City of High Point

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

Minutes

Tuesday, January 22, 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.

Mayor Sims mentioned that there were several individuals who signed up to speak, but the Public Comment Period is generally held on the first meeting of the month which would be February 4th. She encouraged those in attendance who would like to address Council to attend the meeting on February 4th and the Public Comment Period would be on the agenda at that time.

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

REGULAR MEETING ITEMS

130018 **Contract - Bid No. 19- Transfer Switches**

Award of contract for Bid No 19 for the purchase two (2) 15 kV Pad Mount Auto Transfer Switches. Purchasing and the Electric Department recommends that contract be awarded to Trayer Engineering in the amount of $131,916.00 which is the lowest responsible, responsive bidder meeting specifications.

Attachments: Bid No. 19 - Transfer Switches.pdf

This matter was discussed during a Committee of the Whole Finance Meeting held at 3:55 p.m. prior to this meeting.

Approved contract with Trayer Engineering in the amount of $131,916.00 which is the lowest responsible, responsive bidder meeting specifications.

A motion was made by Council Member Smothers, seconded by Mayor Pro Tem Moore, that this Contract be approved. The motion PASSED by an unanimous vote.

130019 **North State Communications - Donation of Property - Parks & Recreation Department**

Council is requested to authorize staff to proceed with the execution of documents to accept a donation of land from North State Communications for the development of the proposed Westchester Park.

Attachments: Donation of Land - North State Communications

This matter was discussed during a Committee of the Whole Finance Meeting held at 3:55 p.m. prior to this meeting.

Mayor Pro Tem Moore expressed appreciation to Northstate Communications

for their generous donation of this property noting the importance of Northstate's history in the City of High Point as well as the benefactor they have been to the city.

Authorized staff to proceed with the execution of documents to accept a donation of land from North State Communications for the development of the proposed Westchester Park.

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

130020 **Amendment of HUD Section 108 Authorization**

Council is requested to establish the date of Monday, February 18, 2013 at 5:30 p.m. to receive public comments on seeking HUD approval to amend the Section 108 Loan Authorization.

Attachments: Amendment of HUD Section 108 Authorization.pdf

This matter was discussed during a Committee of the Whole Finance Meeting held at 3:55 p.m. prior to this meeting.

Approved the date of Monday, February 18, 2013 at 5:30 p.m. to receive public comments on seeking HUD approval to amend the Section 108 Loan Authorization.

A motion was made by Council Member Smothers, seconded by Council Member Douglas, that this Miscellaneous Item be approved. The motion PASSED by an unanimous vote.

130021 **Property Exchange with the High Point Housing Authority**

Council is requested to adopt a resolution authorizing staff to proceed with a property exchange with the High Point Housing Authority.

Attachments: Property exchange with the High Point Housing Authority.pdf

Resolution No. 1281/13-04
Introduced 1/22/2013; Adopted 1/22/2013
Resolution Book, Volume XVIII, Page 4

This matter was discussed during the Committee of the Whole Finance meeting held at 4:00 p.m. prior to this meeting.

Adopted resolution authorizing staff to proceed with a property exchange with the High Point Housing Authority.

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

Council Reports

DAVIS

Council Member Davis reported that he attended the Parks & Recreation Commission's meeting and they have many on-going projects including the completion of the athletic facility. He expressed appreciation that the city was able to finally acquire the Shadybrook property from the School Board for the Miracle League. He also reported that the city was rebidding the boat docks at the City Lake and the Wildlife people used some of the inmate labor that can possibly save the city $100,000 on this project.

He also shared that Theatre Art Galleries and the High Point Museum did a portrait in time from business and community leaders in the past. He attended the reception and encouraged everybody go and see it.

MENDENHALL

Council Member Mendenhall shared that she attended both the Arts Council and the Library Board of Trustees meetings and mentioned that the Arts Council is now in their new location. They are gearing up for their fund drive and plan to use a railroad them. The Library is using new software that will enable them to better control the lending of library books/materials to whole families. She continues to meet with the Southwest Restoration Group

GOLDEN

Council Member Golden reported that he attended the High Point Housing Authority Commission meeting and they swore in a new commissioner, Mr. Ed Squires. He participated in the MLK activities.

MOORE

Council Member Moore shared that he attended the High Point Theatre Advisory Board meeting and they are excited about the upcoming season. He encouraged participation in these quality events. He reported they also opened up a new Art Gallery. He also participated in the MLK Parade.

