

City of High Point

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



Meeting Minutes

Monday, February 6, 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 Sims.

- *Planning, Economic Dev. & IT Committee; Tuesday, January 10th @ 9:00 a.m.*
- *Public Safety & Community Dev. Committee; Tuesday, January 17th @ 9:00 a.m.*
- *Planning, Economic Dev. & IT Committee; Tuesday, January 17th @ 2:00 p.m.*
- *Finance Committee; Tuesday, January 17th @ 3:30 p.m.*
- *Combined Meeting of the High Point City Council; Tuesday, January 17th @ 4:45/5:30 p.m. special Called Meeting of the High Point City Council; Monday, January 23rd @ 4:00 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 Whitley, 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 Mayor Pro Tem Whitley, seconded by Council Member Douglas 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 9th at 9:00 a.m.

PRESENTATION OF ITEMS

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

(all were present)

Contract - ElectriCities Contract - Purchase of Power Poles

120019

Approval of Cooperative Bid for ElectriCities awarding contract for purchase of PENTA power poles. Purchasing and the Electric Department recommends that contract be awarded to Cox Industries, Inc. in the amount of \$101,118.75 which is the lowest responsible and responsive bid 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.

Approved the purchase of PENTA power poles and awarded the contract for same to Cox Industries, Inc. in the amount of \$101,118.75 which is the lowest responsible and responsive bid meeting specifications.

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

Sole-Source Recommendation - Fingerprint Identification Station for Police Department**120020**

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 Payton Scientific, Inc. in the amount of \$83,015.00 for the purchase of a latent fingerprint lifting machine.

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 approval.

Approved an exception to the bid laws under the "sole source qualification" for the purchase of equipment for the Police Department from Payton Scientific, Inc. in the amount of \$83,015.00 for the purchase of a latent fingerprint lifting machine.

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

Purchase of Property - 762 E. Washington Drive - Parks and Recreation Department**120023**

Council is requested to authorize the City Attorney's office to proceed with the execution of documents for the purchase of property from Jennifer Ann Duff and James M. Lewis located at 762 E. Washington Drive in the amount of \$1,300.00. This property is being purchased for use by the City of High Point Parks and Recreation Department.

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 the City Attorney's office to proceed with the execution of documents for

the purchase of property from Jennifer Ann Duff and James M. Lewis located at 762 E. Washington Drive in the amount of \$1,300.00.

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

Underground Utilities - High Point University

120026

Council is requested to approve a plan and an equitable cost sharing agreement with High Point University necessary to install electric and related utilities underground along portions of Montlieu Avenue and North Centennial, as well as new traffic signals and crosswalks at North College and Montlieu, East Lexington and North Centennial. The estimated cost of this project for the City of High Point is \$861,960.00.

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 a plan and an equitable cost sharing agreement with High Point University necessary to install electric and related utilities underground along portions of Montlieu Avenue and North Centennial Street, as well as new traffic signals and crosswalks at North College Drive and Montlieu Avenue, East Lexington Avenue and North Centennial Street at an estimated project cost of \$861,960.00 for the City of High Point.

A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley, 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)

Ordinance - Vacate/Close Dwelling - 1405 Leonard Avenue

120021

Adoption of an ordinance ordering the Inspector to effectuate the vacating and closing of a dwelling located at 1405 Leonard Avenue belonging to Three Twenty Three Investments, LLC.

Chairwoman Sims reported that she was informed by staff that the property is now vacant.

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 1405 Leonard Avenue.

Ordinance No. 6890/12-08**Introduced 2/6/2012****Adopted 2/6/2012****Ordinance Book Volume XVII, Page 81**

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

Ordinance - Demolition of Dwelling - 812 E. Russell Avenue**120022**

Adoption of an ordinance ordering the Inspector to effectuate the demolition of a dwelling located at 812 E. Russell Avenue belonging to Cathy M. Lamb and Richard D. Lamb (deceased).

Chairwoman Sims reported that there are a number of violations associated with this housing case (7 major, 31 minor) and that she had a conversation with staff and the city attorney regarding this particular project. She noted the Public Safety & Community Development Committee has been discussing this area and surrounding areas with the Housing Authority, so she recommended this matter be placed in Committee so the city could possibly pursue acquisition of this property rather than demolishing it and then acquiring it. She pointed out because of its proximity to the area off N. College and entrance into that part of the community she felt other opportunities should be explored. Council Member Douglas shared that he had talked with the owner of the store about the "activities" going on and the owner asked that the city do whatever it could to deter activity at the store. Mayor Smothers asked about the hours of operation and suggested that might be helpful.

Placed in the Public Safety & Community Development Committee.

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

**PLANNING, ECONOMIC DEVELOPMENT & INFORMATION TECHNOLOGY
COMMITTEE - Council Member Whitley, Chair****Committee Members: Sims, Henley and Moore****(all were present)****Resolution Amending the Schedule of Fees for Planning, Development and Inspection
Services****120024**

Adoption of a resolution amending the Planning, Development and Inspection Services fee schedule providing for partial permit fee rebates for construction projects using specific energy efficiency techniques.

Chairman Whitley reported that this item was reviewed in the Planning, Economic Development & Information Technology Committee a couple of weeks ago which was brought forward by a TREBIC representative. He noted Judy Stalder, representing TREBIC, was present tonight and would like to make an additional comment regarding a possible addition. He suggested Council proceed with the item before Council on tonight's agenda, then evaluate TREBIC's request.

Judy Stalder, representing members of TREBIC, 115 S. Westgate Drive in Greensboro, addressed Council. She explained after discussion on this matter in committee, TREBIC has since learned from Piedmont Natural Gas that tankless hot water heaters are not on the existing construction. TREBIC is asking that this be added to the existing construction list of rebates.

Mike Lane with Piedmont Natural Gas also addressed Council regarding this issue. He shared that the average tankless water heater costs about \$2,000 to install, but the great advantage is they use 30% less natural gas than the tank water heaters. He applauded the city on its rebate program and asked that Council consider adding this and asked Council to include the existing as well as the new construction so everyone could benefit.

There being no further discussion, the Committee recommended this matter be placed on Thursday's Agenda with a favorable recommendation. TREBIC'S recommendation will be evaluated and considered at a later date.

Adopted Resolution amending the Planning, Development and Inspection Services fee schedule providing for partial permit fee rebates for construction projects using specific energy efficiency techniques.

Resolution No. 1708/12-09

Introduced 2/6/2012

Adopted 2/6/2012

Resolution Book Volume XVII, Page 59

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

PENDING ITEMS

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.

This matter has been pending since January 17, 2012.

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.

This matter has been pending since January 17, 2012.

MISCELLANEOUS ITEM

Credit for Compost for House Gardens Greening Project**120027**

Approval of \$1,000 towards compost to be used for the House Gardens Greening Project sponsored by Ward Street Mission.

Since this matter did not originally appear on tonight's agenda, **motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley to suspend the rules relative to placing it on the agenda for consideration. The motion carried unanimously.**

Jeff Moran, Director of the House Gardens Greening Project with Ward Street Mission addressed Council during the Public Comment Period. He gave an overview of the project and thanked the city for the \$1,000 credit provided to Ward Street Mission last year towards compost for their 4 x 8 gardens they build. He noted the gift of the compost was very instrumental to their program and asked Council to extend the same courtesy to them this year for the compost.

Council Member Pugh commended the work of Ward Street Mission. He asked Mr. Moran if they have people coming to them with needs for utility assistance and Pastor Moran replied they do.

Granted Ward Street Mission \$1,000 credit towards compost to be used for their House Gardens Greening Project.

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

PUBLIC COMMENT PERIOD - 5:15 P.M.

The only person appearing before Council during the Public Comment Period was Jeff Moran, Director of the House Gardens Greening Project for the Ward Street Mission. For his comments, please refer to matter **120027- Miscellaneous Item- Credit for Compost for House Gardens Greening Project.**

PUBLIC HEARINGS ON ITEMS - 5:30 P.M.**Planning, Economic Development and Information Technology Committee - Council Member Whitley, Chair****Allen Jay School Rock Gymnasium - National Register of Historic Places****120025**

Consideration of nomination to the National Register of Historic Places for the Allen Jay School Rock Gymnasium, 1201 E. Fairfield Road.

The public hearing for this matter was held on Monday, February 6, 2012 at 5:30 p.m. as duly advertised.

Bob Robbins of Planning & Development gave an overview of the nomination

application for the Allen Jay Rock Gymnasium to be listed in the National Register of Historic Places that was prepared by Laura Phillips, a local architectural historian at the request of the Allen Jay Alumni Association. He reported that the State will be reviewing this application on Thursday, February 9th and they would make a recommendation on the application that will then be forwarded to the keeper of the National Register in Washington.

Mayor Smothers pointed out that the Guilford County Schools have decided to retain ownership of the old Allen Jay school and asked if it was being used. Mr. Robbins replied that the last use was a junior high and then Union Hill school children used it while their new school was being built.

Council Member Henley asked about the impetus for the application and if some renovation is proposed for the rock gym. Mr. Robbins stated he wasn't aware of any proposed renovations. Council Member Pugh explained this is a building of some long, rich history and pride of the people in the Allen Jay community who are very concerned about its future.

At this time, Chairman Whitley opened the public hearing and asked if there were any comments regarding the application.

Patty Speight, a member of the Allen Jay Alumni Association, addressed Council in support of the application. She shared that she and her friend, Pat Brower, authored a book on the Allen Jay High School, and the proceeds from the sale of their book went toward hiring the historian to prepare the application. She shared some of the rich history behind the rock gym.

Mayor Smothers suggested books be purchased and placed at the High Point Library as well as the High Point Museum and Mrs. Speight noted the books are \$20 each and could be purchased and picked up at Brower Oil Company in High Point.

Other members of the Allen Jay Alumni Association speaking in favor of the application were Tony Hill, a High Point Attorney; Martha Shepherd and Tommy Younts.

Council Member Pugh inquired about the ownership of the gym and who and who would be responsible for the upkeep and maintenance. He was informed that it was owned by the Guilford County Schools. Mr. Robbins pointed out that although the National Register designation is a great honor to have placed upon a building, it does not carry with it any protective elements that would prevent the building from either being torn down or left in a state of disrepair. Council Member Pugh asked what action would be needed to ensure the preservation of the structure so it would not be torn down. Council Member Sims noted it would certainly have to not be with Guilford County Schools. She applauded the Allen Jay School Alumni Association for their work in preserving the rock gym and wished them luck in moving forward in preserving it and keeping it as the rock gym.

At this time, Andy LaRowe, Chief Operating Officer for Guilford County Schools,

who was present in the audience was recognized.

Mr. LaRowe informed Council that although he did not come prepared to make any type of a presentation, he could tell the Council that the Board of Education does consider the rock gym to be a valuable asset. He explained that the renovation of the Allen Jay Middle School campus was part of the 2008 school construction bonds, but this does not include funds for the rock gym. He pointed out there are currently no plans in place for any funding for the rock gym and no plans in place for demolition or any changes to the building. Council Member Alexander asked what kind of commitment to building stabilization could the citizens get because they were showing a very real commitment not just to getting it listed on the registry, but to maintaining the integrity of the structure. Mr. LaRowe replied that this would certainly be a matter to be decided upon by the Board of Education because there were very limited resources that the Board of Education has for the upkeep for the Allen Jay Middle School campus as well as the rest of the schools. Council Member Pugh suggested possibly separating the rock gym from the rest of the campus to enable the Allen Jay Alumni Association, or some similar entity, the opportunity to be responsible for maintaining it and to ensure that it would be protected.

Mr. LaRowe assured Council that he would be very pleased to share these thoughts with the Board of Education in the very near future.

Mayor Smothers asked if it might be helpful for Council to advise the Board of Education of the action taken by Council tonight and encourage them to look at the long term future of the structure ensuring that there is the proper allocation of resources to honor its history and its past. Mr. LaRowe felt it would be most helpful.

Chairman Whitley asked if there were any others in the audience who would like to speak regarding this request. There being none, the public hearing was declared closed.

Following the conclusion of the public hearing, the Committee recommended this matter be placed on Thursday's Agenda with a favorable recommendation in support of the nomination.

Approved the submittal of the nomination to the National Register of Historic Places for the Allen Jay School Rock Gymnasium.

CLOSED SESSION- ECONOMIC DEVELOPMENT

Upon motion by Council Member Alexander and second by Council Member Corey, Council entered into Closed Session pursuant to N.C. General Statute 143-318.11(a) (4) to be briefed by staff on a proposed economic development project. The motion carried unanimously.

Upon reconvening into open session at 6:20 p.m., Mayor Smothers announced that there was no action as a result of the closed session.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 6:20 p.m. upon motion duly made and seconded.

Respectfully Submitted,

Rebecca R. Smothers, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk