City of High Point

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

Minutes

Monday, January 7, 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. Council Member Smothers 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

REGULAR MEETING ITEMS

Mayor Sims announced that the Committee of the Whole Briefing was held at 4:00 p.m. prior to this meeting and the following items were discussed: Items #130001, 130002, 130003, 130004, 130005, 130006, 130009 and 130014. She entertained a motion from Council to adopt/approve all of these items.

Council Member Mendenhall moved to adopt/approve these items as identifed by Mayor Sims. Mayor Pro Tem Moore made a second to the motion. Council Member Smothers asked that Item #130004 Asplundh Tree Expert Company Contract be pulled to allow for additional discussion. Council Member Mendenhall and Mayor Pro Tem Moore concurred. The motion carried unanimously.

130001 **Contract - Bid No. 10 - Fire Department Daily Uniforms**

Award of contract for Bid No. 10 for the purchase of Fire Department daily uniforms. Purchasing and the Fire Department recommends that contract be awarded to Alliance Uniforms and Equipment in the amount of $120,000.00 which is the lowest responsible, responsive bidder meeting specifications.

Attachments: Bid No. 10 - Fire Department Uniforms.pdf

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

Approved contract with Alliance Uniforms and Equipment in the amount of $120,000.00 which is the lowest responsible and responsive bidder meeting specifications.

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

130002 **Contract - Bid No. 13- Substation Transformers**

Award of contract for Bid No 13 for the purchase of three substation LTC transformers for use in the Penny Road, Barrow Road (North) and Russell Street substations. Purchasing and the Electric Department recommends that contract be awarded to Virginia Transformer in the amount of $1,821,184.00 which is the lowest responsible, responsive bidder meeting specifications.

Attachments: Bid No. 13 - Transformers.pdf

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

Approved contract with Virginia Transformer in the amount of $1,821,184.00 which is the lowest responsible, responsive bidder meeting specifications.

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

130003 **Contract - Bid No. 15 - Supplies for Penny Road Transmission Project**

Award of contract for Bid No. 15 for the purchase of supplies for the Penny Road transmission project. Purchasing and the Electric Department recommends that contract be awarded to WESCO in the amount of $108,675.00 which is the lowest responsible, responsive bidder meeting specifications.

Attachments: Bid No. 15 Penny Rd Material.pdf

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

Approved contract with WESCO in the amount of $108,675.00 which is the lowest responsible, responsive bidder meeting specifications.

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

130004 **Contract - Asplundh Tree Expert Company - Tree Trimming Services**

Council is requested to approve a three-year contract with Asplundh Tree Expert Company in the amount of $575,000.00 for tree trimming services within the city.

Attachments: Asplundh Agreement - Tree Trimming.pdf

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

Council Member Smothers noted that she would not support this contract because she felt the company is not supervised to the degree it needs to be noting they spend too much time in certain areas and she has a problem with the way the trees are being cut.

Mayor Sims asked if there were any questions. Council Member Mendenhall asked if staff is aware of where Asplundh will be working and if staff receives updates. Garey Edwards, Director of Electric Services, explained there is one city staff member, Charles Collier, who is assigned to be in charge of them and he meets with each of the customers before trimming is done to inform them of what needs to be done. He noted that staff looks at danger or trouble trees on an individual basis. Council Member Ewing asked if staff has any estimates on being proactive in trimming these trees and how much of a cost savings the city realizes each year due to downed lines and lost power. Mr. Edwards explained

that staff does track it and there is a lot more interest by other utilities and some of the states have started fining people for prolonged outages.

Council Member Davis asked if the one-year renewals would come back before Council. Mr. Edwards explained this is a three-year contract that is voted on each year by Council and after the third year, it will be bid out again (collectively through ElectriCities) to get a better price. Council Member Mendenhall asked if the $575,000 was for the total contract for all three years, or just one year and staff replied it was for one year. Mr. Edwards noted there is one more annual renewal on this contract and pointed out it would be rebid in 2015.
Council Member Douglas asked about the companies who submitted bids for this contract. Mr. Edwards noted that there were actually four companies who submitted bids with Davie Tree Trimming and Asplundh being the two largest ones.

Mayor Sims asked if there were any additional questions or comments. There were none.

Approved three-year contract with Asplundh Tree Expert Company in the amount of $575,000.00 for tree trimming services within the city.

A motion was made by Council Member Golden, seconded by Council Member Davis, that this contract be approved. The motion carried by the following 7-2 vote:

Aye: 7 - Mayor Sims, Mayor Pro Tem Moore, Council Member Davis, Council Member Ewing, Council Member Golden, Council Member Mendenhall, and Council Member Wagner

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

130005 **Agreements - On-Call Architectural and Design Services**

Council is requested to authorize master agreements as recommended from qualification-based selections for on-call architectural and design services to serve the City's various design and consultative needs for the next five years.

