

City of High Point

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



Minutes

Monday, April 1, 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 8 - 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, and Council Member Jay Wagner

Absent 1 - Council Member Rebecca Smothers

Special Acknowledgements/Presentations**RECOGNITION- VITA PROGRAM VOLUNTEERS**

Michelle McNair announced that the IRS representatives could not attend the meeting due to travel constraints. Alycia Doulin with Community Development & Housing read a letter addressed to the City from the IRS. Mayor Sims and Jerry Mingo presented certificates to the following partners and individuals who were recognized for their participation in the 2013 VITA Program.

VITA PARTNERS: Macedonia Family Resource Center; West End Ministries; United Way of Greater High Point; Guilford Technical Community College; High Point University; and the High Point Housing Authority

VITA VOLUNTEERS (present): Charisse Jones; Kirston Fitzgerald; Passy Kabizo; Ross McElwee; Nathan Asamoah; Fourera Boubacar; Caroline Bissett; Sara Boswell; Patricia Bradford; Christopher Hiers; Steven Laub; Alex Littleton; Anthony Satterfield; Cody Savoie; Andrew Scott; John Stevenson; Jonathan Zangrilli

VITA VOLUNTEERS (not present): Shimandra Elliott; Brooke Lisson; Sidra Hussain; Connecia Brown; Kelly Fennimore; and Harsh Parikh

Following the presentation of the certificates, Mayor Sims thanked them for their service and contribution to the community.

PROCLAMATION- COMMUNITY DEVELOPMENT WEEK

Council Member Ewing read the Proclamation proclaiming the week of March 31st to April 6th as National Community Development Week and called upon all citizens of High Point to participate in ceremonies celebrating the Community Development Block Grant Program.

Following the reading of the Proclamation, Jerry Mingo shared some of the activities being planned in recognition of National Community Development Week and issued an invitation for everyone to attend.

PROCLAMATION- FAIR HOUSING MONTH

Council Member Golden read the Proclamation proclaiming the month of April, 2013 as Fair Housing Month. Michelle McNair of Community Development & Housing was present to accept the Proclamation on behalf of Alvena Heggins, Director of Human Relations.

Mayor Sims explained that Fair Housing is a critical part of what we do in making sure we are inclusive in the community.

FINANCE ITEMS - Mayor Pro Tem Moore, Chair
Committee Members: Wagner, Davis and Sims
(all were present)[130094](#)**Contract - Bid No. 29 - Water Meter Vaults**

Award of contract for Bid No. 29 for the purchase of water meter vaults. Purchasing and Public Services recommends that contract be awarded to Breece Enterprises in the amount of \$785,115.00 which is the lowest responsible, responsive bidder meeting specifications.

Attachments: [Contract - Bid No. 29 - Water Meter Vaults](#)

Chris Thompson, Director of Public Services, explained this is actually a contract to update and upgrade some meters and water meter vaults and they are basically looking at replacing any valves or pipe fittings, repairing the vaults and adding bypass meters where necessary. There are 83 pre-determined locations contained in the contract which mainly includes commercial meters. Council Member Ewing asked about the percentage of the meters being replaced as well as the number of the old meters that will have to be replaced in the near future. Mr. Thompson replied that he does not have this information available, but could get it to him. He explained that since the City has not had this program in place for the past decade, it is well overdue. Council Member Davis asked if this would be an annual, on-going thing and Mr. Thompson replied until they all get caught up and then the plan is to have a more frequent review of them and basically go out and calibrate the ones that the City has. It was noted the life of these types of meters are generally 15-20 years.

Awarded contract to Breece Enterprises in the amount of \$785,115.00 which is the lowest responsible, responsive bidder meeting specifications.

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

[130095](#)**Sole Source Authorization - Meter Reading Wands**

City Council is requested to approve an exception to the bid laws under the “sole source qualification” for the purchase of VersaProbe equipment for the Customer Services Department from Northrop Grumman Utility Systems; and approve the acquisition of the equipment in the amount of \$35,814.00.

Attachments: [Sole Source Authorization - Meter Reading Wands](#)

Bob Martin, Director of Customer Service, explained the current ones being used are 7-8 years old and starting to fail regularly. He noted the VersaProbe is unique in the sense that it is one wand that will read three different meters the city is currently using. Council Member Douglas inquired about how long the wands typically last. Mr. Martin explained typically they last about a year and in the past they were under a service warranty, but because of the age of the equipment, Grumman is refusing to extend that warranty and the city has had to start incurring that additional cost. He noted the warranty on the new wands is one year, but service warranties can be purchased with the wands as the city has been doing the past six or seven years. Both Council Members Ewing and Douglas asked if the city has looked into the possibility of leasing these wands and Mr. Martin replied that he has not looked into it. City Manager Strib Boynton explained the new wands are needed and would allow staff to continue reading meters accurately and because the city is using different types of meters in the field, this particular model allows them to read the meters with one device rather than three.

