City of High Point

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

Meeting Minutes

Monday, August 3, 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 offered the invocation; the Pledge of Allegiance followed.

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

APPROVAL OF THE MINUTES FROM PREVIOUS MEETING

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

Finance Committee; Monday, July 20th @ 3:30 p.m.
Combined Meeting; Monday, July 20th @ 4:45/5:30 p.m.
Planning & Developmnet Committee; Tuesday, July 21st @ 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 Mayor Pro Tem 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. [8-0 vote]**

Motion was then made by Council Member Alexander, seconded by Council Member Whitley that all Committee recommendations stand as final action regarding these matters. The motion carried unanimously. [8-0 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)

Contract - Engineering Services - Northwest Water Systems Improvements

090185 Council is requested to approve a contract with Davis Martin Powell and Associates, Inc. for engineering services for oversight of the Northwest Water System Improvements in the amount of $140,000.00.

This matter was discussed during a Finance Committee Meeting held at 3:30 p.m. prior to this meeting.

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

Approved contract with Davis Martin Powell and Associates, Inc. for engineering services for oversight of the construction of the Northwest Water System Improvements in the amount of $140,000.00.

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

Budget Ordinance Amendment - US 311/NC 68 Interchange Replacement

090186 Adoption of an ordinance amending the 2009-2010 Budget Ordinance for American Recovery and Reinvestment Funds in the amount of $400,000 for the US 311/NC 68 Interchange Replacement.

This matter was discussed during a Finance Committee Meeting held at 3:30 p.m. prior to this meeting.

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

Adopted Ordinance amending the 2009-2010 Budget Ordinance for American Recovery and Reinvestment Funds in the amount of $400,000 for the US 311/NC 68 Interchange Replacement.

Ordinance No. 6634/09-34 Introduced 08/03/09
Adopted 08/03/09
Ordinance Book Volume XVI, Page 119

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

Municipal Agreement - ARRA Funding for US 311/NC 68 Interchange Replacement

090187 Council is requested to approve a municipal agreement with the North Carolina Department of Transportation (NCDOT) for funding received from the American Recovery and Reinvestment Act in the amount of $400,000 for environmental planning and the preliminary engineering for a replacement of the interchange of US 311 and NC 68.

This matter was discussed during a Finance Committee Meeting held at 3:30 p.m. prior to this meeting.

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

Approved the municipal agreement with NCDOT for funding received from the American Recovery and Reinvestment Act in the amount of $400,000 for environmental planning and the preliminary engineering for a replacement of the US 311/NC 68 interchange.

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

Engineering Services Agreement - Dewberry & Davis, Inc. - Stormwater Improvements for Ray/Hospital Area

090188 Consideration and approval for engineering design services with Dewberry & Davis, Inc. in the amount of $389,790 for the Ray Street/Hospital Area drainage basin.

This matter was discussed during a Finance Committee Meeting held at 3:30 p.m. prior to this meeting.

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

Approved engineering design services with Dewberry & Davis, Inc. in the amount of $389,790 for stormwater improvements to the Ray Street/Hospital Area drainage basin.

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

Contract - Bid No. 05 - Playground Equipment for Miracle League/Soccer Field

090189 Approval of contract awarding Bid No. 05 for Playground Equipment for Miracle League/Soccer Field. Purchasing and Parks and Recreation recommends that contract be awarded to Playworld Carolinas in the amount of $146,536 as the lowest proposal that meets specifications.

This matter was discussed during a Finance Committee Meeting held at 3:30 p.m. prior to this meeting.

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

Approved contract for the purchase of playground equipment for the Miracle League/Soccer Field in the amount to Playworld Carolinas in the amount of $146,536 which is the lowest proposal 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 Extension - Breece Enterprises - Water and Sewer Maintenance Contract

090190 Council is requested to approve a contract extension to the Breece Enterprises contract in the amount of $246,313 for maintenance and emergency repairs on existing water and sewer mains in the City of High Point system.

This matter was discussed during a Finance Committee Meeting held at 3:30 p.m. prior to this meeting.

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

Approved a contract extension to the Breece Enterprises contract in the amount of $246,313 for maintenance and emergency repairs on existing water and sewer mains in the City of High Point System.

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

Sole Source Authorization - Westside WWTP Improvements Project - Phase 2

090191 Council is requested to (1) approve an exception to the bid laws under the "sole source qualification" for the purchase of equipment needed for the Westside WWTP improvements, (2) approve the acquisition of the Trojan UV4000 Plus ultraviolet disinfection system for $762,310.00 from Trojan Technologies and (3) approve the acquisition of AB SLC5/05 Programmable Logic Controllers for approximately $55,000 from Allen Bradley Corporation.

This matter was discussed during a Finance Committee Meeting held at 3:30 p.m. prior to this meeting.

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

Approved an exception to the bid laws under the "sole source qualification" for the purchase of equipment needed for the Westside WWTP improvements; and approved the acquisition of the Trojan UV4000 Plus ultraviolet disinfection system for $762,310.00 from Trojan Technologies; and approved the acquisition of AB SLC/05 Programmable Logic Controllers for approximately $55,000 from Allen Bradley Corporation.

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

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 - Council Member Faircloth, Chair
Committee Members: Douglas, Pugh and Alexander

(all were present except Pugh)

First Class Cab Company - Change in Public Convenience and Necessity Permit

090192 Council is requested to approve an amendment to the First Class Cab Public Convenience and Necessity permit to add the names of Zubair Ali and Zafar "Malik" Iqbal as co-owners of First Class Cab.

This matter was briefly discussed during the Finance Committee Meeting held at 3:30

p.m. prior to this meeting.

Chairman Faircloth noted that he has been advised by staff that the documents are in order and there are three owners. Mayor Pro Tem Bencini asked the city attorney if the Council's actions in this matter in any way affirms the owners of this company (that they all three own the company). City Attorney Fred Baggett explained that all it would be doing is adding two names to the certificates. Council Member Alexander asked about the pending legal proceedings and the outcome should they not be exonerated. Mr. Baggett noted Council could consider removal of the person convicted of the crime from the list of names on the certificate after proper notice and hearing.

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

Approved an amendment to the First Class Cab Public Convenience and Necessity permit to add the names of Zubair Alie and Zafar "Malik" Iqbal as co-owners of First Class Cab.

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

PUBLIC SERVICES COMMITTEE - Council Member Sims, Chair
Committee 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, Pugh, Sims and Faircloth

(all were present except Pugh)

There were no matters appearing on tonight's Agenda for consideration by the Planning & Development Committee.

PUBLIC COMMENT PERIOD

Samuel Whitley, Jr.

Samuel Whitley, Jr. who resides at 400 Smith Street in Ward 2, addressed Council regarding the following issues:

illegal boarding houses
drugs

The Mayor asked Mr. Whitley to provide addresses to staff.

Anne Folkins

Anne Folkins, P.O. Box 17435 in Winston Salem, addressed Council regarding some property that she would like to purchase on Oak Hollow Lake and gave an overview of the things she would like to put on the property and use it for. She is interested in making habitations for a myriad of animals/birds and asked that Council put a white line on the Aberdeen Street sidewalks from Hillside to Johnson and also put up speed bumps. Mayor Smothers informed Ms. Folkins that the City Council does not have the authority to grant her the use of the land at Oak Hollow Lake.

William Sink

William Sink, who resides at 1020 Richland Street, addressed Council regarding the following issues at 1022 Richland Street that he reported to the city last February and also in June:

rats
dog debris (poop)
junked cars/appliances

He noted that Council Member Pugh and the city inspectors did go out to inspect the property and took pictures and he was told by Mr. Pugh that the pictures would be available for viewing at the meeting tonight. Mr. Sink also informed Council that he and his wife have received threats as well as a neighbor. Mayor Smothers explained that unfortunately Council Member Pugh was not feeling well and didn't make it to the meeting. She informed him that this would be turned over to staff.

PUBLIC HEARINGS ON ITEMS

For Information Only:

Public Safety Committee

Chairman Faircloth mentioned that the Public Safety Committee would be meeting next month to discuss issues related to the appointments of boards and commissions and welcomed any ideas/suggestions.

Briefing Session

There will be a Manager's Briefing Session on Tuesday, August 4th at 4:00 p.m. to discuss core city issues.

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,

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Rebecca R. Smothers, Mayor

Attest:

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Lisa B. Vierling, MMC
City Clerk