DOUGLAS

Council Member Douglas noted that he, too, participated in the Martin Luther King, Jr. Parade this past weekend and that the Guilford County Parks & Recreation Commission would be meeting next month. He shared that he had the opportunity to attend some of the Presidential Inauguration Balls in the northern part of Virginia and the D.C. area.

SMOTHERS

Council Member Smothers noted she would be submitting a narrative report to Council for the PART meeting as well as the TAC meeting. She asked if there has been any discussion by the Commissioners about the creation of a county recreation department. Council Member Douglas explained they would not be meeting until next month.

She also reminded Council that Heather Richardson, an Olympian from High Point, cleaned up in speed skating this past weekend with the world sprints

taking place this weekend in Utah and wished her the best.

WAGNER

Council Member Wagner reported he attended the Convention & Visitors Bureau board meeting and they have recently redesigned their website and the new website would definitely be an asset to folks seeking information about High Point and potentially locating events here. www.highpoint.org. He mentioned that he also serves on the High Point YMCA Association Board and they have a new CEO, David Osborne and offered to share his contact information for those wanting to personally meet him.

EWING

Council Member Ewing noted the Economic Development Corporation did not meet this month, but he did meet with Loren Hill, President of the Economic Development Corporation, last week to learn more about the board. He reported that he also attended the Board of Realtors Installation Banquet for the 2013 Officers and thanked Council Member Davis and Guilford County Commissioner Hank Henning for attending.

SIMS

Mayor Sims mentioned that she placed copies of the NLC Advocacy agenda for 2013 and she attended a two-day session where they discussed what the advocacy agenda should look like. She also reported that she participated in the MLK festivities this past weekend and was hoping to have seen more council members. She pointed out the programs were very good and highlighted some things in the community and encouraged Council to stay in touch as much as possible with the High Point Ministerial Alliance. She encouraged council members to participate and attend the NCLM Advocacy Goals Conference in Raleigh on Thursday, January 24th.

She proudly reported that under Mayor Smother's term as Mayor, the City of High Point was partnered with Kasey Kahne, a Nascar driver, who won the Coca-Cola 600 and as a result of him winning, the City of High Point will be given a $20,000 grant to be assigned to the Guilford County School System. She requested they find a way, if at all possible, to spend this money on High Point public schools and she was assured this could happen.

She shared that she did talk with a Leadership group earlier today at the String & Splinter Club and espoused her belief that the glass is always half full and thinks of herself as an eternal optimist. She felt that although High Point has its share of challenges, she believes everybody is willing to face those challenges and do what needs to be done to assure success for the city.

PUBLIC HEARINGS - 5:30 P.M.

130022 **Yellow First Class Cabs - Change in Ownership/Name**

Tuesday, January 22, 2013 at 5:30 p.m. is the date and time established for a public hearing

to consider a request to approve the addition of Khurshid Ali as an owner of the First Class Taxi Cab Company (deleting Zafar Iqbal); and approve the change in the name of the company to "A Plus Yellow Cab" as a way of reflecting the new ownership. The City Code of Ordinances requires that City Council approve the transfer to or acquisition of certificates made by any person not named in the existing application for a certificate of public convenience and necessity. This is the first of two readings. Next reading will be at the February 4, 2013 meeting at which time ordinance will be adopted providing for the transfer of ownership resulting in reissuance of certificate of public convenience and necessity.

Attachments: Yellow First Class Cab Change in Ownership and Name

Ordinance No. 6969/13-01
Introduced 1/22/2013; Adopted at First Reading on 1/22/2013
Ordinance Book, Volume XVIII, Page 1
[second reading: February 4, 2013]

The public hearing for this matter was held on Tuesday, January 22, 2013 at 5:30 p.m. Pat Pate, Assistant City Manager, explained that the City of High Point issues franchise agreements to cab companies to operate in the City of High Point and to do this, there is a lengthy ordinance with regulations that must be followed and it requires multiple readings and a thorough process that each company has to go through to actually get a franchise to operate in the City of High Point. He further explained any change in the ownership also triggers the same type of process. In this case, Yellow First Class Cab has had one of its owners that has left the country and has sold his portion of the business to a new owner. As a part of this process, they resubmitted their application with the new owners identified and they have also requested a slight change in their name to A Plus Yellow Cab. Mr. Pate pointed out Tad Kramp, Taxi Cab Inspector, was present and has completed the background investigation on the individuals as required by the ordinance and has not found any specific issues of concern. Staff is recommending Council move forward with changing the ownership and name as requested by the company.

Mayor Sims opened the public hearing and asked if there was anyone with the ownership that would like to address Council regarding this request.

Rita Ali, 2710 Ernest Street, High Point, and Porti Ali of the same address, explained they are the new owners that bought out this other 1/3 share and they have requested a name change in the company because they wanted to bring in a new perspective, professionalism in the way people look at their taxis.

Council Member Douglas inquired as to how many cabs this company is currently operating. Mr. Kramp explained they are operating 16, but are actually permitted to operate as many as 30. Council Member Golden asked if they were going to make any improvements to the building they currently operate out of. Ms. Ali replied that they are currently operating out of the

Greyhound building and the portion of this building they use does not look at all like the greyhound side. She reported they have been in contact with Greyhound about fixing the building.

At this time, Mayor Sims asked if there was anyone else present who would like to speak for or against this request. There being none, the public hearing was closed.

Adopted Ordinance stating intent Re: Issuance of Certificate of Public Convenience and Necessity in Accordance with Title 11, Entitled "Licensing and Regulation," Chapter 2, Entitled "Taxicabs," Article B "Certificate of Public Convenience and Necessity" of the Code of Ordinances of the City of High Point, Revised 1982 at the first reading on January 22, 2013.

A motion was made by Council Member Mendenhall, seconded by Mayor Pro Tem Moore, that this Ordinance be adopted at the first reading. The motion PASSED by an unanimous vote.

130023 **Resolution - Street Abandonment 12-13 - City of High Point**

A request by the Technical Review Committee to abandon the unimproved portion of the Conrad Avenue right of way, lying west of Palmer Street.

Attachments: Street Abandonment 12-13.pdf
Street Abandonment 12-13 - Recorded

Resolution No. 1282/13-05
Introduced 1/22/2013; Adopted 1/22/2013
Resolution Book, Volume XVIII, Page 5

The public hearing for this matter was held on Tuesday, January 22, 2013 at 5:30 p.m.

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

Following the conclusion of the staff report, Mayor Sims opened the public hearing and asked if there was anyone present who would like to comment. There being none, the public hearing was closed.

Adopted Resolution abandoning the unimproved portion of the Conrad Avenue right-of-way, lying west of Palmer Street.

A motion was made by Council Member Wagner, seconded by Council Member Douglas, that this Resolution be adopted. The motion PASSED by an unanimous vote.

130024 **Resolution - Street Abandonment 12-14 - City of High Point**

A request by the Technical Review committee to abandon the unimproved western 405 feet of the Rankin Place right of way.

Attachments: Street Abandonment 12-14.pdf
Street Abandonment 12-14 Recorded

Resolution No. 1283/13-06
Introduced 1/22/2013; Adopted 1/22/2013
Resolution Book, Volume XVIII, Page 6

The public hearing for this matter was held on Tuesday, January 22, 2013 at 5:30 p.m. Herb Shannon of Planning & Development presented the staff report which is hereby attached in Legistar as a permanent part of these proceedings.

Following the conclusion of the staff report, Mayor Sims opened the public hearing and asked if there were any comments in support of or in opposition to this request. There being none, the public hearing was closed.

Adopted Resolution abandoning the unimproved western 405 feet of the Rankin Place right-of-way.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Wagner, that this Resolution be adopted. The motion PASSED by an unanimous vote.

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT

130026 **Appointment to Citizens Advisory Council (Jones-Echard)**

Mayor Sims has submitted the name of Teresa Jones-Echard for consideration of appointment to the Citizens Advisory Council as her At-Large appointment. Ms. Jones-Echard will replace Jerry Mingo, whose term has expired and is not eligible for reappointment. Appointment effective immediately and will expire 5/31/2014.

Attachments: JONES-ECHARD Teresa 2013

Approved the appointment of Teresa Jones-Echard to the Citizens Advisory Council.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Wagner, that this Miscellaneous Item be approved. The motion PASSED by an unanimous vote.

130027 **Appointment to Historic Preservation Commission (Briggs)**

Mayor Pro Tem Moore is recommending the appointment of Benjamin Briggs to the Historic Preservation Commission as his At-Large appointment. Mr. Briggs will be replacing Patricia Garton, whose term has expired. Appointment effective immediately and will expire 7/1/2015.

Attachments: BRIGGS Benjamin 2012

Approved the appointment of Benjamin Briggs to the Historic Preservation Commission.

A motion was made by Mayor Sims, seconded by Council Member Smothers, that this Miscellaneous Item be approved. The motion PASSED by an unanimous vote.

130028 **Appointment to Historic Preservation Commission (Chavis)**

Mayor Sims is recommending the appointment of Glenn Chavis to the Historic Preservation Commission. He will be filling the unexpired term left vacant due to the resignation of Rick Shelton. Appointment effective immediately and will expire 7/1/2013.

Attachments: CHAVIS Glenn Romero 2013

Approved the appointment of Glenn Chavis to the Historic Preservation Commission.

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

130029 **Appointment to Board of Adjustment (Horne)**

Consideration of the appointment of David Horne as a full member on the Board of Adjustment. Mr. Horne will fill the unexpired term of Ozzie Hough, who has resigned. Appointment effective immediately and will expire 7/1/2014.

Attachments: HORNE David 2012

Approved the appointment of David Horne as a Full Member on the Board of Adjustment.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Mendenhall, that this Miscellaneous Item be approved. The motion PASSED by an unanimous vote.

130030 **Reappointment to Guilford County/City Insurance Advisory Committee (Causey)**

Consideration of the reappointment of John Causey to the Guilford County/City Insurance Advisory Committee. Reappointment effective immediately and will expire 12/21/2015.

Approved the reappointment of John Causey to the Guilford County/City Insurance Advisory Committee.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Mendenhall, that this Miscellaneous Item be approved. The motion PASSED by an unanimous vote.

130031 **Appointment to Citizens Advisory Council (Mingo)**

Council Member Smothers has submitted the name of Jerry Mingo for consideration of appointment to the Citizens Advisory Council as her At-Large appointment. Mr. Mingo will replace Samantha Klemme who did not desire reappointment. Appointment effective immediately and will expire 5/31/2014.

Since this matter did not originally appear on the agenda, Council Member Wagner moved to suspend the rules so it could be placed on the agenda for consideration. The motion to suspend the rules carried by a

9-0 unanimous vote.

Approved the appointment of Jerry Mingo to the Citizens Advisory Council.

A motion was made by Council Member Smothers, seconded by Council Member Douglas, that this Miscellaneous Item be approved. The motion PASSED by an unanimous vote.

130032 **Appointments to the Board of Adjustment (Richardson and White)**

Consideration of the appointment of Andrew Richardson as an Alternate member on the Board of Adjustment. Appointment effective immediately and will expire 7/1/2015.

Consideration of appointment to Andre' White as an Alternate member on the Board of Adjustment. Mr. White will be filling the unexpired term of Gena Lester, who has resigned. Appointment effective immediately and will expire 7/1/2014.

Since this matter did not originally appear on the agenda, Council Member Wagner moved to suspend the rules so it could be placed on the agenda for consideration. The motion to suspend the rules carried by a 9-0 unanimous vote.

Approved the appointment of Andrew Richardson and Andre' White as Alternate members on the Board of Adjustment.

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

130033 **Appointment to Library Board of Trustees (Grigg)**

Council Member Smothers is recommending the appointment of Lisa Grigg to the Library Board of Trustees as her At-Large appointment. Ms. Grigg will replace Jill Harwood, who is not eligible for reappointment. Appointment effective immediately and will expire 10/31/2015.

Since this matter did not originally appear on the agenda, Council Member Wagner moved to suspend the rules so it could be placed on the agenda for consideration. The motion to suspend the rules carried by a 9-0 unanimous vote.

Approved the appointment of Lisa Grigg to the Library Board of Trustees.

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

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.

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

130025 **Approval of the following Minutes:**

Committee of the Whole Finance Meeting held Monday, January 7th @ 4:00 p.m.
Regular Meeting held Monday, January 7th @ 4:45/5:30 p.m.
Committee of the Whole Briefing Session held Thursday, January 10th @ 9:00 a.m.

Attachments: January 7 2013 Committee of the Whole Finance Meeting
January 7 2013 High Point City Council
January 10 2013 Committee of the Whole Briefing

Approved the minutes of the preceding minutes.

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

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 5:40 p.m. upon motion duly made and seconded.

Respectfully Submitted,

_____
Bernita Sims, Mayor

Attest:

_____
Lisa B. Vierling, MMC
City Clerk