Approved an exception to the bid laws under the "sole source qualification" for the purchase of VersaProbe equipment from Northrop Grumman Utility Systems and approved the acquisition of the equipment in the amount of \$35,814.00.

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

[130096](#)

Agreements - On-Call Professional Engineering Services

Council is requested to authorize master agreements for on-call professional engineering services from a pre-qualified list of firms based on qualification based selection by the Public Services Department.

Attachments: [2013-03-25 Council Request - On-Call Public Services General Service Engi](#)

Chris Thompson, Director of Public Services, explained normally when the city needs professional services, a request for proposal or a request for qualifications for the various projects is done, but in an effort to move some of these projects along more quickly, staff is recommending approval of a general on-call service for multiple services such as water and sewer line design, stormwater, streets, landfill type work, wastewater and water plan work, etc.... He noted there is no money involved at this point, and they would have contractors or consultants that specialize in these areas on an on-call list to

use when the needs arise. Mayor Sims asked if it would preclude anyone not on the list from bidding on the project. Mr. Thompson explained that professional services are not put out to bid and if it is a special project, separate proposals could also be accepted for an independent project. He noted 20 of the 42 proposals that were reviewed are being recommended for the on call list. Mayor Sims asked what kept the other 22 from being put on the list. Mr. Thompson replied nothing specific, but the determination was made from staff's experience or inexperience with those that submitted proposals. He pointed out the list is good for up to five years with an initial on-call period of two years with three one-year additions, but being on the list does not preclude or exclude or guarantee work for anybody that is on the list.

Authorized master agreements for on-call professional engineering services from a pre-qualified list of firms based on qualification and selection by the Public Services Department.

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

[130097](#)

Auditing Contract - McGladrey & Pullen CPA

Council is requested to authorize the Mayor to execute a contract with McGladrey & Pullen CPA's for the fiscal year audit for the period of June 30, 2013 in the amount of \$66,000.

Attachments: [Audit Contract - McGladrey Pullen CPA](#)

Jeff Moore, Director of Financial Services, explained this is the third of four years in the agreement for audit services for McGladrey & Pullen as previously approved by the City Council. He noted this is a \$2,000 increase (3.1%) over the amount last year and staff has been very pleased with this auditing firm. Council Member Douglas questioned a statement found on page 2 of the audit contract that "an audit is not designed to detect errors or fraud that are immaterial to the financial statements." Mr. Moore explained this statement means the auditors do not guarantee they will find or detect every possible type of transaction where mistakes are made whether intentional or unintentional. He further explained this is what the system of internal controls is designed for and it is incumbent on staff and the city's accounting systems to make sure staff is doing the type of reviews necessary to assure that things do not fall through the cracks. City Manager Strib Boynton added that the auditors will come in and do spot checks of various things on a routine basis where there might be a potential for risk. He encouraged any Council Member to please let him know of any suspected improprieties so this information can be passed along to the auditors.

Authorized the Mayor to execute a contract with McGladrey & Pullen CPA's for the fiscal year audit for the period of June 30, 2013 in the amount of \$66,000.

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

130098**Resolution - Parks and Recreation Trust Fund (PARTF)**

Council is requested to adopt a resolution to maintain and support the current integrity and funding for the Parks and Recreation Trust Fund (PARTF).

Attachments: [Resolution - Support of PARTF Funding](#)
 [Adopted Resolution PARTF Funding Support](#)

Resolution No. 1295/13-18
Introduced 4/1/2013; Adopted 4/1/2018
Resolution Book, Volume XVIII, Page 18

Allen Oliver, Director of Parks & Recreation, explained the Parks & Recreation Trust Fund was established in 1994 to provide matching funds for local parks and High Point has received two of these grants for the Washington Terrace building and the Allen Jay Rec Center. He reported that the Governor has cut the Trust Fund in the current budget year by 44% and next year, he is proposing to eliminate the funding source for the grant which is a transfer of the deed tax for when property is sold, a portion of it goes into this trust fund which will basically do away with the program.

Adopted Resolution to maintain and support the current integrity and funding for the Parks and Recreation Trust Fund (PARTF).

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

130100**Amended Resolution -HPHA - Conveyance of Property**

Council is requested to amend the Resolution adopted at the December 17, 2012 meeting approving the conveyance of real property to a nonprofit corporation (The High Point Housing Authority).

Attachments: [Amended Resolution - HPHA - Conveyance of Property](#)
 [Adopted Amended Resolution - Conveyance of Property HPHA](#)

Resolution No. 1296/13-19
Introduced 4/1/2013; Adopted 4/1/2013
Resolution Book, Volume XVIII, Page 19

City Attorney JoAnne Carlyle informed Council that the resolution adopted previously by Council led to the language that was in the deed which labeled the transfer for purposes of owner-occupied housing and this would be problematic for the Housing Authority due to them renting these properties.

Council Member Mendenhall questioned this and thought the city supports owner-occupied housing. She asked if the Housing Authority plans to retain ownership and rent the units. Mike McNair, Director of Community Development & Housing explained this property is on Grimes Avenue and the Housing Authority actually conveyed this property to the city to use for the Grimes Avenue extension and the city agreed to return the unused portion (which is only a sliver of land). He explained this associated with the Park Terrace site, so their intent is to do multi-family housing. Ms. Carlyle noted in the future the language in the deeds would be very generic in regards to their use of property and as always it will also include the language in the deed that says if they cease using it for that purpose, then it will revert back to the city. Mayor Sims questioned how the city could just take property when the property has been exchanged for other property without some money being involved. Ms. Carlyle explained that it would be a breach of the contract and the terminology within the deed is how they are accepting title, so the title does have limitations and restrictions placed on it. Pat Pate, Assistant City Manager, pointed out this is just a right-of-way frontage, not where any real property is being built upon and if the Housing Authority changed it back, the city would only get some of this right-of-way back along the road and Ms. Carlyle pointed out the language would apply to other deeds as well.

Adopted amendment to the Resolution adopted at the December 17, 2012 meeting approving the conveyance of real property to a nonprofit corporation (The High Point Housing Authority).

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

PUBLIC COMMENT PERIOD - 5:15 P.M.

Glenn Chavis, 137 Orville Drive, addressed Council during the Public Comment Period regarding the following issues: 1) Damages to Cedrow Drive due to Ralph Lauren construction; 2) truck parking on streets; 3) sign ordinance; 4) noise ordinance; and 5) parking in the front yards.

Mr. Chavis felt the city does very little in terms of enforcing these ordinances and noted that that he has been living in his neighborhood for the past 37 years and these are the types of things that will drag a neighborhood down. He shared that the general public is ignorant of the ordinances and suggested the High Point Enterprise periodically feature an ordinance to raise awareness and make people aware of the ordinances that are on the books. Council Member Mendenhall agreed with Mr. Chavis regarding the signs and noted it was not setting a good example for the rest of the city when candidates running for office also put their signs in the right-of-ways at intersections.

Mayor Sims asked if there was anyone else present who would like to address

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

PUBLIC HEARINGS - 5:30 P.M.

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

[130099](#)

Public Hearing (Second Reading) - HUD Section 108 Loan Application

Monday, April 1, 2013 at 5:30 p.m. is the date and time established to receive public comments on an amendment to the City of High Point's HUD Section 108 loan application to reflect changes in its intended use. Following the public comment period, Council is requested to authorize submission of the necessary documents to seek HUD approval to amend the Section 108 Loan Commitment and authorize the City Manager to execute necessary documents to amend the loan commitment and to issue a loan commitment to qualified applicant.

Attachments: [2nd Public Hearing to amend section 108 authorization](#)

Chairman Douglas asked staff to brief Council on the HUD Section 108 Loan Application.

Mike McNair, Director of Community Development & Housing, noted this is the second public hearing necessary to accomplish the amendment of the Section 108 loan commitment. [the first public hearing was held on February 18, 2013. He explained the city received the award of the HUD Section 108 loan commitment in May of 2010 with the purpose of a small business loan pool. Since that time, the loan pool has expired and the banking partners declined to renew it due to a lack of interest, so staff is asking Council to add an additional use to the loan commitment so other projects can be pursued. Staff is proposing the Addington Ridge Apartments as a potential project for these funds. Addington Ridge Apartments is a development adjacent to the Admiral Point development off Samet and Admiral. It is a \$7,000,000 development so \$1.35 million dollars would be loaned by the city is leveraging another \$5.7 million. This project will consist of 58 multi-family housing units with rent ranging from \$210 to \$650 a month depending upon the income and family size. The awards are expected to be announced in August of this year.

He mentioned that the indicators of housing demand are measured by income restrictions and based on Census data, field surveys and various other methods that are applied and universally accepted. According to the market analysis done for Addington Ridge, they have identified a total demand of 2,624 units, while the High Point Housing Authority had a similar one done for Park Terrace last year which showed a total demand of 2,074 units with the difference being one is located in the northern part of High Point and the other

in the southern part. Additionally, the High Point Housing Authority has a waiting list of 2,283 families for Section 8 vouchers and public housing combined. Staff is asking for approval from the City Council of the amendment to the HUD Section 108 loan application so they can submit an application to HUD and are also asking Council to authorize the city manager to execute the necessary documents to amend the loan commitment as well as issue a loan commitment to Wynnefield Properties for the development at Addington Ridge. Mr. McNair pointed out this money is not a grant, but is a loan that will have to be paid back.

Mayor Sims asked about the income limits for the purpose of the tax credit. Craig Stone, President of Wynnefield Properties, noted the problem is they have just changed the area and the median income has also changed (released new guidelines that could impact the mixture by income of units available). Mr. McNair explained that for a two-family household at 30% of the median would be about \$15,000 a year to the upper end that would be \$35,000 depending on the family size.

There being no further questions or discussion, the public hearing was declared closed.

Authorized submission of the necessary documents to seek HUD approval to amend the Section 108 Loan Commitment and authorized the city manager to execute necessary documents to amend the loan commitment and to issue a loan commitment to a qualified applicant.

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

130102

CHANGES TO BOARDS/COMMISSIONS/LIAISON MEMBERS

Council is requested to approve the reassignment of the following Council Liaisons due to scheduling conflicts. Council Member Judy Mendenhall will be removed as the liaison to the Library Board of Trustees and Council Member Jason Ewing will be added. Council Member Ewing will be removed as the liaison to the Citizens Advisory Council and Council Member Mendenhall will be added. Changes will be effective immediately.

Attachments: [boards commissions liaison members 2012-2014.pdf](#)

Council Member Mendenhall moved to suspend the rules relative to placing this matter on the agenda for consideration since it did not originally appear on the agenda. Council Member Ewing made a second to the motion which carried unanimously.

Mayor Sims explained the request is being made because it works better for both Council Member Mendenhall's and Council Member Ewing's schedule.

Approved the reassignment of the liaisons as referenced above.

A motion was made by Council Member Mendenhall, seconded by Council Member Ewing, that this Miscellaneous Item be adopted. The motion PASSED by an unanimous vote.

Reports from Council

GOLDEN

Council Member Golden shared about an opportunity he had to go out to the Ritz on Washington Street where an organization called 100 Men Praying were feeding about 250 indigent people and he wanted to publicly recognize them for their efforts.

DAVIS

Council Member Davis reported that he attended the HPRAR meeting las week and sidewalks were discussed. He asked the HPRAR membership to share some feedback with him and noted he would pass along the information he receives to the Council.

SIMS

Mayor Sims gave a brief report on Town Hall Day that took place in Raleigh last week. She mentioned that the North Carolina League of Municipalities shared a Power Point presentation that was very informational about budgetary information and issues that could potentially impact the communities. She will request a copy of the presentation from NCLM and will forward it to Council.

Glenn Chavis asked that he be sent a copy of the presentation also.

MENDENHALL

Council Member Mendenhall asked if the Guilford County Delegation would be meeting in the Council Chambers on Thursday and Mayor Sims confirmed they would be meeting at 6:00 p.m. and encouraged everyone to voice any concerns to the delegation.

She reported that there will also be a neighborhood meeting for the Allen Jay community at the Allen Jay Baptist Church next Monday at 7:00 p.m.

EWING

Council Member Ewing announced that he and Council Member Davis would be holding another Town Hall meeting next Tuesday at the Deep River Rec Center from 7:00 p.m to 8:30 p.m. He also reported that he attended the Citizens Advisory Council last week and they heard presentations from the

various organizations, which will be heard by the City Council on April 15th. He also asked about the possibility of using the Section 108 loan funds for the renovation of the Kilby Hotel. City Manager Boynton explained they would need to get a business plan and come in and talk to staff, and pointed out this is not a grant but a loan that would have to be repaid.

DOUGLAS

Council Member Douglas reported that he and Council Member Golden would also be holding a Town Hall meeting on Tuesday, April 9th 6:30 p.m. to 8:00 p.m. at Washington Terrace Park.

MOORE

Council Member Moore noted several Council Members and staff attended the 2013 Piedmont Triad State of the Region Breakfast in Greensboro and pointed out that High Point and the Triad region has fared pretty well with a lot to be thankful for even amongst all the problems and challenges.

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

130101

Approval of the following Minutes:

Finance Committee Meeting held Monday, March 18th @ 3:30 p.m.

High Point City Council Regular Meeting held Monday, March 18th @ 4:45/5:30 p.m.

City Manager's Briefing Session (Solid Waste) held Thursday, March 21st @ 9:00 a.m.

Attachments: [March 18 2013 Finance Committee.pdf](#)

[March 18 2013 High Point City Council.pdf](#)

[March 21 2013 Manager's Briefing.pdf](#)

Approved the preceding minutes as submitted.

A motion was made by Council Member Mendenhall, seconded by Council Member Ewing, that the preceding minutes be approved as submitted. The motion PASSED by a 8-0 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 2013 \(April 15 2013 agenda\).pdf](#)

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

ADJOURNMENT

Upon motion duly made by Council Member Mendenhall and second by Council Member Ewing, the meeting adjourned at 6:05 p.m.

Respectfully Submitted,

Bernita Sims, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk