

City of High Point

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



Meeting Minutes

Monday, May 3, 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

Due to the absence of Mayor Smothers, Mayor Pro Tem Whitley presided over the meeting.

Council Member Alexander offered the invocation; the Pledge of Allegiance followed.

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

Absent: Mayor Smothers and Council Member Sims

PRESENTATION OF ITEMS**FINANCE COMMITTEE- Chris Whitley, Chair****Committee Members: Bencini, Douglas and Alexander****Resolution - Issuance of 2010 Water and Sewer Revenue Bonds****100104**

City Council is requested to approve the attached "Resolution Making Certain Findings and Determinations Authorizing the Filing of an Application with the Local Government Commission, Requesting the Local Government Commission to Sell Bonds at a Private Sale, Approving the Financing Team and Authorizing the Distribution of a Preliminary Official Statement in Connection With the Issuance of Revenue Bonds By the City of High Point."

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting.

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

A motion was made by Council Member Alexander, seconded by Council Member Bencini, that this matter be recommended for adoption, consent agenda. The motion carried unanimously.

Contract - Bid No. 24 - Additions to North Substation**100106**

Council is requested to approve contract for Bid No. 24 for additions to the North Substation to Peak Substation Services in the amount of \$281,900.00 which is the lowest responsible and responsive bidder meeting specifications.

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting.

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

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

Purchase of Property - Irwin Avenue - Parks & Recreation Department

100107

Council is requested to authorize the City Attorney's office to proceed with the purchase of property located at 804, 806, 808, 810 and 812 Irwin Avenue in the amount of \$36,750.00. This property is being purchased for the Parks & Recreation Department for addition to a future park off of Burton Road.

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting.

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

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

2010-2011 Retail Electric and Renewable Rider Rates**100111**

Consideration of recommended 2010-2011 Retail Electric Rates and Renewable Energy Riders to be effective with utility billing statements after June 1, 2010.

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting.

The Committee recommended this matter be placed on Thursday's Agenda with a favorable recommendation to establish the date of Monday, May 17, 2010 at 5:30 p.m. as the date and time to hold a public hearing to solicit citizen comment regarding the recommended 2010-2011 Retail Electric Rates and Renewable Energy Riders to be effective June 1, 2010.

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

Contract - S.H.A.R.E , Inc. - Neighborhood Stabilization Program**100097**

Approval of contract between the City of High Point and S.H.A.R.E. Inc. to repair foreclosed properties under the Neighborhood Stabilization Program.

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting.

The Committee recommended this matter be placed on Thursday's Agenda with a favorable recommendation. However, due to one dissenting vote from Mayor Pro Tem Whitley, this matter will be placed on Thursday's Regular Agenda.

A motion was made by Council Member Bencini, seconded by Council Member Alexander, that this matter be recommended for approval. The motion carried by the following vote:

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

Contract - Habitat for Humanity - Neighborhood Stabilization Program

100098 Approval of contract between the City of High Point and Habitat for Humanity to acquire vacant properties in the Graves Avenue area under the Neighborhood Stabilization Program.

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting.

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

A motion was made by Council Member Bencini, seconded by Council Member Alexander, that this matter be recommended for approval. The motion carried by the following vote:

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

Resolution - Recovery Zone Economic Development Bonds (RZED)

100112 City Council is requested to approve the attached "Resolution Requesting Allocation of Recovery Zone Economic Development Bonds" which makes a formal request of the NC Department of Commerce's Tax Reform Allocation Committee to allow the City to utilize RZED bonds and authorizes the City Manager and the Financial Services Director to execute any documents related to the issuance and acceptance of these bonds.

This matter was discussed during a Finance Committee held at 4:00 p.m. prior to this meeting.

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

A motion was made by Council Member Bencini, seconded by Council Member Alexander, that this matter be recommended for adoption, consent agenda. 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 Hearing - Community Development & Housing Department - 5-Year Consolidated Plan and Annual Action Plan

100096

Monday, April 19, 2010 at 5:30 p.m. is the date established to receive public comments on the Community Development and Housing Department 5-Year (2010-2014) Consolidated plan and 2010-2011 Annual Action Plan.

Chairman Whitley explained this matter was continued from the April 19th Council meeting for the purpose of allowing additional time for the public to comment on it. He noted that he has not received any comments and asked if there were any questions/comments from the Council. There were none.

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

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

PUBLIC SAFETY COMMITTEE- Council Member Faircloth, Chair

Committee Members: Douglas, Pugh and Alexander

(all were present)

Ordinance - Vacate/Close Dwelling - 1220 Montlieu Avenue**100108**

Council is requested to adopt an ordinance ordering the inspector to effectuate the vacating and closing of a dwelling located at 1220 Montlieu Avenue belonging to Sammie Chess, Jr.

Katherine Bossi, Local Codes Enforcement Supervisor, gave an overview of the staff report regarding this housing case. [staff report will be attached in Legistar as a permanent part of these proceedings]

Following the presentation of the staff report, Chairman Faircloth asked if there was anyone present to represent the property owner. There being no one present to offer comment, the Committee recommended this matter be placed on Thursday's Agenda with a favorable recommendation for adoption.

A motion was made by Member Faircloth, seconded by Council Member Bencini, that this matter be recommended for adoption, consent agenda. The motion carried unanimously.

Ordinance - Vacate/Close Dwelling - 2613 Woodruff Avenue**100109**

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the vacating and closing of a dwelling located at 2613 Woodruff Avenue belonging to Juan Hernandez - Gamez and Lexington State Bank.

report regarding this housing case. [staff report will be attached in Legistar as a permanent part of these proceedings]

Following the presentation of the staff report, Chairman Faircloth asked if there was anyone present to represent Juan Hernandez-Gamez or Lexington State Bank. There being no one present to offer comment, the Committee recommended this matter be placed on Thursday's Agenda with a favorable recommendation for adoption.

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

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

(Chairwoman Sims was absent)

Due to the absence of Chairwoman Sims, Council Member Alexander chaired this portion of the meeting.

Memorandum of Understanding for Water Quality - High Rock Lake

100110

Council is requested to approve a Memorandum of Understanding concerning improving water quality conditions in the High Rock Lake.

Council Member Alexander asked staff to provide a brief overview of the 5-year, non-binding agreement with Davidson County, City of Lexington, Town of Midway, City of Thomasville and the Town of Wallburg to improve water quality in the region.

Terry Houk, Assistant Director of Public Services, explained basically the city teamed up with these other entities as a means to help improve High Rock Lake's nutrients in the watershed and Richfork Creek area. The City of Lexington and Davidson County have already executed the agreement with anticipation that the other entities will execute it by July 1st.

Council Member Alexander pointed out there were a couple of omissions in the agreement and noted it should read unless terminated by written notice, this Memorandum of Understanding will remain in force for a period of five years ending in 2015 and the approval/adoption date by the City of High Point would be July 1, 2010.

Council Member Alexander asked if there were any questions/comments from Council regarding the proposed agreement. There being none, the Committee recommended this matter be placed on Thursday's Agenda with a favorable recommendation for approval.

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

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

(all were present except Sims)

Pending Items

Resolution - Street Abandonment SA-10-05 - City of High Point

100090 A request by the Technical Review Committee to abandon an unimproved right-of-way, unnamed alley (15 feet in width), lying east of N. Hamilton Street between Guilford Avenue and Louise Avenue.

MISCELLANEOUS

Appointment - Boards & Commissions - Library Board of Trustees

100113 Council is requested to make the reappointment of Kay Anderson to the Library Board of Trustees. Appointment will be retroactive and will expire October 31, 2011.

This matter will be placed on Thursday's Agenda with a favorable recommendation for approval.

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

Appointment - Boards & Commissions - Theatre Advisory Board

100114 Approval of the appointment of Jamyle Katherine Acevedo to the Theatre Advisory Board. Appointment to be effective immediately and will expire 6/1/2012.

Since this matter did not originally appear on tonight's Agenda, **motion was made by Council Member Blakeney, seconded by Council Member Alexander to suspend the rules to place it on tonight's agenda for consideration. The motion carried unanimously.**

This matter will be placed on Thursday's Agenda with a favorable recommendation for approval.

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

PUBLIC COMMENT PERIOD - 5:15 P.M.

Adolescent Health Advocacy Day

Several students representing Browns-Summit Middle and Dudley High School were present to brief Council on their participation in the Annual Adolescent Health Advocacy Day at the Emerald Event Center addressed Council on behalf of the youth and community partners, who worked on the 2009 Photovoice project. Through Photovoice, the youth use photography to express views and creatively share with community leaders their perspectives on the importance of health issues (i.e. mental health, alcohol, tobacco, drugs, HIV and aids, education and sexual behavior, safety

and violence, physical activity, nutrition and body weight). The following students were recognized:

Brook (8th grader at Browns-Summit Middle School) Shared photo entitled "**Filling Empty Holes**" depicting violence in the schools

Solitia (Sophomore @ Dudley High School) shared photo entitled "**Girls Just Want to Have Fun**" that captures the importance of physical activity)

Alisa (Sophomore @ Dudley High School) shared photo entitled "**On the Right Track**" which reminded her of the future and all of the possibilities)

Cabria (Dudley High School) shared photo "**Do We Have to Spell it Out?**" depicting HIV issues that affect everyone)

Kristen (9th grader @ Dudley High School) shared photo entitled "**You Don't Have to Quit if You Never Start**"

Request for the City to Revisit Ordinances Regulating Animals

Ginny Wiltsey, Executive Director of the Humane Society of the Piedmont, addressed Council about issues and concerns regarding the treatment of animals in the community. She informed Council that she received several phone calls from concerned market visitors about the animals that were running at-large, the conditions of the animals running at large and how they received no response or no help when they called different agencies to help and shared some photos that reflected animal abuse going on in the community. She announced the formation of a new group "Triad Laws for Paws" and stated that they would like to get together with the elected officials in High Point to make a collective effort in order to make a difference in the animal treatment or lack thereof in the City of High Point.

Mayor Pro Tem Whitley mentioned that "Susie's Law" has been placed in the Public Safety Committee for further discussion. Ms. Wiltsey pointed out that Susie's Law, if adopted, would be on a State level and Triad Laws for Paws folks were wanting local level support in addition to the State level. Council Member Pugh asked for clarification that Susie's Law would not apply to starving animals and Ms. Wiltsey replied this was correct. Council Member reported that the Public Safety Committee would meet the first week in June to discuss this further and asked Ms. Wiltsey to provide the necessary contact information.

Parks & Rec Concerns

Don Carter, who resides at 407 Clover Drive, voiced concerns to Council about the lack of parks and rec facilities in the Burton Road community. He felt the area was being slighted and deserved the same attention as the folks that live on the north end of High Point.

PUBLIC HEARINGS ON ITEMS - 5:30 p.m.

Finance Committee- Chris Whitley, Chair

Committee Members: Bencini, Douglas and Alexander

Resolution - Issuance of Two-Thirds Bonds Orders

100105

City Council is requested to conduct a public hearing on May 3, 2010 at 5:30 pm as required by state law on the issuance of the referenced 2/3 bond; and following the public hearing, City Council is requested to approve the bond orders authorizing \$3,200,000 Parks and Recreational Facilities Bonds, and \$2,415,000 Street and Sidewalk Improvement Bonds as presented at its April 19, 2010, meeting.

Mayor Pro Tem Whitley opened the public hearing and asked if there was anyone present in the audience who would like to speak on this matter. There being no comments, the public hearing was declared closed. Mayor Pro Tem Whitley then asked if there were any questions that needed to be addressed by Council. There being no questions, he entertained a motion to proceed with the resolution for the Two-Thirds bonds.

Council Member Alexander moved to proceed with favorable action on the resolution for the Issuance of Two-Thirds Bonds with Council Member Douglas making a second to the motion.

Mayor Pro Tem Whitley called for a vote on the motion. The motion carried by a 4-3 vote as follows:

Votes: Aye: Mayor Pro Tem Whitley and Council Members
 Alexander, Blakeney, Douglas

Nay: Council Members Faircloth, Bencini and Pugh

City Attorney Fred Baggett informed Council that five votes were needed for the matter to pass.

Council Member Faircloth moved to place this matter on Thursday's Agenda without recommendation. Council Member Alexander made a second to the motion. The motion carried unanimously. [7-0 vote]

Council Member Faircloth asked staff to provide information as to the tax impact this would have (both the impact if it is approved and the benefit if it was not part of the budget)

A motion was made by Council Member Alexander, seconded by Council Member Douglas, that this matter be returned without recommendation. The motion carried by the following vote:

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

Closed Session- Economic Development

Upon motion by Council Member Alexander and second by Council Member Bencini, Council entered closed session at 6:10 p.m. pursuant to N.C. General Statute 318.11(a)(4) to discuss economic development incentives. The motion carried

unanimously.

For Information Only:

Proclamation- National Public Works Week

Mayor Pro Tem Whitley read a Proclamation into the record proclaiming the week of May 16 - 22nd as National Public Works Week in High Point. Keith Pugh, Director of Engineering Services, was present to accept the proclamation. He reported that in the past they have tried to engage the public as a means to let them know what public works is all about, but this year their approach will be a little different. The 8th grade art departments in the local schools have been asked and given the artistic freedom to paint a theme on a snow plow in keeping with their school--either their mascot, or a winter scene, etc.... The national President of the Public Works Association will visit High Point and will participate in the activities planned. At that time, there will be special recognition of a couple of members on the city's staff that have received state and national awards and the snow plows will also be on display at the Transportation Terminal.

SPECIAL RECOGNITIONS

VITA (VOLUNTEER INCOME TAX ASSISTANCE)

Mike McNair, Director of Community Development & Housing introduced Roger Burton, Territory Manager with the IRS and Randy Tysinger representing the U.S. Attorney's Office.

Mr. Burton read a letter from the IRS into the record in recognition of High Point's 4th year of participation and partnership with the IRS to help low-to-moderate income families throughout the city and the state in getting their tax returns done free of charge and thanked High Point for their assistance in the VITA Program.

Randy Tysinger representing the U.S. Attorney's Office and Johnn Marie Kruse with Community Development & Housing recognized the following partners: Family Services of the Piedmont; Guilford Technical Community College; United Way; Burns Hill Neighborhood Association and R. C. Baldwin Education Center.

The following individual volunteers were also recognized and received certificates:

Rhoshan Bhandari; Nate Broman-Fulks; Ashley Johnson; Annie Baker; Cynthia Green; Dora Harris; Cassandra Spencer; Shina Waddell; Melody Kivett; Yon Weaver; Jerry Mingo; Stephanie Stanly; Charrisse Jones; Vivian Washington; Tiffani Shimpt; and Johnn Marie Kruse.

Historical/Black College/University Tours

Keith Pemberton introduced the following students who recently participated in the Historical Black College/University Tour and reported on their trip.

Ebony Pender (7th grader at Penn Griffin School for the Arts)

*Jill Funderburk (Sophomore at Southwest Guilford High School)
Joy LeGrand (8th grader at Southwest Middle School)*

As part of the tour, the students visited NC A & T; Johnson C. Smith University; Virginia State University; Virginia Union University; Howard University; Coppin State University; and Morgan State University. Mr. Pemberton thanked the City Council for giving these students an opportunity to express themselves.

ADJOURNMENT

Upon reconvening into open session at 6:25 p.m. with an announcement that no action would be needed at this time as a result of the closed session, 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