

City of High Point

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



Meeting Minutes

Monday, April 4, 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 Alexander, Council Member Moore, Council Member Sims, Council Member Pugh, Council Member Henley, Council Member Whitley and Council Member Corey

Absent: Council Member Douglas

APPROVAL OF THE MINUTES FROM PREVIOUS MEETINGS

The minutes of the following meetings were unanimously approved as submitted upon motion by Council Member Whitley and second by Mayor Pro Tem Alexander. [8-0 vote] [Council Member Douglas was absent]

Planning, Economic Dev. & IT Committee; Thursday, March 17th @ 9:00 a.m.

Finance Committee; Monday, March 21st @ 3:30 p.m.

Combined Meeting; Monday, March 21st @ 4:45/5:30 p.m.

Planning, Economic Dev. & IT Committee; Tuesday, March 22nd @ 9:00 a.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 Whitley, seconded by Council Member Pugh to suspend the rules in order to take final action on these matters at tonight's meeting. The motion carried unanimously. [8-0 vote] [Council Member Douglas was absent]**

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

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

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

Committee Members: Mayor Smothers, and Council Members Whitley and Corey

(all were present)

Contract - Bid No. 24 - Steel Transmission Poles for Johnson Street**110050**

Consideration of award of contract for Bid No. 24 for the purchase of Steel Transmission Poles for the Johnson Street project. Purchasing and the Electric Department recommends that contract be awarded to TransAmerican Power Products in the amount of \$373,942.00 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 approval of this contract.

Approved the contract with TransAmerican Power Products in the amount of \$373,942.00 which is the lowest responsible and responsive bidder meeting specifications.

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

Sole Source Recommendation - ICOP - A Safety Vision Company - Equipment for the HPPD

110051

City Council is requested to approve an exception to the bid laws under the "sole source qualification" for the purchase of equipment for the Police Department from ICOP - A Safety Vision Company and approve the acquisition of the equipment and related services from said company in the amount of \$29,999.94.

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

The committee recommended approval of an exception to the bid laws under the "sole source qualification" and approval of award of the contract to Safety Vision, LLC for this equipment.

Approved an exception to the bid laws under the "sole source qualification" for the purchase of equipment for the Police Department from SafetyVision, LLC and approve the acquisition of the equipment and related services from SafetyVision, LLC in the amount of \$29,999.94.

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

Budget Ordinance Amendment - Material Recovery Facility Operating Budget

110052

Adoption of an ordinance amending the 2010-2011 Budget Ordinance to amend the Material Recovery Facility Operating Budget in the amount of \$325,000.00.

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

The committee recommended approval of the Budget Ordinance Amendment.

Adopted Ordinance amending the 2010-2011 Budget Ordinance to amend the Material Recovery Facility Operating Budget in the amount of \$325,000.00.

Ordinance No. 6809/11-17

Introduced 4/4/2011

Adopted 4/4/2011

Ordinance Book Volume XVII, Page 17

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

Contract - Bid No. 26 - PVC Swimming Pool Liner at City Lake Pool**110055**

Consideration of award of contract for Bid No. 29 for the Installation of PVC Swimming Pool Liner at the City Lake Pool. Purchasing and Parks and Recreation recommends that contract be awarded to Natare Corporation in the amount of \$121,300.00 which is the lowest responsive and responsible 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 the contract be awarded to Natare Corporation.

Approved the contract with Natare Corporation in the amount of \$121,300.00 which is the lowest responsive and responsible bidder meeting specifications.

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

Budget Ordinance Amendment - Model Farm Road Bridge Replacement**110057**

Adoption of an Capital Project Ordinance amending the 2010-2011 Budget Ordinance in the amount of \$1,096,000 for Model Farm Bridge Replacement Funds.

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

The committee recommended adoption of the Budget Ordinance Amendment.

Adopted a Capital Project Ordinance amending the 2010-2011 Budget Ordinance in the amount of \$1,096,000 for Model Farm Bridge Replacement Funds.

Ordinance No. 6810/11-18

Introduced 4/4/2011

Adopted 4/4/2011

Ordinance Book Volume XVII, Page 18

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

NCDOT Municipal Agreement - Model Farm Bridge**110056**

Consideration and approval of a North Carolina Department of Transportation Municipal Agreement for the preliminary engineering study and design for the replacement of the Model Farm Road bridge. This bridge will be replaced under the NCDOT Municipal Bridge Replacement Program.

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

The committee recommended approval of the agreement with NCDOT.

Approved the Municipal Agreement with the North Carolina Department of Transportation for the preliminary engineering study and design for the replacement of the Model Farm Road bridge.

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

Pending Items

Contract - Auditing Services

110033

City Council is requested to authorize the Mayor to execute a formal contract for Fiscal Year End June 30, 2011 through June 30, 2014 for financial and compliance audit of the City's financial operations.

(At the March 21st City Council Meeting this item was deferred to the April 4th meeting. At the March 21st meeting, a motion was made to award the contract to McGladrey & Pullen at a contract amount of \$62,000 and a substitute motion followed to award the contract to Dixon Hughes, LLC at a contract amount of \$55,000. Both motions failed to move forward due to a tie vote.) Staff made the recommendation to award the audit contract to Martin Starnes and Associates in the amount of \$60,000.

Approved the contract with McGladrey & Pullen and authorized the Mayor to execute the contract.

A motion was made by Council Member Whitley, seconded by Council Member Sims, that this matter be approved Motion by Council Member Whitley, second by Council Member Sims to authorize the Mayor to execute a formal contract for Fiscal Year end June 30, 2011 through June 30, 2014 for financial compliance audit of the city's financial operations with the firm of McGladrey & Pullen at a contract price of \$62,000. The motion carried by the following vote:

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

PUBLIC SAFETY & COMMUNITY DEVELOPMENT COMMITTEE - Council Member Sims, Chair

Committee Members: Council Members Alexander, Douglas and Corey

(Douglas was absent)

Pending Items

Ordinance - Vacate/Close Structure - 800 E. Commerce Street

110045

Council is requested to adopt an ordinance ordering the Inspector to effectuate the vacating and closing of a structure located at 800 E. Commerce Street belonging to Nathaniel E & Margaret G. Bolds.

Note: This matter was brought before Council on 3/21/2011. At that time, Council granted a 30-day extension. Matter will remain pending in Committee. Due back 4/18/2011.

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

(all were present)

Pending Items

City of High Point Incentives Policies

110053

Council is requested to receive the following Incentives Policy Review Committee recommendations:

- 2) City of High Point Job Creation Incentives Policy [new]
- 4) City of High Point Retail Incentives Policy [new]

Note: For Parts 1 and 3 of the Incentive Policies, please refer to Legislative Matter 110032.

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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.

Note: This matter will be discussed in the near future (possibly in May after the budget deliberations).

CLOSED SESSION- ECONOMIC DEVELOPMENT

Upon motion by Council Member Whitley and second by Mayor Pro Tem Alexander, Council entered into Closed Session at 4:55 p.m. pursuant to N.C. General Statute 143-318.11(a)(4) and (6) for a briefing from staff on a proposed economic development project and personnel issue. The motion carried unanimously.

Upon reconvening into open session at 5:12 p.m., Mayor Smothers called the meeting back to order and announced that Council was also given an update on pending OSHA proceedings that involved the High Point Fire Department. Additionally, she announced that the city manager accepted a letter of resignation from Chief David Taylor, who after 40 years of fire service, has decided to retire. The manager praised Chief Taylor for his leadership he has shown through a rough, expanded fire service

during his tenure with High Point and will keep the Council updated on the process, selection and interim plan for the department.

PUBLIC COMMENT PERIOD - 5:15 P.M.

House Gardens Greening Project

Jeff Moran and Lori Pedersen shared information regarding the success of the House Gardens Greening Project. The House Gardens Greening Project (HGGP) is a ministry of the Ward Street Mission. The HGGP has created a community of gardens and has a network spread over four counties throughout seven cities in the Piedmont Triad Region of North Carolina with over 50 different gardens location. The gardens are cared for by HGGP participating families and gives participating families incredible independence with the hope of cultivating relationships between partners and sponsored families in order to build a greener community by encouraging stewardship.

He reported last year in the Ward Street area and surrounding areas, they put out 54 gardens and 42 of these gardens were scholarship gardens (at a cost of \$5 each). He explained that the price for a scholarship garden has now been raised to \$10 to help offset rising costs of materials. Individuals may also participate in the project at a cost of \$100 per garden and this allows the HGGP to also give out two scholarship gardens at \$10 a piece.

Pastor Moran asked Council they would consider donating compost for his project. He explained that they are currently using about 3 tons of compost a week which is a big expense. He introduced Lori Pedersen, who hosted "garden central." She had four people that she allowed to have gardens at her house last year because they didn't have a lot they could use for a garden.

Lori Pedersen shared success stories about the gardens and pointed out the gardens have fed not only her family, but many people in her church and neighborhood as well.

Council Member Alexander suggested the city could possibly establish \$1,000 worth of credit. City Manager Strib Boynton recommended staff meet with HGGP to see how the city could help.

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

Finance Committee - Council Member Alexander, Chair

Public Hearing - Outside Agency Funding Requests - 2011-2012 Annual Budget

110054

Monday, April 4, 2011 at 5:30 p.m. is the date and time established to receive public comments from Outside Agencies requesting funding in the City of High Point 2011-2012 Annual Budget.

The public hearing for this matter was held on Monday, April 4, 2011 at 5:30 p.m.

Mayor Smothers explained that the agencies who have previously received funding from the City were given the opportunity to submit funding requests directly to staff and staff would be reviewing/discussing the requests in more detail later on in the budget process.

The following agencies had representatives present who addressed Council regarding their funding requests.

Theatre Art Galleries (TAG)

Mark Brown, Executive Director, Theatre Art Galleries, addressed Council. He explained TAG's purpose is to bring visual arts to High Point through exhibitions and education and proceeded to give an overview of the activities/programs they have offered this past year. TAG received \$31,000 in funding from the city last year and Mr. Brown stated they would be most grateful for continued funding this coming year.

Arts Council

Debbie Lumpkins, Executive Director, High Point Area Arts Council, addressed Council on behalf of the Arts Council. She explained this past year could have been devastating to the community arts in High Point because they found themselves in a position where they had to either cut programs that serve the community or think about moving from where they were. She stated they were extremely thankful to Parks & Recreation for providing space to house the Arts Council in the new Parks & Rec building on Northpoint and thanked Council for their role in making this happen.

She pointed out in their budget request, they reported anticipation of another significant cut from Guilford County as well as the possibility of losing funding from the state, but they were not asking the city to make up the difference. Ms. Lumpkins did ask Council for any assistance they could give the Arts Council to help get funding.

She shared the results of a Creativity Vitality Index Study that the United Arts Councils in Greensboro and High Point did together. [a summary of the results will be attached in Legistar as a permanent part of these proceedings]. On a baseline scale for the nation of 1.0, Guilford County came in at .95 and she pointed out Guilford County is considered a creative cluster and a leader in the state. She also shared that we lead the nation in the following areas: 2:1 for interior designers; 2:1 in photographers. Ms. Lumpkins pointed out that the city's investments in the arts over the past years helped Guilford County not only to be a leader in the state, but the nation as well. Mayor Smothers felt the statistical data in the study was really interest and revealing as well.

Council Member Henley stated he currently serves as the Council liaison to the Arts Council and commended them for their accomplishments while being challenged year

after year. He expressed great appreciation for the importance of the arts as it relates to the economic development component in the community and thanked the Arts Council for their presence in the community.

Piedmont Triad Ambulance/Rescue (PTAR)

Paula Lineberry, Chief of PTAR, addressed Council. She explained PTAR is a non-profit ambulance corporation franchised by Guilford County as well as Randolph and Davidson with a primary focus in Guilford County. Their mission is to provide emergency medical services as well as non-emergency services to all citizens. PTAR also provides services to functions/events that take place in High Point and they respond frequently with the Police Department on their tactical operations and support the Fire Department during house fire calls to make sure the firemen are safe or get medical care in the case of injury.

Mayor Smothers expressed appreciation to PTAR for all the work and assistance to the city. She pointed out PTAR has picked up areas in the city that can't be accessed readily that fall within Davidson County's jurisdiction. City Manager Boynton pointed out that PTAR is a critical partner in the city's ability to take care of its citizens.

Ms. Lineberry asked Council for their continued support and funding.

Shakespeare Festival

Beth Koonce, Chairman of the Shakespeare Festival Board, addressed Council on behalf of the Festival. She thanked Council for their financial support in years past and stated Council's continued support is absolutely critical to them if they are to sustain their current programming. She shared that they lost their funding from the state for the coming year, but their staff, board and several devoted supporters have rallied and are in the process of putting together some new ideas that they hope will put them on sound financial footing for the future. She offered assurances that the Festival is committed to maintaining and growing their presence in High Point and hoped Council would continue to support them and the unique important cultural resource they are.

Mayor Smothers asked Ms. Koonce to provide Council and city staff with information on time utilization anticipated for use of the Theatre as soon as possible. Ms. Koonce agreed to provide this information.

Savada Gilmore, a recent graduate of High Point University, also spoke on behalf of the North Carolina Shakespeare Festival. He gave Council an overview of the outreach program in North Carolina "Shakespeare to Go." "Shakespeare to Go" has brought live theatre and/or workshops to students and teachers throughout North Carolina. He asked Council to consider continued support to the Shakespeare Festival and shared some of his personal experiences and passion as a theatre actor for the Shakespeare Festival.

Piedmont Triad Film Commission

Rebecca Clark, Executive Director, addressed Council on behalf of the Piedmont

Triad Film Commission. The Piedmont Triad Film Commission is an organization that works to promote and market this region to recruit film business here. She explained when they bring film productions into this region, it generates jobs and additional revenues. She pointed out to successfully recruit film productions to the regions, the following are needed:

- 1. Incentives*
- 2. Great locations*
- 3. Infrastructure (i.e. crew bases, accountants, producers, equipment supply places, post production services, editing suites, film office to promote services).*

Mayor Smothers asked if there was anyone else present who would like to address Council regarding outside agency funding requests. There being none, she closed the public hearing and advised that Council would be discussed and taken into consideration during the budget process.

For Information Only:

Special Recognitions:

Mayor Smothers recognized David Walker, Associate Professor at High Point University and his students who were present to observe the proceedings.

Meeting Reminder:

There will be a Briefing Session for discussion of legislative bills and tour of the Park Terrace development at the Housing Authority at 9:00 a.m. on Thursday, April 7th.

Retraction of Newspaper Article

Council Member Pugh mentioned he read an article in the newspaper recently that said that the Council did not go along with the cap on the state's tax proposal and to his knowledge Council hasn't discussed it or voted on it at this point. Mayor Smothers agreed that no action has been taken by Council on this matter and suggested Council Member Pugh go back to the reporter to get their source for the story.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 6:10 p.m. upon motion duly made and seconded.

Respectfully Submitted,

Rebecca R. Smothers, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk