

City of High Point

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

Meeting Agenda

Monday, March 7, 2011

4:45:00 PM

Council Chambers

Committee of the Whole

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

Committee Members - Whitley, Smothers, Corey

110031**Resolutions - Piedmont Triad Council of Governments**

Council is requested to adopt the following resolutions:

- 1) Resolution dissolving the Piedmont Triad Council of Governments and Providing for Distribution of Assets and Obligations;
- 2) Resolution - Formation and Membership in the Piedmont Triad Regional Council

110034**Contract - Bid No. 49 - Renewal of Polymer Contract for Eastside WWTP**

Award of contract for Bid No. 49 for the renewal of the Polymer Contract for the Eastside Wastewater Treatment Plant. Purchasing and Public Services recommends that the contract for Polymer be renewed with SNF Polydyne for fiscal year 2011-2012. Polydyne was the lowest responsible and responsive bidder meeting specifications in the amount of \$289,800.00.

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

Committee Members - Alexander, Douglas, Corey

PLANNING, EDC & INFORMATION TECHNOLOGY COMMITTEE - Council Member Whitley, Chair

Committee Members - Sims, Henley, Moore

100325**Text Amendment 10-08- City of High Point - re Development Inspections Regulations**

A request by the City Council to consider a text amendment to Chapter 11, Development Inspection Regulations, of the Code of Ordinance of the City of High Point to include relocation costs paid by the City as cost allowable as a lien against property subject to enforcement action under the minimum housing code. (This item was discussed in committee on Tuesday, February 22nd at 9:00 a.m. and the committee recommended placement on the March 7th agenda)

11/15/2010 Committee of the Whole deferred

**Planning , Economic Dev.
& Information
Technology Committee**

110032**City of High Point Incentives Policies**

Council is requested to approve the following documents as recommended by the Incentives Policy Review Committee:

- 1) City of High Point Industrial Incentives Policy (revised)
- 2) City of High Point Job Creation Incentives Policy (new)
- 3) City of High Point Incentives Map (revised)
- 4) City of High Point Retail Incentives Policy (new)

PUBLIC COMMENT PERIOD - 5:15 P.M.

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

ADJOURNMENT

BID INFORMATION AND RECOMMENDATION**BID # 49-042909****DATE OPENED: Renewal****DESCRIPTION: Renewal of Polymer Contract for Eastside Wastewater Treatment Plant****BID PACKAGES DISTRIBUTED: N/A****DEPARTMENT: Public Services****SOURCE OF FUNDS: 621759-526103****BUDGETED AMOUNT: \$ 289,800.**

PURPOSE: To renew the Sludge Thickening Polymer Contract for fiscal year 2011-2012. This chemical is used to capture solids during centrifuging to produce cake sludge for incineration.

COMMENTS: This renewal represents a 5% price increase over the pricing we have had for the past two years. This is the last of two one-year renewal periods. Comparing current pricing in the polymer market today from bid trials indicate that the average pricing is in the range of \$ 1.05 to \$ 1.15 per pound. Also, comparing #2 fuel oil pricing from September 2010 to February 2011 shows a 37.62% increase in #2 fuel oil costs (\$2.10 to \$2.89 per gallon). Staff recommends renewal is preferable to competitive bidding at this time.

RECOMMENDED AWARD

QTY	U/M	DESCRIPTION	VENDOR	EA	TOTAL
300,000	LB	Polymer-Sludge Thickening	Polydyne	\$0.966	\$289,800.00

BID TABULATION

N/A

The **PURCHASING DEPARTMENT AND PUBLIC SERVICES DEPARTMENT** recommends that the contract for **POLYMER** be renewed with **SNF POLYDYNE** for fiscal year 2011-2012. Polydyne was the lowest responsible and responsive bidder meeting specifications.

DATE OF RECOMMENDATION: March 2, 2011



Strib Boynton, CITY MANAGER

CITY OF HIGH POINT INTEROFFICE MEMORANDUM

TO: PATTY SYKES, TERRY HOUK
FROM: KEN NEWNAM
SUBJECT: POLYMER PRICING FY 2011/2012
DATE: 3/2/2011
CC: JOHN HODGES

The negotiated price for polymer pricing for FY 2011/2012 from our supplier, SNF Polydyne, is \$0.966 per pound of emulsion polymer. This represents an increase of 5% from our original pricing that we have had for two years. As per the letter from Boyd Stanley, dated January 22, 2011, the original contract parameters are the same.

Emulsion polymer used in dewatering wastewater sludge is a water soluble petroleum base product. Due to the market pressures driving the upward pricing scale for oil stocks used in polymer production and the uncertainty of future events, a 5% increase for next year's contract price seems prudent. Comparing current pricing in the polymer market today from bid trials indicate that the average pricing is in the range of \$ 1.05 to \$ 1.15 per pound. Also, comparing my #2 fuel oil pricing from September 2010 to February 2011 shows a 37.62% increase in #2 fuel oil costs (\$2.10 to \$2.89 per gallon).

Therefore, Residuals Management recommends \$0.966 per pound for emulsion polymer from SNF Polydyne for FY 2011/2012



P. O. Box 279, 1 Chemical Plant Road, Riceboro, GA 31323



January 22, 2011

Ken Newnam
City of High Point
Eastside WWTP
5898 Riverside Rd.
Jamestown, NC 27282

Dear Ken,

Polydyne thanks the City of High Point for the opportunity to supply emulsion polymer for the dewatering applications at both the Eastside and Westside WWTPs. Polydyne would like to offer the following proposal to the City of High Point. Polydyne will offer the City of High Point emulsion polymer delivered in totes to either facility at \$0.966/lb beginning July 1, 2011 through June 30, 2012. All terms and conditions of the current contract will remain the same through the 2011-2012 time period.

Polydyne looks forward to continuing to be a responsible supplier and continuing our relationship with the City of High Point. Please call me if you have any additional questions.

Best regards,

Boyd Stanley

Regional Manager
SNF/Polydyne, Inc.
336-210-9349

RESOLUTION
Dissolving the Piedmont Triad Council of Governments
and
Providing for Distribution of Assets and Obligations

WHEREAS, the Piedmont Triad Council of Governments was organized in June 1968; and

WHEREAS, the Piedmont Triad Council of Governments, is a regional council of governments authorized by NCGS 160A, Article 20, Part 2 Regional Councils of Governments; and

WHEREAS, the Piedmont Triad Council of Governments is designated by the Secretary of the Department of Administration as the Lead Regional Organization for North Carolina multi-county planning Region G; and,

WHEREAS, as of today's date the Piedmont Triad Council of Governments consists of forty-six member governments shown in Attachment A to this Resolution including the counties of Alamance, Caswell, Davidson, Guilford, Montgomery, Randolph and Rockingham and thirty-nine municipalities within those counties; and

WHEREAS, this association has proven the usefulness of regionalism as an efficient and effective platform for cooperative problem solving and program delivery; and,

WHEREAS, changes in the scope of political, economic, environmental, and transportation issues have led the membership of the Piedmont Triad Council of Governments to consider the opportunities offered by a broader coalition of like-minded local government partners across the twelve-county Piedmont Triad region of North Carolina.

NOW THEREFORE BE IT RESOLVED, that the High Point City Council hereby agrees to dissolve the voluntary association heretofore known as the Piedmont Triad Council of Governments at the end of fiscal year 2010-2011; and,

BE IT FURTHER RESOLVED, that such dissolution shall occur upon satisfaction of two conditions: (1) adoption of this Resolution by thirty-one member government units which is two-thirds of all member governmental units of the Council as required by Article IV, Section 2 the Charter and (2) formation of the successor council of governments pursuant to NCGS 160A, Article 20, Part 2 as provided for in the Formation and Membership Resolution for the Piedmont Triad Regional Council; and

BE IT FURTHER RESOLVED, that upon satisfaction of conditions one (1) and two (2) above, dissolution of the Piedmont Triad Council of Governments shall become effective June 30, 2011; and

BE IT FURTHER RESOLVED, that all assets and obligations of the Piedmont Triad Council of Governments, Multi-County Planning Region G, shall transfer to the successor regional council, the newly formed Piedmont Triad Regional Council.

IN WITNESS WHEREOF, this resolution is adopted this the 7th day of March 2011.

ATTEST:

BY:


Lisa B. Vierling, City Clerk



JURISDICTION

By:


Rebecca R. Smothers, Mayor
City of High Point

RESOLUTION

Formation and Membership in the Piedmont Triad Regional Council

WHEREAS, the Piedmont Triad Council of Governments, multi-county planning Region G, serves the region encompassing Alamance, Caswell, Davidson, Guilford, Montgomery, Randolph and Rockingham counties and thirty-nine municipalities within those counties; and

WHEREAS, the Northwest Piedmont Council of Governments, multi-county planning region I, serves the region encompassing Davie, Forsyth, Stokes, Surry and Yadkin counties and twenty-two municipalities within those counties; and

WHEREAS, the two councils of governments have individually and jointly studied the benefits of merger to form a new Piedmont Triad Regional Council which would be the successor council of governments to the two existing entities and which, pursuant to this Resolution, would encompass the twelve-county Piedmont Triad region; and

WHEREAS, the benefits of merging the two regional councils include:

- Designation of one Lead Regional Organization for the Triad region consistent with state policy on regions since 1971;
- A larger and more unified voice for Triad local governments at the state and national levels;
- Broader scope of services to member governments, based on the strengths of each existing COG;
- Efficiency of shared overhead leading to reduced fees for contract services to members;
- Alignment of the region's two local government organizations to reflect common economic, land, water, transportation and air quality conditions.

NOW THEREFORE BE IT RESOLVED, that the High Point City Council hereby joins with other local governments throughout the twelve-county region in adopting the Charter of the Piedmont Triad Regional Council (attached as Attachment A and incorporated herein); and

BE IT FURTHER RESOLVED, that establishment of the Piedmont Triad Regional Council shall require adoption of this Resolution by each board of county commissioners in the twelve-county region or adoption by the governing bodies of one or more municipalities whose combined populations represent at least 50% of the population of each county on or before March 31, 2011; and

BE IT FURTHER RESOLVED, that upon sufficient votes by units of local government as required above, the Piedmont Triad Regional Council shall be established as the council of governments for the Piedmont Triad region effective July 1, 2011; and

BE IT FURTHER RESOLVED, that sufficient votes by units of local government as required above, will be deemed a petition and request to the Secretary of the North Carolina Department of Administration to re-draw regional boundaries, as authorized in G.S. G.S.143-341(6)(i), for a twelve-county Piedmont Triad region effective July 1, 2011.

IN WITNESS WHEREOF, this resolution was adopted this the 7th day of March 2011.

ATTEST

BY:

Lisa B. Vierling, City Clerk



JURISDICTION

By:

Rebecca R. Smothers, Mayor

City of High Point

Piedmont Triad Regional Council

Local Governments

Alamance County	Liberty
Archdale	Madison
Asheboro	Mayodan
Bermuda Run	Mebane
Bethania	Midway
Biscoe	Mocksville
Boonville	Montgomery County
Burlington	Mount Airy
Caswell County	Mount Gilead
Clemmons	Oak Ridge
Cooleemee	Pilot Mountain
Danbury	Pleasant Garden
Davidson County	Ramseur
Davie County	Randleman
Denton	Randolph County
Dobson	Reidsville
East Bend	Rockingham County
Eden	Rural Hall
Elkin	Seagrove
Elon	Staley
Forsyth County	Stokes County
Franklinville	Stokesdale
Gibsonville	Stoneville
Graham	Summerfield
Green Level	Surry County
Greensboro	Thomasville
Guilford County	Tobaccoville
Haw River	Trinity
High Point	Troy
Jamestown	Village of Alamance
Jonesville	Walkertown
Kernersville	Walnut Cove
King	Wentworth
Lewisville	Whitsett
Lexington	Winston-Salem
	Yadkin County
	Yadkinville
	Yanceyville

CHARTER of the PIEDMONT TRIAD REGIONAL COUNCIL

Section 1. Name

The name of the regional council shall be the "Piedmont Triad Regional Council". It is hereinafter referred to in this Charter as the "Council".

Section 2. Purpose

The **Piedmont Triad Regional Council (PTRC)** is a voluntary association of municipal and county governments, enabled by state law, to provide leadership on regional issues; promote cooperation among members; develop regional cohesiveness based on strengths and opportunities of members; and bridge responsibilities of federal, state and local governments as the Lead Regional Organization for the Piedmont Triad region.

Section 3. Membership

- A. The initial membership of this Council shall consist of the general purpose local governmental units within the twelve-county Piedmont Triad region which adopt this identical resolution on or before (____ date ____) as provided in G. S. 160A-470.
- B. The units of local government eligible for membership are the following counties and all incorporated municipalities within the counties:

Alamance
Caswell
Davidson
Davie
Forsyth
Guilford

Montgomery
Randolph
Rockingham
Stokes
Surry
Yadkin

- C. Any county or municipality within the region which is not an initial member may join the Council by ratifying this Charter and by being admitted by a majority vote of the existing members.
- D. All rights and privileges of membership in the Council shall be exercised on behalf of the member governments by their delegates to the Council; and "delegates" as used in this Charter shall, unless otherwise provided, include alternate delegates duly designated by a member.

Section 4. Representation

- A. Each member governmental unit shall be represented in the Council by one delegate or in his/her absence by a designated alternate. All delegates and alternates shall be elected officials of the governing bodies of the member governmental units they represent. The delegates and alternates, as well as their successors, shall be selected by the member

governing bodies in any manner consistent with law and the regulations governing such body.

- B. Each primary delegate shall have the responsibility of representing his/her member governmental unit at all Council meetings and actions. In the event of the inability of the primary delegate to attend or otherwise participate in a Council meeting or action, an alternate delegate shall exercise the responsibility of representing that member governmental unit at the appropriate meeting or action. Only one delegate may represent a member governmental unit at any meeting or any action; provided, however, that both primary and alternate delegates may attend any regular or called meeting and may participate in any discussion or debate.
- C. The terms of office of each delegate and each alternate shall commence upon the date of his or her appointment to the Council by the governing body of the member governmental unit s/he represents. The term shall continue at the pleasure of said governing body unless the delegate shall sooner resign or cease to be an elected member of the governing board, in which case his/her term shall expire on the effective date of such event.
- D. Delegates shall serve without compensation or remuneration for their services. This section shall not, however, prohibit reimbursement for expenses incurred while on Council business.

Section 5. Finance

- A. The financial affairs of the Council shall be conducted in accordance with the provisions of the Local Budget and Fiscal Control Act (G. S. 159) as it relates to Regional Councils of Government in the interpretation of the N. C. Local Government Commission.
- B. On or before the 15th of April each year, the Council shall prepare and submit to each participating governmental unit a proposed budget for the next fiscal year commencing July 1.
- C. The general budget shall set out dues to be paid by each participating governmental unit based on the latest certified population estimates from the office of the N.C. State Demographer.
- D. Each participating governmental unit shall, upon adoption of its budget, appropriate and forward to the Council Finance Officer its share of the Council's budget.
- E. All expenditures of the Council for special projects of the Council shall be paid from revenues paid in advance by the governmental units and agencies directly involved in such projects and paid especially for such special projects, from any other funds made available for such projects from any other source. All such revenues shall be credited to a special revenue account and all expenditures charged to a special expenditure account so that exact cost accounting may be made at the completion of the project.
- F. All revenues paid to the Council by member governmental units and all other sources shall be deposited in the general fund of the Council and separate revenue and expenditure accounts shall be maintained for each phase of operation of the Council to the extent required by sound accounting practices, to include, but not limited to, such accounts for the general operating expenses of the Council and each special project undertaken by the Council or any committee thereof.
- G. The Council shall designate a Council employee as the Council Finance Officer to perform the function of the city or county finance officer under the Local Government

Budget and Fiscal Control Act insofar as post-budget approval of expenditures is concerned.

- H. It shall be the duty of the Council to require its accounts to be audited annually by a certified public accountant. A copy of the annual audit shall be provided to each member unit of government.

Section 6. Powers and Duties

The Council shall have the following powers:

1. to apply for, accept, receive, and disburse funds, grants, and services made available to it by the State of North Carolina or any agency thereof, the United States of America or any agency thereof, any unit of local government (whether or not a member of the Council), and any private or civic agency;
2. to employ personnel;
3. to contract with consultants;
4. to contract with the State of North Carolina, any other state, the United States of America, or any agency thereof, for services;
5. to study regional governmental problems, including matters affecting health, safety, welfare, education, recreation, economic conditions, regional planning, and regional development;
6. to promote cooperative arrangements and coordinated action among its member governments;
7. to make recommendations for review and action to its member governments and other public agencies which perform functions within the region in which its member governments are located
8. For the purpose of meeting the regional council's office space and program needs, to acquire real property by purchase, gift, or otherwise, and to improve that property. The regional council may pledge real property as security for indebtedness used to finance acquisition of that property or for improvements to that real property, subject to approval by the Local Government Commission as required under G.S. 159-153. A regional council may not exercise the power of eminent domain.
9. Any other powers that are exercised or capable of exercise by its member governments and desirable for dealing with problems of mutual concern to the extent such powers are specifically delegated to it from time to time by resolution of the governing board of each of its member governments which are affected thereby, provided, that no regional council of governments shall have the authority to construct or purchase buildings, or acquire title to real property, except for the purposes permitted under subdivision (7a) of G.S.160A-475 or in order to exercise the authority granted by Chapter 260 of the Session Laws of 1979.
10. Any other powers granted by G.S.160A-475, Specific Powers of Council, as hereafter amended.

Section 7. Voting

- A. One half (1/2) of the delegates of the Council shall constitute a quorum at any regular or special meeting of the Council.
- B. At any Council meeting the affirmative vote of two-thirds (2/3) of the delegates of the Council present shall be necessary to decide any question brought before the meeting.
- C. In case less than a quorum shall be assembled at any meeting, action may nevertheless be taken upon any questions which can be decided by an affirmative vote

of two-thirds of the delegates as above referenced, if such action shall be supported by the same absolute number of delegate votes as would be required for action at a meeting at which a quorum is assembled.

- D. Any delegate shall be entitled to one vote, and it shall be counted to determine if the necessary number of votes has been attained on the question before the Council.
- E. Proxy voting shall not be allowed. The vote of a member governmental unit can only be cast by the delegate of the governing body or the governmental unit's alternate who must be an elected member of that governing body.

Section 8. Amendment of Charter

The Council may formally recommend to the member governments a resolution to amend the Charter by affirmative vote of at least two-thirds of the representatives present at any meeting at which a quorum was present, provided notice of such vote has been given in accordance with the Bylaws. Said amendment shall become effective when the resolution has been duly adopted by two-thirds of the member governmental units.

Section 9. Severability

If any article, paragraph, sentence or phrase of this Charter shall be declared by any court of competent jurisdiction to be in violation of the laws of the Federal government, of the laws of this State, or where applicable, of the laws of any other state, such provision of this Charter shall be considered to be severable, as to the member or members affected, and the validity of the remaining portion of the Charter shall not be affected.

Section 10. Withdrawal

Any member government may withdraw from the Council at the end of any fiscal year by giving at least 60 days written notice to each of the other members and to the Board of Delegates of the Council. Withdrawal of a member government shall not dissolve the Council if at least two members remain.

Section 11. Dissolution

The Council may be dissolved at the end of any fiscal year only (1) upon the adoption of a dissolution resolution by the governing bodies of at least two-thirds of member governmental units, or (2) the withdrawal from the Council of all but one of the member governmental units. If such dissolution is effected by resolution of the requisite number of member governments, such resolutions shall specify the method of liquidating the Council's assets and liabilities. If such dissolution is occasioned by withdrawal of all but one member, the remaining governmental unit shall have the power to liquidate all assets and liabilities; and it shall then distribute the net proceeds, if any, to those members who paid the latest annual assessment and in the same proportion. Any deficit shall be the responsibility of those member governments who would have received the net proceeds, and in the same proportions.

Section 12. Effective Date

The effective date of this Charter shall be _____ as to initial membership. As to all subsequent members, this Charter shall be effective on the date of its adoption by the governing body of such governmental unit or the date such member's application was approved, whichever shall be later.

