City of High Point

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

Meeting Minutes

Monday, October 4, 2010

4:45:00 PM

Council Chambers

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

ROLL CALL, PRAYER, PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

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

Public Services Committee; Tuesday, September 7th @ 9:00 a.m.
Finance Committee; Monday, September 20th @ 3:30 p.m.
Combined Meeting; Monday, September 20th @ 4:45/5:30 p.m.
Manager's Briefing; Tuesday, September 21st @ 4:00 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 Alexander and seconded by Mayor Pro Tem Whitley 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 Bencini, seconded by Council Member Blakeney 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
Committee Members: Bencini, Douglas and Alexander

(all were present)

Joint Purchasing Agreement - ElectriCities of NC

100272 Approval of a three (3) year joint purchasing agreement with ElectriCities of North Carolina for wood pole purchases, tree trimming, substation maintenance and pole inspections.

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

Approved a three (3) year joint purchasing agreement with ElectriCities of North Carolina for wood pole purchases, tree trimming, substation maintenance and pole inspections.

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

Resolution - Lead hazard Control Grant & Healthy Homes Application

100290 Council is requested to adopt a resolution authorizing staff to apply for a Healthy Homes & Lead-Based Paint Hazard Control Grant from the United States Department of Housing and Urban Development (HUD) in the amount of $3.1 million.

Mayor Smothers pointed out under this grant application, approximately 230 units would receive lead hazard control work in the City of High Point.

There was no one present to speak regarding this matter.

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

Adopted resolution authorizing staff to apply for a Healthy Homes & Lead-Based Paint Hazard Control Grant from the United States Department of Housing and Urban Development (HUD) in the amount of $3.1 million.

Resolution No. 1639/10-67 **Introduced 10/4/2010**
Adopted 10/4/2010
Resolution Book Volume XVI, Page 281

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

PUBLIC SAFETY COMMITTEE - Council Member Faircloth
Committee Members: Douglas Pugh and Alexander

(all were present)

There were no matters appearing on tonight's Agenda for consideration by the Public Safety Committee.

PUBLIC SERVICES COMMITTEE - Council Member Sims, Chair
Committe Members: Blakeney, Faircloth, Whitley and Alexander

(all were present)

There were no matters appearing on tonight's Agenda for consideration by the Public Services Committee.

PLANNING & DEVELOPMENT COMMITTEE - Council Member Bencini, Chair
Committee Members: Blakeney, Faircloth, Whitley and Alexander

(all were present)

Resolution - Heart of the Triad Plan

100283 Consideration of a resolution accepting and endorsing the Heart of the Triad Plan.

effort and for his participation in the process.

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

Adopted resolution accepting and endorsing the Heart of the Triad Plan.

Resolution No. 1640/10-68 **Introduced 9/20/2010**
Adopted 10/4/2010
Resolution Book Volume XVI, Page 282

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

Request to Initiate Text Amendment- Minimum Housing Code

100293 City Council is requested to initiate a text amendment regarding a change in the City's Minimum Housing Code to include relocation expenses paid by the City on behalf of tenants who are required to move as a result of Minimum Housing Code Enforcement.

Since this matter did not originally appear on tonight's Agenda, motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley to suspend the rules relative to placing the matter on the Agenda so it could be considered. The motion carried unanimously.

City Attorney Fred Baggett read the proposed language for the text amendment into the record. [a copy of the proposed wording for the text amendment is hereby attached in Legistar as a permanent part of these proceedings]

Mr. Baggett pointed out this action was taken as a result of a request by Council for staff to prepare a change in the City's Minimum Housing Code to include relocation expenses paid by the City on behalf of tenants who are required to move as a result of Minimum Housing Code Enforcement and it would be necessary for Council to adopt this proposed text amendment to allow for a change in the City's Minimum Housing Code to include relocation expenses paid by the City on behalf of tenants who have to move as a result of Minimum Housing Code enforcement. He explained the process would require a public hearing because of it being part of the Minimum Housing Code and it would actually go to the Planning & Zoning Commission and come back to Council.

Council Member Bencini asked for a clarification on relocation expenditures and what the limitations would be, if any. Mike McNair, Director of Community Development & Housing explained the department uses the guidelines for relocation expenses as identified in the Uniform Relocation Act.

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

Initiated the process for the text amendment for this matter.

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

Pending Items

Appeal of Technical Review Committee (TRC) Decision

100174 Consideration of an appeal of the Technical Review Committee's decision to require dedication of right-of-way for a proposed subdivision located at the southeast corner of Greensboro Road and Enterprise Drive.

The petitioner has reached a satisfactory compromise with NCDOT regarding the dedication of right of way for this project and requests that Council removed this item from the Agenda.

Note: This matter has been pending since June 21, 2010.

MISCELLANEOUS

Appointment- Boards & Commissions- Housing Authority

100291 Council is requested to confirm the appointment of Mr. Michael McKinney to the High Point Housing Authority. Mr. McKinney will fill the unexpired term of Kevin Peguese, who has resigned. Appointment effective immediately and will expire December 22, 2014.

Since this matter did not originally appear on tonight's Agenda, motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley to suspend the rules relative to placing the matter on the Agenda so it could be considered. The motion carried unanimously.

Confirmed the appointment of Michael McKinney to the Housing Authority. Appointment effective immediately and will expire December 22, 2014.

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

ElectriCities Board of Directors - Letter of Support - Jennie Stultz

100292 Council is requested to endorse and support the nomination of Gastonia Mayor Jennie Stultz for a second weighted seat term on the Board of Directors of ElectriCities.

Since this matter did not originally appear on tonight's Agenda, motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley to suspend the rules relative to placing the matter on the Agenda so it could be considered. The motion carried unanimously.

Mayor Smothers stated it was important to note that Mayor Stultz has been a solid key member of the Board's leadership team for the past three years and is slated to advance to the position of Chair in January.

Approved the endorsement and support for Mayor Jennie Stultz to a second three-year term on the ElectriCities Board of Director.

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

PUBLIC COMMENT PERIOD - 5:15 P.M.

Request for an Investigation- Revocation of Business/ABC License

Gloria Jones, who owns the Cristal Nite Club located at 509 Ennis Street in High Point, addressed Council and asked for an investigation into her claims that she was discriminated against by authorities because she was Hispanic. The ABC Commission revoked her license on August 2, 2010 and she was told the reasoning behind it was that the club was in a high crime neighborhood.

The following people spoke on behalf of Ms. Jones.

Bobby Suggs, who owns the property the club is located in, described Ms. Jones as honest and hardworking and applauded her efforts in improving the property. He felt the Human Relations Department should look into the situation to make sure there was no discrimination involved and to make sure that Ms. Jones was being treated fairly.

Fred Lomax, a Greensboro resident, who has had a business (Tamarian Carpets) for the past five years located across the street from the bar, described Ms. Jones as a smart, hardworking, family woman and business owner. He felt the bar's presence in the neighborhood has tremendously improved and has actually helped with the crime in the area. He, too, asked Council to initiate an investigation for reinstatement of Ms. Jones' permit.

Don Korn, a Greensboro resident, who has worked as head of security at the Cristal Nite Club for the past two and a half years and who has over thirty years of law enforcement experience, described Ms. Jones as a hardworking woman who takes tremendous pride in her business. He pointed out that the police calls for the club have actually gone down. Mr. Korn asked Council to give Ms. Jones some credit for the positive things she has accomplished.
He reported that he has also reviewed the documents and noted there were several inconsistencies and fabrications and he, too, felt an investigation was certainly in order because he felt she was being discriminated against.

Council Member Pugh felt that anytime a citizen feels they've been mistreated or discriminated against by any city employee, they should have a right to an investigation by the Human Relations Commission. Mayor Smothers asked Ms. Jones to provide copies of the documents so they could be reviewed by staff because the facts did need to be determined. She assured Ms. Jones that there was certainly no

tolerance for discrimination and someone from the city staff would be getting back to her quickly.

High Point University Development

Mable Davis Froneyburger, who resides at 1204 McCain Place, expressed concerns about development in the university area. She explained that her neighborhood is in the vicinity of the university and she had received a letter informing her of a public meeting on the growth plan for the university and the university's interest in possibly purchasing her home. She pointed out that she did attend the meeting, but found out that the university is no longer interested in acquiring property in her neighborhood because there was not enough property for development and the university said they couldn't get the property rezoned. Ms. Froneyburger asked Council for answers to her questions and wanted to know who was responsible for making that decision.

Mayor Smothers pointed out that ultimately it was up to High Point University as to where they intend to grow and once they make that decision, then they come to the city and ask for consideration of a proposed boundary or a change in zoning, etc..... She noted that the city does not purchase property for the university. Ms. Froneyburger was informed that the university has not submitted any rezoning requests to the City Council involving property in her neighborhood.

Heidi Galanti of Planning & Development stated she was one of the planning staff members that happened to work on the University Area Plan and pointed out that was an area through the planning process and through working with the community in looking at rental versus home ownership, etc.... that was determined to be a solid area and it was determined that that area could possibly be maintained as a neighborhood so it is not in one of the phases of growth for the university at this time.

Council Member Sims explained that the first step in the process would be for the university to acquire the property and they cannot rezone what they don't own. She reiterated that there has been no inquiry on the part of the university that has come back to Council to amend the plan or to change their growth area. Council Member Alexander asked Ms. Froneyburger if she was looking forward to the university purchasing her property or if she wanted to see her neighborhood remain intact. Ms. Froneyburger noted she was looking forward to selling her property to High Point University, but later a decision was made that was different than she was told when she got her letter.

Mayor Smothers suggested that the neighbors get a petition up with signatures to present to the university and have the university come talk to the residents in her neighborhood. Ms. Froneyburger pointed out the residents attending the meeting asked the university to go talk to the neighbors door-to-door, but this has never happened. Council Member Sims asked the city manager to go back and communicate to High Point University that there's a bit of confusion circulating in the community and clarity is needed on exactly what is being said. Mr. Boynton stated he would be happy to renew that request to the university.

Pink Heals Tour

Mayor Smothers recognized Danny Baughman who coordinated the Pink Heals Tour recently held in High Point. [applause]

Mr. Baughman reported on the success of The Pink Heals Tour held in High Point on September 11, 2010 and noted they raised about $40,000 he success of the Pink Heals Tour recently held in High Point to raise money for cancer awareness. They were able to raise about $40,000 that will be donated to the Love Line Cancer Support program to assist less fortunate patients with their cancer treatment. Mr. Baughman concluded his remarks by congratulating the High Point community for helping to make the event such a huge success as it has been tagged as the best stop on the tour. Plans are already in the works for future tours.

He reported that he has some good leads on some fire trucks to be donated to the Piedmont Chapter to be used for Pink Heals events 365 days a year. At this time, Mayor Smothers showcased her 2010 Pink Heals Tour pink helmet that was presented to her during the closing ceremony on September 11th. The Mayor also thanked all the city workers who helped to make for a successful event.

Heart of the Triad Resolution

Jimmy Morgan, who resides at 8625 Bull Road in Colfax, thanked the City Council for adopting the resolution for the Heart of the Triad Plan and commented the best thing to come out of the process was the neighbors who got to know each other better and realizing the need to be more involved.

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

There were no public hearings scheduled for this meeting.

CLOSED SESSION- ECONOMIC DEVELOPMENT

Pursuant to N.C. General Statute 143-318.11(a)(4) Council unanimously entered into Closed Session at 5:55 p.m. for the purpose of discussion on three potential economic development projects upon motion made by Council Member Bencini and second by Council Member Alexander.

Upon reconvening into open session at 5:30 p.m. upon motion duly made and seconded, Mayor Smothers announced there would be no action taken as a result of the closed session.

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 6:25 p.m. upon motion duly made and seconded.

Respectfully Submitted,

_____
Rebecca R. Smothers, Mayor

Attest:

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Lisa B. Vierling, MMC
City Clerk