

City of High Point

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



Minutes

Monday, November 5, 2012

4:45 PM

Council Chambers

Committee of the Whole

*Rebecca R. Smothers, Mayor
M. Christopher Whitley, Mayor Pro Tem
Latimer B. Alexander, IV, James Corey,
Foster Douglas, A.B. Henley, III,
Britt W. Moore, Michael D. Pugh,
Bernita Sims, M. Christopher Whitley*

ROLL CALL, PRAYER, PLEDGE OF ALLEGIANCE

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

- Present** 8 - Mayor Rebecca Smothers, Council Member Latimer Alexander, Council Member Britt Moore, Council Member Bernita Sims, Council Member Foster Douglas, Council Member Michael Pugh, Mayor Pro Tem Christopher Whitley, and Council Member James Corey
- Absent** 1 - Council Member A.B. Henley

PRESENTATION OF ITEMS**FINANCE COMMITTEE - Chaired by Council Member Alexander.
Committee Members Whitley, Smothers, Corey**[120275](#)**Contract - Bid No. 8 - Concrete Foundations - Johnson Street Transmission Project**

Council is requested to approve a contract awarding Bid No. 8 for the purchase of concrete foundations for the Johnson Street 100 kV Transmission project. Purchasing and the Electric Department recommends that contract be awarded to Graves Construction Services in the amount of \$506,068.00 which is the lowest responsive and responsible bidder meeting specifications.

Attachments: [Concrete Foundation Bid for Johnson Street.pdf](#)

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting. The Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Approved contract with Graves Construction Services in the amount of \$506,068.00 which is the lowest responsive and responsible bidder meeting specifications.

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

[120276](#)**Amendment to Lease Agreement - North Carolina Municipal Power Agency**

Council is requested to approve an amendment to a lease agreement with the North Carolina Municipal Power Agency 1 (NCMPA1) for an unused portion of property located at the Eastside Waste Water Treatment Plant.

Attachments: [NCMPA1 Land Lease Amendment.pdf](#)
[Lease Agmt - Power Agency 1 - signed.pdf](#)

This matter was discussed during a Finance Committee meeting held at 4:00

p.m. prior to this meeting. The Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Approved an amendment to a lease agreement with the North Carolina Municipal Power Agency 1 for an unused portion of property located at the Eastside Waste Water Treatment Plant.

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

[120277](#)

Extension of Contract - Vecellio and Grogan (Sharpe Brothers) - Hartley Drive Extension Contract

Council is requested to approve an extension to the Vecellio and Grogan (Sharpe Brothers) contract in the amount of \$5,183,403.60 to allow for the construction of the proposed Lindsay Street improvements.

Attachments: [Sharpe Brothers Contract Extension - Hartley Drive.pdf](#)

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting. The Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Approved an extension to the Vecellio and Grogan (Sharpe Brothers) contract in the amount of \$5,183,403.60 to allow for the construction of the proposed Lindsay Street improvements.

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

[120282](#)

Appraisal of Property - Shadybrook Road

At the September 17, 2012 City Council Meeting, Council directed staff to proceed with an appraisal of the property located at 301-305 Shadybrook Road. Attached is the appraisal for Council review.

Attachments: [Shadybrook Property Appraisal.pdf](#)

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting. The committee recommended this matter be moved forward to the full Council with a favorable recommendation to offer the Guilford County School Board \$255,000 (the appraised, current value of the property) with a favorable recommendation.

Council Member Douglas objected to the city's pursuit of this property. Council Member Pugh agreed and felt the city should realize a little more cost savings on the property. Mayor Smothers pointed out the bond monies have already been approved while her biggest concern is no money for development of the property.

Approved staff to send the appraisal as well as an offer to the Guilford County School Board for \$255,000 for the Shadybrook property.

A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley, for staff to send the appraisal as well as an offer to the Guilford County School Board for \$255,000 for the Shadybrook property. The motion carried by the following 6-2 vote:

Aye: 6 - Mayor Smothers, Council Member Alexander, Council Member Moore, Council Member Sims, Mayor Pro Tem Whitley, and Council Member Corey

Nay: 2 - Council Member Douglas, and Council Member Pugh

Absent: 1 - Council Member Henley

**PUBLIC SAFETY & COMMUNITY DEVELOPMENT COMMITTEE - Chaired
by Council Member Sims
Committee Members Alexander, Douglas, Corey**

**PLANNING, ECONOMIC DEVELOPMENT & INFORMATION TECHNOLOGY
COMMITTEE - Chaired by Mayor Pro Tem Whitley
Committee Members Sims, Henley, Moore**

[120278](#)

Resolution of Intent - Annexation Case ANX12-05

Approval of a Resolution of Intent that establishes a public hearing date of Monday, November 19, 2012 at 5:30 p.m. to consider a voluntary non-contiguous annexation of approximately 431 acres. The area to be annexed contains multiple parcels and lies south of I-40; west of Sandy Ridge Road; east of Bunker Hill Road and north of Boylston Road.

Attachments: [ROI ANX 12-05.pdf](#)

**Resolution No. 1264/12-65
Introduced 11/5/2012; Adopted 11/5/2012
Resolution Book, Volume XVII, Page 114**

The Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation for adoption.

Adopted Resolution of Intent establishing a public hearing date of Monday, November 19, 2012 at 5:30 p.m. to consider a voluntary non-contiguous annexation of approximately 431 acres.

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

[120279](#)

Resolution Establishing a Voluntary Annexation Petition Policy

Approval of a Resolution establishing a policy governing the acceptance of voluntary

annexation petitions in accordance with the State law.

Attachments: [Memo Voluntary Annexation Policy.pdf](#)
[Voluntary Annexation - Signed Resolution.pdf](#)

Resolution No. 1265/12-66
Introduced 11/5/2012; Adopted 11/5/2012
Resolution Book, Volume XVII, Page 115

Lee Burnette, Director of Planning and Development, referred Council to the information contained in the packets on this matter: one, is a memo outlining the policy; the second is a copy of the state bill that was adopted this past session that basically precludes a city that's not primarily located in Davidson County from annexing into Davidson County without approval by the Davidson County Board of Commissioners (voluntary or involuntary); the third attachment is a proposed resolution that will establish an annexation petition policy for voluntary annexations. Mr. Burnette pointed out the bill that was adopted does not establish any procedure for an applicant to submit a petition for voluntary annexation, so it does not establish whether or not that individual should start with Davidson County or with the City of High Point. He explained that if the process starts with the City of High Point, the city would incur costs associated with preparing an annexation map, a Transportation Impact Analysis, etc....., so it would probably be more cost effective and judicious for the process to start with Davidson County in terms of their approval prior to any consideration by the City Council. The third attachment establishes the policy and contains two sections: the first section basically establishes a policy and puts into writing practices that have been in place for a number of years that basically establishes if a petition is submitted, the applicant should also submit a zoning application which needs to be processed concurrently. The second section of the policy basically states that the Davidson County Commissioner approval is required by state law prior to the city's approval of a voluntary annexation that the Planning Department cannot accept, nor can the city clerk certify a petition unless it is attached with a resolution from the Davidson County Board of Commissioners.

Mayor Smothers asked if staff received any feedback from Davidson County; staff replied they did not. Council Member Alexander informed Council that the League is actively planning on being involved in this. The Mayor noted that the local Board of Realtors as well as their state organizations is also very concerned about the implications.

There being no further discussion, the Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Adopted resolution establishing a policy governing the acceptance of voluntary annexation petitions in accordance with the State law.

A motion was made by Mayor Pro Tem Whitley, seconded by Council Member Sims, that

this Resolution be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Henley was absent]

PUBLIC COMMENT PERIOD - 5:15 P.M.

Mayor Smothers opened the Public Comment Period and asked if there was anyone present who would like to address Council. There being none, the Public Comment Period was declared closed.

PUBLIC HEARINGS ON ITEMS - 5:30 P.M.

There were no public hearing matters on tonight's agenda.

ANY OTHER NEW BUSINESS

120283 Reappointment- High Point ABC Board

Consideration of reappointment of James Tanner to the High Point Board of Alcoholic Control (ABC Board). Reappointment effective November 15, 2012 and will expire on November 15, 2015.

Since this matter did not originally appear on the agenda, Council Member Alexander moved to suspend the rules to add it to the agenda for consideration. Council Member Sims made a second to the motion which carried unanimously.

Approved the reappointment of James Tanner to the High Point ABC Board effective November 15, 2012 and will expire November 15, 2015.

A motion was made by Council Member Alexander, seconded by Council Member Sims, that this reappointment be made. The motion PASSED by an 8-0 unanimous vote. [Council Member Henley was absent]

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

120280

Approval of the following Minutes:

Finance Committee meeting held Monday, October 15th @ 4:00 p.m.

Combined Meeting held Monday, October 15th @ 4:45/5:30 p.m.\

Special Meeting held October 29th @ 9:00 a.m.

Attachments: [October 15 2012 Finance Committee](#)

[October 15, 2012 High Point City Council](#)

[October 29 2012 special meeting](#)

Approved the minutes of the preceding minutes.

A motion was made by Council Member Alexander, seconded by Council Member Sims, that the preceding minutes be approved as submitted. The motion PASSED by an 8-0 unanimous vote. [Council Member Henley was absent]

[120281](#)

City Council Closed Session Minutes

Council is requested to unseal and approve closed session minutes.

Attachments: [closed session minutes to be approved eff. november 5 2012](#)

Unsealed and approved the following closed session minutes.

2010

September 20, 2010 (economic development)
October 4 2010 (economic development)
October 18, 2010 (economic development)
November 15, 2010 (economic development)

2011

April 4, 2011 (economic development)
August 4, 2011 (economic development and personnel)
December 5, 2011 (economic development)

2012

February 6, 2012 (economic development)
February 9, 2012 (economic development)
March 5, 2012 (economic development)
April 2, 2012 (economic development)
May 7, 2012 (economic development)
July 16, 2012 (economic development)
October 15, 2012 (economic development)

A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley, that the following Closed Session minutes be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Henley was absent]

2010

September 20, 2010
October 4, 2010
October 18, 2010
November 15, 2010

2011

April 4, 2011
August 4, 2011
December 5, 2011

2012

February 6, 2012
February 9, 2012

March 5, 2012
April 2, 2012
May 7, 2012
July 16, 2012
October 15, 2012

BOARDS AND COMMISSIONS VACANCY REPORT

[120229](#)

Boards and Commissions - Vacancies

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

Attachments: [term expirations 2012 December 3 2012 packet \(2\).pdf](#)

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

For Information Only:

Mayor Smothers shared that the city manager received a public announcement today that High Point was one of 20 cities that have been chosen to compete in a program called the Mayor's Challenge, sponsored by the Bloomberg Philanthropy. She invited Major Larry Casterline to the podium to share some of the details.

Major Casterline confirmed the report that High Point is one of 20 finalists for the Bloomberg Philanthropies Mayor's Challenge and noted there would be a small group from the city going to New York City on November 11th, 12th and 13th to attend a "boot camp" for grant writing. Those going on the trip will be City Manager Strib Boynton, Chief Marty Sumner, Major Larry Casterline, and Vee Nance, the Police Department's financial specialist. The final grant will be submitted in January with an announcement in early spring of 2013 identifying five finalists. Of those five finalists, one will receive a \$5,000,000 stipend and the other four will receive a \$1,000,000 stipend. Major Casterline explained should the city be named a finalist, the funds would go towards the offender focused domestic violence initiative. He pointed out this particular strategy has never been done anywhere before in the country and the money would be used to put a real defined structure on the process that is being used.

Mayor Smothers felt there was a real need to have in-depth support and encouragement of the High Point Communities Against Violence (HPCAV), who is so much an integral part of this effort and hoped this would be something that would get some attention. Major Casterline agreed that HPCAV does play a critical role in this and they provide the communities' moral voice that is used when talking to selected offenders. The Mayor noted the preliminary data that Chief Sumner shared recently during a Public Safety Committee Meeting was very encouraging.

Mayor Smothers congratulated the Police Department for being recognized for this honor and wished them well in obtaining the funding.

Presentation by the Red Cross

Mayor Smothers recognized Bud Frediani, a Red Cross volunteer to address Council.

Mr. Frediani thanked Council for the opportunity to provide an overview of the information on the "Salute to Heroes" event that the Red Cross has sponsored for the last three years. He distributed packets to each Council Member containing their mission statement, as well as goals and objectives. The "Salute to Heroes" program started three years ago in the Greensboro community, and has since been expanded to Guilford County in an effort to engage the City of High Point as well as outlying communities within Guilford County. Mr. Frediani explained this program is a way for the Red Cross to honor people that they work with every day (first responders such as EMS, police and fire, as well as the military and military families, even ordinary citizens who do extraordinary things while making a difference and saving lives, etc....). He noted the second objective or purpose for the program is to make the community aware of what the Red Cross does on a day-to-day basis throughout the community, while raising money for the American Red Cross. Mr. Frediani proceeded to briefly describe the nomination process that started on October 1st and runs through the end of November and encouraged the community to submit nominations for anyone that comes to mind that has done a humanitarian or heroic act.

This year, the event will be held on Friday, March 8th at High Point University with Nido Qubein being the keynote speaker. Mayor Smothers thanked Mr. Frediani for coming to share this information and mentioned that the Red Cross has actively started an awareness campaign with notifications on TV, etc....

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 5:16 p.m. upon motion duly made and seconded.

Respectfully Submitted,

Rebecca R. Smothers, Mayor

Attest:

Lisa B. Vierling, MMC
High Point City Clerk