not allowed to do that. She advised there is now new case law that has remanded the 4th Circuit case and they determined that governments could allow this as long as the government chooses the message, the government must maintain control over the selection of the message. She pointed out the water tower located on 311 has clearly been the city’s message/emblem for several years now and she noted the Gaffney, South Carolina “peach” was certainly governmental speech.

Council Member Alexander provided an example—the Ed Price Field, which is named in honor of an individual. Ms. Carlyle suggested this would have to do more with an actual form where the entities are allowed to offer an act of speech and more of sending a message than honoring an individual or an event. She also had heard that this would give our neighborhoods and our communities a sense of identity while using it for that purpose. She mentioned that the forum would have to be opened up to the government and the government would have to maintain the control of what the message is. It would be up to Council to make the decision as to the appropriateness of the message.

Chairman Ewing advised this came about through a request from High Point University (HPU) to promote their logo on one of the city’s water towers at a nearby location. He noted that HPU is a major institution in the city, the largest contributor and largest utility consumer, and many cities have their largest institution identified on towers in support of that institution. He advised the next step would be for staff to assemble a policy.

Randy McCaslin, Deputy City Manager, stated there are three elevated water towers in the City of High Point. Chairman Ewing stressed that if this is something that Council would like to move forward with, a policy would be needed to govern the message. He felt any costs involved should be the responsibility of the person/entity who is making the request to place a message on the tower (including on-going maintenance costs until they decide to terminate the message and/or agreement) and that the City Council should be the deciding factor as to what the contents of the message will be.

Council Member C. Davis asked who would be responsible for re-painting the tower once they no longer want it displayed. Chairman Ewing suggested putting this in the policy. Council Member Alexander also suggested that should the City want to remove the tower, that they would have the immediate rights to do so. Chairman Ewing stated that the City still owns the tower, the rights of the tower and would only be granting them the opportunity to put a community message on the water tower. Ms. Carlyle reiterated that the city would own the message. Council Member Wagner pointed out, in fact, it is the city’s message.

Council Member C. Davis asked how this would affect the request from the Southwest Renewal Foundation's desire to paint an "acorn" on a water tower and asked if the city was going to do something because it is a non-profit. Chairman Ewing felt it would be a straight-lined policy where the city has three elevated water towers—one, with great visibility on I-74 and this is one the city has maintained to support the message as folks are driving through to let them know that they are driving through High Point, North Carolina. He felt this water tower should continue to convey that message, which would allow the other two towers to be utilized for the purposes of the policy. He noted there have been two requests: one from HPU and the other from Southside Renewal Foundation. He suggested looking into an application and/or petition process to be put in place to allow consideration with Council having the final decision as to what will actually go on the water tower. He reiterated that the cost for painting or whatever needs to be done to put the logo up would be borne by whoever brings the request to Council for consideration.

Committee Member Williams asked if the city would consider limiting an agency to one tower only and Mr. McCaslin agreed that it would be entirely up to Council on a case-by-case basis. Council Member Alexander suggested and Council agreed that the towers should be a muted color, white or beige with a color logo. Mr. McCaslin pointed out there would be substantial costs involved in painting the whole tower (around \$60,000), and he did not see the city getting into repainting towers. Assistant City Manager Randy Hemann advised a darker color tower could cause problems with heat and would fade more quickly.

Chairman Ewing suggested with the Committee's consent he would like to give staff direction to pull together a policy for consideration at the August 1st Council meeting, if possible. Mr. McCaslin asked if it is the Committee's desire to have staff do this and bring it back to the Committee, or have it ready for Council's review at the August 1st City Council Meeting. Chairman Ewing suggested to have it ready for the August 1st Council meeting. Mr. McCaslin advised staff would draft it and get it out to the entire Council for review, then it could be placed on the August 1st City Council agenda.

Council Member C. Davis piggybacked on one of Council Member Alexander's comments made in a previous meeting and asked about fees that could be charged for making revenue off the advertising and if this was something that should still be considered. Committee Member Wagner conveyed that he did not believe this was a possibility since it would be the city's message. Ms. Carlyle agreed. Chairman Ewing suggested to move forward with staff drafting a policy for adoption by the City Council for consideration at the August 1st City Council meeting.

Chairman Ewing made a motion to move the High Point University request forward to Council with a favorable recommendation pending approval of the Policy by Council in August. Committee Member Williams seconded. The motion carried by a 4-0 unanimous vote.

2) **Discussion on the City of Raleigh's Traffic Calming Policy and possible amendments to High Point's Policy**

Mark McDonald, Director of Transportation, was present to answer any questions regarding the Raleigh Traffic Calming Management Policy handout. Mr. McCaslin advised that Council could modify Raleigh's policy to come up with a City of High Point policy.

Council Member Alexander asked about the history on the most recent traffic calming. He was curious if there was any observational data as to compliance or speed through the area and noted he frequently travels through Rotary and Johnson. Mr. McDonald replied not as of yet and explained most of the multi-way STOP conditions were implemented outside of the policy at Council's direction. He advised there was nothing on the table currently aside from some pavement marking changes on James Road that would be reviewed once school starts back as to volumes, speed changes as a result of these pavement markings. He noted his department also received a request from Mike McNair for some type of traffic calming on Hoskins/Davis/Edmonds/Graves area. Staff is currently working on this. Mr. McCaslin pointed out that the Washington Street Business Association has also requested staff to look at some type of traffic calming on Washington Street, although they have not yet submitted a petition.

Mr. McDonald mentioned how the Raleigh policy was reviewed several meetings ago and the different criteria that Raleigh looked at. Raleigh's 12-page policy not only includes traffic calming, but also includes neighborhood streetscaping. He stated staff would like to get some direction from Council and asked if there is a desire to use Raleigh's policy as a template for the City of High Point's policy.

Mr. McDonald also pointed out that Council included \$100,000 in the budget for traffic calming and staff needs some direction as to how to distribute this money, whether it be a 50/50 cost share with the neighborhood; or if the city is going to pick up the tab entirely, etc..... He stressed these questions have not been addressed at this point, but need to be addressed before the policy can be implemented. Mr. McCaslin explained the city's current policy requires the homeowner's association or neighborhood to submit a petition with signatures of 75% of the property owners in the affected area and then it has to be reviewed by the Transportation Department. He noted unless there is an engineering reason not to do it, staff would move forward and do a design and come up with a cost estimate and then would go back to the property owners and they would be responsible for 100% of the cost. Mr. McDonald reported after receiving the petition, staff would proceed with an evaluation that would include taking traffic counts, speed data, assessing the situation that generated the petition. Staff would then review this information with the neighborhood in an effort to determine what the most suitable treatment might be, then apply that treatment at the petitioners cost.

Committee Member Wagner brought up the idea about a scoring system for prioritization of these requests. He noted the city will more than likely receive more requests than there is money to fund so an objective scoring criteria should be established. He suggested having the neighborhood pay or have a scoring system or get neighborhoods to try to raise some of their own money to contribute. Committee Member Wagner would like to go in the direction of having a scoring system such as Raleigh for an objective system. He also mentioned as

discussed in the last meeting to have the neighborhood pay or not and maybe include that as part of the scoring system. He advised he was not sure about this because it would favor the neighborhoods that have the ability to come up with the money while it may not be the most dangerous street, but noted the flip-side of this would be the city could get more done if they could raise some of their money. Mr. McDonald believed this would be a step in the right direction as opposed to just asking the neighborhood to pay for it outright. He explained by offering to cost-share in some way, based on criteria it would be leveling the playing field for everyone. Council Member Alexander mentioned the procedures used by NCDOT and oftentimes cities have to put more money into specific projects to entice them to move the project up. He suggested the possibility of factoring in the economic data in a neighborhood to factor into the scoring data.

Committee Member Williams pointed out in some of the areas where there are absentee property owners it would be difficult for them to raise money. He provided an example in the Rosetta C. Baldwin area and issues they have with speeding and noted it is almost to the point of being a public safety issue because of the proximity to the daycare. Committee Member Wagner asked if the 75% required on the petition was for residents or property owners. Committee Member Hill suggested it may be an area where it's predominantly rental properties, the threshold would be significantly lower, like 75% owner occupied. Chairman Ewing felt from this standpoint, it should be more residents than owners due to the high amount of rental properties where the absentee owners are out of state. He noted from a public safety standpoint, it is for the safety of the person actually living there.

Chairman Ewing suggested for staff to put together a rating scale with some of the criteria for Council to review taking into consideration the economy of the neighborhoods and figure out how we can help some of the neighborhoods that have a lower median income and property value versus some of the more affluent neighborhoods who would have the ability to come up with the cost.

Mr. McDonald pointed out that the city's current policy states 75% of property of residents or property owners, so it really does not distinguish one from the other. He also pointed out that vacant lots are not counted in the percentage. Chairman Ewing advised that it could be a case in a neighborhood where someone owns many rentals and pointed out while the residents living there might not have the ability to pay, the property owner may have the ability to pay. Mr. McCaslin suspects that many neighborhoods would be interested in this, but pointed out the \$100,000 would not go far and the list will continue to grow.

Council Member Alexander suggested instead of the speed humps a possibility might be to look into the 4-way stops as they are an inexpensive way of traffic calming while this type of measure might be more conducive in some, but not all the neighborhoods. Chairman Ewing noted that although 4-way STOPS are relatively inexpensive, he did not want to see them put up everywhere because they do not work in every situation. He suggested that Council would rely on staff to review and evaluate the requests with the criteria that is selected to make sure that the most logical form of traffic calming is done.

Committee Member Hill questioned while looking at economics and how much the neighborhoods could contribute, if there would be a way to provide and take into consideration the danger and risk rating and asked if there should be a mechanism where the city could go back to them with a lesser cost option in the neighborhoods that cannot necessarily pay the greater amounts. She felt this might be an option that could solve the problem and allow traffic calming in neighborhoods where it might not otherwise happen. Committee Member Wagner stated he would like for it to be a policy handled entirely by staff for prioritization where the City Council has nothing to do with it. He recommended the following aspects be included in the policy:

- Cost
- Money to be raised
- Danger level
- Types of treatment

Mr. McDonald noted the city currently has the following policies:

- Traffic calming policy
- Multi-way STOP policy
- Speed-limit reduction policy

He pointed out Raleigh's policy incorporates all of these into one single policy. Chairman Ewing recommended that all of High Point's policies also be consolidated into one single policy.

Committee Member Wagner made a motion to use the City of Raleigh's Traffic Calming Policy as a template incorporating this discussion and have staff bring back a working draft of a traffic calming policy for the Committee's August 3rd meeting. Committee Member Williams seconded.

As a matter of information, Mr. McDonald pointed out that Washington Street would not qualify for speed humps due to it not being a residential street per the city's current policy. He pointed out as part of the improvements made on Washington Street, the city provided ample on-street parking and suggested this would slow down traffic somewhat.

Enhancement of Intersections

Committee Member Wagner reported he has talked with Legal and staff about his proposal for enhancement of intersections. Committee Member Wagner stated he would be sending it out to Council for review so it can be discussed at the August 3rd Committee meeting.

There being no further discussion, the meeting adjourned at 11:50 a.m. upon motion duly made and seconded.

Respectfully Submitted,

Maria A. Smith
Deputy City Clerk

Jason P. Ewing, Chairman

DRAFT

CITY OF HIGH POINT

AGENDA ITEM



Title: Tandem Axle Dump Trucks

From: Gary Smith, Fleet Director

Public Hearing: N/A

Attachments: Bid Recommendation Form

Meeting Date: August 1, 2016

Advertising Date / N/A

Advertised By: N/A

PURPOSE:

The Street Division and Water & Sewer Division of Public Services have tandem axle dump trucks in need of replacement due to age and condition. Using a piggyback purchase from the City of Greensboro, three 2016 Freightliner trucks with snow plows and salt spreaders are being recommended for council approval.

BACKGROUND:

The Street Division is currently using two 2002 Sterling tandem axle dump trucks and the Water & Sewer Division is using a 2000 Sterling tandem axle dump truck. The maintenance costs on these have steadily increased over the past couple of years and we recommend replacement based on age and overall condition. The Street Division trucks are used for road repair projects, storm debris and snow removal. The Water & Sewer Division truck is used for general purpose work around the sewer plant. The Freightliner tandem axle trucks are similar to the ones they are currently using and will meet their needs. The price of \$156,164 is for one truck, snow plow, salt spreader, and delivery. Estimated delivery is 150-180 days. Total cost is \$468,492.

BUDGET IMPACT:

Funds are available in 2016-17 budget

RECOMMENDATION / ACTION REQUESTED:

The Fleet Services Department recommends purchasing the three Freightliner trucks with snow plows and salt spreaders from Triad Freightliner. Recommendation also includes declaring the old trucks as surplus and disposing through the online auction process.





**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Fleet Services**

COUNCIL AGENDA DATE: **August 1, 2016**

BID NO.: **8006** CONTRACT NO.: **Dump Trucks** DATE OPENED: **Dec 14, 2015**

DESCRIPTION:

2016 Freightliner Tandem Axle Dump truck with snow plow and salt spreader

PURPOSE:

The Street Division is currently using two 2002 Sterling tandem axle dump trucks and the Water & Sewer Division is using a 2000 Sterling tandem axle dump truck. The maintenance costs on these have steadily increased over the past couple of years and we recommend replacement based on age and overall condition.

COMMENTS:

The price of \$156,164 is for one truck, snow plow, salt spreader, and delivery. Total cost for three is \$468,492. Estimated delivery is 150-180 days.

RECOMMEND AWARD TO: **Triad Freightliner** AMOUNT: **\$468,492**

JUSTIFICATION:

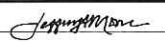
The Freightliner tandem axle trucks are similar to the ones they are currently using and will meet their needs.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
501271	532401			\$468,492
TOTAL BUDGETED AMOUNT				\$468,492

DEPARTMENT HEAD: **Gary L. Smith** Digitally signed by Gary L. Smith
DN: cn=Erik Conti, o=us, email=erik.conti@highpointnc.gov, c=US
Date: 2016.07.19 12:30:47 -0400 DATE: **Jul 19, 2016**

The Purchasing Division concurs with recommendation submitted by the **Fleet Services** and recommends award to the lowest responsible, responsive bidder **Triad Freightliner** in the amount of \$ **468,492.00**.

PURCHASING MANAGER: **Erik Conti** Digitally signed by Erik Conti
DN: cn=Erik Conti, o=us, email=erik.conti@highpointnc.gov, c=US
Date: 2016.07.20 10:27:36 -0400 DATE: **Jul 20, 2016**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR:  Digitally signed by Jeffrey A. Moore
DN: cn=Jeffrey A. Moore, o=City of High Point, NC, ou=Financial Services Director, email=jmoore@highpointnc.gov, c=US
Date: 2016.07.21 11:19:23 -0400 DATE: **Jul 21, 2016**

CITY MANAGER: **Greg Demko** Digitally signed by Greg Demko
DN: cn=Greg Demko, o=High Point, ou=High Point, email=greg.demko@highpointnc.gov, c=US
Date: 2016.07.22 09:01:00 -0400 DATE: **Jul 22, 2016**

CITY OF HIGH POINT

AGENDA ITEM



Title: Adoption of Policies for the 2016 URGENT REPAIR PROGRAM

From: Michael E. McNair, Director

Meeting Date: August 1, 2016

Public Hearing: No

Advertising Date N/A

Advertised By:

Attachments: Procurement and Disbursement Policy 2016 Urgent Repair Program
Assistance Policy Urgent Repair Program – 2016 Cycle

PURPOSE:

The City has been awarded \$100,000.00 from the North Carolina Housing Finance Agency (NCHFA) to fund the Urgent Repair Program (URP) for the 2016-17 fiscal year; this will be the City's third URP award. The NCHFA requires awardees to adopt a procurement policy and an assistance policy in order to receive the funds. The procurement policy outlines requirements that the City must adhere to when providing services utilizing URP funds. The assistance policy outlines eligibility requirements for screening and approving service recipients. These policies are consistent with NCHFA guidelines and requirements.

BACKGROUND:

Homeowners with household incomes less than or equal to 50% of the area median income may qualify for assistance through the URP if they are elderly, handicapped or disabled, a single parent, have a household of five or more, have children in the household with elevated blood lead levels or is a veteran.

URP funds are used to correct housing conditions that threaten life or safety, such as failing septic systems, dangerous heating systems, or rotten floors. The program can also pay for ramps and other accessibility modifications that enable service recipients to continue living in their homes after an injury or illness, such as a stroke. In accordance with program requirements, URP funds are limited to \$8,000.00 per unit. According to NCHFA program guidelines, URP projects can't be supplemented with any Federal funds.

Last year, Council adopted a procurement policy and an assistance policy in order for the City to receive \$100,000.00 for the 2015-16 Urgent Repair Program. We've completed repairs on 39 properties at an average cost of \$4,376 since program inception.

BUDGET IMPACT:

None. Funds have been appropriated in the 2016-17 budget.

RECOMMENDATION / ACTION REQUESTED:

The Community Development and Housing Department recommends approval of the two policies and that the appropriate City official and/or employee be authorized to execute all necessary documents.



City of High Point

Procurement and Disbursement Policy

2016 URGENT REPAIR PROGRAM

PROCUREMENT POLICY

1. To the maximum extent practical, the City of High Point (the City) promotes a fair, open and competitive procurement process as required under the North Carolina Housing Finance Agency's Urgent Repair Program (URP). Bids are invited from Contractors who are part of the City's approved contractor registry. (To be on the registry, a contractor must complete an application, have their recent work inspected, reviewed and approved by the Project Manager and submit proof of insurance.) Any contractor listed with and approved by the City will receive automatic approval status on the contractor registry.
2. At least three eligible contractors on the City's approved contractor registry shall be invited to bid on each job and the lowest responsive and responsible bidder shall be selected for the contract. "Responsive and responsible" means (a) the contractor is deemed able to complete the work in a timely fashion, (b) that the bid is within 15% on the low end of the City's nominal amount or 15% on the high end of the City's nominal amount and that (c) there is no conflict of interest (real or apparent).
3. Although bid packages may be bundled for multiple job sites, the bids for multiple job sites may be considered separate and apart when awarded and may be awarded to the lowest responsive and responsible bidder(s) for each job site.
4. Bid packages shall consist of an invitation to bid, work write up(s) and bid sheet(s) for each job.
5. Bids must include a cost-per-item breakdown with line item totals equaling the submitted bid price. Discrepancies must be reconciled prior to a contract being awarded.
6. Any change to the original scope of work must be reduced to writing in the form of a change order to be agreed upon and signed by all parties to the original contract and two

representatives of the City. The change order must also detail any changes to the original contract price.

7. No work may begin prior to a contract being awarded and executed and a written order to proceed provided to the contractor. In addition, a pre-construction conference and “walk thru” shall be held at the work site prior to commencement of repair work.
8. The City reserves the right to reject any or all bids at any time during the procurement process.
9. In the event of a true emergency situation, the City reserves the right to waive normal procurement procedures in favor of more expedient methods, which may include seeking telephone quotes, faxed bids and the like. In the event phone bids are used, the City of High Point will call the first three responsive contractors on the approved contractor registry. The City will track who has been called and responsive and will rotate through the list before starting through the rotation again. Should such methods ever become necessary, the transaction will be fully documented.
10. All sealed bids will be opened publicly at a time and place to be announced in the bid invitation. All bidders are welcome to attend.
11. The City of High Point is an equal opportunity employer, implements non-discriminatory practices in its procurement/disbursement and will make special outreach efforts to include M/WBE (Minority/Women Business Enterprise) businesses within its contractor and subcontractor pool.

DISBURSEMENT POLICY

1. All repair work must be inspected by (a) the City’s Project Manager, (b) the homeowner, and (c) the building code inspector as appropriate for the project prior to any payments to contractors. If all work is deemed satisfactory and all other factors and written agreements are in order, payment shall be issued upon presentation of an original invoice from the contractor. Contractor should allow 21 business days for processing of the invoice for payment.
2. If any of the work is deemed unsatisfactory, it must be corrected prior to authorization of payment. If the contractor fails to correct the work to the satisfaction of the City’s Project Manager, payment may be withheld until such time as the work is deemed satisfactory. (Contractors may follow the City’s Urgent Repair Program Assistance Policy complaint process if a dispute occurs; however, contractors shall abide by the final decision as stated in the policy).
3. The City assures, through this policy, that adequate funds shall be available to pay the contractor for satisfactory work.

4. All contractors, sub-contractors and suppliers must sign a lien waiver prior to disbursement of funds.

The Procurement and Disbursement Policies are adopted this the _____ day of _____ 20____.

City of High Point

BY: _____

ATTEST: _____

CONTRACTORS STATEMENT:

I have read and understand the attached Procurement and Disbursement Policy.

BY: _____

COMPANY NAME: _____

WITNESS: _____



Assistance Policy

Urgent Repair Program – 2016 Cycle

What is the Urgent Repair Program? The City of High Point has been awarded \$100,000 by the North Carolina Housing Finance Agency ("NCHFA") under the 2016 cycle of the Urgent Repair Program ("URP16"). The City shall contribute an additional \$10,000 from General Funds that are allocated toward affordable housing on an annual basis to supplement URP16 project activities. This program provides funds to assist very-low and low-income households with special needs in addressing housing conditions which pose imminent threats to their life and/or safety or to provide accessibility modification and other repairs necessary to prevent displacement of very-low and low-income homeowners with special needs such as frail elderly and persons with disabilities. A total of 20 households are projected to be assisted under URP16.

This Assistance Policy describes who is eligible to apply for assistance under URP16, how applications for assistance will be received, what the form of assistance is and how the repair/modification process will be managed. The City has tried to design this URP16 project to be fair, open, and consistent with the City's approved application for funding and with NCHFA's URP Program Guidelines.

The funds provided by NCHFA come from the North Carolina Housing Trust Fund.

Eligibility: To be eligible for assistance under URP16 applicants must meet the following requirements.

- 1) Must reside within the City of High Point and own and occupy the home in need of repair.
- 2) Must have a household income which does not exceed 50% of the State median income for the household size (see income limits below).
- 3) Must have one or more fulltime household members with special needs (i.e., be elderly ($\geq$ 62 years old), handicapped or disabled, a single parent household with at least one

dependent child in residence, a large family with ≥ 5 household members, a household with a child below the age of six with an elevated blood lead level (between 10 $\mu\text{g/dl}$ and 20 $\mu\text{g/dl}$) or a military veteran who was discharged or released under conditions other than dishonorable).

- 4) Must have urgent repair needs, which cannot be met through other state or federally-funded housing assistance programs.

URP Income Limits (Statewide)*

<i>Number in Household</i>	<i>30% of Median Income (very low income)</i>	<i>50% of Median Income (low income)</i>
1	\$12,100	\$20,150
2	\$13,800	\$23,050
3	\$15,550	\$25,900
4	\$17,300	\$28,800
5	\$18,650	\$31,100
6	\$20,050	\$33,400
7	\$21,450	\$35,700
8	\$22,800	\$38,000

**Income limits are subject to change based on annually published HUD HOME Limits.*

Outreach Efforts of the Urgent Repair Program: The City of High Point will advertise or publish an article about the Urgent Repair Program in the local newspaper serving the City (The High Point Enterprise), at senior centers throughout the City, with veteran's organizations that serve City residents, and on the City's website.

Selection of applicants: The City shall select recipients on a first-come, first-served based on applications received from eligible applicants. NOTE: For a true emergency situation (e.g., tree falls on roof, sewer backup, etc.), the application and eligibility assessment shall be expedited and work shall begin as soon as feasibly possible (see Item #10 of Procurement Policy for more information).

The NCHFA Program guidelines require that a minimum of 50% of the households assisted must have incomes which are less than 30% of the area median income for the household size, and no household with an income exceeding 50% of the area median income will be eligible. This guideline will be adhered to strictly and will be a key factor in selection of those households served under the grant.

Recipients of assistance under the URP16 will be chosen by the above criteria without regard to race, creed, sex, color, or national origin.

The definitions of special needs' population under the URP16 are as follows:

- Elderly: An individual aged 62 or older.

- Disabled: A person who has a physical, mental or development disability that greatly limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment.
- Large Family: A large family household is composed of five or more individuals, with at least four being immediate family members.
- Head of Household: The person or persons who own(s) the house.
- Household Member: Any individual who is an occupant (defined below) of the unit to be rehabilitated shall be considered a “household member” (the number of household members will be used to determine household size and all household members are subject to income verification).
- Occupant: An occupant is defined as any immediate family member (mother, father, spouse, son/daughter of the head of the household, regardless of the time of occupancy); or non-immediate family member who has resided in the dwelling at least three month prior to the submission of the family’s application.
- Child with elevated blood lead level: A child below the age of six with an elevated blood lead level between 10 µg/dl and 20 µg/dl.
- Veteran: A person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.
- Emergency: A situation where a household member has an immediate threat of being evicted or removed from a home due to health or safety issues within a time frame that the program can complete a repair to stop eviction or removal.

Client Referral and Support Services: Many homeowners assisted through the Urgent Repair Program may also need other services. When City staff meet the homeowner during the in-take and work write-up process, they will discuss the resources and programs available in the City and provide pamphlets and agency contact information when appropriate.

What is the form of assistance under URP16? The City will provide assistance to homeowners, whose homes are selected for repair/modification in the form of a loan. Homeowners will receive an unsecured deferred, interest-free loan, forgiven at a rate of \$1,000 per year, until the principal balance is reduced to zero.

What is the amount of the loan? The amount of the loan will depend on the scope of work necessary to address the identified imminent threats to life and/or safety, and that will be determined by the City’s rehabilitation specialist. There is no minimum to the amount of the loan; however, the maximum life-time limit according to the guidelines of the City’s program is \$8,000.

What kinds of work will be done? Only repairs that alleviate housing conditions which pose an imminent threat to the life and/or safety of occupants of the dwelling unit or accessibility

modifications will be performed under the City's URP. It should be noted that all deficiencies in a home may not be rectified with the available funds.

All work that is completed under URP16 must meet or exceed NC State Residential Building Code standards and be done in compliance with all state or local permitting, inspections, licensing and insurance requirements.

Who will do the work on the homes? The City is obligated under URP16 to ensure that quality work is done at reasonable prices and that all work is contracted through a fair, open and competitive process. To meet those very difficult requirements, the City will invite bids only from contractors who are part of an approved contractors' list. Please request a copy of the City's Procurement and Disbursement Policy for further information.

A minimum of three approved contractors will be invited to bid on each job, and the lowest responsive and responsible bidder will be selected for the contract. "Responsive and responsible" is described in the Procurement and Disbursement Policy.

The City has an existing approved contractors' list for its existing rehabilitation programs. If other contractors wish to apply they are welcome to do so through the following process:

- 1) Fill out a contractor's questionnaire form which includes references, financial information, and recent jobs completed (contact: Ed Brown @ 336-883-8522).
- 2) Provide appropriate documentation, including licenses and liability insurance.

The City of High Point is an equal opportunity employer, implements non-discriminatory practices in its procurement/disbursement and will make special outreach efforts to include M/WBE (Minority/Women Business Enterprise) businesses within its contractor and subcontractor pool.

What are the steps in the process, from application to completion? Now that you have the information about how to qualify for the City of High Point's URP16, what work can be done, and who will do it, let's go through all the major steps in the process:

- 1) **Completing an Application form:** Homeowners who wish to apply for assistance should contact April Jones, Office Support, at (336) 883-3349 or visit the City's website at www.highpointnc.gov/cd. Proof of ownership and income will be required. Those who have applied for housing assistance from the City in the past will not automatically be reconsidered. A new application will need to be submitted.
- 2) **Preliminary inspection:** The City's Project Manager will visit the homes of applicants to determine the need and feasibility of repairs/modifications.

- 3) **Screening of applicants:** Household income will be verified for program purposes only (information will be kept confidential). Ownership of property will be verified along with other factors.
- 4) **Applicant interviews:** Approved applicants will be provided detailed information on assistance, program repair/modification standards and the contracting procedures associated with their project at this informational interview.
- 5) **Work write-up:** The City's Project Manager will visit the home again for a more thorough inspection. All parts of the home must be made accessible for inspection, including the attic and crawlspace, if any. The owner should report any known problems such as electrical short circuits, blinking lights, roof leaks and the like. The Project Manager will prepare complete and detailed work specifications (known as the "work write-up"). The Project Manager shall review the work write-up with the homeowner and obtain written acceptance of the work write-up from the homeowner. A final cost estimate will also be prepared by the Project Manager and held in confidence until bidding is completed.
- 6) **Bidding:** The work write-up and bid documents will be sent to a minimum of three contractors on the Approved Contractors' Registry who will be given one week in which to inspect the property and prepare bid proposals. Each will need access to those areas of the house, in which work is to be performed, in order to prepare a bid. Bids will be opened in the City's Community Development & Housing Department.
- 7) **Contractor selection:** Within 24 hours of the bid opening, after review of bid breakdowns and timing factors, the winning bidder will be selected. All bidders and the homeowner will be notified of (1) the selection, (2) the amount, (3) the amount of the City's cost estimate, and (4) if other than the lowest bidder is selected, of the specific reasons for the selection.
- 8) **Execution of loan and contract:** The loan will be executed as well as the repair/modification contract. This contract will be between the contractor and the homeowner, with the City serving as the homeowner's agent. The total loan amount will never exceed \$8,000 for project hard costs.
- 9) **Pre-construction conference:** A pre-construction conference will be held at the home. At this time, the homeowner, contractor and program representatives will discuss the details of the work to be done. Starting and ending dates will be agreed upon, along with any special arrangements such as weekend or evening work hours and disposition of items to be removed from the home (such as old plumbing, etc.). Within 24 hours of the pre-construction conference, the City will issue a "proceed order" formally instructing the contractor to commence by the agreed-upon date. NOTE: A "proceed order" will not be issued until the contract between the contractor and the homeowner has been executed.
- 10) **Construction:** The contractor will be responsible for obtaining any required building permits for the project before beginning work. The permit must be posted at the house

during the entire period of construction. Program staff will closely monitor the contractor during the construction period to make sure that the work is being done according to the work write-up (which is made a part of the rehabilitation contract by reference) and in a timely fashion. Code Enforcement Officers will inspect new work for compliance with the State Building Code as required by the guidelines of URP16. The homeowner will be responsible for working with the contractor toward protecting personal property by clearing work areas as much as practicable.

- 11) **Change Orders:** All changes to the scope of work must be reduced to writing as a contract amendment ("change order") and approved by all parties to the contract: the owner, the contractor, the Project Manager and the City's Community Development and Housing Director (or his designee). If the changes require an adjustment in the loan amount, a loan modification stating these changes in the contract amount must be completed by the City, and executed by the owner. If the changes result in a decrease in the loan amount, an estoppel informing the homeowner of these changes in the contract amount will be completed by the City and conveyed to the owner.
- 12) **Payments to contractor:** The contractor will be paid following the inspection and satisfactory completion of all items on the work write-up as well as the receipt by the City of the contractor's invoice and a release of liens, signed by all sub-contractors employed on the job and by all material suppliers from whom materials for the job were purchased. Please request a copy of the City's Procurement and Disbursement Policy for further information.
- 13) **Post-construction conference:** Following construction the contractor and the Project Manager will sit down with the homeowner one last time. At this conference the contractor will hand over all owner's manuals and warranties on equipment. The contractor and Project Manager will go over operating and maintenance requirements for any new equipment installed and discuss general maintenance of the home with the homeowner. The homeowner will have the opportunity to ask any final questions about the work.
- 14) **Closeout:** Once each item outlined in section 12 has been satisfied and the homeowner has signed a Certificate of Satisfaction, the job will be closed out.

What are the key dates? If, after reading this document, you feel that you qualify for this program and wish to apply, please keep the following dates in mind:

- Applications shall be available to the public starting on the date the NCHFA URP16 Funding Agreement is executed. It is anticipated that the execution of the Funding Agreement will occur on or before October 1, 2016.
- Resources for this program shall be available through November 30, 2017 or when resources have been spent, whichever occurs first.

How do I request an application? Please contact:

April Jones, Office Support
City of High Point, Community Development and Housing Department
211 S. Hamilton Street, Room 312
High Point, NC 27260
336-883-3349 OR april.jones@highpointnc.gov

Is there a procedure for dealing with complaints, disputes and appeals? Although the application process and repair/modification guidelines are meant to be as fair as possible, the City of High Point realizes that there is still a chance that some applicants or participants may feel that they are not treated fairly. The following procedures are designed to provide an avenue for resolution of complaints and appeals.

During the application process:

- 1) If an applicant feels that his/her application was not fairly reviewed and would like to appeal the decision made about it, he/she should contact Housing Specialist, Toni Jackson, within five days of the initial decision and voice their concern. If the applicant remains dissatisfied with the decision, the detailed complaint should be put into writing.
- 2) A written appeal must be made within 10 business days of the initial decision on an application.
- 3) The City of High Point will respond in writing to any complaints or appeals within 10 business days of receiving written comments.

During the repair/modification process:

- 1) If the homeowner feels that repairs or modifications are not being completed according to the contract, he/she must inform the contractor and the Project Manager.
- 2) The Project Manager will inspect the work in question. If he finds that the work is not being completed according to contract, the Project Manager will review the contract with the contractor and ask the contractor to remedy the problem.
- 3) If problems persist, a mediation conference between the homeowner and the contractor may be convened by the Project Manager and facilitated by the City's Community Development and Housing Director ("Director") or his designee.
- 4) Should the mediation conference fail to resolve the dispute, the Director will render a written final decision.
- 5) If the Project Manager finds that the work is being completed according to contract, the complaint will be noted and the Project Manager and the homeowner will discuss the concern and the reason for the Project Manager's decision.

Will the personal information provided remain confidential? Yes. All information in applicant files will remain confidential. Access to the information will be provided only to City employees who are directly involved in the program, the North Carolina Housing Finance Agency and auditors.

What about conflicts of interest? No officer, employee or other public official of the City, or member of the City Council, or entity contracting with the city, who exercises any functions or responsibilities with respect to URP16 shall have any interest, direct or indirect, in any contract or subcontract for work to be performed with program funding, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter. Relatives of City employees, Council Members and others closely identified with the City, may be approved for rehabilitation assistance only upon public disclosure before the City's Community Development and Housing Director and written permission from NCHFA.

What about favoritism? All activities under URP16, including the review of applications, inviting bids, selecting contractors and resolving complaints, will be conducted in a fair, open and non-discriminatory manner, entirely without regard to race, color, religion, national origin, sex, familial status and disability.

Who can I contact about URP16? Any questions regarding any part of this application or program should be addressed to:

Richard C. Fuqua
Affordable Housing Manager, CD&H Department
211 S. Hamilton St., Rm. 312
High Point, NC 27260
336-883-3349
richard.fuqua@highpointnc.gov

This Assistance Policy is adopted this _____ day of _____ 2016.

Mayor William C. "Bill" Bencini _____

NOTARY PUBLIC

******TO BE PLACED IN PROJECT FILE******

Acknowledgement of Receipt

I acknowledge receipt of a copy of the URP16 Assistance Policy and was provided the opportunity to review the document with City staff.

Owner

Date



August 1, 2016

To: Randy McCaslin, Deputy City Manager

From: Michael E. McNair, Director of Community Development & Housing

Subject: July Code Enforcement Activity Report

This report serves to summarize Code Enforcement activity for the month of July, 2016. Staff engaged in 127 active minimum housing cases (with an active backlog of 223), 182 public nuisance complaints (280 active public nuisance cases) and collected 196 signs during the month of July. Additionally, we are moving forward with implementing the priorities identified in Council's strategic plan. Our progress towards accomplishing those priorities are summarized below.

Strategic Plan Action Item	Status
Fill vacant code enforcement positions.	Three Code Enforcement Officer candidates have been selected for hire; background and reference checks are underway. We expect to be fully staffed by the end of August.
Provide training	The Center for Community Progress visited us July 13th & 14th as part of the Technical Assistance Scholarship Program. Activities included: • Tyler Mulligan, UNC School of Government conducted a code enforcement workshop to review the legal framework for action. • Met with the Data team to discuss & review informational needs. • Met with a group of Community Stakeholders to discuss needs of families living in substandard housing • Opportunityspace software demonstration – A product designed to seamlessly integrate city data for easier use. A demo using local data is planned. The next site visit by the Center for Community Progress is tentatively scheduled for September 7th & 8th.
Develop & implement a system to calculate ratio of complaint drive vs city initiated calls	Continuing to work with Mark Schroeder to develop reports in Accela.
Develop & implement a communication strategy to both educate the public and invite their participation	Continuing to work with Mark Schroeder to improve public access by creating an "Easy Button" for citizen access to code enforcement data in Accela.

The table below provides a more detailed summary code enforcement activity for the months of June and July.

<u>Type of Cases</u>	<u>Breakdown</u>	<u>Jun-16</u>	<u>Jul-16</u>
1. Minimum Housing Cases			
	a. Minimum Housing Complaints	35	34
	b. Active Minimum Housing Cases	147**	93
	c. Active Backlog Cases (270 original)	241	223
	d. Cases Taken Before City Council		
	i. For Demolition	5	3
	ii. For Vacate	0	1
	e. City Demolished Houses	0	0
2. Public Nuisance Cases			
	a. Public Nuisance Complaints	317	182
	b. Active Public Nuisance Cases	312	280
	c. City abated PN Cases	28	66
	d. Owner abated PN Cases	207	77
3. Zoning			
	a. Vehicle Complaints	34	31
	b. Signs collected *	177	196
* As reported by State Code Enf. Inc.			
** This included cases that were closed in error			

We will continue to refine this reporting format as we work more closely with Accela. Please let me know if you need additional information.

**RESOLUTION OF HIGH POINT CITY COUNCIL
AUTHORIZING THE LEASE OF CERTAIN PARCELS OF VACANT LAND
TO BE USED AS COMMUNITY GARDEN SPACE**

WHEREAS, the City of High Point ("City") owns certain parcels of vacant land located within the High Point city limits that the Council finds to be currently surplus to the City's needs; and

WHEREAS, the City finds that those vacant properties may be conducive to growing plants and produce; and

WHEREAS, the City and West End Ministries have agreed upon a lease of the parcels listed below, under which West End Ministries will lease the parcels for a term of three years, beginning July 16, 2016:

- 1000 West English Rd, High Point, NC Guilford County, Tax Parcel #0187720;
- 1003 Campbell St., High Point, NC Guilford County, Tax Parcel #0187718;
- 1005-1007 Campbell St., High Point, NC, Guilford County, Tax Parcel #0187717;
- 1004 West English Road, High Point, NC Guilford County, Tax Parcel #0187721; and

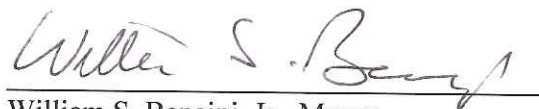
WHEREAS, in consideration of leasing the City's lot, West End Ministries has agreed to use parcels of vacant land to be used for garden space and pay an annual rent of one dollar; and

WHEREAS, the required notice has been published and the City Council is convened in a regular meeting;

NOW THEREFORE BE IT RESOLVED by the City Council that:

1. The City Council hereby approves the lease of the properties described above to West End Ministries for three years, and directs the appropriate city employees to execute any instruments necessary to the lease.

Adopted, this the 1st day of August, 2016.


William S. Bencini, Jr., Mayor

ATTEST:


Lisa B. Vierling
High Point City Clerk



CITY OF HIGH POINT

POLICY FOR MESSAGING ON WATER TANKS

Purpose

The purpose of this policy is to create guidelines for display of governmental speech on City of High Point elevated water tanks. For the purposes of this policy, governmental speech is defined as a message and/or logo ("Speech") that promotes and/or supports the City Council's goal of community engagement and supports The City of High Point's organizational marketing initiatives.

Application

City Council shall at all times maintain decisive control over any Speech. Council may accept suggestions for Speech from outside entities and/or individuals through application for consideration submitted to the City Manager's office. The City Manager may establish procedures for such applications, including the Evaluation terms set forth herein. However, at a minimum, all applications shall include a detailed description of the suggested Speech, including a rendering or picture, and the estimated cost for the installation.

Evaluation

After application is made to the City Manager's office, the City Manager and/or his designee shall review the application, including review of the following:

- a) The message is appropriate and not obscene or defamatory;
- b) The Speech does not violate any federal, state or local law;
- c) The communication conveys a governmental message

If the Manager deems the application complete and acceptable, he shall forward to the appropriate City Council Committee for review and recommendation to Council.

Costs & Liability

Should Council adopt an applicant's suggested Speech, the applicant shall be responsible for all costs associated with the installation and maintenance of the Speech. No grant funds received from the City shall be used by applicants for installation or maintenance.

The City will not assume responsibility for any loss or damage to materials used for the installation. All applicants shall sign an agreement with specific terms and conditions for the display of the Speech and shall release the City from any liability. Additionally, only the City and its employees or contractors may install, paint or otherwise apply the Speech to the water tanks. Applicants agree to work with a representative of the City as necessary for coordination of the installation.

Duration

Due to the cost of installation, displays of Speech will be allowed for a period of 5 years. Applicants may reapply for consecutive 5 year terms. Applicants shall be responsible for costs associated with repainting and/or maintenance required at the end of any term. In addition, all maintenance costs, including necessary reapplication caused by weathering, tank repainting and/or any other maintenance activities shall be borne by the applicant. If the City determines that the Speech needs to be repainted and/or reapplied, the applicant will be notified in writing and given 90 days to repaint/reapply. If the applicant fails to do so within 90 days the City at its discretion may cover, remove and/or repaint the area. The applicant shall agree to reimburse the City for costs associated with this action.

The City reserves the right to accept or reject applications at its complete discretion.

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 2, 2016 entitled "National Night Out"; and

WHEREAS, the "33rd 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, High Point Fire Department 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 2016" 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, I, William S. Bencini, Jr., Mayor of the City of High Point, do hereby proclaim Tuesday, August 2, 2016 as:

"National Night Out"

in the City of High Point and call 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 33rd Annual "National Night Out."



IN WITNESS WHEREOF, I have hereunto set
my hand on and caused the seal of the City of high
Point to be affixed this 1st day of August 2016.

William S. Bencini, Jr.
William S. Bencini, Jr., Mayor



FINANCE COMMITTEE

Chaired by Council Member J. Davis

Members: J. Davis, Alexander, C. Davis, and Hill

JULY 13, 2016 – 4:00 P.M.

3rd FLOOR CONFERENCE ROOM

MINUTES

Present:

Committee Chairman Jim Davis and Committee Members Latimer Alexander (Joined meeting at 4:04 p.m.), Cynthia Davis, and Alyce Hill

Staff Present:

Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; Jeron Hollis, Communications & Public Engagement Director; Garey Edwards, Director of Electric Utilities; Gary Smith, Director of Fleet Maintenance; Jeff Moore, Director of Financial Services; Steve Lingerfelt, Director of Information Technology Services; Wendell Pickett, Water Plant Superintendent; Bill Frazier, Laboratory Manager; Terry Houk, Director of Public Services; Mark McDonald, Director of Transportation; JoAnne Carlyle, City Attorney; Tim McKinney, Maintenance Operations Director; Tommy Reid, Fire Chief; Maria Smith, Deputy City Clerk; and Lisa Vierling, City Clerk

Others Present:

Meredith Mitchell, Leadership: High Point

Chairman J. Davis called the meeting to order at 4:00 p.m.

Contract – Old Dominion Brush, Inc. – Truck Mounted Vacuums

Council is requested to approve contract with Old Dominion Brush, Inc. in the amount of \$511,612.59 for the purchase of three (3) Vacuum Debris Collectors for use by the Public Services Department for cleaning storm drains, gutter, etc.

Note: Committee Member Alexander had not joined the meeting when this vote was taken.

Staff is asking for Council's approval to purchase three additional truck mounted vacuums for the stormwater division. Gary Smith, Director of Fleet Maintenance, advised they currently have four of these and the three that staff is proposing are exactly like those four. He noted these were approved in the 2016-2017 budget and they would be purchased using a national contract.

Committee Member C. Davis asked if they were the trucks or just the vacuums and Mr. Smith responded it is like the picture contained in the packet. She also wanted to know how many had they traditionally

had. Mr. Smith explained that they initially started out with three and purchased one additional one last year. Committee Member C. Davis stated she had a problem with purchasing more and suggested purchasing one every two years or every other year because if they were purchased all at once then they might break down at the same time, depending on the wear and tear and it would be a lot easier on taxpayers, a lot easier on the equipment when it comes time to replace them. Mr. Smith explained these are not traditionally purchased all at one time, but this was the way it was approved in the budget. Committee Member C. Davis stated she would not be supporting it for that reason.

Chairman J. Davis moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member Hill made a second to the motion. The motion FAILED by a 2-1 vote, with Committee Member C. Davis dissenting. [Committee Member Alexander was absent at the time the vote was taken]

Note: Because of the split vote, this matter will be placed on the regular agenda for Monday's meeting.

Contract – Piedmont Peterbilt – Side Loading Refuse Trucks

Council is requested to approve contract with Piedmont Peterbilt in the amount total amount of \$737,232.00 for the purchase of three (3) Peterbilt trucks with New Way side loading refuse bodies.

Mr. Smith explained staff is seeking Council's approval to purchase three side-loading refuse trucks. He advised the department currently has a total of 17 side-loading trucks; four are spares (13 routes, 17 trucks). He noted when the trucks come in, he would like to take two out of service and sell them and retain one so they would have a total of five spares. He reported they need a total of 13 trucks to run the routes each day. He advised that these trucks will be a piggyback purchase that the City of Greensboro approved last fall which will result in some savings (\$7-\$8,000 a truck). Mr. Smith contacted the vendor and they indicated they could supply the three chassis at a price of \$225,000 each. Staff is also asking for Council's approval to declare the two older ones as surplus.

Committee Member C. Davis stated she would still like the purchases to be staggered so there won't be any worries about them breaking down at the same time. She advised because of the piggyback, she did not have a problem with it because the city is saving some money. Mr. Smith agreed and explained staff is trying to level the purchases out to two a year with hopes as this cycles through, it will be down to purchasing two a year.

Chairman J. Davis asked if staff had reached out to Burlington to see if they have a need for these trucks and if they would like to purchase them. Mr. Smith explained this style of truck is not compatible with the types of containers they have.

Chairman J. Davis moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member Hill made a second to the motion. The motion carried by a 3-1 vote with Committee Member C. Davis dissenting.

Note: Due to the split vote, this matter will be placed on the regular agenda for Monday's meeting.

Contract – Amick Equipment – Knuckleboom Truck

Council is requested to approve contract with Amick Equipment for the purchase of a used 2014 International with a Petersen TL-3 knuckleboom loader in the amount of \$110,000.00.

Mr. Smith advised that the department has a 2006 Freightliner truck with the turntable that is in need of replacement with 150,000 miles on it and is 10 years old. Mr. Smith stated that while looking for a used unit, he was fortunate to find this one in South Carolina. This is a 2014 model with only 17,000 miles and

is great condition. The learning curve for the operator would be minimal. He reported that a new truck would cost \$150,000, but this truck is only two years old at a cost of \$110,000. Committee Member C. Davis asked why they turned the truck in and Mr. Smith advised that it was just a small city and they no longer had a use for it.

Chairman J. Davis moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member C. Davis made a second to the motion. The motion carried unanimously. [4-0 vote]

Contract- Pierce Enforcer Fire Trucks

Council is requested to approve contract with Atlantic Emergency Solutions in the amount of \$2,158,243.00 for the purchase of three (3) Pierce Enforcer Fire Trucks.

Fire Chief Tommy Reid advised this was the second year of a 15-year replacement plan that was approved by the City Council last year. To catch up and get where they need to be, they need to purchase three trucks this year and three next year. After these are purchased, it will put them on a 15-year rotation with one to two trucks being purchased a year.

Chief Reid explained one truck that is being replaced has been in the shop since June waiting for a \$16,000 transmission. Chairman J. Davis asked what would happen to the old fire trucks and Chief Reid responded that they would be sold on GovDeals.

Deputy City Manager Randy McCaslin advised that Council has already approved the lease purchase agreement for the purchase of these trucks.

Chairman J. Davis moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member C. Davis made a second to the motion. The motion carried unanimously. [4-0 vote]

Contract – Black & Veatch – Ward Water Treatment Plant Improvements

Council is requested to approve contract to Black & Veatch in the total amount of \$889,000.00 for Electrical and HVAC improvements as part of the Ward Water Treatment Plant improvements.

Terry Houk, Director of Public Services, discussed the Electrical and HVAC upgrades at the Ward Water Treatment Plant. He explained that the Public Services selected Black & Veatch due to the design, permitting and the bidding process. The electrical system at the Ward Water Treatment Plant is going to be converted from 12.47 kv (not standard) to 4.16 kv (standard). Mr. Houk explained the conversion is required due to the unavailability of parts for the 12.47 kv. He reported the HVAC is also being replaced and upgraded to insure the system is fully functional and that the laboratory maintains the desired temperature setting all through the year for testing purposes.

Chairman J. Davis inquired if our electrical team could handle the electrical side of this. Garey Edwards, Director of Electric Utilities, explained it was unsafe going behind the meter and doing this kind of work would have some liability associated with it.

Chairman J. Davis moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member Alexander made a second to the motion. The motion carried unanimously. [4-0 vote]

Sole Source Contract – Trayer Engineering - 15 kV Pad Mounted Protective Switches

Council is requested to approve contract with Trayer Engineering for the purchase of four (4) 15 kV pad mount protective switches in the amount of \$206,119.00 for the North Main Street underground project.

Mr. Edwards advised this is to provide underground pad mount protective switches for the North Main Street project and to use automatic transfer switches. Four units will be purchased.

Committee Member C. Davis was concerned over the past 4-5 years that Trayer Engineering had been the only responsive bidder and would like to know why other people are not bidding and/or have no interest in bidding. She stated she would like to see it put back out for bid. Mr. Edwards explained that it had gone out to six bidders and further explained that most did not bid because they knew there would be competition in this field due to there not being a lot of leeway in pricing anymore. Chairman J. Davis inquired about the ElectriCities partners and if they are using these same type of switches. Mr. Edwards also advised that they can see each other's pricing while bidding. Committee Member C. Davis asked if these were durable and long lasting and Mr. Edwards acknowledged that they were.

Committee Member C. Davis inquired about the bidding process and asked if the bids were sent out to the same vendors. Mr. Edwards explained the specs and solicitation for bids were sent out to five or six companies, but Trayer was the only one that responded. Mr. McCaslin also confirmed that the City does advertise the bids as well, so anyone can actually bid; it is not limited only to the companies who the bids were sent to.

Chairman J. Davis moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member Alexander made a second to the motion. The motion carried unanimously. [4-0 vote]

ElectriCities Joint Purchasing Agreement

Council is requested to approve a three-year Joint Purchasing agreement with ElectriCities.

Mr. Edwards explained that all the cities in North Carolina go out for bid for poles for maintenance items such as tree trimming throughout the year. He noted if the bids are banded together, it would be better for pricing. Committee Member C. Davis mentioned on page 2, it states nothing would preclude us from participating in finding items that we would want to purchase that we could purchase them from any source.

Chairman J. Davis moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member Hill made a second to the motion. The motion carried unanimously. [4-0 vote]

Contract – Johnson Controls, Inc. – HVAC and Fire Alarm Service

Council is requested to approve contract to Johnson Controls, Inc., in the amount of \$317,330.00 for HVAC and Fire Alarm Service Contracts for various city facilities.

Tim McKinney, Director of Facility Services, discussed the continuation of service for Johnson Controls, HVAC and Fire Alarm Service for over 30 years and explained how this is a very beneficial contract. The terms and conditions of the contract have been reviewed and modified by the City of High Point Legal Department for the purpose of entering into a multi-year, annually renewable service contract. Mr. McKinney pointed out the pricing structure has not changed over 1.5% since 2008. He explained the first three years of the proposed multi-year contract would hold the line on pricing with a 1.5% increase in year four and a 1.5% increase in year five. He added that they have been performing service in 22 facilities for HVAC and 15 additional facilities for Fire. The service includes 24/7 weekend, holidays, all

parts are included (i.e. in this building there are 250 components that are under contract). He advised they have had a journeyman assigned to High Point since 2011 who works exclusively on city facilities along with the additional technicians that are available.

Chairman J. Davis moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member Hill made a second to the motion. The motion carried unanimously. [4-0 vote]

Joint Governmental Interlocal Agreement – PTRWA

Council is requested to authorize the City Manager to execute an amended joint governmental agreement between the Piedmont Triad Regional Water Authority and other member governments.

Mr. Houk advised that the Piedmont Triad Regional Water Authority (PTRWA) has submitted an amended Joint Governmental Interlocal Agreement between its entity and partners. It has been reviewed by the City of High Point Legal Department and Public Services and there were no concerns. The amended agreement cleans up three items: 1) It clarifies the language to accurately reflect the way billing and payments are being handled (the revised language is consistent with how these items have been handled since construction of the water treatment plant and should help with clarity as personnel involvement with the agreement changes over time; 2) Added language to cover the current expansion/rerating and the fact that expansions over and above the original 12 MGD water treatment plant will be at a 25% take or pay amount (High Point is not a participant in the expansion); and 3) Updated to reflect the fact that the City of Archdale and Randolph County have agreed to the sale of 500,000 gallons of raw water capacity.

He further explained that when we go into the 12 million gallon upgrade all members pay 100 percent of the allocation of what they bought. For High Point, it is 2.28 million gallons per day and if we do not use the allocation of water, we still pay that amount. He noted that High Point did not need the additional water and that is why we opted not to participate. He pointed out the amended agreement reflects the sale of water between the City of Archdale and Randolph County, and reiterated it does not affect High Point.

Chairman J. Davis moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member Alexander made a second to the motion. The motion carried unanimously. [4-0 vote]

Resolution – Urban State Match – Purchase of City Buses

Council is requested to adopt a Transportation Program Resolution, to allow staff to apply for the Urban State Match Program funding for funding to purchase fourteen (14) new city buses.

Mark McDonald, Director of Transportation, explained this Urban State Match would authorize the city to apply for a State grant for purchase of the new fleet of buses. If the city applies and receives the funding, it would reduce the city's share from 20% to 10%, which is a fairly significant cost impact to the city. Chairman J. Davis wanted to know the odds of getting the grant and Mr. McDonald felt very confident about the grant.

Chairman J. Davis moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member C. Davis made a second to the motion. The motion carried unanimously. [4-0 vote]

Committee Member Alexander asked when the City would be receiving the fleet of buses and Mr. McDonald confirmed that it would be late this year. Committee Member Alexander suggested one of the

used buses be stripped and retrofitted for use by the Fire Department to recover during fires to get away from the intense heat or cold.

Resolution – Donation of Surplus Equipment – Mt. Zion Baptist Church

Council is requested to adopt a Resolution approving the donation of surplus computer equipment to Mt. Zion Baptist Church pursuant to NCGS§ 160A-280.

Director of Information Technology Services Steve Lingerfelt explained Mt. Zion Baptist Church had applied to the city for funding through the non-profit funding allocation process, but Council decided to provide them with surplus computers instead. He noted that they asked for ten computers, but he was able to find 14 computers. He advised that they were wiped clean, but he did install an operating system so they would be operable. Committee Member Hill questioned the estimated value of \$28 and Mr. Lingerfelt confirmed that they are operable with Windows7 on each and good for at least another couple of years with no guarantee.

Committee Member C. Davis expressed concerns regarding the dollar amount (value) placed on these computers especially since they do have operating systems and are operable. She stated that although she is not opposed to them getting the computers, she was concerned about future requests moving forward and suggested it might be a good idea to create a list of others that would like to receive computers so it will not appear that favoritism is involved. She felt the city should make others aware that the city has the surplus computers and can wipe them clean and install an operating system on them. Mr. Lingerfelt explained that they normally these surplus computers are destroyed due to being nonoperational. Chairman J. Davis pointed out in this case, Mt. Zion applied for non-profit funding through the city and agreed with providing the surplus computers to them. Committee Member C. Davis stated she was not opposed, she just wanted to make sure other people are aware.

Chairman J. Davis moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member Alexander made a second to the motion. The motion carried unanimously. [4-0 vote]

NCDOT - MPO Agreement – Use of Planning Funds

Council is requested to approve an MPO Agreement with the North Carolina Department of Transportation (NCDOT) for the use of Planning (PL) funds for Planning Activities.

Mr. McDonald explained the 5-year agreement for North Carolina Department of Transportation (NCDOT) for the Metropolitan Planning Organization Planning (PL) funds for the current Fiscal Year 2016-17 is \$580,000 that is \$464,000 in Federal funds with the \$79,000 in local match and \$37,000 from NCDOT. He mentioned how the local match is divided amongst the eight municipalities and four counties that are part of the MPO and they split the \$79,000. He noted this is based on population.

Chairman J. Davis moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member Hill made a second to the motion. The motion carried unanimously. [4-0 vote]

There being nothing further to discuss, the meeting adjourned at 4:38 p.m. upon motion duly made and seconded.

Respectfully submitted,

Maria A. Smith
Deputy City Clerk

James C. Davis, Chairman

DRAFT



**MANAGER'S BRIEFING SESSION
HIGH POINT MUNICIPAL BUILDING
JULY 18, 2016 – 4:00 P.M.
3RD FLOOR LOBBY CONFERENCE ROOM**

MEETING MINUTES

Present:

Mayor William S. Bencini, Jr.; Mayor Pro Tem Golden (Ward 1); and Council Members Latimer Alexander (At-Large), Cynthia Davis (At-Large), Chris Williams (Ward 2), Alyce Hill (Ward 3), Jay Wagner (Ward 4), Jim Davis (Ward 5) and Jason Ewing (Ward 6)

Staff Present:

Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; JoAnne Carlyle, City Attorney; Jeron Hollis, Communications & Public Engagement Director; Eric Olmedo, Budget & Administrative Director; Jeff Moore, Director of Financial Services; Terry Houk, Public Services Director; Robby Stone, Public Services Assistant Director; Maria Smith, Deputy City Clerk; and Lisa Vierling, City Clerk

Others Present:

Jennifer Imo, Ferguson Group, LLC

News Media:

Pat Kimbrough, High Point Enterprise

Note: The following handouts were distributed at the meeting and will be attached as a permanent part of these proceedings.

- *Public Service Department - Street Maintenance Division*
- *The City of High Point and the Ferguson Group – Working in Partnership for 12 Years*

Randy McCaslin, Deputy City Manager, called the Manager's Briefing session to order at 4:06 p.m. Public Services Assistant Director, Robby Stone began his presentation on Street Resurfacing and Jennifer Imo followed with a discussion/update regarding The Ferguson Group.

1) Presentation on Street Resurfacing

Mr. Stone reported on the Street Maintenance Division, asphalt preservation and continuation. He pointed out back in 2014 they had a Pavement Condition Rating Survey which was conducted by U. S. Infrastructure that went out and evaluated each street and gave it a grade from zero - 100 based on a list of criteria with 100 being the best. He reviewed the findings:

- High Point Average PCR = 72.6
- NC municipality Average PCR = 80.0
- High Point Street System is in the "Fair" condition

Mr. Stone continued by reviewing some examples of streets:

- Guyer Street between Chatham Drive and Lexington Avenue while being in great condition.
- Woodbrook Drive between Hillcrest Drive and Forest Hill Drive showing a rating of 60 with some cracking and a great candidate for sealing.
- Edgedale Drive between Rotary Drive and Woodbrook Drive with a pavement rating of 46 and cracking being more dense and how that would be a candidate for milling down for asphalt.
- Mint Avenue between 4th Street and Hobson Street with a pavement rating of 30 and referred to “alligator” cracking and would also be a candidate for rebuilding that structure.

Mr. Stone briefly reviewed the future funding needs and expressed to Council how thankful they were for building their funding needs back up:

Future Funding Needs

FY 17 Budgeted	\$2,315,000
Maintain Current PCR = 73	\$2,445,000
Maintain/Achieve PCR = 75	\$2,640,000
Maintain/Achieve PCR = 80	\$3,301,000
Maintain/Achieve PCR = 85	\$4,401,000*

* NC Municipality Average PCR = 80

Mr. Stone would like to set a bench marking goal to 80 which is the North Carolina goal. Council Member Alexander inquired that each and every year moving forward Public Services would need \$3.3 million dollars to get to an 80 over for what period of time. Mr. Stone explained if they focused heavily on the maintenance side then eventually that additional maintenance would run out, and they would have to move down to the bottom of the graph and those numbers averaging over five years as they could be near the 80 mark. Council Member Alexander asked how available are contractors to do this work due the weather conditions at certain times of the year that might pose a problem. Mr. Stone responded that they have approximately 3-4 contractors bid each year for a project. Mr. McCaslin advised that years ago they had 5-7 bidders, but many of these companies have either gone bankrupt or have downsized.

Council Member J. Davis asked how a street gets to a 30 for a grade level, and how it affects the funding/budget if the street is moved to priority status. Mr. Stone proposed that he would break it up into three ranges of work to be done (i.e. if they started with \$3 million dollars and they would focus on that upper, middle, and bottom range; they would be touching on each category and making their move to that ultimate goal). Mr. McCaslin explained that when the roads get down to the 40 level, the roads are essentially being rebuilt. He also pointed out the reason streets got to the lower grade of 30 is because in the years between 2008 - 2011 there was not a lot of money invested into resurfacing because of the economy.

Council Member C. Davis inquired if the CHP Street PCR and Funding Projections are actual figures or examples and Mr. Stone confirmed that they are actual figures for streets from the 2014 survey.

Mr. McCaslin expressed appreciation to Mr. Stone for doing such an impressive job and noted this is a high cost maintenance item for the city and something that would need to be budgeted every year. He pointed out generally street resurfacing funding is one of the first items to be cut or reduced from the budget by cities. Council Member J. Davis raised the question as to how we are compared to other cities. Mr. McCaslin stated that the state-wide average is 80. Mr. Stone listed the highest and the lowest (Asheville being the lowest/50 and Burlington being the highest/87). Council Member J. Davis asked how do we budget compared to our neighbors if they are maintaining their streets. Mr. Stone stated that some have used bonds. Mr. McCaslin felt it was a good policy to avoid issuing bonds for street maintenance.

Council Member Alexander asked if 2015 ended with excess revenues in the general fund would Public Services be able to spend it? Mr. Stone responded that they would because they have such a large list to pull from. Council Member Alexander wanted to know approximately how much money would he need from contractors to get a bidders interest. Mr. Stone replied that \$1-3 million dollars would peak some interest. Assistant City Manager Randy Hemann inquired if Mr. Stone went to a \$2-3 million bid would the cost vary and Mr. Stone did not believe it would. Council Member Alexander pointed out in some contracts in the past there was an opportunity at the same price to add to that contract and would it be written in that way. Mr. Stone advised that they would not be extending contracts and it would be a separate contract. Council Member Alexander was concerned about the current road rating for the State roads that follow within the corporate limits. Mr. Stone did not have that information and Mr. McCaslin noted that those are not rated by the City of High Point.

2) Briefing – The Ferguson Group

Jennifer Imo with The Ferguson Group shared that she had met with staff to discuss the possibility of future projects in an effort to update the Federal Agenda, which is the guide they use to help move things forward in Washington. Some of the priorities discussed were:

- Competitive grant funding
- Regulatory issues or policies (initiatives that could positively or negatively impact High Point's priorities)
- What City of High Point is working on locally?
- Things they can do to help move things forward?

Ms. Imo hopes to distribute a final draft of the Federal Agenda for the City of High Point's review in the next couple of weeks. She noted while talking with High Point representatives at the NLC Conference, she learned they were not familiar and did not have a clear understanding of the work that The Ferguson Group does for the city. She reported that the return on investment through June 2016 is 33:1.

She referred to in the past years having significant grant success and work. She pointed out how they worked with the Fire Department to secure over \$1 million to secure Self-Contained Breathing Apparatus (SCBAs) and personal account equipment. She also shared how they worked closely to draft the EPA Local Food Local Places grant which is for technical assistance and currently being used at the High Point Library at the Farmer's Market. Explaining in further detail, she emphasized how it would bring relevant people to the table to help guide the City through various food insecurity initiatives and would connect the City with those organizations and agencies that would be able to help as the City moves forward to confront the food insecurity.

She reported that there were a couple of grant applications that are pending for the Police Department. They were also successful in getting the HUD lead grant implemented in our City. She explained the program was audited and The Ferguson Group helped conduct a review regarding procurement procedures to ensure that those grant funds would not have to be returned back to HUD. while the IG

Ms. Imo asked if there were any questions from Council and thanked Council for their time.

Council Member Alexander asked where available dollars would be in the future and commented how tragedies sometime attract dollars. Ms. Imo explained how Congress just passed the Opioid Legislation which authorizes money for States and localities to help with the Opioid use epidemic. She questioned if there would be additional dollars, more funding for police body cameras and pointed out that those grants do not fund storage, which is the largest cost. She referenced a conversation she had in Washington with former Police Chief Marty Sumner and Representative Alma Adams about how inexpensive the cameras were compared to the storage, etc..... She also mentioned the Comprehensive Addiction Recovery Act (CARA) and felt there would be more money available for public safety/law enforcement as well. She reported that the whole country is facing significant infrastructure challenges and mentioned the Fast Lane Program.

Ms. Imo discussed the Transportation authorization bill that was passed in December that increases money incrementally that flows through the States to the local MPOs for the Transportation infrastructure projects. With this, she stated how it also created some big grant programs. She gave the example of the Freight and Passenger Rail that runs through downtown High Point with two rail lines with some discussion to expand from two to four lines. With that comes the issue of slope erosion, widening roads, bridges and overpasses would need to be repaired to accommodate. She stated how this would be a multi-million dollar project. Finally, she explained by taking away earmarks, it reduces the money and choices on how it is spent.

Council Member Alexander mentioned the older neighborhoods that High Point has and how we need to find ways to rebuild them and in some cases some of those properties are past their useful life. He mentioned the green growth that is occurring around the perimeter and how the Core continues to deteriorate. He suggested a priority for High Point should be to preserve our green growth with a focus on rebuilding the Core.

Mr. McCaslin reminded Council that our Police Department is applying for the COPS grant for eight new officers this year and Ms. Imo would be assisting High Point to make sure all the paperwork is in and will follow up.

Council Member J. Davis spoke how he is passionate about the Transportation Terminal for the improvements that have been proposed there regarding the LOTUS Project and two years later nothing has been accomplished. He realizes that the project would not qualify for Fast Lane funding; Ms. Imo stated that there might be some other monies available. He stressed how he would like Council to support this and make it a priority. He also stressed how the Transportation Terminal does a great job for the Furniture Market and this would not only improve the Furniture Market, but could also get a start on the Lotus Project. Mayor Bencini pointed out that the city continues to have conversations with IMC, but the issue is IMC has slowed the project down because they want to look at the possibility of some other type of outdoor venue and they are currently working with an entertainment consultants to pursue this.

Council Member J. Davis expressed that he would like to sit down as a Council, discuss it and suggested possibly doing this during a Manager's Briefing. He pointed out the Mendenhall Transportation Station still needs some updates to the lighting, signage, curbing, etc.....

Council Member Williams noted he has made inquiries to multiple IMC executives and they told him they are waiting on the entertainment consultant's report to see if it would even be profitable and would not do anything until they get that report. Council Member Williams noted the last time he discussed this with IMC was about four months ago and would be glad to reconnect if necessary. Deputy City Manager McCaslin advised there are three separate projects going on in this area and suggested it might be a good idea to schedule a Manager's Briefing Session to bring Council up-to-speed on all three projects.

Ms. Imo mentioned there is a grant bus-to-bus program and explained one of the priorities was to ensure that low and moderate individuals would gain greater access to jobs and services. She mentioned her conversation with Mark McDonald, Transportation Director, and that it would be difficult to frame it to be competitive. She did note there are facilities grants where upgrades can be done.

Mr. McCaslin advised where Mr. McDonald has had conversations with State DOT officials regarding the lighting and signage following the one category, but would not pay for any of the re-laning and taking the lanes out to make it more multi-functional. Council Member J. Davis recalled there being some electrical issues also.

Council Member C. Davis requested Ms. Imo to elaborate on the allocation for the DOJ's COPS Hiring Program, if it would be done in one lump sum or over a period of time for disbursement and if there would be any money required by the city later down the road. Ms. Imo advised for the past years, it has been a three-year commitment with no sustained commitment by the local government and typically police departments rely on attrition.

Mr. McCaslin expressed his appreciation for Ms. Imo's work she has done keeping an eye on the bureaucracy.

Council Member Alexander asked about the Carbon Tax Legislation. Ms. Imo replied that she would have to get back to Council on that information. She did mention that they hired a Senior Associate Andrew Kogan who was a Legislative Director for Congressman Kevin Brady from Texas who is the Chair of the Ways and Means Committee and he would more than likely have information regarding tax.

Due to Representative Alma Adams' pending move to another district, Council Member J. Davis asked Ms. Imo if she has a personal connection to Ted Budd. She explained that she typically does not make reach out until after the outcome of the election.

In conclusion, Ms. Imo encouraged an open line of communication and for Council to reach out to her with any questions if needed.

There being no further discussion, the meeting adjourned at 5:01 p.m. upon motion duly made and seconded.

Respectfully Submitted,

Maria A. Smith
Deputy City Clerk



NORTH CAROLINA'S INTERNATIONAL CITY™



Assistance Policy Urgent Repair Program – 2016 Cycle

What is the Urgent Repair Program? The City of High Point has been awarded \$100,000 by the North Carolina Housing Finance Agency ("NCHFA") under the 2016 cycle of the Urgent Repair Program ("URP16"). The City shall contribute an additional \$10,000 from General Funds that are allocated toward affordable housing on an annual basis to supplement URP16 project activities. This program provides funds to assist very-low and low-income households with special needs in addressing housing conditions which pose imminent threats to their life and/or safety or to provide accessibility modification and other repairs necessary to prevent displacement of very-low and low-income homeowners with special needs such as frail elderly and persons with disabilities. A total of 20 households are projected to be assisted under URP16.

This Assistance Policy describes who is eligible to apply for assistance under URP16, how applications for assistance will be received, what the form of assistance is and how the repair/modification process will be managed. The City has tried to design this URP16 project to be fair, open, and consistent with the City's approved application for funding and with NCHFA's URP Program Guidelines.

The funds provided by NCHFA come from the North Carolina Housing Trust Fund.

Eligibility: To be eligible for assistance under URP16 applicants must meet the following requirements.

- 1) Must reside within the City of High Point and own and occupy the home in need of repair.
- 2) Must have a household income which does not exceed 50% of the State median income for the household size (see income limits below).
- 3) Must have one or more fulltime household members with special needs (i.e., be elderly (≥ 62 years old), handicapped or disabled, a single parent household with at least one

dependent child in residence, a large family with ≥ 5 household members, a household with a child below the age of six with an elevated blood lead level (between 10 $\mu\text{g/dl}$ and 20 $\mu\text{g/dl}$) or a military veteran who was discharged or released under conditions other than dishonorable).

- 4) Must have urgent repair needs, which cannot be met through other state or federally-funded housing assistance programs.

URP Income Limits (Statewide)*

<i>Number in Household</i>	<i>30% of Median Income (very low income)</i>	<i>50% of Median Income (low income)</i>
1	\$12,100	\$20,150
2	\$13,800	\$23,050
3	\$15,550	\$25,900
4	\$17,300	\$28,800
5	\$18,650	\$31,100
6	\$20,050	\$33,400
7	\$21,450	\$35,700
8	\$22,800	\$38,000

**Income limits are subject to change based on annually published HUD HOME Limits.*

Outreach Efforts of the Urgent Repair Program: The City of High Point will advertise or publish an article about the Urgent Repair Program in the local newspaper serving the City (The High Point Enterprise), at senior centers throughout the City, with veteran's organizations that serve City residents, and on the City's website.

Selection of applicants: The City shall select recipients on a first-come, first-served based on applications received from eligible applicants. NOTE: For a true emergency situation (e.g., tree falls on roof, sewer backup, etc.), the application and eligibility assessment shall be expedited and work shall begin as soon as feasibly possible (see Item #10 of Procurement Policy for more information).

The NCHFA Program guidelines require that a minimum of 50% of the households assisted must have incomes which are less than 30% of the area median income for the household size, and no household with an income exceeding 50% of the area median income will be eligible. This guideline will be adhered to strictly and will be a key factor in selection of those households served under the grant.

Recipients of assistance under the URP16 will be chosen by the above criteria without regard to race, creed, sex, color, or national origin.

The definitions of special needs' population under the URP16 are as follows:

- Elderly: An individual aged 62 or older.

- Disabled: A person who has a physical, mental or development disability that greatly limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment.
- Large Family: A large family household is composed of five or more individuals, with at least four being immediate family members.
- Head of Household: The person or persons who own(s) the house.
- Household Member: Any individual who is an occupant (defined below) of the unit to be rehabilitated shall be considered a "household member" (the number of household members will be used to determine household size and all household members are subject to income verification).
- Occupant: An occupant is defined as any immediate family member (mother, father, spouse, son/daughter of the head of the household, regardless of the time of occupancy); or non-immediate family member who has resided in the dwelling at least three month prior to the submission of the family's application.
- Child with elevated blood lead level: A child below the age of six with an elevated blood lead level between 10 µg/dl and 20 µg/dl.
- Veteran: A person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.
- Emergency: A situation where a household member has an immediate threat of being evicted or removed from a home due to health or safety issues within a time frame that the program can complete a repair to stop eviction or removal.

Client Referral and Support Services: Many homeowners assisted through the Urgent Repair Program may also need other services. When City staff meet the homeowner during the in-take and work write-up process, they will discuss the resources and programs available in the City and provide pamphlets and agency contact information when appropriate.

What is the form of assistance under URP16? The City will provide assistance to homeowners, whose homes are selected for repair/modification in the form of a loan. Homeowners will receive an unsecured deferred, interest-free loan, forgiven at a rate of \$1,000 per year, until the principal balance is reduced to zero.

What is the amount of the loan? The amount of the loan will depend on the scope of work necessary to address the identified imminent threats to life and/or safety, and that will be determined by the City's rehabilitation specialist. There is no minimum to the amount of the loan; however, the maximum life-time limit according to the guidelines of the City's program is \$8,000.

What kinds of work will be done? Only repairs that alleviate housing conditions which pose an imminent threat to the life and/or safety of occupants of the dwelling unit or accessibility

modifications will be performed under the City's URP. It should be noted that all deficiencies in a home may not be rectified with the available funds.

All work that is completed under URP16 must meet or exceed NC State Residential Building Code standards and be done in compliance with all state or local permitting, inspections, licensing and insurance requirements.

Who will do the work on the homes? The City is obligated under URP16 to ensure that quality work is done at reasonable prices and that all work is contracted through a fair, open and competitive process. To meet those very difficult requirements, the City will invite bids only from contractors who are part of an approved contractors' list. Please request a copy of the City's Procurement and Disbursement Policy for further information.

A minimum of three approved contractors will be invited to bid on each job, and the lowest responsive and responsible bidder will be selected for the contract. "Responsive and responsible" is described in the Procurement and Disbursement Policy.

The City has an existing approved contractors' list for its existing rehabilitation programs. If other contractors wish to apply they are welcome to do so through the following process:

- 1) Fill out a contractor's questionnaire form which includes references, financial information, and recent jobs completed (contact: Ed Brown @ 336-883-8522).
- 2) Provide appropriate documentation, including licenses and liability insurance.

The City of High Point is an equal opportunity employer, implements non-discriminatory practices in its procurement/disbursement and will make special outreach efforts to include M/WBE (Minority/Women Business Enterprise) businesses within its contractor and subcontractor pool.

What are the steps in the process, from application to completion? Now that you have the information about how to qualify for the City of High Point's URP16, what work can be done, and who will do it, let's go through all the major steps in the process:

- 1) **Completing an Application form:** Homeowners who wish to apply for assistance should contact April Jones, Office Support, at (336) 883-3349 or visit the City's website at www.highpointnc.gov/cd. Proof of ownership and income will be required. Those who have applied for housing assistance from the City in the past will not automatically be reconsidered. A new application will need to be submitted.
- 2) **Preliminary inspection:** The City's Project Manager will visit the homes of applicants to determine the need and feasibility of repairs/modifications.

- 3) **Screening of applicants:** Household income will be verified for program purposes only (information will be kept confidential). Ownership of property will be verified along with other factors.
- 4) **Applicant interviews:** Approved applicants will be provided detailed information on assistance, program repair/modification standards and the contracting procedures associated with their project at this informational interview.
- 5) **Work write-up:** The City's Project Manager will visit the home again for a more thorough inspection. All parts of the home must be made accessible for inspection, including the attic and crawlspace, if any. The owner should report any known problems such as electrical short circuits, blinking lights, roof leaks and the like. The Project Manager will prepare complete and detailed work specifications (known as the "work write-up"). The Project Manager shall review the work write-up with the homeowner and obtain written acceptance of the work write-up from the homeowner. A final cost estimate will also be prepared by the Project Manager and held in confidence until bidding is completed.
- 6) **Bidding:** The work write-up and bid documents will be sent to a minimum of three contractors on the Approved Contractors' Registry who will be given one week in which to inspect the property and prepare bid proposals. Each will need access to those areas of the house, in which work is to be performed, in order to prepare a bid. Bids will be opened in the City's Community Development & Housing Department.
- 7) **Contractor selection:** Within 24 hours of the bid opening, after review of bid breakdowns and timing factors, the winning bidder will be selected. All bidders and the homeowner will be notified of (1) the selection, (2) the amount, (3) the amount of the City's cost estimate, and (4) if other than the lowest bidder is selected, of the specific reasons for the selection.
- 8) **Execution of loan and contract:** The loan will be executed as well as the repair/modification contract. This contract will be between the contractor and the homeowner, with the City serving as the homeowner's agent. The total loan amount will never exceed \$8,000 for project hard costs.
- 9) **Pre-construction conference:** A pre-construction conference will be held at the home. At this time, the homeowner, contractor and program representatives will discuss the details of the work to be done. Starting and ending dates will be agreed upon, along with any special arrangements such as weekend or evening work hours and disposition of items to be removed from the home (such as old plumbing, etc.). Within 24 hours of the pre-construction conference, the City will issue a "proceed order" formally instructing the contractor to commence by the agreed-upon date. NOTE: A "proceed order" will not be issued until the contract between the contractor and the homeowner has been executed.
- 10) **Construction:** The contractor will be responsible for obtaining any required building permits for the project before beginning work. The permit must be posted at the house

during the entire period of construction. Program staff will closely monitor the contractor during the construction period to make sure that the work is being done according to the work write-up (which is made a part of the rehabilitation contract by reference) and in a timely fashion. Code Enforcement Officers will inspect new work for compliance with the State Building Code as required by the guidelines of URP16. The homeowner will be responsible for working with the contractor toward protecting personal property by clearing work areas as much as practicable.

- 11) **Change Orders:** All changes to the scope of work must be reduced to writing as a contract amendment ("change order") and approved by all parties to the contract: the owner, the contractor, the Project Manager and the City's Community Development and Housing Director (or his designee). If the changes require an adjustment in the loan amount, a loan modification stating these changes in the contract amount must be completed by the City, and executed by the owner. If the changes result in a decrease in the loan amount, an estoppel informing the homeowner of these changes in the contract amount will be completed by the City and conveyed to the owner.
- 12) **Payments to contractor:** The contractor will be paid following the inspection and satisfactory completion of all items on the work write-up as well as the receipt by the City of the contractor's invoice and a release of liens, signed by all sub-contractors employed on the job and by all material suppliers from whom materials for the job were purchased. Please request a copy of the City's Procurement and Disbursement Policy for further information.
- 13) **Post-construction conference:** Following construction the contractor and the Project Manager will sit down with the homeowner one last time. At this conference the contractor will hand over all owner's manuals and warranties on equipment. The contractor and Project Manager will go over operating and maintenance requirements for any new equipment installed and discuss general maintenance of the home with the homeowner. The homeowner will have the opportunity to ask any final questions about the work.
- 14) **Closeout:** Once each item outlined in section 12 has been satisfied and the homeowner has signed a Certificate of Satisfaction, the job will be closed out.

What are the key dates? If, after reading this document, you feel that you qualify for this program and wish to apply, please keep the following dates in mind:

- Applications shall be available to the public starting on the date the NCHFA URP16 Funding Agreement is executed. It is anticipated that the execution of the Funding Agreement will occur on or before October 1, 2016.
- Resources for this program shall be available through November 30, 2017 or when resources have been spent, whichever occurs first.

How do I request an application? Please contact:

April Jones, Office Support

City of High Point, Community Development and Housing Department

211 S. Hamilton Street, Room 312

High Point, NC 27260

336-883-3349 OR april.jones@highpointnc.gov

Is there a procedure for dealing with complaints, disputes and appeals? Although the application process and repair/modification guidelines are meant to be as fair as possible, the City of High Point realizes that there is still a chance that some applicants or participants may feel that they are not treated fairly. The following procedures are designed to provide an avenue for resolution of complaints and appeals.

During the application process:

- 1) If an applicant feels that his/her application was not fairly reviewed and would like to appeal the decision made about it, he/she should contact Housing Specialist, Toni Jackson, within five days of the initial decision and voice their concern. If the applicant remains dissatisfied with the decision, the detailed complaint should be put into writing.
- 2) A written appeal must be made within 10 business days of the initial decision on an application.
- 3) The City of High Point will respond in writing to any complaints or appeals within 10 business days of receiving written comments.

During the repair/modification process:

- 1) If the homeowner feels that repairs or modifications are not being completed according to the contract, he/she must inform the contractor and the Project Manager.
- 2) The Project Manager will inspect the work in question. If he finds that the work is not being completed according to contract, the Project Manager will review the contract with the contractor and ask the contractor to remedy the problem.
- 3) If problems persist, a mediation conference between the homeowner and the contractor may be convened by the Project Manager and facilitated by the City's Community Development and Housing Director ("Director") or his designee.
- 4) Should the mediation conference fail to resolve the dispute, the Director will render a written final decision.
- 5) If the Project Manager finds that the work is being completed according to contract, the complaint will be noted and the Project Manager and the homeowner will discuss the concern and the reason for the Project Manager's decision.

Will the personal information provided remain confidential? Yes. All information in applicant files will remain confidential. Access to the information will be provided only to City employees who are directly involved in the program, the North Carolina Housing Finance Agency and auditors.

What about conflicts of interest? No officer, employee or other public official of the City, or member of the City Council, or entity contracting with the city, who exercises any functions or responsibilities with respect to URP16 shall have any interest, direct or indirect, in any contract or subcontract for work to be performed with program funding, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter. Relatives of City employees, Council Members and others closely identified with the City, may be approved for rehabilitation assistance only upon public disclosure before the City's Community Development and Housing Director and written permission from NCHFA.

What about favoritism? All activities under URP16, including the review of applications, inviting bids, selecting contractors and resolving complaints, will be conducted in a fair, open and non-discriminatory manner, entirely without regard to race, color, religion, national origin, sex, familial status and disability.

Who can I contact about URP16? Any questions regarding any part of this application or program should be addressed to:

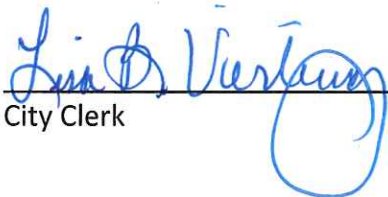
Richard C. Fuqua
Affordable Housing Manager, CD&H Department
211 S. Hamilton St., Rm. 312
High Point, NC 27260
336-883-3349
richard.fuqua@highpointnc.gov

This Assistance Policy is adopted this 1st day of August 2016.



Mayor William S. Bencini, Jr.

ATTEST:


City Clerk



****TO BE PLACED IN PROJECT FILE****

Acknowledgement of Receipt

I acknowledge receipt of a copy of the URP16 Assistance Policy and was provided the opportunity to review the document with City staff.

Owner

Date

CITY OF HIGH POINT

AGENDA ITEM



Title: Excavator

From: Gary Smith, Fleet Director

Public Hearing: N/A

Attachments: Bid Recommendation

Meeting Date: August 1, 2016

Advertising Date / N/A

Advertised By: N/A

PURPOSE:

The Streets Division had a 2002 Gradall XL4100 in need of replacement due to age and condition. Using the National Joint Powers Alliance (NJPA) contract 070313-KBA a new Kubota KX080-4R3A was identified for council approval.

BACKGROUND:

The Street Division was using a 2002 Gradall XL4100 that needed extensive safety related repairs. The cost to repair would have exceeded the value of the equipment. The Streets Division primarily uses this for road repair and maintenance projects. The operators have used the Kubota KX080-4R3A excavator and this will meet their needs. The excavator is also \$255,000 less than a new Gradall XL4100. The price of \$102,176.24 includes the excavator, manuals, factory warranty, training, and delivery. Estimated delivery is 60-90 days.

BUDGET IMPACT:

Funds are available in 2016-17 budget

RECOMMENDATION / ACTION REQUESTED:

The Fleet Services Department recommends purchasing the Kubota KX080-4R3A from Kubota Tractor Corporation.



Previous



Proposed



**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Fleet Services**

COUNCIL AGENDA DATE: **Aug 1, 2016**

BID NO.: **NJPA** CONTRACT NO.: **070313-KBA** DATE OPENED:

DESCRIPTION:

2016 Kubota Excavator Model KX080-4R3A

PURPOSE:

The Street Division was using a 2002 Gradall XL4100 that needed extensive safety related repairs. The cost to repair would have exceeded the value of the equipment. The Streets Division primarily uses this for road repair and maintenance projects.

COMMENTS:

The price of \$102,176.24 includes the excavator, manuals, factory warranty, training, and delivery. Estimated delivery is 60-90 days.

RECOMMEND AWARD TO: **Kubota Tractor Corporation** AMOUNT: **\$102,176.24**

JUSTIFICATION:

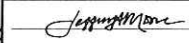
The excavator is \$255,000 less than a new Gradall XL4100 and will meet their needs.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
501271	532401			\$102,176.24
TOTAL BUDGETED AMOUNT				

DEPARTMENT HEAD: **Gary L. Smith** Digitally signed by Gary L. Smith
DN: cn=Erik Conti, o, ou, email=erik.conti@highpointnc.gov, c=US
Date: 2016.07.20 13:54:24 -04'00' DATE: **Jul 20, 2016**

The Purchasing Division concurs with recommendation submitted by the **Fleet Services** and recommends award to the lowest responsible, responsive bidder **Kubota Tractor Corp.** in the amount of \$ **102,176.24**.

PURCHASING MANAGER: **Erik Conti** Digitally signed by Erik Conti
DN: cn=Erik Conti, o, ou, email=erik.conti@highpointnc.gov, c=US
Date: 2016.07.20 15:21:43 -04'00' DATE: **Jul 20, 2016**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR:  Digitally signed by Jeffrey A. Moore
DN: cn=Jeffrey A. Moore, o=City of High Point, NC, ou=Financial Services Director, email=jfmoore@highpointnc.gov, c=US
Date: 2016.07.21 11:31:44 -04'00' DATE: **Jul 21, 2016**

CITY MANAGER: **Greg Demko** Digitally signed by Greg Demko
DN: cn=Greg Demko, o=High Point, ou=High Point, email=greg.demko@highpointnc.gov, c=US
Date: 2016.07.22 09:02:11 -04'00' DATE: **Jul 22, 2016**

CITY OF HIGH POINT

AGENDA ITEM

**Title: Renewal of Lease with West End Ministries****From:** Michael E. McNair, Director**Public Hearing:** N/A**Attachments:** Letter from West End Ministries
Advertisement
Pictures**Meeting Date:** August 1, 2016**Advertising Date:** 7/13/2016**Advertised By:** City Attorney's Office

PURPOSE:

Staff requests approval of a lease agreement with West End Ministries to continue using the property for the Bountiful Harvest Community Garden located at 1000 and 1004 West English and 1003, 1005 and 1007 Campbell Street. West End Ministries has requested an extension of the lease to three years.

BACKGROUND:

On June 18, 2015 Council approved a one-year lease with West End Ministries for the development of the Bountiful Harvest Community Garden. During the year the use of the land has been consistent with the terms of the lease. West End Ministries along with its community partners has been very successful in implement the garden as planned.

BUDGET IMPACT:

N/A

RECOMMENDATION / ACTION REQUESTED:

The Community Development and Housing Department recommends approval of the three-year lease and that the appropriate City official and/or employee be authorized to execute all necessary documents.



July 6, 2016

City Council, City of High Point

Dear Council Members,

As I think about the meaning of the word *community*, I cannot help but think about the relationship between West End Ministries' Bountiful Harvest Community Garden and the City of High Point. Situated in one of High Point's seven food deserts, West End residents grew dissatisfied with the empty, overgrown lot that sat vacant on English Road. Yearning for something creative and productive they banded together as a community, along with The City of High Point, to redefine and reclaim their neighborhood as they develop something beautiful and worth being proud of.

Working diligently over the past two years, the Bountiful Harvest Leadership Team has developed plans to transform what was once an overgrown field littered with debris into a space filled with growing and learning in community. The immense time, persistent energy, and unwavering investment West End residents have made in Bountiful Harvest shows us the potential that lies within communities when we approach change through the recognition of existing internal and external assets rather than their needs alone. Bountiful Harvest currently sits as a 1.1-acre cleared lot of land leased from the city. Over the past year, Bountiful Harvest has planted individual garden plots, a large neighborhood garden, fruit trees and berry bushes, and built a walking track and an outdoor classroom shelter.

This vision could not be made complete without the investment of The City of High Point and your faith in West End Ministries and the Bountiful Harvest Community Garden.

We respectfully request renewal of the garden lease for a three year period to continue the work that has begun.

Bountiful Harvest represents giving. It represents education. It represents working together for positive change...it represents community.

Chris Gillespie – Executive Director

West End Ministries

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:

July 13, 2016

Sworn to on this 19 day
of July, 2016

Lisa Robertson
Billing Clerk

Sworn to and Subscribed
before me this 19 day
of July, 2016

Barbara M. Daniels
Notary Public

PUBLIC NOTICE LEASE OF CITY OWNED PROPERTIES

The City Council of the City of High Point intends to enter into a leases of the following properties:

- 1000 West English Rd, High Point, NC Guilford County, Tax Parcel #0187720;
- 1003 Campbell St., High Point, NC Guilford County, Tax Parcel #0187718;
- 1005-1007 Campbell St., High Point, NC, Guilford County, Tax Parcel #0187717; and
- 1004 West English Road, High Point, NC Guilford County, Tax Parcel #0187721

The City intends to enter into lease agreements for each of the properties to West End Ministries for a term of three-years. In consideration of the lease, West End Ministries will use the properties as community garden space and will pay the City an annual rent of \$1.00.

All persons interested in this matter are invited to attend the meeting of the City Council to be held in the Council Chambers, City Hall, 211 South Hamilton Street, High Point, NC, at 5:30 p.m. on Monday, August 1, 2016. At that time the Council intends to authorize the leases of the properties described above.

July 13, 2016



**RESOLUTION OF HIGH POINT CITY COUNCIL
AUTHORIZING THE LEASE OF CERTAIN PARCELS OF VACANT LAND
TO BE USED AS COMMUNITY GARDEN SPACE**

WHEREAS, the City of High Point (“City”) owns certain parcels of vacant land located within the High Point city limits that the Council finds to be currently surplus to the City’s needs; and

WHEREAS, the City finds that those vacant properties may be conducive to growing plants and produce; and

WHEREAS, the City and West End Ministries have agreed upon a lease of the parcels listed below, under which West End Ministries will lease the parcels for a term of three years, beginning July 16, 2016:

- 1000 West English Rd, High Point, NC Guilford County, Tax Parcel #0187720;
- 1003 Campbell St., High Point, NC Guilford County, Tax Parcel #0187718;
- 1005-1007 Campbell St., High Point, NC, Guilford County, Tax Parcel #0187717;
- 1004 West English Road, High Point, NC Guilford County, Tax Parcel #0187721; and

WHEREAS, in consideration of leasing the City’s lot, West End Ministries has agreed to use parcels of vacant land to be used for garden space and pay an annual rent of one dollar; and

WHEREAS, the required notice has been published and the City Council is convened in a regular meeting;

NOW THEREFORE BE IT RESOLVED by the City Council that:

1. The City Council hereby approves the lease of the properties described above to West End Ministries for three years, and directs the appropriate city employees to execute any instruments necessary to the lease.

Adopted, this the 1st day of August, 2016.

William S. Bencini, Jr., Mayor

ATTEST:

Lisa B. Vierling
High Point City Clerk

[SEAL]

Ground Breaking



Helpers from High Point Central



Benches



The Garden



CITY OF HIGH POINT

AGENDA ITEM



Title: Ordinance Amending Adoption of Fire Prevention Code

From: Thomas Reid, Fire Chief

Meeting Date: August 1, 2016

Public Hearing: N/A

Advertising Date: N/A

Advertised By: N/A

Attachments: Ordinance Amending Adoption of Fire Prevention Code

PURPOSE:

An ordinance amendment is needed to update the adoption of the Fire Prevention Code to the current 2012 NC Fire Prevention Code and appendices.

BACKGROUND:

The current adopted Fire Prevention Code is out of date referencing the 1976 Edition of the American Insurance Association (AIA) standards and two outdated National Fire Protection Association (NFPA) standards covering the application of flammable and combustible materials and tank vehicles for flammable liquids. The adoption of the current 2012 NC Fire Prevention Code and appendices was previously identified internally and is an area of improvement recommended by both the Insurance Services Office (ISO) and the Commission on Fire Accreditation International (CFAI) evaluations.

BUDGET IMPACT:

There is no budget impact for this action.

RECOMMENDATION / ACTION REQUESTED:

The Fire Department recommends and asks the Council to approve the amendment adopting the 2012 NC Fire Prevention Code and appendices.

**ORDINANCE AMENDING TITLE 5 – PUBLIC SAFETY – CHAPTER 2. FIRE
PREVENTION AND PROTECTION – ARTICLE B. FIRE PREVENTION CODE –
SECTION 5-2-21 ADOPTION OF FIRE PREVENTION CODE OF THE HIGH POINT
CODE OF ORDINANCES**

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of High Point that Title 5, Chapter 2, Article B, Section 5-2-21 be amended as follows:

Sec. 5-2-21 – Adoption of fire prevention code.

(a) ~~There is hereby adopted by the city for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion that certain code, known as the Fire Prevention Code, 1976 Edition, as recommended by the American Insurance Association (formerly the National Board of Fire Underwriters,) and Standards of the National Fire Protection for Spray Application Using Flammable and Combustible Materials No. 33, 1973 Edition, and for Tank Vehicles for Flammable and Combustible Liquids No. 385, 1974 Edition, save and except such portions as are in conflict and/or inconsistent with the provisions of this code of ordinances, of which fire prevention code and standards (No. 33 and No. 385)~~ **and entitled the North Carolina State Building Code: Fire Prevention Code, 2012 Edition and including the North Carolina State Building Code: Fire Prevention Code Appendices B, C, D, F, and H.** ~~Not~~ **Not** less than three (3) copies are on file in the office of the city clerk, and the same are hereby adopted and incorporated as fully as if set out in length herein, and the provisions of the fire prevention code and standards **North Carolina State Building Code: Fire Prevention Code, 2012 Edition** shall control within the limits of the city.

(b) **Amendments to the to the North Carolina State Building Code: Fire Prevention Code, 2012 Edition, which are adopted and published by the North Carolina State Building Code Council, shall be effective and incorporated herein at the time of the amendments' adoption, including Appendices B, C, D, F, and H.**

Adopted this the 1st day of August, 2016.

Mayor William S. Bencini, Jr.

ATTEST:

Lisa B. Vierling, City Clerk

NORTH CAROLINA
GUILFORD COUNTY

**MUNICIPAL MAINTENANCE AGREEMENT (SNOW
AND ICE REMOVAL)**

DATE: 6/16/2016

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

AND

WBS Elements: 36050.041
36053.041

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".

WITNESSETH:

WHEREAS, this Agreement is between the Department and the Municipality regarding performance by the Municipality of winter weather maintenance of "Subject Roads and Rights of Way Snow and Ice Routes" in the State Highway System that are located within the Municipality, and payment for such performance; and,

WHEREAS, the Municipality agrees to perform said winter weather maintenance and the Department agrees to pay for such performance, subject to the conditions hereinafter set forth; and,

WHEREAS, the intent of the Department is to supplement its efforts regarding the roads for which it has legal responsibility under GS 160A-297, for the benefit of the Municipality and the Department;

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

1. The Project consists of winter weather maintenance of "Subject Roads and Rights of Way Snow and Ice Routes" in the State Highway System, as further identified below. For purpose of this agreement, winter weather maintenance is defined as follows:

During the threat of, or in case of actual, snow and ice accumulation, the Municipality provides:

(A) Plowing - snow pushing with rolling stock; (B) Brine Application - with rolling stock; (C) Salt Application - Salt and or Salt/Sand mixture with rolling stock; (D) Motor Grader - snow pushing with motor grader equipment; and (E) Bridge Application - In the event of bridge only applications a 50 foot ingress and egress on each side of the bridge will be serviced; and including but not limited to other equipment (loader, backhoe, skid steer, etc.) necessary to remove snow and ice.

Deployment of these services will be cooperatively coordinated and communicated between the Department's County Maintenance Engineer and the Municipality. The Municipality will give the same priority to winter weather maintenance of Subject Roads and Rights of Way Snow and Ice Routes that it gives Municipal owned thoroughfare streets.

2. The Municipality, and/or its contractors, provides for the winter weather maintenance of the Subject Roads and Rights of Way Snow and Ice Routes, which for purposes of this Agreement are, initially, those roads and adjacent rights of way that are shown on the attached Exhibit "A".
3. 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 Minority Businesses and Women Businesses as required by GS 136-28.4 and the North Carolina Administrative Code. The Department provided the appropriate provisions to be contained in those contracts. Those provisions are available on the Department's website at:
<http://www.ncdot.org/doh/preconstruct/ps/contracts/sp/2006sp/municipal.html>
 - (A) No advertisement will be made nor any contract entered into for services to be performed as part of this Agreement without prior written approval of the advertisement or contents of the contract by the Department.
 - (B) Failure to comply with these requirements will result in funding being withheld until such time as these requirements are met.
4. To maintain efficient deployment of services, the Municipality's snow and ice routes may include both State Highway System roads and municipally owned roads. Services provided under this Agreement may be quantified by the Municipality by identification of that percentage of service on each snow and ice route that is applicable to this Agreement. Services for only that portion of the snow and ice routes that were performed on State Highway System roads as identified by the listing of Subject Roads and Rights of Way Snow and Ice Routes are shown on the attached Exhibit A.
5. The Department shall reimburse the Municipality for the actual cost of labor, materials, and equipment up to \$185,000 per year unless written authorization is received from the Department. The Municipality may submit a quarterly invoice to the Department's Division Engineer. Reimbursement shall be made upon approval of said invoice by the Department's District Engineer and Financial Management Division.
 - (A) The Department shall reimburse the Municipality within thirty (30) days after receipt for the costs incurred in furnishing personnel, labor, equipment, purchased services and materials for the work performed.
 - (B) The invoice shall summarize all labor, equipment, materials and purchased services necessary to remove snow and ice.



- (C) The Municipality, and or its agent, shall maintain adequate records and documentation to support the work performed under this Agreement and shall permit free access to its records by official representatives of the State of North Carolina. Furthermore, the Municipality, or its agent, shall maintain all pertinent records and documentation for a period of not less than five (5) years following the close of the fiscal year during which the services were performed.
- 6. Reimbursement shall be calculated by the Municipality and invoiced to the Department as follows:
 - (A) Participation shall be a percentage of lane miles of State Roads within the corporate limits as shown on Exhibit "A". The percentage will be calculated from the total lane miles of the City's Snow and Ice Control Plan.
 - (B) . Actual cost of purchased services as provided where utilized on Subject Roads and Rights of Way Snow and Ice Routes.
 - 7. 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 a Federal or State Department or Agency.
 - 8. This Agreement shall be for a period of one (1) year from the date of execution of this Agreement. At the end of the year, the results may be reviewed by the Department and the Municipality and extended in writing for one year increments, incorporating any mutually agreed upon cost adjustments. Any extensions will be contingent upon the approval of NCDOT funds by the General Assembly. The Department and/or the Municipality reserve the right to cancel this Agreement with a thirty (30) day written notice to the opposite party.
 - 9. Any modification to this Agreement will be agreed upon in writing by all parties prior to being implemented. A Supplemental Agreement is not needed.
 - 10. The Department shall not be liable and shall be held harmless from any and all claims that might arise on account of the Municipality negligence and/or responsibilities under the terms of this agreement and/or project.
 - 11. By Executive Order 24, issued by Governor Perdue, and N.C. G.S. § 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and

Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation, and the Office of the Governor).

12. This Agreement is solely for the benefit of the Department and the Municipality and is not for the benefit of any other persons or any entities, and no other persons or entities shall have any rights, claims, or entitlements under this Agreement.
13. Pursuant to G.S. 147-86.59, any person identified as engaging in investment activities in Iran, determined by appearing on the Final Divestment List created by the State Treasurer pursuant to G.S. 147-86.58, is ineligible to contract with the State of North Carolina or any political subdivision of the State. The Iran Divestment Act of 2015, G.S. 147-86.55 *et seq.* requires that each vendor, prior to contracting with the State, certify that the contracting party meets the requirements of the Iran Disinvestment Act. The State Treasurer's Final Divestment List can be found on the State Treasurer's website at the address www.nctreasurer.com/iran and will be updated every 180 days.
 - By execution of this AGREEMENT each Party certifies that neither it nor its Agents or Contactors/Subcontractors 1) are on the Final Divestment List of entities that the State Treasurer has determined engages in investment activities in Iran; 2) shall not utilize on any contract with the State agency any subcontractor that is identified on the Final Divestment List; and 3) that the undersigned are authorized by the Parties to make this Certification.
 - During the term of this AGREEMENT, should the Parties receive information that a person is in violation of the Act as stated above, the Department will offer the person an opportunity to respond and the Department will take action as appropriate and provided for by law, rule, or contract. Should this Act be voided by NC General Statute, this AGREEMENT will remain valid; however this certification will no longer be required.

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

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

ATTEST:

CITY OF HIGH POINT

BY: *Lisa B. Vierling*
TITLE: City Clerk

BY: *William S. Beatty*
TITLE: Mayor

DATE: August 1, 2016

Approved by the City of High Point as attested to by the signature of Lisa B. Vierling

Clerk of the High Point City Council (governing body) on August 1, 2016 (Date)

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

Federal Tax Identification Number

56-6000231



Remittance Address:

City of High Point

P.O. Box 230

High Point, NC 27261

DEPARTMENT OF TRANSPORTATION

BY: _____
(CHIEF ENGINEER)

DATE: _____

PRESENTED TO BOARD OF TRANSPORTATION ITEM O: _____

Exhibit "A" – Snow and Ice Routes within City of High Point Municipal Limits

SR #	NAME	FROM	TO	MILES
1193	Baker Road	Triangle Lake Rd.	SCL High Point	2.65
1538	Deep River Road	NC 68	Hickwood Rd.	1.32
1523	Deep River Road	Hickwood Rd.	Greensboro Rd.	1.4
1334	Dillon Road	Sherrill Rd.	NCL High Point	0.7
1970	English Road	NC 68	US 311 Bus.	2.5
1300	Fairfield Road	Bus. I-85	US 311 Bus.	1.86
NC 610	Fairfield Road	US 311 Bus.	ECL High Point	1.41
1300	Green Drive	Bus. I-85	US 311 Bus.	4.35
1486	Greensboro Road	Montlieu Ave.	ECL High Point	1.51
1896	Hartley Drive	W. Hartley Drive (West of US 311 Bus.)	Lexington Ave.	2.45
1311	Hickory Chapel Road	Triangle Lake Rd.	EOM	0.56
1113	MLK, Jr. Drive (East)	Main Street	ECL High Point	3.67
1988	MLK, Jr. Drive (West)	English Road	Main Street	0.96
1486	Lexington Ave. (East)	Main Street	Montlieu Ave.	2.2
1768	Lexington Ave. (West)	Davidson Co.	Main Street	1.59
1009	Main Street	US 311	US 29-70	5.9
1009	Main Street	US 29-70	SCL High Point	0.81
1961	Market Center Drive	Surrett Dr.	NC 68	1.86
1962	Market Center Drive	E. Kearns Ave.	Surrett Dr.	0.9
1471	Montlieu Avenue	Main Street	N. Centennial St.	0.65
1471	Montlieu Avenue	University Drive (North)	E. Lexington Ave.	1.26
1003	North Main Street	Main Street	Forsyth Co.	0.77
1980	Old Plank Road	Davidson Co.	US 311 Bus.	0.45
1536	Penny Road	W. Main Street	Wendover Ave.	2.98
1536	Penny Road	Wendover Ave.	Access Drive North of Ossi Ct.	0.47
4187	Piedmont Parkway North	Wendover Ave.	Tarrant Road	1.05
4229	Piedmont Parkway South	Guilford College Road	EOM	0.11
1468	Russell Avenue	W. Green Dr.	University Drive (South)	1.1
1332	Scientific Street	MLK, Jr. Drive (East)	NCL High Point	1.71
1820	Skeet Club Road	N. Main Street	Forsyth Co.	0.1
1820	Skeet Club Road	Forsyth Co.	Wendover Ave.	5.33
1971	Southwest School Road	Barrow Road	Willard Dairy Road	0.83
4053	Surrett Drive	Randolph Co.	Market Center Drive	1.21
1552	Tarrant Road	Wendover Ave.	SCL High Point	0.27

1552	Tarrant Road	SCL High Point	NCL High Point	0.14
1552	Tarrant Road	SCL High Point	NCL High Point	0.6
1321	Triangle Lake Road	Baker Road	NCL High Point	0.58
1193	Triangle Lake Road	Baker Road	US 311	1.07
1278	University Drive (North)	MLK, Jr. Drive (East)	E. Lexington Ave.	1.26
1278	University Drive (South)	Surrett Dr.	MLK, Jr. Drive (East)	2.25
1836	Willard Dairy Road	Barrow Road	ECL High Point	0.42
1836	Willard Dairy Road	WCL High Point	NC 68	0.45

AGREEMENT
CITY OF HIGH POINT, NORTH CAROLINA
AND THE FERGUSON GROUP, L.L.C., WASHINGTON, DC

Pursuant to this Agreement, the City of High Point, NC (hereinafter referred to as "the client") and The Ferguson Group, L.L.C., (TFG) agree to assume the following obligations:

1. OBLIGATIONS OF TFG

TFG will:

- A. act as the Washington Representative to the client in Washington, D.C.;
- B. represent the client regarding legislative and regulatory matters impacting the client specifically;
- C. confer with the client and its designees at the times and places mutually agreed to by the client and TFG. This will be done on all organizational planning and program activity related to the Federal Agenda and that which has a bearing on the ability of the client to make the best use of federal program resources;
- D. coordinate with the client and its designees to develop a comprehensive strategic plan for legislative and regulatory priorities;
- E. review federal legislation under consideration, federal executive proposals, proposed administrative rules and regulations and other federal developments for the purpose of advising the client of those items that may have a bearing on the client's policies or programs;
- F. notify the client of opportunities for federal funding and relay information necessary for securing those funds;
- G. secure and furnish such detailed information as may be available on federal issues in which the client indicates an interest;
- H. review and comment on proposals of the client, which are being prepared for submission to federal agencies, when requested to do so by the client;
- I. assist the client in drafting legislation and congressional testimony;
- J. identify, develop, and cultivate on-going relationships with key congressional officials and staff members;
- K. assist the congressional delegation in any matter that is in the best interest of the client and in the same manner as any other member of the client's staff might render assistance;

- L. counsel with the client and prepare briefing materials and/or conduct briefings for the client's representatives who are preparing to meet with Members of Congress, testify before congressional committees and administrative agencies, and conduct other client business, or attend national conferences;
- M. review and assist in developing the client's Federal Agenda;
- N. consult the client's elected officials and government affairs team on federal legislative affairs;
- O. alert the client to relevant federal and foundation competitive grant opportunities;
- P. cultivate relationships with federal agencies, garner congressional support, and provide every other level of support needed to improve the client's ability to obtain competitive grants;
- Q. assist with drafting legislation;
- R. arrange appointments (and accommodations when requested) for the client's officials to facilitate the efficient and effective performance of the client's business while in Washington, D.C.;
- S. submit periodic reports providing the latest information on issues of interest to the client; and
- T. provide an annual report giving an overview of TFG's work over the past year and a forecast of issues to be faced in the upcoming year.

2. OBLIGATIONS OF THE CLIENT

The client will:

- A. pay TFG \$6,666 per month one month in advance for professional services, or \$80,000 annually;
- B. reimburse TFG for expenses, not to exceed \$5,000 annually, as described in paragraph 2, subparagraphs F, G and H, payable within thirty (30) days of submission of invoice and acceptance by the client;
- C. advise TFG of the name or names of persons authorized to request service by TFG and the person or persons to be kept advised by TFG;
- D. supply TFG with a summary of all federal issues in which the client has interests and advise TFG of any new developments, together with the pertinent details as to the substance of such developments;
- E. supply TFG with copies of budgets, planning documents, and regular reports of the client's agenda and proceedings, newspapers and other materials to assist TFG in keeping current on

the client's policies and programs;

F. reimburse TFG for: (1) all travel expenses incurred pursuant to paragraph 1, subparagraph B; (2) all travel and incidental expenses for attendance at meetings by TFG outside Washington, D.C. or North Carolina at the request of/approval of the client; (3) all incidental Washington expenses incurred in the course of conducting the client's business;

G. reimburse TFG for all long distance telephone expenses; and

H. reimburse TFG for the costs of document production.

3. THE CLIENT AND TFG CONCUR THAT THE FOLLOWING EXCLUSIONS SHALL APPLY TO THIS AGREEMENT.

TFG will not:

A. represent the client before formal congressional committee hearings or in any judicial or quasi-judicial hearing conducted by boards or examiners of federal agencies or commissions;

B. perform any legal, engineering, accounting or other similar professional services; and

4. EITHER PARTY MAY TERMINATE THIS AGREEMENT AT ANY TIME BY GIVING THE OTHER AT LEAST THIRTY (30) DAYS' NOTICE IN WRITING OF SUCH TERMINATION.

5. TERM OF AGREEMENT:

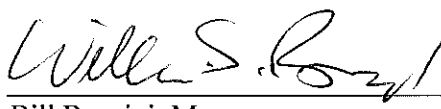
This agreement is for the period beginning on July 1, 2016 and ending on June 30, 2017. Contractual time may be extended upon written mutual consent of the parties.

IN WITNESS WHEREOF, the parties hereto, or their duly authorized agents or officers, have executed this Agreement effective as of the day and year first above written.

THE FERGUSON GROUP, L.L.C.

CITY OF HIGH POINT, NC


By: _____
W. Roger Gwinn, CEO


By: _____
Bill Bencini, Mayor

Date: July 14, 2016

Date:

CITY OF HIGH POINT

AGENDA ITEM



Title: Policy for Messaging on COHP Water Tanks

From: Randy Hemann

Meeting Date: N/A

Public Hearing: N/A

Advertising Date /

Advertised By:

N/A

Attachments: Proposed Policy

PURPOSE:

This Policy for Messaging on COHP Water Tanks is designed to provide guidelines and criteria to facilitate the potential placement of governmental speech on City of High Point elevated water tanks.

BACKGROUND:

In the past the City has received requests to consider allowing messaging on COHP Water Tanks. The City Attorney has advised Council against doing so in the past due to issues related to possible problems with control over the message and legal challenges that could arise. The City Attorney has received information on a recent court ruling on governmental speech that resolves those previous concerns. The Prosperity and Livability Committee discussed the issue on July 12, 2016 and advised staff to prepare a policy for the consideration of the Board. The messaging must be offered at no cost as to not be considered advertising and to allow the City control over the message. Staff has prepared the attached policy that has been reviewed by the affected Departments as well as the City Attorney.

BUDGET IMPACT:

N/A.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends City Council adopt the attached Policy for Messaging on COHP Water Tanks

CITY OF HIGH POINT

POLICY FOR MESSAGING ON WATER TANKS

Purpose

The purpose of this policy is to create guidelines for display of governmental speech on City of High Point elevated water tanks. For the purposes of this policy, governmental speech is defined as a message and/or logo ("Speech") that promotes and/or supports the City Council's goal of community engagement and supports The City of High Point's organizational marketing initiatives.

Application

City Council shall at all times maintain decisive control over any Speech. Council may accept suggestions for Speech from outside entities and/or individuals through application for consideration submitted to the City Manager's office. The City Manager may establish procedures for such applications, including the Evaluation terms set forth herein. However, at a minimum, all applications shall include a detailed description of the suggested Speech, including a rendering or picture, and the estimated cost for the installation.

Evaluation

After application is made to the City Manager's office, the City Manager and/or his designee shall review the application, including review of the following:

- a) The message is appropriate and not obscene or defamatory;
- b) The Speech does not violate any federal, state or local law;
- c) The communication conveys a governmental message

If the Manager deems the application complete and acceptable, he shall forward to the appropriate City Council Committee for review and recommendation to Council.

Costs & Liability

Should Council adopt an applicant's suggested Speech, the applicant shall be responsible for all costs associated with the installation and maintenance of the Speech. No grant funds received from the City shall be used by applicants for installation or maintenance.

The City will not assume responsibility for any loss or damage to materials used for the installation. All applicants shall sign an agreement with specific terms and conditions for the display of the Speech and shall release the City from any liability. Additionally, only the City and its employees or contractors may install, paint or otherwise apply the Speech to the water tanks. Applicants agree to work with a representative of the City as necessary for coordination of the installation.

Duration

Due to the cost of installation, displays of Speech will be allowed for a period of 5 years. Applicants may reapply for consecutive 5 year terms. Applicants shall be responsible for costs associated with repainting and/or maintenance required at the end of any term. In addition, all maintenance costs, including necessary reapplication caused by weathering, tank repainting and/or any other maintenance activities shall be borne by the applicant. If the City determines that the Speech needs to be repainted and/or reapplied, the applicant will be notified in writing and given 90 days to repaint/reapply. If the applicant fails to do so within 90 days the City at its discretion may cover, remove and/or repaint the area. The applicant shall agree to reimburse the City for costs associated with this action.

The City reserves the right to accept or reject applications at its complete discretion.



City of High Point

Procurement and Disbursement Policy

2016 URGENT REPAIR PROGRAM

PROCUREMENT POLICY

1. To the maximum extent practical, the City of High Point (the City) promotes a fair, open and competitive procurement process as required under the North Carolina Housing Finance Agency's Urgent Repair Program (URP). Bids are invited from Contractors who are part of the City's approved contractor registry. (To be on the registry, a contractor must complete an application, have their recent work inspected, reviewed and approved by the Project Manager and submit proof of insurance.) Any contractor listed with and approved by the City will receive automatic approval status on the contractor registry.
2. At least three eligible contractors on the City's approved contractor registry shall be invited to bid on each job and the lowest responsive and responsible bidder shall be selected for the contract. "Responsive and responsible" means (a) the contractor is deemed able to complete the work in a timely fashion, (b) that the bid is within 15% on the low end of the City's nominal amount or 15% on the high end of the City's nominal amount and that (c) there is no conflict of interest (real or apparent).
3. Although bid packages may be bundled for multiple job sites, the bids for multiple job sites may be considered separate and apart when awarded and may be awarded to the lowest responsive and responsible bidder(s) for each job site.
4. Bid packages shall consist of an invitation to bid, work write up(s) and bid sheet(s) for each job.
5. Bids must include a cost-per-item breakdown with line item totals equaling the submitted bid price. Discrepancies must be reconciled prior to a contract being awarded.
6. Any change to the original scope of work must be reduced to writing in the form of a change order to be agreed upon and signed by all parties to the original contract and two

representatives of the City. The change order must also detail any changes to the original contract price.

7. No work may begin prior to a contract being awarded and executed and a written order to proceed provided to the contractor. In addition, a pre-construction conference and "walk thru" shall be held at the work site prior to commencement of repair work.
8. The City reserves the right to reject any or all bids at any time during the procurement process.
9. In the event of a true emergency situation, the City reserves the right to waive normal procurement procedures in favor of more expedient methods, which may include seeking telephone quotes, faxed bids and the like. In the event phone bids are used, the City of High Point will call the first three responsive contractors on the approved contractor registry. The City will track who has been called and responsive and will rotate through the list before starting through the rotation again. Should such methods ever become necessary, the transaction will be fully documented.
10. All sealed bids will be opened publicly at a time and place to be announced in the bid invitation. All bidders are welcome to attend.
11. The City of High Point is an equal opportunity employer, implements non-discriminatory practices in its procurement/disbursement and will make special outreach efforts to include M/WBE (Minority/Women Business Enterprise) businesses within its contractor and subcontractor pool.

DISBURSEMENT POLICY

1. All repair work must be inspected by (a) the City's Project Manager, (b) the homeowner, and (c) the building code inspector as appropriate for the project prior to any payments to contractors. If all work is deemed satisfactory and all other factors and written agreements are in order, payment shall be issued upon presentation of an original invoice from the contractor. Contractor should allow 21 business days for processing of the invoice for payment.
2. If any of the work is deemed unsatisfactory, it must be corrected prior to authorization of payment. If the contractor fails to correct the work to the satisfaction of the City's Project Manager, payment may be withheld until such time as the work is deemed satisfactory. (Contractors may follow the City's Urgent Repair Program Assistance Policy complaint process if a dispute occurs; however, contractors shall abide by the final decision as stated in the policy).
3. The City assures, through this policy, that adequate funds shall be available to pay the contractor for satisfactory work.

4. All contractors, sub-contractors and suppliers must sign a lien waiver prior to disbursement of funds.

The Procurement and Disbursement Policies are adopted this the 1st day of August 2016.

City of High Point

BY: William S. Bevin

ATTEST: Lisa B. Veith



CONTRACTORS STATEMENT:

I have read and understand the attached Procurement and Disbursement Policy.

BY: _____

COMPANY NAME: _____

WITNESS: _____

CITY OF HIGH POINT

AGENDA ITEM



Title: Contract Renewal – The Ferguson Group

From: Greg Demko, City Manager

Meeting Date: August 1, 2016

Public Hearing: N/A

Advertising Date /
Advertised By: N/A

Attachments: Highlights of Legislative, Policy and Agency Work
Proposed Contract

PURPOSE:

Approval of contract renewal with The Ferguson Group (TFG) as the City's Washington lobbyist.

BACKGROUND:

The Ferguson Group has served as the Washington Representative to the City of High Point for the past twelve years focusing on securing federal funds for the City's projects.

BUDGET IMPACT:

Funding is appropriated in the 2016-2017 budget.

RECOMMENDATION / ACTION REQUESTED:

Council is requested to authorize the appropriate city official to execute contract with The Ferguson Group for the period of July 1, 2016 – June 30, 2017.

The City of High Point and The Ferguson Group – Working in Partnership for 12 Years

Return on Investment through June 2016: 33:1

*ROI does not take into account money-saving advocacy, on-call status to respond to urgent or emerging issues, and two pending grant applications.

Highlights of Legislative, Policy and Agency Work in 2015 and 2016

- Assisted the High Point Fire Department with a grant application to secure \$17,822 for personnel accountability equipment and \$1,141,858 for Self-Contained Breathing Apparatus (SCBAs) through FEMA's Assistance to Firefighters Grant program; secured Congressional support for the application.
- Helped coordinate and draft successful Local Food Local Places grant from the EPA; secured congressional support and initiated communication between Members of Congress and EPA's grant program officials. Grants for technical assistance awarded to 25 out of 3,500 applicants.
- Successfully worked with HUD and High Point Community Development staff during a lead grant auditing process to ensure the City was not required to repay \$2.475M in grant funds.
- Assisted the High Point Police Department with a grant application for \$414,333 under DOJ's Office of Violence Against Women Arrests Program grant. Award announcements are expected this fall.
- Assisted the High Point Police Department with a grant application for eight (8) officers under the DOJ's COPS Hiring Program. Award announcements are expected this fall.
- Provided real-time updates on the transportation reauthorization bill, the "FAST Act," and submitted comments to the Congressional delegation on amendments of interest to High Point.
- Provided real-time updates on the Department of Labor's overtime exemption rule and related Congressional action.
- Identified unused transportation earmarks that could be reprogrammed for other priority projects in High Point; coordinated with local staff and NCDOT. (NCDOT will not be reprogramming these funds in coordination with local governments.)
- Drafted High Point letters of support to the Congressional delegation for full funding of HUD's CDBG and HOME programs.
- Set up meetings with the High Point Police Chief and Members of the High Point Congressional Delegation to discuss the High Point Offender Focused Domestic Violence Initiative.
- Set up meetings with the City's Congressional Delegation when Councilmembers were in Washington for the National League of Cities conference.

- Drafted letter of support for the City to send to Members of Congress promoting H.R. 2209, a bill to allow financial institutions to count municipal bonds as liquid assets. The bill passed the House; working on Senate introduction.
- Coordinated meeting with USDOT and local staff to discuss the newly created FASTLANE program as a possible funding source to restore and improve the rail cut through High Point.
- Worked with Rep. Alma Adams and her staff on a food insecurity initiative.
- Weekly legislative and grant updates that address local priorities and issues.
- Real-time updates and advocacy alerts on critical legislative and policy action.

Funding Highlights

Federal Authorizations and Appropriations

High Point Greenway	95,000
High Point Police Department's Firing Range Training Facility	502,500
Naturalist Education Garden at Piedmont Environmental Center	200,000
International Furniture Market Transportation Terminal	6,216,000
Airport Area Roadway Network (Sandy Ridge)	8,140,000
I-74/US311 Bypass	10,000,000

Total Authorizations and Appropriations	25,153,500
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Federal Grants (excluding the City's recurring annual CDBG, HOME, Byrne JAG, and other grants)

EPA Local Food Local Places	Technical Assistance
FEMA Assistance to Firefighter Grant	1,104,694
EPA Brownfield Assessment Grant	400,000
Community Challenge Grant	239,141
High Point Greenway	515,200
Lead Based Paint Hazard Control Grant	5,475,000
FEMA Assistance to Firefighter Grant	521,166

DOJ Office of Violence Against Women Arrest Program	414,333 pending
DOJ COPS Hiring	funding for 8 officers pending

Total Federal Grants	8,255,201
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Federal Loans

HUD Section 108 Small Business Loan Pool	3,900,000
Total Federal Loans	3,900,000

Approved/Received American Recovery and Reinvestment Act Funds (ARRA)

Energy Efficient and Conservation Block Grant (EECBG)	998,600
Community Development Block Grant (CDBG)	208,721
Police Cars/Mobile Data Terminals	322,921
Transit Shelters/Vehicle	623,500
Sewer Rehab	1,498,500
Deep River Road	1,800,00
Widen Burton Road	450,000
Clinard Farm Road	150,000
NC68/US311 Feasibility Study	400,000
ARRA Total	6,452,242

Total received from 2004-2015 - \$44,160,943

Relationships

- **Federal:** Productive working relationships with Senators Burr and Tillis and Representatives Adams and Walker and their staff; Federal agency contacts at agencies relevant to High Point (such as HUD, DOJ, DHS/FEMA, DOT/FHWA/FTA, etc.). Working relationships with federal organizations, including the National League of Cities, International City/County Management Association, International Association of Fire Chiefs, International Association of Chiefs of Police, and the Government Finance Officers Association.
- **State:** Working relationships with state organizations, including the North Carolina League of Municipalities and the North Carolina Metro Mayors Coalition.
- **Local:** Established relationships with High Point staff; continue to cultivate relationships with High Point elected officials.

As a result of the relationships we have established at the federal, state and local levels, TFG serves as an active conduit between Washington and High Point.

Advocacy and Consulting

- Monitor legislation and regulations that impact the City of High Point; draft letters to the High Point Congressional Delegation when necessary.
- Monitor federal regulations and draft comments when necessary.
- Advocate for funding for priority programs.
- Communicate concerns with federal regulations to agencies and the High Point Congressional Delegation.

AGREEMENT
CITY OF HIGH POINT, NORTH CAROLINA
AND THE FERGUSON GROUP, L.L.C., WASHINGTON, DC

Pursuant to this Agreement, the City of High Point, NC (hereinafter referred to as "the client") and The Ferguson Group, L.L.C., (TFG) agree to assume the following obligations:

1. OBLIGATIONS OF TFG

TFG will:

- A. act as the Washington Representative to the client in Washington, D.C.;
- B. represent the client regarding legislative and regulatory matters impacting the client specifically;
- C. confer with the client and its designees at the times and places mutually agreed to by the client and TFG. This will be done on all organizational planning and program activity related to the Federal Agenda and that which has a bearing on the ability of the client to make the best use of federal program resources;
- D. coordinate with the client and its designees to develop a comprehensive strategic plan for legislative and regulatory priorities;
- E. review federal legislation under consideration, federal executive proposals, proposed administrative rules and regulations and other federal developments for the purpose of advising the client of those items that may have a bearing on the client's policies or programs;
- F. notify the client of opportunities for federal funding and relay information necessary for securing those funds;
- G. secure and furnish such detailed information as may be available on federal issues in which the client indicates an interest;
- H. review and comment on proposals of the client, which are being prepared for submission to federal agencies, when requested to do so by the client;
- I. assist the client in drafting legislation and congressional testimony;
- J. identify, develop, and cultivate on-going relationships with key congressional officials and staff members;
- K. assist the congressional delegation in any matter that is in the best interest of the client and in the same manner as any other member of the client's staff might render assistance;

- L. counsel with the client and prepare briefing materials and/or conduct briefings for the client's representatives who are preparing to meet with Members of Congress, testify before congressional committees and administrative agencies, and conduct other client business, or attend national conferences;
- M. review and assist in developing the client's Federal Agenda;
- N. consult the client's elected officials and government affairs team on federal legislative affairs;
- O. alert the client to relevant federal and foundation competitive grant opportunities;
- P. cultivate relationships with federal agencies, garner congressional support, and provide every other level of support needed to improve the client's ability to obtain competitive grants;
- Q. assist with drafting legislation;
- R. arrange appointments (and accommodations when requested) for the client's officials to facilitate the efficient and effective performance of the client's business while in Washington, D.C.;
- S. submit periodic reports providing the latest information on issues of interest to the client; and
- T. provide an annual report giving an overview of TFG's work over the past year and a forecast of issues to be faced in the upcoming year.

2. OBLIGATIONS OF THE CLIENT

The client will:

- A. pay TFG \$6,666 per month one month in advance for professional services, or \$80,000 annually;
- B. reimburse TFG for expenses, not to exceed \$5,000 annually, as described in paragraph 2, subparagraphs F, G and H, payable within thirty (30) days of submission of invoice and acceptance by the client;
- C. advise TFG of the name or names of persons authorized to request service by TFG and the person or persons to be kept advised by TFG;
- D. supply TFG with a summary of all federal issues in which the client has interests and advise TFG of any new developments, together with the pertinent details as to the substance of such developments;
- E. supply TFG with copies of budgets, planning documents, and regular reports of the client's agenda and proceedings, newspapers and other materials to assist TFG in keeping current on

the client's policies and programs;

F. reimburse TFG for: (1) all travel expenses incurred pursuant to paragraph 1, subparagraph B; (2) all travel and incidental expenses for attendance at meetings by TFG outside Washington, D.C. or North Carolina at the request of/approval of the client; (3) all incidental Washington expenses incurred in the course of conducting the client's business;

G. reimburse TFG for all long distance telephone expenses; and

H. reimburse TFG for the costs of document production.

3. THE CLIENT AND TFG CONCUR THAT THE FOLLOWING EXCLUSIONS SHALL APPLY TO THIS AGREEMENT.

TFG will not:

A. represent the client before formal congressional committee hearings or in any judicial or quasi-judicial hearing conducted by boards or examiners of federal agencies or commissions;

B. perform any legal, engineering, accounting or other similar professional services; and

4. EITHER PARTY MAY TERMINATE THIS AGREEMENT AT ANY TIME BY GIVING THE OTHER AT LEAST THIRTY (30) DAYS' NOTICE IN WRITING OF SUCH TERMINATION.

5. TERM OF AGREEMENT:

This agreement is for the period beginning on July 1, 2016 and ending on June 30, 2017. Contractual time may be extended upon written mutual consent of the parties.

IN WITNESS WHEREOF, the parties hereto, or their duly authorized agents or officers, have executed this Agreement effective as of the day and year first above written.

THE FERGUSON GROUP, L.L.C.

CITY OF HIGH POINT, NC



By: _____
W. Roger Gwinn, CEO

By: _____
Bill Bencini, Mayor

Date: July 14, 2016

Date:

CITY OF HIGH POINT

AGENDA ITEM



Title: Ordinance to Demolish – 816 Brentwood Street

From: Michael McNair, Director
Community Development & Housing

Meeting Date: August 1, 2016

Public Hearing: No

Advertising Date:

Advertised By:

Attachments:

- A. Staff report
- B. Ordinance to Demolish
- C. Photos
- D. Maps

PURPOSE:

A request by Community Development and Housing – Local Codes Section to adopt an ordinance ordering the inspector to demolish the dwelling at 816 Brentwood Street.

BACKGROUND:

After a Complaint and Notice of Hearing was issued and a hearing held, an Order to Repair or Demolish was issued on June 16, 2016. No action occurred by the compliance date of July 17, 2016. The necessary repairs to the dwelling exceed its current tax value and the demolition is warranted.

The property is in it's current condition due to a fire that occurred August 27, 2015 - FD# 1508813.

BUDGET IMPACT:

Funds are available in the Department budget for the demolition and asbestos testing of the structure(s), and for the asbestos removal if present.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends the adoption of the requested ordinance to demolish this single family dwelling and the accessory structure based upon the enclosed staff report.

PENDING ACTION:

The ordinance becomes effective 30 days from the date of adoption. If there is no action by the property owner by the effective date of the ordinance, then asbestos testing and the demolition bid process will begin and the structure will be removed by the City. After City demolition, the property owner is billed for the cost. If the bill is unpaid, the City places a lien on the property.

**COMMUNITY DEVELOPMENT AND PLANNING
CODE ENFORCEMENT
HOUSING ENFORCEMENT DIVISION**

**ORDINANCE
REQUEST:**

Ordinance to Demolish

**PROPERTY
ADDRESS:**

816 Brentwood Terrace

OWNER:

Derrick A. Knight

**FIRST
INSPECTION:**
3/11/16

Summary of Major Violations (Fire occurred 8/27/15)

1. Fire damaged roof rafters/sheathing/roof covering
2. Fire damaged electrical system
3. Fire damaged HVAC system
4. Fire damaged plumbing system

**HEARING
RESULTS:**
6/16/16

No one appeared for the Hearing to discuss the violations. During the hearing the following Findings of Facts were established. There is numerous violations of the Minimum Housing Code. There are multiple structural violations in the house that make it unsafe. This request includes the accessory structure located on the property. In its present state, necessary repairs to the dwelling exceed 50% of the value of the structure.

**ORDER(S)
ISSUED:**
6/16/16

Order to Repair or Demolish
Date of Compliance 7/17/16

APPEALS:

No appeals to date.

**OWNER
ACTIONS:**

There have not been any permits issued or repairs completed.

EXTENSIONS:

None Requested





816 Brentwood Terrace

Ordinance to Demolish



Location of subject property

Planning and Development
Department

City of High Point

Date: July 22, 2016



Scale: 1"=200'

y:\ba-pz\inspections\ord-demo.mxd

AN ORDINANCE REQUIRING THE BUILDING INSPECTOR OF THE CITY OF HIGH POINT TO DEMOLISH CERTAIN PROPERTY PURSUANT TO ARTICLE 19 OF THE GENERAL STATUTES OF NORTH CAROLINA; AND, TITLE 9, CHAPTER 11, ARTICLE E, OF THE MINIMUM HOUSING CODE OF THE CITY OF HIGH POINT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT:

SECTION 1: That the City Council of the City of High Point finds as a fact that the following described property has been ordered to be demolished, and it further finds as a fact that the owner has been ordered to demolish said building at his expense and said Owner has failed to comply with said order.

SECTION 2: That the Inspector of the City of High Point is hereby authorized and directed to proceed with the demolition of the following described building in accordance with code of Ordinances: and, Article 19 of Chapter 160A of the General Statutes of North Carolina.

PROPERTY LOCATION

OWNER (S)

816 Brentwood Terrace

Derrick A. Knight
1503 Hughes Ct.
High Point, NC 27263

SECTION 3: That all ordinances or parts of ordinances in conflict with the provisions of this ordinance, are hereby repealed.

SECTION 4: That this ordinance shall become effective from and after its passage as by Law provided.

Adopted by City Council,
This the 1st day of August, 2016

Lisa B. Vierling, City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Municipal Maintenance Agreement (Snow & Ice Removal)

From: Terry Houk – Public Services Director
Robby Stone – Public Services Asst. Director

Meeting Date: August 1, 2016

Public Hearing: N/A

Advertising Date: N/A

Advertised By: N/A

Attachments: Attachment A – Municipal Maintenance Agreement
Attachment B – Snow and Ice Routes within City of High Point Municipal Limits

PURPOSE:

The City of High Point Streets & Stormwater Divisions annually perform snow and ice removal on the City and State Highway System located within the municipal limits. A Municipal Maintenance Agreement was drafted by the NCDOT granting the City permission to perform snow and ice removal along various State Highway System streets, and receive payment for such work.

BACKGROUND:

Public Services had an informal agreement with the NCDOT to perform snow and ice removal in various State Highway System streets located within the municipal limits. A formal agreement was mandated by State Officials. NCDOT and City of High Point Public Services staff has prepared a Municipal Maintenance Agreement to accommodate this work. The Municipal Maintenance Agreement will allow the City to invoice the NCDOT for the actual cost of snow and ice removal along various NCDOT streets within the municipal limits.

BUDGET IMPACT:

The receipt of payment for the work performed will reimburse the Streets Division Snow & Ice Removal budget. The requested amount will vary depending on the type, duration, and number of weather events.

RECOMMENDATION / ACTION REQUESTED:

The Public Services Department recommends approval of the Municipal Maintenance Agreement and that the appropriate City official and/or employee be authorized to execute all necessary documents.



PAT McCrory
Governor

NICHOLAS J. TENNYSON
Secretary

June 20, 2016

Mr. Robby Stone, PE
City of High Point
PO Box 230
High Point, NC 27261

Subject: **Municipal Maintenance Agreement (Snow and Ice Removal)**
WBS: 36050.041, 36053.041
City of High Point
Guilford County

Dear Mr. Stone:

Enclosed are two (2) duplicate originals of the **revised** municipal maintenance agreement for snow and ice removal on state routes within the City limits of High Point.

Please review the agreements and, if satisfactory, have **both** originals executed by City of High Point within sixty days and return to me for execution by the Department of Transportation.

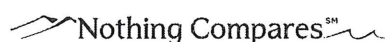
If you have any questions, please contact Brad Wall or Donnie Huffines at (336)487-0000.

Sincerely,


J. M. Mills, PE
DIVISION ENGINEER

JMM/drh
Enclosures

cc: J. B. Wall, PE, w/enc.
file, w/enc.



RECEIVED
JUN 24 2016
Public Service Dept.

NORTH CAROLINA
GUILFORD COUNTY

**MUNICIPAL MAINTENANCE AGREEMENT (SNOW
AND ICE REMOVAL)**

DATE: 6/16/2016

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

AND

WBS Elements: 36050.041
36053.041

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".

WITNESSETH:

WHEREAS, this Agreement is between the Department and the Municipality regarding performance by the Municipality of winter weather maintenance of "Subject Roads and Rights of Way Snow and Ice Routes" in the State Highway System that are located within the Municipality, and payment for such performance; and,

WHEREAS, the Municipality agrees to perform said winter weather maintenance and the Department agrees to pay for such performance, subject to the conditions hereinafter set forth; and,

WHEREAS, the intent of the Department is to supplement its efforts regarding the roads for which it has legal responsibility under GS 160A-297, for the benefit of the Municipality and the Department;

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

1. The Project consists of winter weather maintenance of "Subject Roads and Rights of Way Snow and Ice Routes" in the State Highway System, as further identified below. For purpose of this agreement, winter weather maintenance is defined as follows:

During the threat of, or in case of actual, snow and ice accumulation, the Municipality provides: (A) Plowing - snow pushing with rolling stock; (B) Brine Application - with rolling stock; (C) Salt Application - Salt and or Salt/Sand mixture with rolling stock; (D) Motor Grader - snow pushing with motor grader equipment; and (E) Bridge Application - In the event of bridge only applications a 50 foot ingress and egress on each side of the bridge will be serviced; and including but not limited to other equipment (loader, backhoe, skid steer, etc.) necessary to remove snow and ice.

Deployment of these services will be cooperatively coordinated and communicated between the Department's County Maintenance Engineer and the Municipality. The Municipality will give the same priority to winter weather maintenance of Subject Roads and Rights of Way Snow and Ice Routes that it gives Municipal owned thoroughfare streets.

2. The Municipality, and/or its contractors, provides for the winter weather maintenance of the Subject Roads and Rights of Way Snow and Ice Routes, which for purposes of this Agreement are, initially, those roads and adjacent rights of way that are shown on the attached Exhibit "A".
3. 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 Minority Businesses and Women Businesses as required by GS 136-28.4 and the North Carolina Administrative Code. The Department provided the appropriate provisions to be contained in those contracts. Those provisions are available on the Department's website at:
<http://www.ncdot.org/doh/preconstruct/ps/contracts/sp/2006sp/municipal.html>
 - (A) No advertisement will be made nor any contract entered into for services to be performed as part of this Agreement without prior written approval of the advertisement or contents of the contract by the Department.
 - (B) Failure to comply with these requirements will result in funding being withheld until such time as these requirements are met.
4. To maintain efficient deployment of services, the Municipality's snow and ice routes may include both State Highway System roads and municipally owned roads. Services provided under this Agreement may be quantified by the Municipality by identification of that percentage of service on each snow and ice route that is applicable to this Agreement. Services for only that portion of the snow and ice routes that were performed on State Highway System roads as identified by the listing of Subject Roads and Rights of Way Snow and Ice Routes are shown on the attached Exhibit A.
5. The Department shall reimburse the Municipality for the actual cost of labor, materials, and equipment up to \$185,000 per year unless written authorization is received from the Department. The Municipality may submit a quarterly invoice to the Department's Division Engineer. Reimbursement shall be made upon approval of said invoice by the Department's District Engineer and Financial Management Division.
 - (A) The Department shall reimburse the Municipality within thirty (30) days after receipt for the costs incurred in furnishing personnel, labor, equipment, purchased services and materials for the work performed.
 - (B) The invoice shall summarize all labor, equipment, materials and purchased services necessary to remove snow and ice.



- (C) The Municipality, and or its agent, shall maintain adequate records and documentation to support the work performed under this Agreement and shall permit free access to its records by official representatives of the State of North Carolina. Furthermore, the Municipality, or its agent, shall maintain all pertinent records and documentation for a period of not less than five (5) years following the close of the fiscal year during which the services were performed.
6. Reimbursement shall be calculated by the Municipality and invoiced to the Department as follows:
- (A) Participation shall be a percentage of lane miles of State Roads within the corporate limits as shown on Exhibit "A". The percentage will be calculated from the total lane miles of the City's Snow and Ice Control Plan.
- (B) . Actual cost of purchased services as provided where utilized on Subject Roads and Rights of Way Snow and Ice Routes.
7. 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 a Federal or State Department or Agency.
8. This Agreement shall be for a period of one (1) year from the date of execution of this Agreement. At the end of the year, the results may be reviewed by the Department and the Municipality and extended in writing for one year increments, incorporating any mutually agreed upon cost adjustments. Any extensions will be contingent upon the approval of NCDOT funds by the General Assembly. The Department and/or the Municipality reserve the right to cancel this Agreement with a thirty (30) day written notice to the opposite party.
9. Any modification to this Agreement will be agreed upon in writing by all parties prior to being implemented. A Supplemental Agreement is not needed.
10. The Department shall not be liable and shall be held harmless from any and all claims that might arise on account of the Municipality negligence and/or responsibilities under the terms of this agreement and/or project.
11. By Executive Order 24, issued by Governor Perdue, and N.C. G.S. § 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and

Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation, and the Office of the Governor).

12. This Agreement is solely for the benefit of the Department and the Municipality and is not for the benefit of any other persons or any entities, and no other persons or entities shall have any rights, claims, or entitlements under this Agreement.
13. Pursuant to G.S. 147-86.59, any person identified as engaging in investment activities in Iran, determined by appearing on the Final Divestment List created by the State Treasurer pursuant to G.S. 147-86.58, is ineligible to contract with the State of North Carolina or any political subdivision of the State. The Iran Divestment Act of 2015, G.S. 147-86.55 *et seq.* requires that each vendor, prior to contracting with the State, certify that the contracting party meets the requirements of the Iran Disinvestment Act. The State Treasurer's Final Divestment List can be found on the State Treasurer's website at the address www.nctreasurer.com/Iran and will be updated every 180 days.
 - By execution of this AGREEMENT each Party certifies that neither it nor its Agents or Contactors/Subcontractors 1) are on the Final Divestment List of entities that the State Treasurer has determined engages in investment activities in Iran; 2) shall not utilize on any contract with the State agency any subcontractor that is identified on the Final Divestment List; and 3) that the undersigned are authorized by the Parties to make this Certification.
 - During the term of this AGREEMENT, should the Parties receive information that a person is in violation of the Act as stated above, the Department will offer the person an opportunity to respond and the Department will take action as appropriate and provided for by law, rule, or contract. Should this Act be voided by NC General Statute, this AGREEMENT will remain valid; however this certification will no longer be required.

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

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

ATTEST: CITY OF HIGH POINT

BY: _____ BY: _____

TITLE: _____ TITLE: _____

DATE: _____

Approved by the City of High Point as attested to by the signature of _____

Clerk of the _____ (governing body) on _____ (Date)

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

Federal Tax Identification Number

(SEAL)

Remittance Address:

City of High Point

DEPARTMENT OF TRANSPORTATION

BY: _____

(CHIEF ENGINEER)

DATE: _____

PRESENTED TO BOARD OF TRANSPORTATION ITEM O: _____

Exhibit "A" – Snow and Ice Routes within City of High Point Municipal Limits

SR #	NAME	FROM	TO	MILES
1193	Baker Road	Triangle Lake Rd.	SCL High Point	2.65
1538	Deep River Road	NC 68	Hickwood Rd.	1.32
1523	Deep River Road	Hickwood Rd.	Greensboro Rd.	1.4
1334	Dillon Road	Sherrill Rd.	NCL High Point	0.7
1970	English Road	NC 68	US 311 Bus.	2.5
1300	Fairfield Road	Bus. I-85	US 311 Bus.	1.86
NC 610	Fairfield Road	US 311 Bus.	ECL High Point	1.41
1300	Green Drive	Bus. I-85	US 311 Bus.	4.35
1486	Greensboro Road	Montlieu Ave.	ECL High Point	1.51
1896	Hartley Drive	W. Hartley Drive (West of US 311 Bus.)	Lexington Ave.	2.45
1311	Hickory Chapel Road	Triangle Lake Rd.	EOM	0.56
1113	MLK, Jr. Drive (East)	Main Street	ECL High Point	3.67
1988	MLK, Jr. Drive (West)	English Road	Main Street	0.96
1486	Lexington Ave. (East)	Main Street	Montlieu Ave.	2.2
1768	Lexington Ave. (West)	Davidson Co.	Main Street	1.59
1009	Main Street	US 311	US 29-70	5.9
1009	Main Street	US 29-70	SCL High Point	0.81
1961	Market Center Drive	Surrett Dr.	NC 68	1.86
1962	Market Center Drive	E. Kearns Ave.	Surrett Dr.	0.9
1471	Montlieu Avenue	Main Street	N. Centennial St.	0.65
1471	Montlieu Avenue	University Drive (North)	E. Lexington Ave.	1.26
1003	North Main Street	Main Street	Forsyth Co.	0.77
1980	Old Plank Road	Davidson Co.	US 311 Bus.	0.45
1536	Penny Road	W. Main Street	Wendover Ave.	2.98
1536	Penny Road	Wendover Ave.	Access Drive North of Ossi Ct.	0.47
4187	Piedmont Parkway North	Wendover Ave.	Tarrant Road	1.05
4229	Piedmont Parkway South	Guilford College Road	EOM	0.11
1468	Russell Avenue	W. Green Dr.	University Drive (South)	1.1
1332	Scientific Street	MLK, Jr. Drive (East)	NCL High Point	1.71
1820	Skeet Club Road	N. Main Street	Forsyth Co.	0.1
1820	Skeet Club Road	Forsyth Co.	Wendover Ave.	5.33
1971	Southwest School Road	Barrow Road	Willard Dairy Road	0.83
4053	Surrett Drive	Randolph Co.	Market Center Drive	1.21
1552	Tarrant Road	Wendover Ave.	SCL High Point	0.27

1552	Tarrant Road	SCL High Point	NCL High Point	0.14
1552	Tarrant Road	SCL High Point	NCL High Point	0.6
1321	Triangle Lake Road	Baker Road	NCL High Point	0.58
1193	Triangle Lake Road	Baker Road	US 311	1.07
1278	University Drive (North)	MLK, Jr. Drive (East)	E. Lexington Ave.	1.26
1278	University Drive (South)	Surrett Dr.	MLK, Jr. Drive (East)	2.25
1836	Willard Dairy Road	Barrow Road	ECL High Point	0.42
1836	Willard Dairy Road	WCL High Point	NC 68	0.45

CITY OF HIGH POINT

AGENDA ITEM



Title: Ordinance to Demolish – 414 Hodgins Street

From: Michael McNair, Director
Community Development & Housing

Meeting Date: August 1, 2016

Public Hearing: No

Advertising Date:

Advertised By:

Attachments:

- A. Staff report
- B. Ordinance to Demolish
- C. Photos
- D. Maps

PURPOSE:

A request by Community Development and Housing – Local Codes Section to adopt an ordinance ordering the inspector to demolish the dwelling at 414 Hodgins Street.

BACKGROUND:

After a Complaint and Notice of Hearing was issued and a hearing held, an Order to Repair or Demolish was issued on February 25, 2013. No action occurred by the compliance date of May 21, 2013. The necessary repairs to the dwelling exceed its current tax value and the demolition is warranted.

The property has remained vacant since the expiration date of the Order to Repair or Demolish Notice.

BUDGET IMPACT:

Funds are available in the Department budget for the demolition and asbestos testing of the structure(s), and for the asbestos removal if present.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends the adoption of the requested ordinance to demolish this single family dwelling.

PENDING ACTION:

The ordinance becomes effective 30 days from the date of adoption. If there is no action by the property owner by the effective date of the ordinance, then asbestos testing and the demolition bid process will begin and the structure will be removed by the City. After City demolition, the property owner is billed for the cost. If the bill is unpaid, the City places a lien on the property.

**DEPARTMENT OF PLANNING AND DEVELOPMENT
INSPECTION SERVICES
HOUSING ENFORCEMENT DIVISION**

**ORDINANCE
REQUEST:**

Ordinance to Demolish

**PROPERTY
ADDRESS:**

414 Hodgin Street

OWNER:

Leon McNeill

**FIRST
INSPECTION:**
2/6/2013

Summary of Major Violations

1. Improperly/insufficiently supported floor system sill
2. Roof covering needs repair
3. Rotten floor joist (s)
4. Holes in interior wall(s)
5. Cracked/damaged foundation wall

HEARING
2/21/13

No one appeared for the Hearing to discuss the violations but the owner did call and speak with the inspector on 2/13/13 and met the inspector on site 2/18/13. During the hearing the following Findings of Facts were established. There is numerous violations of the Minimum Housing Code. There are multiple structural violations in the house that make it unsafe. In its present state, necessary repairs to the dwelling exceed 50% of the value of the structure.

**ORDER(S)
ISSUED:**
2/25/13

Order to Repair or Demolish
Date of Compliance 5/21/13

APPEALS:

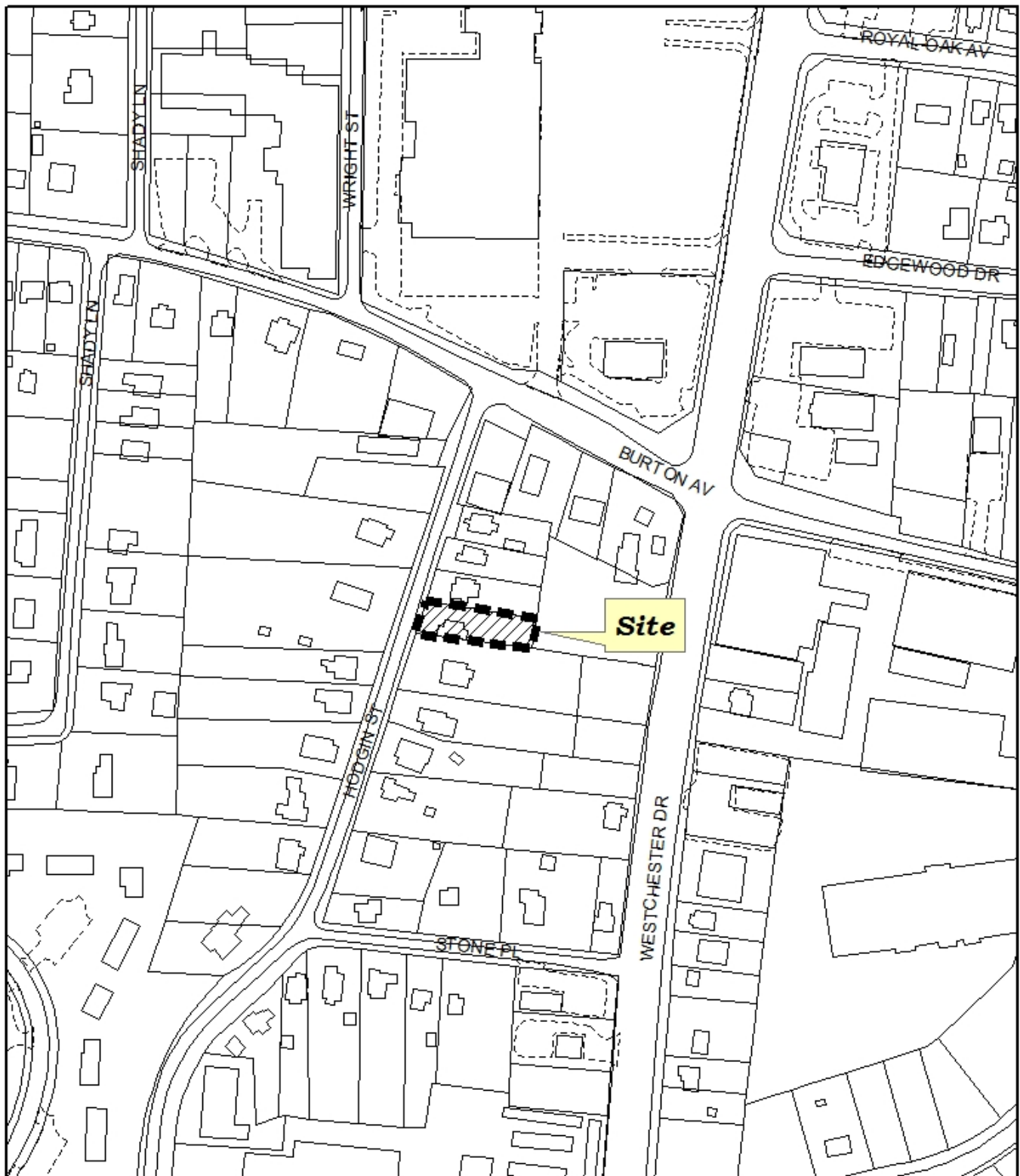
No appeals to date.

**OWNER
ACTIONS:**

There have not been any permits issued or repairs completed.

EXTENSIONS:

None Requested



414 Hodgin Street

Ordinance to Demolish



Location of subject property

**Community Development
& Housing**

**City of High Point
Date: July 22, 2016**



Scale: 1"=200'

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AN ORDINANCE REQUIRING THE BUILDING INSPECTOR OF THE CITY OF HIGH POINT TO DEMOLISH CERTAIN PROPERTY PURSUANT TO ARTICLE 19 OF THE GENERAL STATUTES OF NORTH CAROLINA; AND, TITLE 9, CHAPTER 11, ARTICLE E, OF THE MINIMUM HOUSING CODE OF THE CITY OF HIGH POINT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT:

SECTION 1: That the City Council of the City of High Point finds as a fact that the following described property has been ordered to be demolished, and it further finds as a fact that the owner has been ordered to demolish said building at his expense and said Owner has failed to comply with said order.

SECTION 2: That the Inspector of the City of High Point is hereby authorized and directed to proceed with the demolition of the following described building in accordance with code of Ordinances: and, Article 19 of Chapter 160A of the General Statutes of North Carolina.

PROPERTY LOCATION

OWNER (S)

414 Hodgin Street

Leon McNeill
3791 High Pine Rd.
Asheboro, NC 27205

SECTION 3: That all ordinances or parts of ordinances in conflict with the provisions of this ordinance, are hereby repealed.

SECTION 4: That this ordinance shall become effective from and after its passage as by Law provided.

Adopted by City Council,
This the 1st day of August, 2016

Lisa B. Vierling, City Clerk

**ORDINANCE AMENDING TITLE 5 – PUBLIC SAFETY – CHAPTER 2. FIRE
PREVENTION AND PROTECTION – ARTICLE B. FIRE PREVENTION CODE –
SECTION 5-2-21 ADOPTION OF FIRE PREVENTION CODE OF THE HIGH POINT
CODE OF ORDINANCES**

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of High Point that Title 5, Chapter 2, Article B, Section 5-2-21 be amended as follows:

Sec. 5-2-21 – Adoption of fire prevention code.

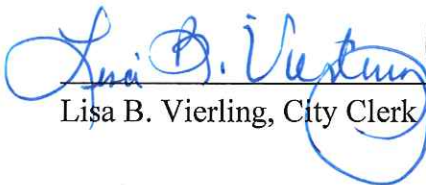
- (a) There is hereby adopted by the city for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion that certain code, known as and entitled the North Carolina State Building Code: Fire Prevention Code, 2012 Edition and including the North Carolina State Building Code: Fire Prevention Code Appendices B, C, D, F, and H. Not less than three (3) copies are on file in the office of the city clerk, and the same are hereby adopted and incorporated as fully as if set out in length herein, and the provisions of the North Carolina State Building Code: Fire Prevention Code, 2012 Edition shall control within the limits of the city.
- (b) Amendments to the to the North Carolina State Building Code: Fire Prevention Code, 2012 Edition, which are adopted and published by the North Carolina State Building Code Council, shall be effective and incorporated herein at the time of the amendments' adoption, including Appendices B, C, D, F, and H.

Adopted this the 1st day of August, 2016.



Mayor William S. Bencini, Jr.

ATTEST:


Lisa B. Vierling, City Clerk

