

City of High Point

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



Meeting Minutes

Monday, August 1, 2011

4:45:00 PM

Council Chambers

*Rebecca R. Smothers, Mayor
Latimer B. Alexander, IV, Mayor Pro Tem
James Corey, Foster Douglas, A.B. Henley, III,
Britt W. Moore, Michael D. Pugh,
Bernita Sims, M. Christopher Whitley*

ROLL CALL, PRAYER, PLEDGE OF ALLEGIANCE

Present: Mayor Smothers, Council Member Sims, Council Member Douglas, Council Member Whitley and Council Member Corey

Absent: Council Member Alexander, Council Member Moore, Council Member Pugh and Council Member Henley

PRESENTATION OF ITEMS**FINANCE COMMITTEE - Council Member Alexander, Chair**

Committee Members: Whitley, Smothers and Corey

In the absence of Chairman Alexander, Committee Member Whitley chaired this portion of the meeting.

(all were present except for Alexander)

Contract - Bid No. 23 - Engineering Services - Eastside Wastewater Solids Handling Improvements

110158

Consideration of approval of Bid No. 23 for contract for engineering services related to the upgrade of the Eastside WWTP Solids Handling Facilities. Purchasing and Public Services recommend that contract be awarded to Hazen and Sawyer in the amount of \$946,310.00 which is the best qualified candidate.

Chris Thompson, Director of Public Services, explained this is a contract for engineering services for an upgrade to the Eastside Wastewater Treatment Plant Solids Handling Facilities. He explained that staff went through a lengthy selection process and had four qualified firms come in for interviews with Hazen & Sawyer being staff's recommendation. The design portion for the project is around 7% of the estimated cost with the total cost of the upgrade roughly around \$7 million.

Council Member Sims asked staff about the minority participation on this contract. City Manager Strib Boynton suggested staff ask Hazen & Sawyer for these numbers because they are required to file a form containing this information. Council Member Sims also questioned Davis, Martin & Powell's involvement in this project and staff explained they came together with a team approach and teamed up with Hazen & Sawyer and almost all submittals had combinations of subconsultants.

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

A motion was made by Council Member Whitley, seconded by Council Member Douglas, that this matter be recommended for approval, consent agenda. The motion carried unanimously.

Purchase of Equipment - 2011 John Deere Wheel Loader**110159**

Consideration of approval of the purchase of a new 2011 John Deere 624K Wheel Loader from James River Equipment Company in the amount of \$120,987.82.

Gary Smith, Director of Fleet Services, explained that James River Equipment

Company has an excellent service and parts network and this was an excellent price for for the 2011 John Deere Wheel Loader that will be used at the material recycling facility on a daily basis. He further explained that serviceability on the old piece one was becoming problematic in that it was difficult to service it due to it taking longer to get the parts in. Mr. Smith reported that the old vehicle has started giving problems and staff plans to sell it through the online auction process so they could get a good resale before something major happens that would cause it not to be worth replacing.

Council Member Douglas requested that in the future, staff provide the City Council with photographs of the equipment they are asking to purchase.

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

A motion was made by Council Member Whitley, seconded by Council Member Sims, that this matter be recommended for approval, consent agenda. The motion carried unanimously.

Contract - Sole Source Authorization - Equipment for Fleet Services Department

110160

City Council is requested to approve an exception to the bid laws under the "sole source qualification" for the purchase of a TEREX Trashmaster for landfill operations; and approve the acquisition of the equipment and related services from Road Machinery, Inc. in the amount of \$727,000.00.

Garey Smith, Director of Fleet Services, explained this piece of equipment was critical for the landfill operations. He pointed out that the TEREX itself is \$699,000 with an additional \$28,000 for an extended warranty coverage for another four years or 7,000 hours which brings the total price for the equipment to \$727,000. He noted that they currently have two machines that are used daily (full time) and one that is used as a spare. He mentioned that staff plans to sell the old machine through the on-line auction process, but would disclose the transmission problems which would lower the amount considerably.

Council Member Douglas felt \$727,000 was quite a bit of money to be spending on a piece of machinery at this point in time and felt the city could get by using the two that are currently in operation. Richard McMillan, Assistant Director of Public Services, explained this is complicated slightly by the fact that the city has just been permitted to start the next phase at the Landfill so there would actually be two landfills running at one time and staff plans to split use of the two pieces of equipment and the spare would actually be used where needed. He noted that staff tries to trade one of these pieces of equipment out every three years to keep the operations going and to keep the spare rolled in.

Mr. Smith noted the dealership in Asheville has the machine and it would probably take 30-45 days to get it moved here.

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

A motion was made by Council Member Whitley, seconded by Council Member Corey, that this matter be recommended for approval, consent agenda. The motion carried by the following vote:

Votes: Aye: Mayor Smothers, Council Member Sims, Council Member Whitley and Council Member Corey
Nay: Council Member Douglas
Absent: Council Member Alexander, Council Member Moore, Council Member Pugh and Council Member Henley

Contract - Electric Distribution Crews

110154

Council is requested to reject bids received for Bid No. 39 for Electric Distribution Crews; and approve the enclosed contract amendment prepared by the City Attorney extending the current contract with Pike Electric Contractors until June 2013.

Garey Edwards, Director of Electric Utilities, explained that the city currently has Pike Electric under contract and they provide assistance to High Point with electrical service. He noted there is about one and a half years remaining on the current contract if the city chooses to renew it on a year-by-year basis. Staff did go out for bids which resulted in a higher amount of about \$127,500 annually and the increase was due to the increased price of diesel fuel now versus when the old contract was negotiated. Mr. Edwards explained that he did ask Pike Electric about their EOC/minority numbers and the information was provided in the packets with an additional sheet for clarification. He noted that locally, they have increased their efforts in High Point and they've done this through an effort with Forsyth Technical Institute on a linemen development program. He also pointed out that Pike has 70 crews available within 50 miles of High Point which is a good point due to a quick response time.

Council Member Sims shared the same concerns as in the past when looking at these numbers for this company and stated that she was not impressed with the minority participation numbers. She pointed out the African-Americans in this company only represent about 3% of their total workforce and the city was spending a considerable amount of money with this company. She felt they could do better.

The city manager explained that this has been a real challenge across the whole state identifying, finding and recruiting linemen regardless of race or ethnic background because of it being such a high risk job. Mr. Edwards pointed out that according to a recent article in the News & Observer, the average age of linemen in the Progress Energy and Duke Power workforce was 51 so there has been a big effort with the community college system to create training programs for these jobs. He noted that he has personally been working with Forsyth and Stanley Community College on programs.

Council Member Douglas shared the same concerns and felt they needed to increase their minority participation. Mr. Edwards explained that they are actively doing it and have hired everyone that has applied, but retaining them is a problem due to it being dangerous and demanding work. He explained that historically it was not a minority driven craftsmanship or trade area. Mr. Edwards noted that the City of High Point has

hired minorities and did so through the city's apprenticeship program which has been very successful, but due to budget constraints, the apprenticeship program has been discontinued. He also pointed out that over half of the minorities currently working in the city's electric department are supervisors and he was very proud of them.

The Mayor reiterated that opportunities are available and maybe it was a matter of trying to get the message out that the opportunities exist for those interested in taking advantage of them and anything the city could do to assist in making the opportunities known. She stated she did not know what could be done beyond continuing to encourage the efforts, but didn't think the company should be penalized for not making the numbers appear. Council Member Sims pointed out that all the workers listed were not linemen and while she understands that they may have some difficulty in filling those positions, there were other positions within the company that don't have anything to do with linemen. She felt Pike Electric should continue to make or at least go out and inform people of the opportunities that are available.

There being no further discussion, the Committee recommended this matter be placed on Thursday's Agenda with a favorable recommendation for rejection of the bids received for Bid No. 39 and to approve the contract amendment prepared by the city attorney's office extending the current contract until June 2013.

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

Donation of Property - Centex Homes - Deep River Greenway and Lake Buffer

110161

Council is requested to authorize the City Attorney's office to execute the necessary documentation to accept a donation of 3.135 acres of land located at the southwest quadrant of the intersection of Deep River Road and Hickwood Road from Centex Homes for the Deep River Greenway connection and lake buffer.

Henry Moon, Right-of-Way Agent for the city, explained this was the last tract of land that was needed for the next connector of the Greenway from the parking lot on Deep River Road on around to Penny Road and up to the Piedmont Environmental Center. He stated he asked Centex Homes for an easement for the Greenway which goes through the middle of the 3-acre tract and they offered to donate the land to the city. The property does connect to city land already adjoining Deep River Road and would be used for banked land for future mitigation at no cost.

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

A motion was made by Council Member Whitley, seconded by Council Member Sims, that this matter be recommended for approval, consent agenda. The motion carried unanimously.

PUBLIC SAFETY & COMMUNITY DEVELOPMENT COMMITTEE - Council Member**Sims, Chair****Committee Members: Alexander, Douglas and Corey****(all were present)**

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

PLANNING, ECONOMIC DEVELOPMENT & INFORMATION TECHNOLOGY**COMMITTEE - Council Member Whitley, Chair****Committee Members: Sims, Henley and Moore****(Henley and Moore were absent)**

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

Pending Items**Part 150 Assessment Report****110038**

Consideration of a report from the Planning and Development Department that assesses the PTIA Part 150 Airport Noise Compatibility Study including a recommendation to amend the Airport Overlay District.

PUBLIC COMMENT PERIOD - 5:15 P.M.**For Information Only:****Proclamation- National Night Out in High Point**

Jim Summey was recognized and explained this program was essential to residents becoming aware of their relationship between the community and policing agencies across the country. He applauded all the neighborhood associations for their participation.

The following neighborhood associations and representatives were recognized: Oakview Citizens Council (Jim Brinard); Cedrow Residents Association (William Strickland); Community Outreach Unit of the High Point Police Department (Robert Burchette); Washington Street Neighborhood Association (Burdell Knight and Jackie Hazelip); Persian Street Association; Macedonia; Washington Drive; and Burns Hill.

Mayor Smothers noted this night has done so much not only in elevating the attention of the community toward the efforts that take place year round, but the friendships that have developed as a result building good, strong communities.

More on Redistricting (Bruce Davis)

Guilford County Commissioner Bruce Davis was present to give Council some insight on the redistricting issue. He explained that the committee was formed with a bi-partisanship to ensure that all concerns as the Board of Commissioners were heard, but it turned out to be a political issue which turned into a circus. He informed Council that Chairman Skip Alston has gone to great lengths to ensure that

everybody's opinion was valued and they were heard in the process. Mr. Davis reminded Council of the requirements in the Voting Rights Act of 1965 as well as the Federal and State Constitutional requirements that "communities with like interest" be considered. In his opinion, High Point should at least keep two districts (Districts 1 and 2) secure, but the Census numbers make it challenging to keep District 1 just in High Point.

He informed Council that he has about a dozen redistricting maps that have been submitted for consideration and felt it was a travesty the way they have divided High Point up into three districts and there was no reason for the lines to move into the southeastern (farming) communities of Guilford County because they do not share the same interests as those in the inner city. He commented that the map submitted by Keith Brown comes the closest to protecting the High Point districts. Mr. Davis suggested that it would be possible the way the three districts were drawn, in the near future they could have Districts 1, 2 and a future 3 represented by Guilford County Commissioner who live in the City of Greensboro which could require anyone desiring to run for a State Senate seat to get permission from the City of Greensboro.

Mayor Smothers shared with Mr. Davis that although the Legislature had already acted on a redistricting map, the High Point City Council did ask for some examination of the maps by staff to look at options that would give High Point a stronger base in at least two districts which resulted in a High Point version of Map A and Map B. Mr. Davis replied that he hasn't seen these maps yet and the Mayor asked the legal staff to make sure that Mr. Davis was provided copies of Map A and Map B. The Mayor also pointed out that High Point's interest was not partisan as High Point was anxious to have both the Democrat and Republican leadership support the High Point map which got derailed when the General Assembly took the action they did.

Mayor Smothers expressed appreciation to Mr. Davis for bringing his concerns to Council and his advocacy for High Point, and pointed out that High Point does not favor Chairman Alston's map either. Council Member Sims also expressed appreciation for Mr. Davis' visit and felt High Point's position should be for a strong High Point representation on the Guilford County Commissioners. She pointed out presently High Point has two solid district that assures High Point will have two voices on the Guilford County Commissioners. She reiterated her concerns that the districts should be formed with "communities of like interests" in mind and in no way should a rural area be lumped in with an urban area.

Council Member Corey recognized this as being a highly political process that occurs every ten years because of the Census and questioned the idea of putting together "communities of like interest" because he didn't think this a requirement in the laws governing redistricting. Mr. Davis pointed out there is some language referenced in the State Constitution, but he would be following up on this for clarification to make sure that it's not only in the Voting Rights Act of 1965 but was also part of the mandate when redistricting occurs in the State of North Carolina.

Mr. Davis assured Council that the map would support what is needed in High Point

and the partisanship and although the county was very political, very partisan, he would try to operate within the confines of what is expected and needed for the citizens of High Point.

Concerns Voiced About Purchasing Process for TEREX

David Wilson, who resides on Central Avenue in High Point, had some procedural questions regarding comments from the public on agenda items and questioned the "sole source qualification" purchasing method used by staff to purchase a TEREX that is critical for use in the landfill operation. He informed Council that he personally did some research and pointed out there were other TEREX dealers across the country and wondered if any other dealers would have given the city a better price and questioned why the city chose not to get bids from other dealers. Jeff Moore, Director of Financial Services, explained that many times staff deals with a regional or state dealership and they have a gentlemen's or non-compete agreement in place that they will not bid into another individual's territory.

Thomas Carr

Thomas Carr, a resident on Royal Oak Avenue, addressed Council about the following concerns:

Shabby condition of property in the city, especially in Ward 3 (referred to it as the "forgotten side")

Deteriorated, empty buildings (no attempt to reoccupy them)

Overgrown condition of property

Lack of jobs

High numbers of homeless people pushing bicycles/carts with metal objects they try to sell to scrap yards to make a few dollars

Increases in tax rate, water, sewer and utility rates

City should stop giving \$1,000,000 a year to the Furniture Market

Mr. Carr also shared some stories that have been circulating about the city management not taking pay cuts and getting raises and he was assured that city employees have not received pay raises in three years. Council Member Corey explained that the city has made drastic budget reductions and has cut 60 full-time positions from the city's workforce and there were 45 other positions not being filled. Mr. Carr stated he, like many other residents, have also made cuts and they were barely making ends meet and the city continues to ask for more and more and more. Mayor Smothers assured Mr. Carr that the Council was committed to trying to provide a level of service that residents want and can afford and would be willing to reduce service levels. Council Member Corey asked him what services would he like to be cut and Mr. Carr replied some services within the Parks & Recreation department and suggested if the city were to stop giving \$1,000,000 to the Furniture Market and add some other cuts, they wouldn't need all these rate hikes. Council Member Douglas was sympathetic for Mr. Carr's frustrations and noted that residents in his ward have also expressed the same pain and concerns.

Special Recognitions- Boy Scouts

Mayor Smothers recognized and welcomed Austin and Parker Young (Boy Scout

Troop #55) and Dan Garmer (Boy Scout Troop #26) who were working on their Citizenship in the Community Badge. Mr. Garmer thanked the Mayor and City Council for the opportunity to attend the meeting.

Reminder of Meeting on Thursday, August 4th

Mayor Smothers reminded Council of the meeting on Thursday, August 4th and noted Council would go into closed session for the city manager's and city clerk's annual performance review.

Redistricting Process

City Attorney Fred Baggett informed Council that staff is working on the redistricting process. A consulting firm has been hired to come up with initial maps and start working with the City Council on redrawing the council wards with hopes of having a tentative plan approved by Council by November 1st. Mr. Baggett noted there were two main things to work with: one, the need to preserve the two minority districts; and two, to equalize population since Wards 5 and 6 have grown considerably in population than the other four wards. The Mayor asked if staff could provide some general information that could be shared with the public on the population increases and Council Member Corey asked that staff share any demographic reports of the Census Bureau for High Point.

Suggestion to Reinstitute Neighborhood Meetings

Council Member Sims suggested that Council reinstitute community meetings where Council Members actually go out and meet with the residents to discuss issues of concern in their respective neighborhoods. She felt it was important for residents to be provided a venue or a forum for them to open up and engage in conversation and how the city might be of better service to them. The Mayor agreed and noted it would provide a good opportunity for Council to share more information about city costs, services, and general information about the city. She felt it was important to also talk about and get suggestions from the residents on reductions in the current service levels in preparation for next year's budget.

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 6:30 p.m. upon motion duly made and seconded.

Respectfully Submitted,

Rebecca R. Smothers, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk