

# **City of High Point**

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



## **Meeting Minutes**

**Monday, March 5, 2012**

**4:45:00 PM**

**Council Chambers**

*Rebecca R. Smothers, Mayor  
M. Christopher Whitley, Mayor Pro Tem  
Latimer B. Alexander, IV, 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: Council Member Whitley, Mayor Smothers, Council Member Alexander, Council Member Moore, Council Member Sims, Council Member Douglas, Council Member Pugh, Council Member Henley and Council Member Corey

**APPROVAL OF THE MINUTES FROM PREVIOUS MEETINGS**

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

Finance Committee; Monday, February 20th @ 4:00 p.m.

Combined Meeting; Monday, February 20th @ 4:45 p.m.

Planning, Economic Dev. & Information Technology Committee; Tuesday, February 21st @ 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 Alexander, 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. [9-0 vote]**

**Motion was then made by Council Member Alexander, seconded by Mayor Pro Tem Sims that all Committee recommendations stand as final action regarding these matters. The motion carried unanimously. [9-0 vote]**

**This action cancels the meeting scheduled for Thursday, February 23rd at 9:00 a.m.**

**PRESENTATION OF ITEMS**

**FINANCE COMMITTEE - Council Member Alexander, Chair**  
**Committee Members: Whitley, Smothers and Corey**

**(all were present)**

**Sole Source Authorization - Trojan Ultraviolet Disinfection System**

**120047**

City Council is requested to approve an exception to the bid laws under the "sole source qualification" for the purchase of Trojan UV equipment for the Public Services Department from EW2 Environmental; and, approve the acquisition of the Trojan UV equipment from EW2 Environmental. The required funds of \$54,975.00 for the purchase are budgeted in the Water & Sewer Operations Fund.

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.

Approved an exception to the bid laws under the "sole source qualification" for the purchase of Trojan UV equipment for the Public Services Department from EW2 Environmental; and approved the acquisition of Trojan UV equipment from EW2 Environmental.

**A motion was made by Council Member Alexander, seconded by Council Member Corey, that this matter be approved. The motion carried unanimously.**

#### **Contract - Purchase of Fire Pumper and Aerial Ladder Trucks**

##### **120048**

Council is requested to approve the following actions to complete the necessary procedures with regards to the recommendation for the purchase of a Fire Pumper and Aerial Ladder trucks:

- (1) City Council is requested to reject the recommendation for award for a fire pumper truck to Triad Fire Inc (competitive formal bid process) in the amount of \$496,446.00
- (2) City Council requested to approve a resolution approve a resolution authorizing the City of High Point's participation in the collaborative purchasing contracts through the Houston-Galveston Area Council (HGAC)
- (3) City Council requested to approve a collaborative purchasing contract with HGAC and Triad Fire Inc (Kernersville, NC) for the purchase of a Pierce 2012 Pumper Truck in the amount of \$480,668.00
- (4) City Council requested to approve a collaborative purchasing contract with HGAC and Triad Fire Inc (Kernersville, NC) for the purchase of a Pierce 2012 Ladder Truck in the amount of \$857,775.00

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.

Approved the preceding actions to complete the necessary procedures with regards to the recommendation for the purchase of a fire pumper and aerial ladder truck.

**A motion was made by Council Member Alexander, seconded by Council Member Corey, that this matter be approved. The motion carried unanimously.**

#### **Contract - Atkins North America, Inc. - Johnson Street/Sandy Ridge Road Extension Project**

##### **120051**

Council is requested to authorize staff to execute contract with Atkins North America, Inc. for the Johnson Street/Sandy Ridge Road Environmental Planning and Preliminary Engineering and Design Project.

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.

Authorized staff to execute contract with Atkins North America, Inc. for the Johnson Street/Sandy Ridge Road Environmental Planning and Preliminary Engineering and Design Project.

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

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

**Committee Members: Alexander, Douglas and Corey**

(all were present)

**Revisions to Article P: School Zones and School Flashers**

**120042**

Council is requested to approved changes to the Department of Transportation Article P of the city ordinance Schedule 2. Flashing Signals, Section b and Schedule 2. Speed Control, Section c & d.

Chairwoman Sims explained this would basically bring equipment uniformity to existing school zones to alert individuals approaching school zones.

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

Adopted ordinance approving changes to the Department of Transportation, Article P (traffic schedules) pursuant to Section 10-1-291, Schedule 2 (Flashing Signals) Section b; and Schedule 2 (Speed Control) Section c and d of the High Point Code of Ordinances.

**Ordinance No. 6896/12-13**

**Introduced 3/5/2012**

**Adopted 3/5/2012**

**Ordinance Book Volume XVII, Page 87**

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

**Ordinance - Vacate/Close Dwelling - 1010 Gordon Street**

**120044**

Adoption of an ordinance ordering the inspector to effectuate the vacating and closing of a dwelling located at 1010 Gordon Street belonging to Homesolutions Properties, Inc.

The property owners were not present to address Council on this housing case.

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

Adopted Ordinance ordering the inspector to effectuate the vacating and closing of a dwelling located at 1010 Gordon Street belonging to Homesolutions Properties, Inc.

**Ordinance No. 6896/12-13**

**Introduced 3/5/2012**

**Adopted 3/5/2012**

**Ordinance Book Volume XVII, Page 87**

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

#### **Appointment - Firefighter's Relief Fund Board of Trustees**

##### **120046**

Council is requested to confirm the appointment of Ms. Leslie Graham as one of the two Council representatives on the Firefighter's Relief Fund Board (Pension Fund) of Trustees as authorized by NC General Statute 58-84-30. Ms. Graham will be replacing Mr. Gary Grassi who has resigned. Appointment to be effective immediately and will expire January 31, 2014.

Approved the appointment of Leslie Graham to the Firefighter's Relief Fund Board of Trustees. Appointment to be effective immediately and will expire January 31, 2014.

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

#### **Update on Meredith Street Apartments**

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Council Member Douglas asked staff to update Council regarding the status of the Meredith Street Apartments. Katherine Bossi, Local Codes Enforcement Supervisor, reported that the property owner does have current building permits on building 515 and 513. Building 515 is about 90% complete and work is about 40% complete on Building 513. In January, the property owner did obtain an electrical permit for Building 515. Staff continues to monitor the progress.

#### **Pending Items**

##### **Ordinance - Demolition of Structure - 1315 Vernon Place**

##### **120032**

Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 1315 Vernon Place belonging to David L and Minnie L. Terry.

Note: This matter has been pending since February 20, 2012. Property owner was given a 6-month extension at that time to bring property into compliance. Matter due back around August 20, 2012.

#### **PLANNING, ECONOMIC DEVELOPMENT & INFORMATION TECHNOLOGY COMMITTEE -Council Member Whitley, Chair**

##### **Ordinance - Rezoning Case 11-15 - City of High Point**

**120014**

A request by the City of High Point City Council to amend the Airport Overlay District based on information provided in the Piedmont Triad International Airport FAR Part 150 Study. The Airport Overlay District boundaries are recommended to change in two areas. One is the Western Area, which is west of Sandy Ridge Road/Kendale Road; the other is the Eastern Area, which is generally east of NC 68.

The public hearing for this matter was held on Tuesday, January 17, 2012 at 5:30 p.m. At that time, the public hearing was closed and the matter was placed on the pending list for the Planning, Economic Development & Information Technology Committee.

Chairman Whitley explained that the committee did meet and evaluated the matter and recommended it be placed on Council's agenda with a favorable recommendation.

Council Member Sims asked if the residents met with the Airport Authority regarding abatement issues. It was noted that some of the residents did meet with Kevin Baker, Executive Director for the Piedmont International Airport Authority. Lee Burnette, Director of Planning and Development explained they did create an officer to funnel the complaints/issues to and their intentions are that this role would grow in the future.

Adopted ordinance amending the Airport Overlay District based on information provided in the Piedmont Triad International Airport FAR Part 150 Study.

**Ordinance No. 6898/12-15**

**Introduced 1/17/2012**

**Adopted 3/5/2012**

**Ordinance Book Volume XVII, Page 88**

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

**Ordinance - Text Amendment 11-10 - City of High Point****120015**

A request by the City of High Point Planning & Development Department to amend Section 9-4-4(d) of the Development Ordinance, entitled Airport Overlay Districts; primarily being an amendment to reference the FAR Part 150 Study for Piedmont Triad International Airport as the basis for the four overlay zones.

The public hearing for this matter was held on Tuesday, January 17, 2012 at 5:30 p.m. At that time, the public hearing was closed and the matter was placed on the pending list for the Planning, Economic Development & Information Technology Committee.

Chairman Whitley explained that the committee did meet and evaluated the matter and recommended it be placed on Council's agenda with a favorable recommendation.

Council Member Sims asked if the residents met with the Airport Authority regarding abatement issues. It was noted that some of the residents did meet with Kevin Baker, Executive Director for the Piedmont International Airport Authority. Lee Burnette,

Director of Planning and Development explained they did create an officer to funnel the complaints/issues to and their intentions are that this role would grow in the future.

Adopted ordinance amending Section 9-4-4(d) of the Development Ordinance, entitled Airport Overlay Districts; primarily being an amendment to reference the FAR Part 150 Study for Piedmont Triad Airport as the basis for the four overlay zones.

**Ordinance No. 6899/12-16**

**Introduced 1/17/2012**

**Adopted 3/5/2012**

**Ordinance Book Volume XVII, Page 90**

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

### **Pending Items**

#### **Reinstatement of Commission Member- Planning & Zoning Commission**

##### **120041**

Consideration of the reinstatement or replacement of Keith McInnis, who lost voting status on the Planning & Zoning Commission due to non-compliance with the city's attendance requirement.

Note: This matter was introduced on January 17, 2012. At that time, Council Member Douglas volunteered to make contact with Mr. McInnis as to his desires to continue serving on the Planning & Zoning Commission or not.

*Council Member Douglas explained that Mr. McInnis hasn't contacted him yet. Mayor Smothers noted that maybe Mr. McInnis' situation has changed so he can start attending the meetings and asked Council Member Douglas to alert Mr. McInnis that this matter has been pending and needs a resolution.*

### **MISCELLANEOUS**

#### **Piedmont Triad Regional Water Authority - Appointment/Reappointment**

##### **120050**

Council is requested to confirm the reappointment of Mr. John Thomas III to the Piedmont Triad Regional Water Authority and appoint Mr. John Bencini to fill the expired term of Mr. Arnold Koonce who does not wish to be reappointment. Appointments to be effective immediately and will expire September 30, 2013.

Approved the reappointment of John Thomas, III to the Piedmont Triad Regional Water Authority and appointed John Bencini to fill the expired term of Arnold Koonce on the Piedmont Regional Water Authority. Appointments to be effective immediately and will expire September 30, 2013.

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

### **CLOSED SESSION- ECONOMIC DEVELOPMENT**

At 5:00 p.m., Mayor Pro Tem Whitley moved to go into Closed Session pursuant to N.C. General Statute 143-318.11(a)(4) for the purpose of discussing a potential economic development project. Council Member Sims made a second to the motion which carried unanimously.

Upon reconvening into open session at 5:22 p.m., Mayor Smothers announced that Council was briefed by staff during the Closed Session, but no action was necessary at this time as a result of the Closed Session.

### **PUBLIC COMMENT PERIOD - 5:15 P.M.**

#### **Inquiry Regarding the John Coltrane International Jazz Festival Funding**

Cynthia Davis, who resides at 413 Evergreen Road, asked Council if the funds advanced to the Friends of John Coltrane for the festival have been reimbursed.

The Mayor noted that no discussion has taken place since Council Member Sims distributed the financial report for the festival for Council to review. She agreed that some resolution on this issue was needed and asked Council Member Alexander if he would agree to discuss it in the Finance Committee; Council Member Alexander concurred.

Council Member Sims agreed that this matter should be put to rest because it was a distraction for them in planning the next festival and asked when it would be discussed in the Finance Committee. She pointed out the festival was very beneficial for High Point and its citizens.

Ms. Davis replied that, as a resident, she attended the meeting when Council Member Sims asked for the funds and she understood specific money was asked for and specific money would be returned. Council Member Sims pointed out Ms. Davis misunderstood the discussion because it was termed if the festival made money, then it would pay it back.

Council Member Henley questioned the term "grant" that was referenced in the financial statements. Council Member Sims explained the accountant chose to use that term because there was no documentation specifying it to be anything else.

Mayor Smothers asked the City Clerk to redistribute the minutes and the transcript for the discussion that took place.

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

There were no public hearings scheduled for this meeting.

**For Information Only:****Introduction of Boy Scouts Present**

*Council Member Henley introduced twins, Jack and Casey Krauss, who were in attendance and working on their Citizenship in the Community and Communications badge. Both attend Westchester Country Day School.*

**Proclamation- School Social Worker Week**

Keith G. Pemberton, School Social Worker, with Guilford County Schools, accepted a Proclamation from Mayor Smothers proclaiming March 4 - 10, 2012 as School Social Worker Week. He reported that there are currently sixteen social workers in the schools in High Point.

**Winners- Wax Museum Contest**

Council Member Sims asked Mr. Pemberton for an update on the wax museum contest. Mr. Pemberton explained that the 2nd grade class at Oak Hill Elementary won and it would be announced officially in the near future. Council Members Sims and Pugh attended the event.

Council Member Pugh shared that he was astounded and highly impressed with the discipline, demeanor, and intelligence of the children at the school and commended those who have continuously worked with them to get them to this level. Mayor Smothers also thanked Ms. Faison, the Principal at Oak Hill Elementary and pointed out much of the credit goes to Gina Jacobs, one of the volunteers that has made a difference at the school. She noted the community is deeply saddened by her very recent untimely death and how great it would be for her legacy to continue on.

**Final Performance- "Oliver"**

Council Member Corey shared that he attended the final performance for Oliver at the High Point Theatre and that he was impressed by the talent of so many young people in that cast.

**ADJOURNMENT**

The meeting adjourned at 5:35 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