City of High Point

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

Meeting Minutes

Monday, October 5, 2009

4:45:00 PM

Council Chambers

Rebecca R. Smothers, Mayor
William S. Bencini, Mayor Pro Tem
Latimer B. Alexander, IV, Mary Lou Blakeney,
Foster Douglas, John Faircloth, Michael D. Pugh,
Bernita Sims, M. Christopher Whitley

ROLL CALL, PRAYER, PLEDGE OF ALLEGIANCE

Mayor Smothers gave the Invocation followed by the Pledge of Allegiance.

Present: Mayor Smothers, Council Member Bencini, Council Member Alexander, Council Member Sims, Council Member Blakeney, Council Member Douglas, Council Member Faircloth, Council Member Pugh and Council Member Whitley

APPROVAL OF THE MINUTES FROM PREVIOUS MEETINGS

The minutes of the following meetings were unanimously approved as submitted upon motion by Council Member Alexander and second by Mayor Pro Tem Bencini.

Combined Meeting held Monday, September 21st @ 4:45/5:30 p.m.
Planning & Development Committee Meeting held Tuesday, September 22nd @ 2:30 p.m.

FINAL ACTION TAKEN AT THIS MEETING

At the conclusion of the Committee of the Whole Session, and after all matters were heard by Council, **motion was made by Council Member Bencini and seconded by Council Member Sims to suspend the rules in order to take final action on these matters at tonight's meeting. The motion carried unanimously. [9-0 vote]**

Motion was then made by Council Member Sims, seconded by Council Member Alexander that all Committee recommendations stand as final action regarding these matters. The motion carried unanimously. [9-0 vote]

Note: As a result of this action, there is no need for the Thursday morning meeting.

PRESENTATION OF ITEMS

FINANCE COMMITTEE - Council Member Whitley, Chair

Ordinance - Transfer of Control of LEXCON to Windstream Corporation- 1st Reading

090242 Council is requested to adopt an ordinance providing for the change in control of a cable television franchise, LEXCOM to Windstream Corporation.

This matter was briefly discussed during a Finance Committee meeting held at 4:30 p.m. prior to this meeting.

Committee Chair Whitley advised that the record will show the 1st Reading was held on October 5, 2009 with the 2nd Reading on October 19, 2009. The Committee recommended passage of the ordinance transferring Control of LEXCOM to Windstream Corporation for its 1st Reading.

Approved the 1st Reading. Second Reading and final adoption is scheduled for October 19, 2009.

A motion was made by Council Member Whitley, seconded by Council Member Alexander, that this matter be adopted. The motion carried unanimously.

Contract - Bid No. 11 - Pothole Patch Truck

090243 Approval of contract awarding Bid No. 11 for the purchase of a Pothole Patch Truck. Purchasing and Fleet Services recommend that contract be awarded to Piedmont Ford Truck in the amount of $139,460.00 which is the lowest responsible and responsive bidder meeting specifications.

Committee Chair Whitley asked if there were any questions regarding this item. Council Member Alexander asked staff to put procedures in place that might insure the longevity of all the fleet with property maintenance and careful operation.

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

Approved the contract for the purchase of a Pothole Patch Truck to be awarded to Piedmont Ford Truck in the amount of $139,460.00, which is the lowest responsible and responsive bidder meeting specifications.

A motion was made by Council Member Whitley, seconded by Mayor Pro Tem Bencini, that this matter be approved. The motion carried unanimously.

Contract - Southern Consulting Engineers

090245 Council is requested to adopt a resolution providing an exemption to the qualification based selection process for purchase of services by the Electric Department and approve contract with Southern Consulting Engineering for design/construction administration services for the following two projects:
Penny Road Substation - $96,700.00
100kvV Transmission Line - $194,600.00

Jeff Moore advised that in order for Council to consider the consulting engineers contract for the electric design there needs to be an exemption declared under the bid laws because they did not go through a formal request for disqualification process with that. He advised there are *only two specialized companies that do this work. Southern Consulting is the group that does most of the work for the Municipal Power Agency in the western part of the state and they come highly qualified and well recommended.*

Council Member Sims stated that she has requested on several occasions to have Council supplied with information regarding the consultants that the City uses and how much money has been spent with the consultants. City Manager Strib Boynton stated that they will get that information together and present it to Council during a Manager's Briefing.

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

Adopted the resolution providing an exemption to the qualification based selection process for purchase of services by the Electric Department and approved the contract with Southern Consulting Engineering for design/construction administration services for the Penny Road Substation and the 100kvV Transmission Line.

Resolution No. 1559/09-87 **Introduced 10/05/2009**
Adopted 10/05/2009
Resolution Book Volume XVI, Page 201

A motion was made by Council Member Whitley, seconded by Council Member Alexander, that this matter be adopted. The motion carried unanimously.

Resolution - Lease Purchase For JobLink Center - 607 Idol Street

090246 Council is requested to adopt a resolution authorizing the City Manager and the Financial Services Director to accept the proposal for the lease/purchase agreement with BB&T Governmental Finance and authorize them to execute a Lease/Purchase Installment Financing Contract Deed of Trust and any other necessary documents and filings as required by the lender for the purpose of financing the building purchase and improvements at 607 Idol Street for the JobLink Center over a ten year period.

Council Member Alexander asked why this project would not be paid for out of the City's own internal funds, and if there would be an opportunity for the City to borrow from itself or is interest being earned greater than 3.89%. Jeff Moore advised this was an excellent suggestion, but in this circumstance they are currently going through the initial Phase of Riverdale and Seaboard and it was in his opinion that it would not be advisable to draw from the landfill funds until all of those costs were fully ascertained and mediation was underway. Funds are not maintained for long periods of time and most funds available tend to be operational in nature or that are in reserve for a catastrophic event.

Council Member Faircloth asked for explanation on the 101% prepayment of the loan. Mr. Moore advised that in the event that the lease cycle was half way through and the City decided to get out and go ahead and prepay, the outstanding balance would have to be paid back at 101%.

Following the discussion on this matter, it was recommended that this matter be placed on Thursday's Agenda with a favorable recommendation.

Adopted a resolution authorizing the City Manager and Financial Services Director to accept the proposal for the lease/purchase agreement with BB&T Governmental Finance and authorize them to execute a Lease Purchase Installment Financing Contract Deed of Trust and any other necessary documents and filings as required by the lender for the purpose of financing the building purchase and improvements at 607 Idol Street for the JobLink Center over a ten year period.

Resolution No. 1560/09-88 **Introduced 10/05/09**
Adopted 10/05/09
Resolution Book Volume XVI, Page 202

A motion was made by Council Member Sims, seconded by Council Member Alexander, that this matter be adopted. The motion carried by the following vote:

Votes: Aye: Mayor Smothers, Council Member Alexander, Council Member Sims, Council Member Blakeney, Council Member Douglas, Council Member Faircloth and Council Member Pugh
Nay: Council Member Bencini and Council Member Whitley

Pending Items

Revised Economic Incentive Policy

090050 Council is requested to adopt a revised economic incentive policy redirecting incentive dollars to the Core City and south High Point.

PUBLIC SAFETY COMMITTEE - Councilmember Faircloth, Chair

PUBLIC SERVICES COMMITTEE - Council Member Sims, Chair

PLANNING & DEVELOPMENT COMMITTEE - Council Member Bencini, Chair

MISCELLANEOUS

Board of Directors of ElectriCities - Support of City Manager Strib Boynton

090244 Council is requested to support the nomination of City Manager Strib Boynton for a second three-year term on the Board of Directors of ElectriCities.

Mayor Smothers advised that it is order for the Council to support the nomination of Strib Boynton for a second three year term on the Board of Directors for ElectriCities.

It was recommended this matter be placed on Thursday's Agenda with a favorable recommendation.

Approved the nomination of Strib Boynton for a second three year term on the Board of Directors for ElectriCities.

A motion was made by Council Member Whitley, seconded by Council Member Alexander, that this matter be approved. The motion carried unanimously.

PUBLIC COMMENT PERIOD

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

PUBLIC HEARINGS ON ITEMS

CLOSED SESSION - ECONOMIC DEVELOPMENT

At 5:15 p.m. a motion was made by Council Member Alexander, seconded by Council Member Blakeney, to enter into closed session pursuant to N.C. General Statute 143-318.11(a)(4) for the purpose of discussion regarding an economic development project. The motion carried unanimously.

Upon reconvening into open session at 5:30 p.m., Mayor Smothers announced that Council was briefed by staff regarding some economic development matters and that no action was needed as a result of the closed session.

For Information Only:

Recognition of Jules Wilson

Mayor Smothers introduced Boy Scout Jules Weston with Troop 2 (Emerywood Baptist Church) who was present to fulfill requirements to earn his citizenship in the community merit badge.

Federal Stimulus Dollars

City Manager Strib Boynton advised that there was an article in the High Point Enterprise on the city's efforts with federal stimulus dollars. Mr. Boynton distributed copies of the information he provided to the High Point Enterprise showing that the city has secured $11.3 million in stimulus monies plus another $5 million in the last year in unexpected appropriations for High Point.

Mr. Boynton also provided Council with a status report on the progress of Capital Projects and GO Bond Projects.

Information was also provided on the status of the Hartley Drive project. Construction is to begin next summer and will take about 23 months.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 5:45 p.m. upon motion duly made and seconded.

Respectfully Submitted,

Rebecca R. Smothers, Mayor

Attest:

Dawn J. Sparks, CMC
Deputy City Clerk