Attachments: On Call Architect Firms Recommendation.pdf

This matter was discussed during a Committee of the Whole Briefing held at 4:00 prior to this meeting.

Authorized master agreements as recommended from qualification-based selections for on-call architects and design services to serve the city's various design and consultative needs for the next five years.

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

130006 **Resolution - APPA Safety Manual**

Council is requested to adopt a Resolution adopting the 15th edition of the American Public Power Association (APPA) safety manual.

Attachments: Adoption of APPA Safety Manual Resolution.pdf
Resol Public Power Safety Manual signed.pdf

Resolution No. 1278/13-01
Introduced 1/7/2013; Adopted 1/7/2013
Resolution Book, Volume XVIII, Page 1

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

Adopted Resolution adopting the 15th edition of the American Public Power Association (APPA) safety manual.

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

130008 **Resolution Purchase of Property - Shadybrook Road -Guilford County Schools**

Council is requested to adopt a resolution authorizing staff to enter into an agreement with the Guilford County Schools for the purchase of property located at 301-305 Shadybrook Road in the amount of $300,000.00.

Attachments: Resolution for Offer to Purchase Shadybrook Property.pdf
Resolution for Offer to Purchase Shadybrook Property - Adopted.pdf

Resolution No. 1279/13-02
Introduced 1/7/2013; Adopted 1/7/2013
Resolution Book Volume XVIII, Page 2

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

Mayor Sims acknowledged that she was aware that Council Member Smothers was prepared to offer a substitute motion for this matter and asked if there were any questions/comments. Mayor Pro Tem Moore stressed the importance of the language contained in the 2004 bonds and pointed out the bonds are very specific as to what can be done with the remaining money and the language states that it is for land acquisition only. Mayor Sims explained it is for land acquisition for Parks & Recreation.

At this time, Mayor Pro Tem Moore moved adoption of the resolution authorizing staff to enter into an agreement with the Guilford County Schools for the pruchase of this property located at 301-305 Shadybrook Road in the amount of $300,000. Council Member Davis made a second to the motion.

At this time, Council Member Smothers offered a substitute motion that instead

of the $300,000 amount contained int he resolution, the resolution be amended to indicate the figure that would be the appraised value of the land at the last revalution done by Guilford County minus the amount of dollars spent on the appraisal ($3,000) that was requested by Guilford County Schools. Council Member Douglas made a second to the substitute motion.

For further discussion, Council Member Mendenhall asked if it was known what this figure would be. Pat Pate, Assistant City Manager, explained the Guilford County appraisal came in at $294,300 and the cost of the appraisal the city had done was $3,000.00, so it would bring the amount to $291.300.00. Mayor Sims understood the substitute motion to be the amount of the last tax valuation which was $294,300.00 less the amount for the appraisal which was $3,000.00 bring the amount to $291,300.00. Council Member Smothers concurred and asked staff if these GO bonds would be retired over an extended period of time (20 years) and if so, what the total amount would be paid on the $300,000.00. She noted her point is it is not just the $300,000.00, but an obligation over 20 years to pay it back which is above the price of the value of the property. Mr. Pate confirmed there is a little less than $300,000.00 (about $295,000.00) in the 2004 Parks & Recreation bonds to be used for land acquisition.

He explained that the money remaining in the bonds would not actually expire and if there is a little bit of money left over, staff would use that the next time they go out and buy Parks & Recreation land for other land that might become available next to existing parks. Council Member Davis felt the purchase of the Shadybrook property would be the best and most reasonable use of those funds. Council Member Ewing felt the $291,000.00 was high since the city's appraisal came in at $255,000.00 and noted the price of real estate presently is going for 10-12% above appraised value. He felt if the city got the property for $255,000.00, it would result in an extra $40,000 for the city to utilize in other property acquisitions and he just did not see it as a benefit to overspend for this piece of property. Council Member Smothers totally agreed, as well as Council Member Wagner.

Council Member Mendenhall recalled that Council did authorize staff to negotiate up to this amount and this was done in good faith. City Manager Strib Boynton agreed and noted that he did share this with the School Board. Council Member Smothers pointed out this action was done in a closed session, but she was absent at that meeting due to sickness. She noted that she never received any communication on what was decided until she got the agenda for this meeting.

At this time, Mayor Sims called for a vote on Council Member Smothers' substitute motion to offer the School Board $291,300.00 (based on the tax valuation ($294,300.00) less the amount paid for the appraisal ($3,000.00) bringing the amount to $291,300.00. The substitute motion failed by a vote of 2-7 (dissenting: Mayor Sims; Mayor Pro Tem Moore; and Council Members

Golden, Mendenhall, Wagner, Davis, and Ewing).

Approved the $300,000.00 offer to the Guilford County School Board for the purchase of the property on Shadybrook as part of the Miracle Field, Athletic Complex for the City of High Point.

Council Member Smothers explained that she is opposed because she feels like the taxpayers are getting ripped off.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Davis, that this resolution be adopted. The motion PASSED by the following 5-4 vote:

Aye: 5 - Mayor Sims, Mayor Pro Tem Moore, Council Member Davis, Council Member Golden, and Council Member Mendenhall

Nay: 4 - Council Member Douglas, Council Member Ewing, Council Member Smothers, and Council Member Wagner

130009 **Proposed Change in Meeting Schedule - MLK Day - January 21, 2013**

Consideration of change in meeting scheduled for January 21, 2013 due to the MLK Holiday. Suggested meeting date is Tuesday, January 22nd at 4:45 p.m.

Approved changing the meeting scheduled for January 21, 2013 at 4:45 p.m. to Tuesday, January 22, 3013 at 4:45 p.m. due to the Martin Luther King, Jr. holiday.

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

130014 **Resolution - Guilford County School Board - Opposing Allen Jay School Name Change**

Council is requested to adopt a Resolution in opposition to changing the name of Allen Jay Middle School.

Attachments: RESOLUTION FOR OPPOSITION TO RENAMING ALLEN JAY.pdf
Resol Opposing Name Change - Allen Jay Middle School - Adopted.pdf

Resolution No. 1280/13-03
Introduced 1/7/2013; Adopted 1/13/2013
Resolution Book, Volume XVII, Page 3

Mayor Sims explained that the Guilford County School Board is currently taking recommendations to change the name of Allen Jay Middle School and that Council Member Mendenhall contacted her regarding the High Point City Council adopting a resolution opposing any name change of the school. Council Member Mendenhall noted there have been a lot of positive comments in the High Point Enterprise regarding retaining the name of Allen Jay for the renovated school. She further explained that the Allen Jay name is very personal for many in the Allen Jay community, to the graduates of the school,

to the Quakers and evrybody in High Point because Allen Jay was a very well-respected man who did a lot for education in High Point and Guilford County.

Adopted Resolution in opposition to changing the name of Allen Jay Middle School.

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

130017 **Direction to Staff to Begin the Process for Demolition of the Meredith Street Apartments**

Council to direct staff to begin the process for demolition of the Meredith Street Apartments as referenced in the following Ordinances. On October 1, 2012, the City Council adopted the following Ordinances to Demolish structures located on Meredith Street.

501 Meredith St. (ABCD), Ordinance No. 6951/12-67, Page 141
503 Meredith St. (ABCD), Ordinance No. 6952/12-68, Page 142
505 Meredith St. (ABCD), Ordinance No. 6953/12-69, Page 143
507 Meredith St. (ABCD), Ordinance No 6954/12-70, Page 144
509 Meredith St. (ABCD), Ordinance No. 6955/12-71, Page 145
511 Meredith St. (ABCD), Ordinance No. 6956/12-72, Page 146

Ordinance Book, Volume XVII

Since this matter did not originally appear on the agenda, Mayor Pro Tem Moore moved to suspend the rules relative to placing it on the agenda for consideration. Council Member Mendenhall made a second to the motion which carried unanimously.

Mayor Sims reported this matter was discussed during a Committee of the Whole Briefing held at 4:00 p.m. prior to this meeting.

Note: (At that meeting the Council reviewed the status of the Meredith Street apartments in detail including the fact that: 1. it has been an on-going issue since 2009; 2. the owners have not complied and have been non-responsive); 3. it has negatively affected the neighborhood. The City Council wants to take action to demolish the structures to remedy the situation.)

Council directed staff to begin the process for demolition of the Meredith Street Apartments as identified in the following Ordinances as contained in Ordinance Book, Volume XVII:

501 Meredith St. (ABCD), Ordinance No. 6951/12-67, Page 141
503 Meredith St. (ABCD), Ordinance No. 6952/12-68, Page 142
505 Meredith St. (ABCD), Ordinance No. 6953/12-69, Page 143

507 Meredith St. (ABCD), Ordinance No 6954/12-70, Page 144
509 Meredith St. (ABCD), Ordinance No. 6955/12-71, Page 145
511 Meredith St. (ABCD), Ordinance No. 6956/12-72, Page 146

A motion was made by Council Member Smothers, seconded by Council Member Douglas, that this matter be approved. The motion PASSED by a 9-0 unanimous vote.

PUBLIC COMMENT PERIOD - 5:15 P.M.

There was no one present to address Council during the Public Comment period.

For Information Only:

Reports from Council

Council Member Mendenhall reported she would be attending the Arts Council meeting on Wednesday and has attended several meetings with the Southwest Restoration group. She will also be attending a meeting with the Highland Mills Neighborhood Association tomorrow at 6:30 p.m.

Mayor Sims reported that she will be traveling to Washington to attend the National League of Cities board meeting and they will be setting their Advocacy Agenda for the coming year.

Council Member Douglas reported that the Guilford County Parks & Recreation Commission's meeting was rescheduled to next month.

Council Member Smothers mentioned an e-mail she received that was forwarded to her by Ed Price identifying concerns by parents of High Point Central High School that was forwarded. She explained the e-mail was about the lack of upgrades to the facility and felt this should be a major concern due to the school being seriously overcrowded particularly in the area of the media center as well as the cafeteria. She offered to forward the e-mail to the City Council members.

Council Member Ewing thanked the Planning staff for expediting a concern about a non-conforming building going up on Samet that he brought to their attention.

Meeting Reminder

There will be a Committee of the Whole Briefing on Thursday, January 10, 2013 at 9:00 a.m. to discuss the 2013 Mayor/Council priorities.

BOARDS AND COMMISSIONS VACANCY REPORT

130010 **Reappointment - Firefighter's Relief Fund Board of Trustees - Gerald Zimmerman**

Council is requested to confirm the reappointment of Gerald Zimmerman to the Firefighter's Relief Fund Board of Trustees. This is a two-year appointment and will be effective immediately and will expire January 31, 2015.

Approved the reappointment of Gerald Zimmerman to the Firefighter's Relief Fund Board of Trustees.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this reappointment be approved. The motion PASSED by a 9-0 unanimous vote.

130011 **Appointment - Boards & Commissions - CAC - Davis**

Council is requested to confirm the appointment of Willie Davis as the Ward 1 (Jeff Golden) representative on the Citizens Advisory Council. Appointment will be effective immediately and will expire 5/31/2014.

Attachments: Bio DAVIS Willie Heath 2012.pdf

Approved the appointment of Willie Davis to the Citizens Advisory Council as the Ward 1 representative.

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

130013 **Appointment - Boards & Commissions - CAC - Sypole**

Council is requested to confirm the appointment of Rev. Jeff Sypole as the Ward 3 (Judy Mendenhall) representative on the Citizens Advisory Council (CAC). Appointment will be effective immediately and will expire May 31, 2014.

Approved the appointment of Rev. Jeff Sypole to the Citizens Advisory Council as the Ward 3 representative.

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

130016 **Appointment to Citizens Advisory Council**

Council Member Jay Wagner is recommending the appointment of Myra Brown Clodfelter to fill the Ward 4 seat on the Citizens Advisory Council. Appointment to be effective immediately and will expire 5/31/2014.

Attachments: CLODFELTER Myra 2011

Since this matter did not originally appear on the agenda, Mayor Pro Tem Moore moved to suspend the rules relative to placing it on the agenda for consideration. Council Member Mendenhall made a second to the motion which carried unanimously.

Approved the appointment of Myra Clodfelter to the Citizens Advisory Council as the Ward 4 representative.

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

120229 **Boards and Commissions - Vacancies**

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

Attachments: term expirations 2013 (January 22 2013 agenda)

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

130012 **Approval of the following Minutes:**

Committee of the Whole Finance Meeting held Monday, December 17th @ 3:30 p.m.
Council Meeting held Monday, December 17th @ 4:45/5:30 p.m.
Adjourned Session of City Council held Thursday, December 20th @ 9:00 a.m.

Attachments: December 17 2012 Committee of the Whole Finance.pdf
December 17 2012 High Point City Council.pdf
December 20 2012 Adjourned Session.pdf

Council Member Smothers asked that the December 17, 2012 Committee of the Whole Finance Meeting minutes be corrected to reflect that she was absent from this meeting. City Clerk Vierling reported the correction has been made accordingly.

Approved the preceding minutes as submitted including the correction to the December 17, 2012 Committee of the Whole Finance Meeting minutes showing Council Member Smothers absense from that meeting.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Mendenhall, that the preceding minutes be approved including the correction to the December 17, 2012 Committee of the Whole Finance Committee meeting minutes recording the absence of Council Member Smothers. The motion PASSED by an unanimous vote.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 5:30 p.m. upon motion duly made and seconded.

Respectfully Submitted,

_____
Bernita Sims, Mayor

Attest:

_____
Lisa Vierling, MMC
City Clerk