

City of High Point

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



Minutes

Monday, June 3, 2013

4:45 PM

Council Chambers

City Council

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

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE

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

Present 9 - Mayor Bernita Sims, Mayor Pro Tem Britt Moore, Council Member James Davis, Council Member Foster Douglas, Council Member Jason Ewing, Council Member Jeffrey Golden, Council Member Judy Mendenhall, Council Member Rebecca Smothers, and Council Member Jay Wagner

SPECIAL PRESENTATIONS**PROCLAMATION- NATIONAL HOME OWNERSHIP MONTH**

Mayor Sims read a proclamation into the record declaring the month of June, 2013 as Home Ownership Month in High Point. Steve Key, on behalf of the Housing Coalition, accepted the proclamation and recognized Michelle McNair and Toni Jackson of the High Point Community Development Department. Mayor Sims thanked Mr. Key for all the work that he does as well as the Housing Coalition in helping citizens identify opportunities in the community.

PRESENTATION- HIGH POINT REGIONAL AREA OF REALTORS (HPRAR)

Ryan Wall, President of the HPRAR, provided a report to Council showing positive signs that the housing market is showing signs of improvement (i.e. sales in April indicate sales are 75% ahead of those for the same time in 2012; new foreclosures entering a six-year low; number of days on the market ratio is improving, etc....). He explained that housing is fundamental to a healthy economy because it creates new jobs and capital infusion into a regional economy. He pointed out that housing is a key driver in national, regional, statewide and local economy and that owning a home not only adds to the long-term wealth, but provides a hedge against inflation. With that being said, he then elaborated on some threats they are faced with that could hurt the real estate market with the main threat coming from artificial barriers, the market and self-regulation as well as threats of tax reform issues coming through the NC General Assembly. He mentioned the tax reform issue of non-deductibility of mortgage insurance and property taxes. He expressed empathy with the local governmental leaders of High Point due to the drastic changes coming down through the General Assembly and the decisions that are being made that will negatively affect the community.

Mayor Sims thanked the Board of Realtors for their presence and for what they continue to do to make a positive difference in the community and for preserving housing out in the community while weathering the economic storm. She reiterated that the actions of the General Assembly would eventually affect and impact everyone.

CITY PROJECT/IGNITE High Point

Aaron Clinard with the City Project, Inc. distributed a resolution statement asking for the City Council's general support to the IGNITE High Point Project

and the concept of the Master Plan being developed by Andres Duany and Duany Plater-Zyberk & Company, LLC. He thanked Council for its previous support of the IGNITE High Point campaign and asked for a general resolution of support from Council as they move forward.

He then introduced Richard Wood, the new chairman of the City Project.

Richard Wood distributed an additional resolution that was just adopted by the City Project Board that outlines and identifies some significant steps/priorities that they would like to see the city offer its general support for .

1. Create a civic design group to oversee the urban design of future projects in the core city area that will consist of key city staff and oversight of CPZ or approved sub-consultant.
2. Develop a plan for dieting Main Street as proposed by the DPZ team that incorporates a re-designed parking area and green space at the Library (by necessity, this will include the adjacent road systems).
3. Adopt the Duany recommendations for the redesign of the traffic circle at the Lindsay, Parkway, Elm intersections. (City Manager Strib Boynton pointed out the city has already signed the contract for this project).
4. Retain the services of Freeman-Kennett Architects to do a reconnaissance of the Pit (once the city has determined ownership) to determine what is needed to make it a safe space, and then approve use of the Pit for future events.
5. Purchase (land bank) property opposite GTCC to preserve it for future planned development as suggested by Design Link. Should this not be an option, at least consider alternative ways to create shopping, eating and entertainment on this site (food trucks, sea containers, etc....) to take advantage of the GTCC population (8,000 students).
6. At the appropriate time, review and modify the building and development ordinances as suggested by CPZ so as to open the doors to creative growth in the areas of concentration.

Mr. Wood further explained that this resolution was unanimously adopted by the City Project Board at today's board meeting, which also happened to be their annual meeting and offered these for acceptance by Council as recommendations.

At this time, Council Member Smothers publicly thanked Aaron Clinard for all his efforts, enthusiasm and commitment and also congratulated Richard Wood on his new role and leadership with the City Project. She stated she was pleased with getting a report back from the City Project Board for moving so

quickly with such little turn-around time after the charrette process and felt Council does need to get the final report as they continue to look towards these things that City project has identified and established as priorities.

At this time, Council Member Mendenhall moved that Council go on record offering its general support of the efforts that have taken place and although the final report is not yet complete, she felt it was important for the community to know that Council is supportive of the efforts and participation in this project. Council Member Wagner made a second to the motion.

Council Member Davis expressed concerns about numbers 4 and 5 above and wanted to make sure this would not be legally binding for the city. Council Member Mendenhall pointed out these were merely recommendations and her motion just offered general support. Regarding number 4, City Manager Strib Boynton pointed out that he, along with Wendy Fuscoe, Richard Wood and Aaron Clinard, did ask the architects to come up with some sort of plan regarding the Pit, but a plan has not been brought forward yet. He pointed out he did have some involvement with number 4 (architectural services to do a reconnaissance for the Pit), as well as some of the others, but not number 5 (land banking).

Regarding number 5, Council Member Douglas asked if the city was getting into the land banking business. Council Member Wagner pointed out this is just a recommendation of the City Project and the city will not actually be doing it. For clarity purposes, Mr. Clinard pointed out that these are simply points for priorities the City Project has identified and they are asking for a general resolution of support of these priorities that they have identified.

There being no further discussion, Mayor Sims asked if there were any additional questions or comments. There being none, Council accepted these two documents which are hereby attached in Legistar as a permanent part of these proceedings, as general recommendations to Council moving forward. The motion carried by a 9-0 unanimous vote.

REGULAR MEETING ITEMS

FINANCE ITEMS - Council Member Moore, Chair

Committee Members: Wagner, Davis and Sims

[all were present]

[130158](#)

Resolution - Supporting Tax-Exempt Financing

Council is requested to adopt a Resolution supporting the preservation of affordable financing through tax-exempt financing.

Attachments: [Resolution in Support of Tax-Exempt Financing](#)
[Resolution in Support of Tax-Exempt Financing - signed copy](#)

Resolution No. 1309/13-32
Introduced 6/3/2013; Adopted 6/3/2013
Resolution Book, Volume XVIII, Page 32

Adopted resolution supporting the preservation of affordable financing through tax-exempt financing.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Mendenhall, that this Resolution be adopted. The motion PASSED by a 9-0 unanimous vote.

[130161](#)

NCDOT - Skeet Club Road Easements

Council is requested to convey two existing temporary drainage easements to the North Carolina Department of Transportation (NCDOT) as permanent drainage easements as part of the Skeet Club Road widening project.

Attachments: [NCDOT - Skeet Club Easements](#)

Approved the conveyance of two existing temporary drainage easements to the North Carolina Department of Transportation (NCDOT) as permanent drainage easements as part of the Skeet Club Road widening project.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Wagner, that the conveyance for these two temporary drainage easements to the North Carolina Department of Transportation (NCDOT) be approved as permanent drainage easements as part of the Skeet Club Road widening project. The motion carried by a 9-0 unanimous vote.

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

[130159](#)

Resolution - Affirmative Marketing Policy - Community Development Department

Council is requested to adopt a Resolution adopting an Affirmation Marketing Policy as required by the US Department of Housing and Urban Development.

Attachments: [Resolution Adopting Affirmative Marketing Policy \(revised\).doc.pdf](#)
[Affirmative Marketing Policy Resol - signed](#)

Resolution No. 1310/13-33
Introduced 6/3/2013; Adopted 6/3/2013
Resolution Book Volume XVIII, Page 33

Mike McNair, Director of Community Development & Housing, explained this is a requirement that has come out of the HUD state office and they are requiring all governing bodies of the of the entitlement cities to adopt these policies rather than having an internal policy in the department as has been the process in the past. He noted that the Affirmative Marketing Policy basically says that entities receiving federal funds from High Point, would have to make efforts to

reach out to people who are least likely to apply for housing with a series of steps they would have to follow.

Mayor Sims asked if documentation or a signature is required from the individuals that the city subcontracts or partners with to ensure that they are following the city's policy. Mr. McNair replied that they would have to fill out an attachment that has a plan they have to prepare, sign, and send back to the city and the city makes periodic visits to ensure they're keeping adequate records. Council Member Douglas asked if this would help increase housing for some of the 19% poverty level in High Point and Mr. McNair explained the key is that they have to make folks aware this is available. Council Member Moore inquired about the number of participating jurisdictions there are on a national level. Mr. McNair noted there are two different programs: the HOME Program of which High Point is a participating jurisdiction and under the CDBG Program, High Point is an entitlement city. He explained because High Point wears two hats, there are overlapping regulations. He noted there are over 300 entitlement jurisdictions with approximately 28 in North Carolina with the rural neighbors participating and receiving funds from the NC Housing Finance Agency.

