City of High Point

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

Meeting Minutes

Monday, February 7, 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 Douglas, Council Member Pugh, Council Member Henley and Council Member Corey
Absent: Council Member Sims and Council Member Whitley

APPROVAL OF THE MINUTES FROM PREVIOUS MEETINGS

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

Finance Committee; Monday, January 3rd @ 3:30 p.m.
Planning, Economic Development & Information Technology Committee; Tuesday, January 4th @ 8:30 a.m.
Public Safety & Community Development; Tuesday, January 4th @ 2:00 p.m.
Finance Committee; Tuesday, January 18th @ 3:30 p.m.
Combined Meeting; Tuesday, January 18th @ 4:45/5:30 p.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 Mayor Pro Tem Alexander, seconded by Council Member Douglas to suspend the rules in order to take final action on these matters at tonight's meeting. The motion carried unanimously. [7-0 vote]**

Motion was then made by Mayor Pro Tem Alexander, seconded by Council Member Douglas that all Committee recommendations stand as final action regarding these matters. The motion carried unanimously. [7-0 vote]

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- Whitley, Smothers & Corey

(Whitley was absent)

Contract - Bid No. 19 - Water & Wastewater Treatment Chemicals

110013 Approval of contract awarding contract for Bid No. 19 for the purchase of Water and Wastewater Treatment Chemicals. Purchasing and Public Services recommends that contract be awarded to the vendors on the Bid Tabulation sheet who are the lowest responsible and responsive bidders meeting specifications for a total amount of $860,436.82.

This matter was discussed during a Finance Committee Meeting held at 3:30 p.m. prior to this meeting.

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

Approved contracts with the vendors as identified on the Bid Tabulation sheet who are the lowest responsible and responsive bidders meeting specifications for a total amount of 860,650.00. [copy of the bid tabulation sheet is hereby attached in Legistar as a permanent part of these proceedings].

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

Contract - Bid No. 48 (extension) Corrsion Inhibiter for Ward Water Plant

110014 Approval of contract extension awarding Bid No. 48 for the purchase of Corrsion Inhibiter for the Ward Water Plant. Purchasing and Public Services Department recommends that contract for the chemical be extended for 2011 to Dabco Chemical, the lowest responsible and responsive bidder meeting specifications in the amount of $139,650.00.

This matter was discussed during a Finance Committee Meeting held at 3:30 p.m. prior to this meeting.

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

Approved contract extension with Dabco Chemical, which is the lowest and responsive bidder meeting specifications in the amount of $139,650.00.

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

Budget Ordinance Amendment - Stop the Abusive Chronic Domestic Violence Offender

110015 Adoption of a Grant Project Ordinance Amendment for the Stop the Abusive Chronic Domestic Violence Offender Program for funds received in the amount of $34,450.00 from the High Point Community Foundation.

This matter was discussed during a Finance Committee Meeting held at 3:30 p.m. prior to this meeting.

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

Adopted Grant Project Ordinance Amendment for the Stop the Abusive Chronic Domestic Violence Offender Program for funds received in the amount of $34,450.00 from the High Point Community Foundation.

Ordinance No. 6795/11-03 **Introduced 2/7/2011**
Adopted 2/7/2011
Ordinance Book Volume XVII, Page 3

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

Contract Renewal - CIGNA HealthCare - Employee Group Health and Dental Insurance

110021 Seeking City Council approval authorizing the City Manager to execute contract renewal with CIGNA HealthCare for the employee group health and dental insurance. Contract will be effective for the period of April 1, 2011 - March 31, 2012.

This matter was discussed during a Finance Committee Meeting held at 3:30 p.m. prior to this meeting.

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

Approved contract with CIGNA HealthCare for the employee group health and dental insurance to be effective for the period of April 1, 2011 - March 31, 2012 and authorized the city manager to execute same.

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

PUBLIC SAFETY COMMITTEE & COMMUNITY DEVELOPMENT COMMITTEE- Council Member Sims, Chair
Committee Members: Alexander, Douglas and Corey

(Chairwoman Sims was absent. Council Member Alexander chaired this portion of the meeting in the absence of Chairwoman Sims).

NCDOT - Concurring Ordinances - Speed Limit Updates - N. Main Street

110016 NCDOT is requesting that City Council adopt a concurring ordinance to update a 45 mph speed limit section on N. Main Street extending from approximately 1,500 feet north of Old Winston Road/Oxford Place to approximately 1,100 feet north of N. Main Street to the intersection of the US 311 Connector and Old Plank Road.

Mark McDonald, Director of Transportation, reported that this ordinance update is required due to the removal of the US 311 Business designation from Main Street and pointed out the ordinances originally written for US 311 Business are no longer valid as Main Street has been given a new State Route (SR) number (SR 1993).

Following a brief overview of the Certification of Municipal Declaration to Enact Speed Limits and Request for Concurrence, the Committee recommended this matter be placed on Thursday's Agenda with a favorable recommendation for approval and/or adoption.

Adopted a concurring ordinance to update a 45 mph speed limit section on N. Main Street extending from approximately 1,500 feet north of Old Winston Road/Oxford Place to approximately 1,100 feet north of N. Main Street to the intersection of the US 311 Connector and Old Plank Road.

Ordinance Nos: 6796/11-04, Page 4 Introduced 2/7/2011
6797/11-05, Page 5
Adopted 2/7/2011
Ordinance Book, Volume XVII

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

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

(Chairman Whitley and Committee Member Sims were absent)

Minor Amendment to Conditional Use Permit 99-25 - Austin Development LLC (Walgreens)

110017 A request by Austin Development, LLC for a minor amendment to Conditional Use Permit 99-25 regarding condition F.3., which requires principal buildings located within 250 feet of the Penny Road right-of-way to have pitched roofs.

Bob Robbins of Planning & Development gave an overview of the staff report for this matter. [a copy of the staff report is hereby attached in Legistar as a permanent part of these proceedings]

Council Member Alexander questioned the orientation of the building and commented that the back of the Walgreens should be as aesthetically pleasing as possible. Council Member Corey inquired about the entrance locations and Mr. Robbins replied that there would be no entrance on Penny Road or Wendover--only one on Brian Jordan Place.

Several Council Members expressed concerns about any adverse effects this might have on the Deep River Friends Meeting house located adjacent from this property at the opposite corner. There were no representatives from the church present at the meeting. Mr. Robbins reported that staff made several attempts to contact the church, but never heard anything back from anyone.

Mr. Robbins pointed out that Austin Development was present to represent the petitioner and to answer any questions. Council Member Moore inquired as to if the signage and other development standards meet the city's development requirements. Mr. Robbins replied in the affirmative and noted that the site is subject to the Eastchester Scenic Corridor requirements and would have to comply with these regulations as well.

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

Approved Minor Amendment to Conditional Use Permit 99-25 based on the findings as outlined in the staff report by amending condition F.3. as follows:

3. All principal buildings located within 250 feet of the Penny Road right-of-way shall be designed to be architecturally compatible with the historic Deep River Friends Meeting building. All such buildings **under 12,000 square feet gross floor area** shall have a pitched roof**.**, **All** building materials and colors shall be specified in the required design guidelines to insure against incompatibility with the church building.

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

Pending Items

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

100325 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)

This matter will be discussed in a Committee Meeting scheduled for Tuesday, February 22, 2011 at 9:00 a.m.

MISCELLANEOUS

Appointments - Boards & Commissions - Citizens Advisory Council

110018 Council is requested to confirm the appointment of Jermaine Dawson as the Ward 2 representative to the Citizens Advisory Council. Appointment to be effective immediately and will expire 5/31/2012.

Approved the appointment of Jermaine Dawson to the Citizens Advisory Council.

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

Appointment- Boards & Commissions- Historic Preservation Commission

110022 Council is requested to confirm the appointment of Steven Dudash to the Historic Preservation Commission (replacing Betty Price Burris who does not wish to be reappointed). Appointment to be effective immeidately and will expire 7/1/2013.

Approved the appointment of Steven Dudash to the Historic Preservation Commission.

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

Planning, Economic Development & Information Technology Committee - Meeting Time Change

110019 At the recommendation of Chairman Whitley, Council is requested to confirm the change in meeting time of the Planning, Economic Development and Information Technology Committee from 8:30 a.m. to 9:00 a.m. on the established meeting dates.

Approved the change in the meeting time for the Planning, Economic Development & Information Technology Committee from 8:30 a.m. to 9:00 a.m. on the established meeting dates (1st & 3rd Tuesday- Council Week).

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

Public Safety & Community Development- Meeting Time/Date Change

110023 At the recommendation of Chairwoman Sims, Council is requested to confirm the change in meeting time/date for the Public Safey & Community Development Committee from 2:00 p.m. on the 1st & 3rd Wednesday (Council Week) to 9:00 a.m. on the 1st Wednesday (Council Week).

Mayor Smothers reported that Chairwoman Sims would like to change the time/date for the Public Safety & Community Development Committee meetings due to a conflict with the Planning, Economic Development & Information Technology Committee being on the same day. She stated that some had expressed concerns that having both on the same day was a little difficult.

Approved the change in the time/date for the Public Safety & Community Development Committee from the 1st & 3rd Tuesday (Council Week) @ 2:00 p.m. to the 1st Wednesday (Council Week) @ 9:00 a.m.

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

Ordinance - Repealing Section 12-1-35 - "Notice of Passage"

110020 Council is requested to adopt an ordinance repealing Section 2-1-35 of the City of High Point Code of Ordinances to eliminate the notice of passage of every ordinance by publication.

Adopted Ordinance repealing Section 12-1-35- "Notice of Passage" of the City of High Point Code of Ordinances to eliminate the notice of passage of every ordinance by publication.

Ordinance No. 6798/11-06 **Introduced 2/7/2011**
Adopted 2/7/2011
Ordinance Book Volume, XVII, Page 6

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

PUBLIC COMMENT - 5:15 P.M.

Bridgette Pettiford, who resides at 1154 Roberts Lane, Apartment C, was present to

address Council regarding a complaint she filed with the High Point Police Department due to the unprofessionalism she experienced with a police officer. She gave detailed remarks about the events that took place at her residence on January 14th and January 15th when the police came to her house looking for a former friend of hers. She felt she was being harassed by the police officer, who accused her of harboring a fugitive, but she was truthful when she told them that he wasn't at her house and she had no idea where he might be. Although the police officers did not have a search warrant, she allowed them to search her residence and they told her that was all they needed and wouldn't be back. However, the police did show back up to her residence the next morning at 7:00 a.m. wanting to search her house again, but she refused and told them she wouldn't allow them to do another search without a search warrant. She explained the officers left, but later returned and she was told by a police lieutenant that because they didn't have probable cause to search her house, they were going to leave.

In the meantime, Ms. Pettiford stated that she left going out of town for the Martin Luther King's birthday and received a phone call from a neighbor that her apartment had been broken into. When she returned home, her backdoor had been kicked in, her apartment destroyed and things were obviously missing so she proceeded to call 9-1-1. She explained that Officer Sherrill responded to that call. He immediately asked her where her friend was when he walked in the door and started yelling obscenities at her and told her that he didn't want to hear anything about her apartment being broken into. She pointed out that the officer also threatened to falsely arrest her several times for various reasons and she told him she was going to call 9-1-1 back. The officer then told her he would arrest her for misuse of 9-1-1 and she thought she hung up the phone from the 9-1-1 call, but did not so there was a record of the incident. Ms. Pettiford reported that initially, the investigating officer also refused to file a report on the break-in.

Ms. Pettiford stated that she did report this matter to Capt. Ken Steele of the High Point Police Department and she has an appointment with the Police Chief on Monday, who will issue an apology for the way the officer handled the situation. In the meantime, she explained she had another incident that happened while she was in the parking lot of the police department. She received another harassing call from a police officer accusing her of being with her friend right then and she told the police officer that she was in the parking lot of the police department getting ready to file a complaint.

Ms. Pettiford explained that the incidents and run-ins with the police department really upset her and she had never experienced such unprofessionalism from officers of the law.

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

There were no public hearings scheduled.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 5:35 p.m. upon motion duly made and seconded.

Respectfully Submitted,

_____
Rebecca R. Smothers, Mayor

Attest:

_____
Lisa B. Vierling, MMC
City Clerk