Adopted resolution adopting an Affirmative Marketing Policy as required by the US Department of Housing and Urban Development.

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

[130160](#)

Resolution - Resale/Recapture Policy - HOME Program

Council is requested to adopt a Resolution adopting a resale/recapture policy for home investment partnership (HOME) program homebuyer projects as required by the US Department of Housing and Urban Development.

Attachments: [Resolution Adopting Resale-Recapture Policy - HOME Program](#)
[Resale Recapture Policy Resol - signed](#)

Resolution No. 1311/13-34

Introduced 6/3/2013; Adopted 6/3/2013

Resolution Book, Volume XVIII, Page 34

Mike McNair, Director of Community Development & Housing, explained the HOME Program is tied very strongly to the concept of affordability, so there is a direct correlation between the amount of funding that may go into a particular project or a HOME purchase and the amount of time a period of affordability applies. He further explained that HUD has a table that is applied. He gave an example of a typical downpayment assistance at a 5-year period affordability which means during that five years, the house has to be a primary residence for an income eligible person. The Home Recapture and Resale provisions

guide what happens to the HOME funds if there is a sale and what steps the applicant's are required to take with the applicant signing an agreement upfront. He noted that a home owner could sell his/her property outside the period of affordability, but if the property is sold before that period ends, then the city would recapture "x" amount of dollars based on the HUD formulas. He noted once the loan has been satisfied, then the property owner can sell the property to anyone without consideration of income levels.

Council Member Smothers asked if there was not a provision for forgivable loans. Mr. McNair explained these are known as deferred loans and they would have to prove a need for that money in order to make it affordable to that buyer and the city could actually put it out there as a forgivable loan. Council Member Davis asked about the number of people that have received assistance this year with the HOME Program. Mr. McNair noted it has to do with downpayments and there have probably been three to five so far with three offers recently received for properties that the Council authorized staff to purchase, repair and put up for sale through the Neighborhood Stabilization Program (NSP) a few years ago. Council Member Ewing inquired about how often the income levels are reviewed and asked what happens if a person's income changes who has received assistance. Mr. McNair pointed out HUD issues income levels annually and there is no effect on the income should it change because re-certification is not necessary.

Adopted Resolution adopting a resale/recapture policy for home investment partnership (HOME) program homebuyer projects as required by the U.S. Department of Housing and Urban Development (HUD).

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

MISCELLANEOUS

130162

Change in Meeting Schedule - Cancellation of July 1st Regular City Council Meeting

Council is requested to make a change in the regular City Council meeting schedule to cancel the July 1st 4:45 p.m. Regular City Council Meeting due to the 4th of July holiday week. Regular meetings will resume on Monday, July 15th at 4:45 p.m. and public comments will be received at 5:15 p.m. during that meeting.

Approved a change in the regular City Council meeting schedule canceling the July 1st Regular Meeting due to the 4th of July holiday week.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that the meeting schedule be changed to reflect the cancellation of the July 1st 4:45 p.m. meeting due to the July 4th holiday week. The motion PASSED by a 9-0 unanimous vote.

130165

GENERAL SUPPORT REGARDING THE IGNITE HIGH POINT PROJECT

Attachments: [Resolution Statement submitted by Aaron Clinard.pdf](#)
 [Resolution adopted by City Project Board on June 3, 2013.pdf](#)

Aaron Clinard with the City Project, Inc. distributed a resolution statement asking for the City Council's general support to the IGNITE High Point Project and the concept of the Master Plan being developed by Andres Duany and Duany Plater-Zyberk & Company, LLC. He thanked Council for its previous support of the IGNITE High Point campaign and asked for a general resolution of support from Council as they move forward.

He then introduced Richard Wood, the new chairman of the City Project.

Richard Wood distributed a resolution that was just adopted by the City Project Board that outlines and identifies some significant steps/priorities that they would like to see the city offer its general support for.

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Mr. Wood further explained that this resolution was unanimously adopted by the City Project Board at today's board meeting, which also happened to be their annual meeting and offered these for acceptance by Council as recommendations.

At this time, Council Member Smothers publicly thanked Aaron Clinard for all his efforts, enthusiasm and commitment and also congratulated Richard Wood on his new role and leadership with the City Project. She stated she was pleased with getting a report back from the City Project Board for moving so quickly with such little turn-around time after the charrette process and felt Council does need to get the final report as they continue to look towards these things that City project has identified and established as priorities.

Council Member Mendenhall felt that although the final report is not yet complete, it was important for the community to know that Council is supportive of the efforts and participation in this project. **She then moved that Council go on record offering its general support of the efforts that have taken place regarding the IGNITE High Point project. Council Member Wagner made a second to the motion.**

For further discussion, Council Member Davis expressed concerns about numbers 4 and 5 above and wanted to make sure this would not be legally binding for the city. Council Member Mendenhall pointed out these were merely recommendations and her motion just offered general support. Regarding number 4, City Manager Strib Boynton pointed out that he, along with Wendy Fuscoe, Richard Wood and Aaron Clinard, did ask the architects to come up with some sort of plan regarding the Pit, but a plan has not been brought forward yet. He pointed out he did have some involvement with number 4 (architectural services to do a reconnaissance for the Pit), as well as some of the others, but not number 5 (land banking).

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There being no further discussion, Mayor Sims asked if there were any additional questions or comments. There being none, Council accepted these two documents which are hereby attached in Legistar as a permanent part of these proceedings, as general recommendations to Council moving forward. **The motion carried by a 9-0 unanimous vote.**

Council Member Mendenhall moved that Council go on record offering its general support of the efforts that have taken place regarding the IGNITE High Point project and although the final report is not yet complete, she felt it was important for the community to know that Council is supportive of the efforts and participation in this project. Council Member Wagner made a second to the motion, which carried by a 9-0 unanimous vote.

PUBLIC COMMENT PERIOD - 5:15 P.M.

Stan Joseph, a resident of Jamestown at 2 Crossbow Court, representing Waste Management for the South Atlantic, addressed Council regarding the city's consideration in making an investment in the High Point material recovery facility and asked Council to give Waste Management an opportunity to present a proposal before making the \$3,000,000 investment to the current High Point recycling facility. He informed Council that Waste Management has 135 material recovery facilities throughout the United States and Canada and they have just recently invested \$8.5 million in a brand new, state of the art single stream recycling facility located only ten minutes from the City of High Point. He cautioned the city about investing \$3,000,000 in the current MERF citing a lot of risks involved with it due to it being a volatile market. He pointed out Waste Management actually built the regional recycling facility to absorb regional recyclables from Winston Salem, Greensboro and High Point with it based on providing very low risks if any at all and an ability to share in an upside revenue share when commodity marketing goes up.

Council Member Douglas questioned Mr. Joseph on the specifics of the Winston Salem contract and how it would differ from one with High Point. Mr. Joseph essentially shared that when Waste Management made an \$8,000,000 investment in the recycling facility, they partnered with the City of Winston Salem by offering them a rebate check, as well as afforded them reduced collection enabling them to save at least \$2,000,000 a year in collection costs because Waste Management actually provides collection of their recyclables. He noted the rebate share for the City of Winston Salem is not going to look nearly as good as rebate shares they are able to presently offer now because they now have a variable cost for operations versus previously having a fixed cost based on capitalizing their MERF.

Council Member Smothers noted given the conversation that has taken place during the budget hearings and the obvious questions that have been raised about what options might exist, she felt there certainly is the opportunity to hear the Waste Management proposal or any other proposal that might be out there. Council Member Douglas suggested it might also prove to be beneficial if they came and did a presentation for Council. City Manager Strib Boynton pointed out if Council would like to go through a competitive process for an RFP for these services, which is legally required, then it would involve presentations by Waste Management and any others with an interest.

Mayor Sims asked if there were any additional questions/comments for Mr. Joseph. There being none, she asked if there was anyone else present who would like to speak during the Public Comment Period.

Glenn Chavis, 137 Orville Drive, thanked the members of Council who were present for the recent unveiling of the Memorial Plaque that took place on Memorial Day and that he had heard nothing but positive feedback regarding

the service. He then directed his comments to Council Member Jeff Golden, who is his ward representative. He expressed disappointment in him for not attending any of the budget meetings and stressed the importance of his presence at these meetings because his absence does not afford him the opportunity to sit at the table to influence decisions that directly impact his wallet, his family's overall well-being, or their quality of life. He suggested Council Member Golden resign if he is not able to do his job.

Courtney Michelle Holder, 113 Oakwood Street, Apartment E, addressed Council regarding the following issues:

1. Sexual harassment against women in High Point.
2. Discrimination based on a gender related birth defect.

Ms. Holder explained that she has always identified as a female and she is constantly being approached on the streets as well as in businesses by mostly minority members who are targeting her, mis-gendering her, and accusing her of being a man. She shared that these incidents are unwanted, frequent, non-stop, and many times she is scared for her life. Following her comments, she thanked Council for listening.

PUBLIC HEARINGS - 5:30 P.M.

FINANCE ITEMS - Council Member Moore, Chair

[130164](#)

Public Hearing - Proposed City of High Point FY 2013-2014 Annual Budget

Monday, June 3, 2013 at 5:30 p.m. and Thursday, June 6, 2013 at 9:00 a.m. to receive public comments on the proposed City of High Point FY 2013-2014 Annual Budget.

Chairman Moore noted this was the date and time advertised for the first public hearing on the Proposed 2013-2014 Budget and opened the floor to anyone desiring to speak.

Cynthia Davis, 413 Evergreen Avenue, offered the following comments.

1. Concerned about the unemployment ratio in High Point compared to the poverty rate;
2. Concerned about the water/sewer/electric rate increases;
3. Concerned about the cell phone line item in the budget for 6% of the city employees (not needed);
4. Concerned about the \$45,000 a year the city pays for maintaining WiFi;
5. Concerned about the miscellaneous accounts for departments (excessively high and felt accountability is crucial);
6. Concerned about Outside Agency funding regarding non-profits and felt non-profits are set up to complement a city, not to be dependent on a city and

felt these funds and resources should be limited. She felt the city should use this money to fund things such as the City Project and IGNITE High Point;

7. Council should look at capital projects and capital investments more closely instead of coming back and amending the budget at a later date;
8. Council should not include any potential loss in revenues in the budget (i.e. hold harmless funds, county shared sales tax revenues, etc....) so if any of these revenues are received, it could be treated like a "bonus";
9. She implored Council to be conscientious of the fact that there are still people out there on fixed incomes, unemployed and some people still working from paycheck to paycheck;
10. She asked Council to consider delaying adoption of the budget until June 24th.

Chairman Moore noted many different cities are all facing these similar things and noted the bottom line is they all are struggling, but yet they are charged with putting together a balanced budget for adoption--a budget that appeals and best suits the "whole" in an economy that is not growing. He pointed out this impacts the quality of living, impacts the staff's ability to maintain services and infrastructure, and over time Council has come to expect and appreciate the results of the citizen surveys. Regarding the surveys, Ms. Davis reiterated the surveys only went out to 1% of the residents with only .3 tenths of a percent responding. She noted that the citizens are having to reduce their budgets and tighten their spending and she expects the city to do the same.

Regarding the rate increases, Council Member Davis explained that the electric rate increase is due to a wholesale rate increase passed down by ElectricCities and there are two options facing Council regarding the 4.9% electric rate increase: to either absorb the wholesale rate increase, or pass it on to the residents. Council Member Smothers pointed out there is \$100,000 in the budget to assist people that cannot pay their utility bills. Council Member Davis also pointed out when the budget increases in such large amounts such as the \$15,000,000 this year that the Council is faced with three choices: to cut services, raise taxes, or raise revenues and since Council has directed the city manager to avoid a tax increase, this leaves cutting services or raising revenues. Ms. Davis suggested the city could generate additional revenues by adding much needed staff in Planning & Development to improve the building permit approval process which has been inhibited due to the backlog.

Chairman Moore asked if there were any additional comments. There being none, he noted the second public hearing on the proposed budget is scheduled for Thursday, June 6th @ 9:00 a.m.

acknowledge public hearing held

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

[130163](#)**Adoption of the Following Minutes**

Finance Committee meeting held Monday, May 20th @ 3:30 p.m.

Regular City Council Meeting held Monday, May 20th @ 4:45/5:30 p.m.

Comprehensive Planning Committee meeting held Tuesday, May 21st @ 4:00 p.m.

Attachments: [May 20 2013 Finance Committee.pdf](#)

[May 20 2013 High Point City Council.pdf](#)

[May 21 2013 Comprehensive Planning Committee.pdf](#)

Approved the preceding minutes as submitted.

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

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT[120229](#)**Boards and Commissions - Vacancies**

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

Attachments: [term expirations spreadsheet \(June 17 2013 agenda\).pdf](#)

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

ADJOURNMENT

At 6:15 p.m., this meeting was adjourned to Thursday, June 6, 2013 at 9:00 a.m. upon motion duly made and seconded.

Respectfully Submitted,

Bernita Sims, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk