

City of High Point

*Municipal Office Building
211 S. Hamilton Street
High Point, NC 27260*



Meeting Agenda

Thursday, January 13, 2022

4:00 PM

3rd Floor Conference Room

Finance Committee

Britt Moore, Chair

Committee Members:

Michael Holmes

Monica Peters, Mayor Pro Tem

Victor Jones

Jay Wagner, Mayor (Alternate)

FINANCE COMMITTEE - Britt W. Moore, Chair**CALL TO ORDER****PRESENTATION OF ITEMS**[2022-7](#)

Contract - Pearl Pool Plastering, LLC - Washington Terrace Park Pool Repairs

City Council is requested to award a contract to Pearl Pool Plastering, LLC in the amount of \$125,613.70 for improvements and renovations at the Washington Terrace Park Pool.

Attachments: [1. Contract-Pearl Pool Plastering, LLC _ Washington Terrace Park Pool Repair](#)

[2022-8](#)

Ordinance - Budget Amendment-Washington Terrace Park Pool Repair & Renovation

City Council is requested to approve a budget ordinance in the amount of \$125,620 for repairs and renovations at Washington Terrace Park Pool.

Attachments: [1a. Ordinance _ Budget Amendment--Washington Terrace Park Pool Repair & f](#)

[2022-9](#)

Contract - Breece Enterprises-Change Order #3-Water Sewer Maintenance

City Council is requested to approve change order #3 with Breece Enterprises, Inc. to increase the contract in the amount of \$900,000 for the water and sewer emergency repairs to cover routine maintenance and emergency repairs through the end of the current fiscal year.

Attachments: [2. Contract-Breece Enterprises _ Change Order #3 _ Water Sewer Maintenance](#)

[2022-10](#)

Contract - Tantalus Systems, Inc.-Advanced Metering Infrastructure Equipment-Master Services Agreement

City Council is requested to award a contract to Tantalus Systems, Inc. in the amount of \$6,191,886.11 with annual costs of \$55,937.58 to install advanced metering infrastructure equipment and authorize the appropriate City official to execute all necessary documents.

Attachments: [3. Tantalus Systems Inc.-Master Services Agreement _ Infrastructure Equipme](#)

[2022-11](#)

Economic Development--Downtown Incentive Policy and a modification to the Office and Industrial Incentive Policy

City Council is requested to adopt a targeted Downtown Incentive Policy and a modification to the Office and Industrial Incentive Policy.

Attachments: [4. Economic Development--Downtown Incentive Policy and a modification to th](#)

[2022-12](#)

Resolution-Sterling Real Estate Development-Sale of City Owned Property-Morgan Place, Gordon Street, Boundary Avenue, Putnam Street Council is requested to adopt a resolution accepting the offer of \$44,000.00 and authorizing the sale of the properties through the upset bid procedure of N.C.G.S. 160A-269 and direct the City Clerk to publish a public notice of the proposed sale in accordance with N.C.G.S. 160A-269.

Attachments: [5. Resolution-Sterling Real Estate Development Sale of City Owned Property](#)

[2022-13](#)

Budget Ordinance - High Point Fire Department - Underwater Remote Operated Vehicle (ROV) Grant
City Council is requested to accept and appropriate grant funds (\$120,000) from the Homeland Security Grant Program (HSGP), through the North Carolina Department of Emergency Management, for an underwater remote operated vehicle (ROV) for the High Point Fire Department.

Attachments: [7. Budget Ordinance---High Point Fire Depart - Underwater Remote Operated V](#)

PUBLIC HEARING[2022-14](#)

Public Hearing - Resolution-Interlocal Agreement--2021 Edward Byrne Memorial Justice Assistance Grant (JAG)
City Council is requested to adopt a resolution authorizing the execution of an Interlocal Agreement between the City of Greensboro, City of High Point and County of Guilford for shared use of the 2021 Edward Byrne Memorial Justice Assistance Grant (JAG) Funds.

Attachments: [6. Public Hearing Resolution Interlocal Agreement - 2021 Edward Byrne Me](#)

ADJOURNMENT

"AN ORDINANCE AMENDING THE 2021-2022 BUDGET ORDINANCE
OF THE CITY OF HIGH POINT, NORTH CAROLINA
TO APPROPRIATE FUNDS FOR REPAIRS AT WASHINGTON TERRACE PARK POOL

Be it ordained by the City Council of the City of High Point, North Carolina, as follows:

Section 1. The proposed amendment appropriates \$125,620 in general fund reserves for repairs/renovations to Washington Terrace Park Pool. The pool has several maintenance and operational issues that need repair. This project focuses on addressing those concerns centered around the infrastructure of the pool and completing this work in a timely manner, ahead of opening day on May 28, 2022.

Section 2. The 2021-2022 Budget Ordinance of the City of High Point should be amended as follows:

(A) That the following Parks and Recreation revenues be amended as follows:

Fund Balance Appropriation	\$125,620
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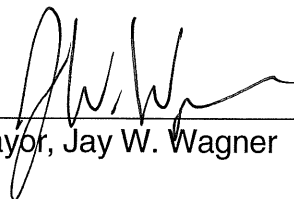
(B) That the following Parks and Recreation expenditures be amended as follows:

Building Repairs	\$125,620
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Section 3. That all ordinances, or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

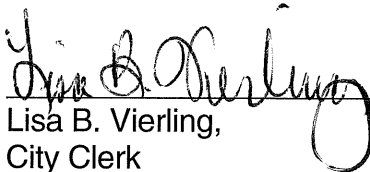
Section 4. That this ordinance shall be effective from and after its passage."

Adopted by High Point City Council, this the 18th day of January, 2022

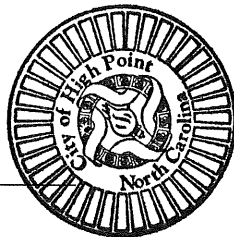


Mayor, Jay W. Wagner

ATTEST



Lisa B. Vierling,
City Clerk



CITY OF HIGH POINT

AGENDA ITEM

**Title: Washington Terrace Park Pool Repairs - Budget Ordinance**

From: Stephen M. Hawryluk
Budget and Performance Manager

Meeting Date: January 18, 2022

Public Hearing: No

Advertising Date / N/A

Advertised By: -

Attachments: Budget Ordinance

PURPOSE:

To appropriate \$125,620 in general fund reserves for maintenance and repairs at Washington Terrace Park Pool.

BACKGROUND:

The Washington Terrace Park Pool experienced numerous maintenance and operational issues in the past year. This amounted to 8 days in late July and early August where the pool had to remain closed due to these mechanical issues. The problems have focused on leaks and water flow issues. It has been determined that a great deal of these complications are infrastructure concerns centered around the pool shell, specifically, the shell cracks and deterioration of expansion joints in the pool. Major improvements/renovations to be addressed in this project include:

- Pressure tests for both pools to pinpoint leaks
- Full plaster removal & replacement
- Crack repair in both pools
- Adjustment to skimmer equalizers conforming to Health Department requirements
- Installation of new drain covers and floor returns
- Replacement of existing expansion joints, including new tile on each side of the joint

The proposed amendment appropriates \$125,620 in general fund reserves to cover the cost of these repairs.

BUDGET IMPACT:

The proposed amendment utilizes general fund reserves to cover the cost of the repairs/renovation.

RECOMMENDATION / ACTIONS REQUESTED:

The Financial Services Department recommends and asks the City Council to approve the budget amendment.

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(B) That the following Parks and Recreation expenditures be amended as follows:

Building Repairs	\$125,620
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Section 4. That this ordinance shall be effective from and after its passage."

Adopted by High Point City Council, this the 18th day of January, 2022

Mayor, Jay W. Wagner

ATTEST

Lisa B. Vierling,
City Clerk

"AN ORDINANCE AMENDING THE 2021-2022 BUDGET ORDINANCE
OF THE CITY OF HIGH POINT, NORTH CAROLINA
TO APPROPRIATE GRANT FUNDS FROM THE HOMELAND SECURITY GRANT PROGRAM,
THROUGH THE NORTH CAROLINA DEPARTMENT OF EMERGENCY MANAGEMENT

Be it ordained by the City Council of the City of High Point, North Carolina, as follows:

Section 1. The proposed amendment accepts and appropriates grant funds (\$120,000) from the Homeland Security Grant Program (HSGP), through the North Carolina Department of Emergency Management for an underwater remote operated vehicle (ROV) for the High Point Fire Department. The ROV is used for underwater surveys and inspections, with the ability to withstand harsh underwater conditions. It includes rotating imaging sonar, an ultra-high-definition camera, and grabber for recovery.

Section 2. The 2021-2022 Budget Ordinance of the City of High Point should be amended as follows:

(A) That the following Fire grant revenues be amended as follows:

Federal Grant Revenue	\$120,000
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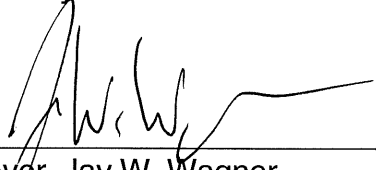
(B) That the following Fire grant expenditures be amended as follows:

Equipment and Machinery	\$120,000
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Section 3. That all ordinances, or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

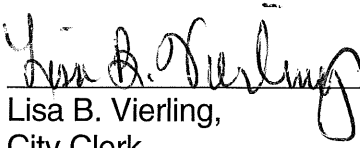
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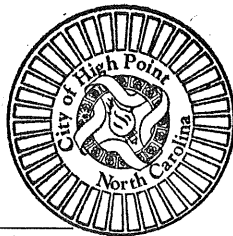


Mayor, Jay W. Wagner

ATTEST



Lisa B. Vierling,
City Clerk



CITY OF HIGH POINT

AGENDA ITEM



Title: Resolution Sale of City Owned Properties – 208, 209 & 213 Morgan Pl, 1108 Gordon St, 1608 Boundary Ave, and 834 Putnam Street

From: JoAnne Carlyle, City Attorney

Meeting Date: Tuesday, January 18, 2022

Public Hearing: Not Required

Advertising Date: N/A

Advertised By: N/A

Attachments: Resolution & Maps

Purpose/Background:

Sterling Real Estate Development of North Carolina, LLC has offered a bid of \$44,000.00 for six (6) City owned vacant lots ("Properties"):

208 Morgan Pl. (Parcel # 193334) consisting of approximately 6,534 square feet (.15 ac.)

209 Morgan Pl. (Parcel # 193259) consisting of approximately 7,841 square feet (.18 ac.)

213 Morgan Pl. (Parcel # 193258) consisting of approximately 11,761 square feet (.27 ac.)

1108 Gordon St. (Parcel # 183758) consisting of approximately 12,197 square feet (.28 ac.)

1608 Boundary Ave. (Parcel # 176492) consisting of approximately 7,841 square feet (.18 ac.)

834 Putnam St. (Parcel # 191735) consisting of approximately 7,841 square feet (.18 ac.)

Budget Impact:

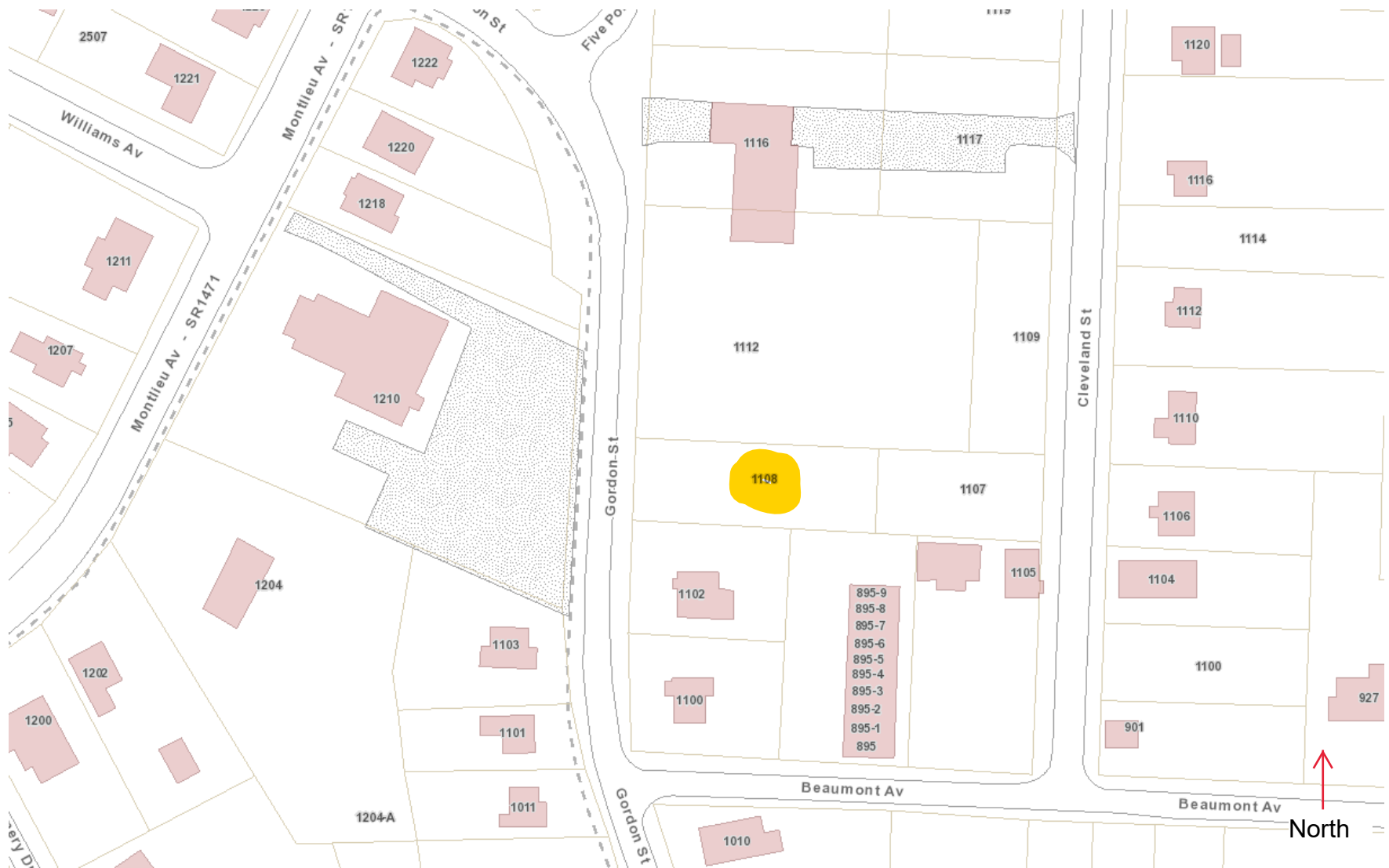
N/A

Recommendation/Action Requested:

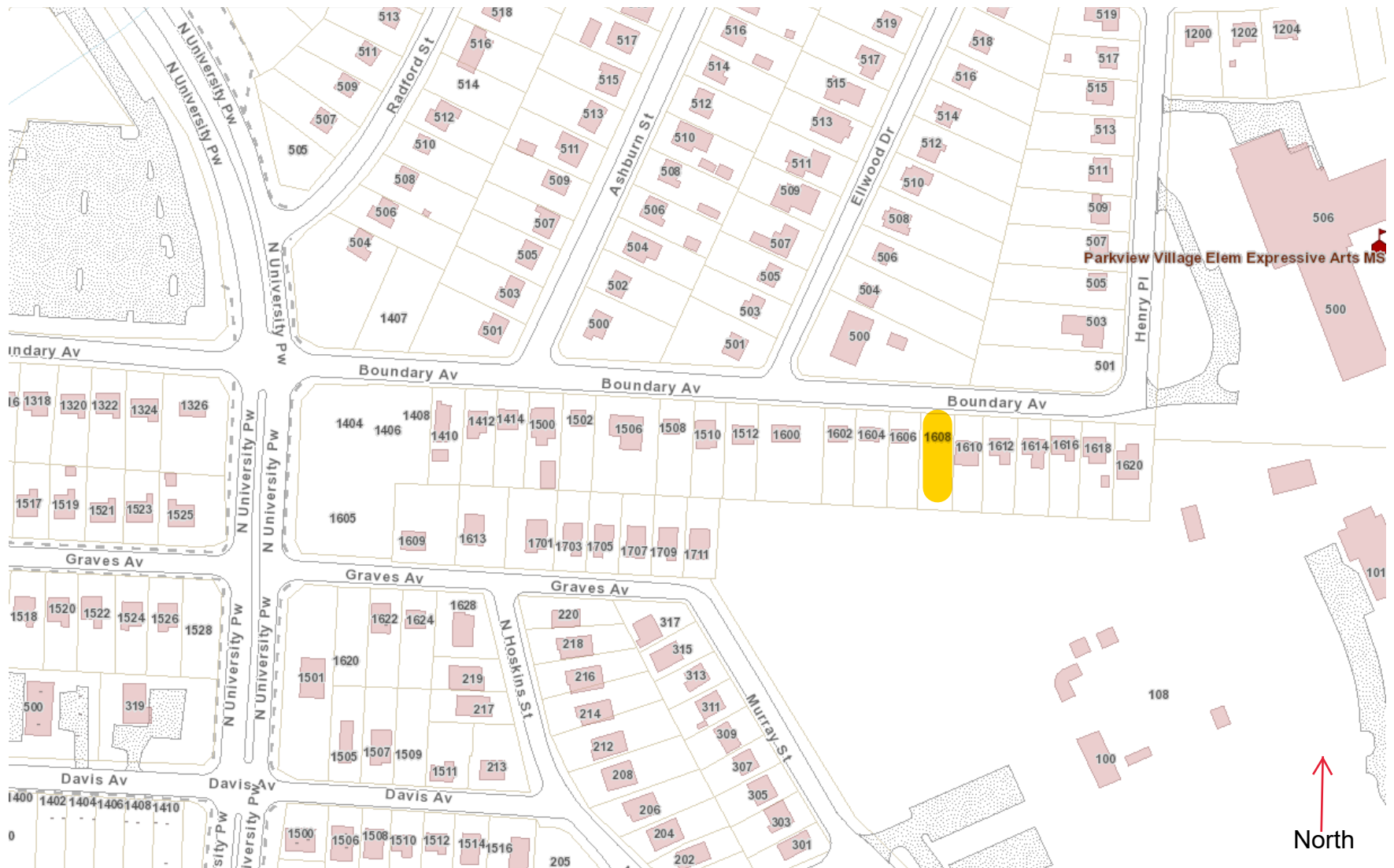
Council is requested to adopt a resolution accepting the offer of \$44,000.00 and authorizing the sale of the Properties through the upset bid procedure of N.C.G.S. 160A-269 and direct the City Clerk to publish a public notice of the proposed sale in accordance with N.C.G.S. 160A-269.



Sale of City Property - 208, 209, 213 Morgan Pl. (Map1 of 4)



Sale of City Property - 1108 Gordon St. (Map 2 of 4)



Sale of City Property - **1608 Boundary Ave.** (Map 3 of 4)



Sale of City Property - **834 Putnam St.** (Map 4 of 4)
Buildings were demolished although they are shown on this map

**RESOLUTION OF HIGH POINT CITY COUNCIL
AUTHORIZING UPSET BID PROCESS FOR CITY PROPERTIES
LOCATED AT 208, 209 & 213 MORGAN PLACE, 1108 GORDON STREET, 1608
BOUNDARY AVENUE, AND 834 PUTNAM STREET, HIGH POINT, NC**

WHEREAS, The City of High Point (“City”) owns the following six (6) vacant lots (“Properties”):

- 208 Morgan Pl. (Parcel # 193334) consisting of approximately 6,534 square feet (.15 ac.)
- 209 Morgan Pl. (Parcel # 193259) consisting of approximately 7,841 square feet (.18 ac.)
- 213 Morgan Pl. (Parcel # 193258) consisting of approximately 11,761 square feet (.27 ac.)
- 1108 Gordon St. (Parcel # 183758) consisting of approximately 12,197 square feet (.28 ac.)
- 1608 Boundary Ave. (Parcel # 176492) consisting of approximately 7,841 square feet (.18 ac.)
- 834 Putnam St. (Parcel # 191735) consisting of approximately 7,841 square feet (.18 ac.)

WHEREAS, North Carolina Statute §160A-269 permits the City to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, Sterling Real Estate Development of North Carolina, LLC has offered a bid of \$44,000 and paid the amount of \$2,200.00, the required five percent (5%) deposit on their offer for the Properties;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of High Point, North Carolina:

1. Authorizes sale of the Properties described above through the upset bid procedure of North Carolina General Statute § 160A-269.
2. The City Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the properties, the amount of the offer, and shall state the terms under which the offer may be upset.
3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the City Clerk within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the City Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
4. If a qualifying higher bid is received, the City Clerk shall cause a new notice of upset bid to be published and shall continue to do so until a 10-day notice period has passed without

any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the City Council.

5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.

6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The city will return the deposit on any bid not accepted and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The city will return the deposit of the final high bidder at closing.

7. The terms of the final sale are that:

- the City Council must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed; and
- the buyer must pay with cash at the time of closing.

8. The City reserves the right to withdraw the properties from sale at any time before the final high bid is accepted and the right to reject at any time all bids.

9. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate city officials are authorized to execute the instruments necessary to convey the property to Sterling Real Estate Development of North Carolina, LLC.

Adopted this the 18th day of January, 2022.

Mayor Jay W. Wagner

Lisa B. Vierling,
High Point City Clerk

DRAWN BY: JoAnne Carlyle, High Point City Attorney
P. O. Box 230, High Point, NC 27261

MAIL TO Grantee: 3980 Premier Drive, Suite 210, High Point, NC 27265-8411

Property: Tax Parcel #: 193334, 193259, 193258, 183758, 176492, 191735
Addresses: 208, 209, 213 Morgan Pl., 1108 Gordon St., 1608 Boundary Ave.,
834 Putnam St.

Doc Stamps: Exempt

NORTH CAROLINA

QUITCLAIM DEED

GUILFORD COUNTY

THIS QUITCLAIM DEED, made and entered into this _____ day of _____, 2022 by and between the **CITY OF HIGH POINT**, a North Carolina Municipal Corporation (P.O Box 230, High Point, NC 27261) hereinafter referred to as the GRANTOR, and, **STERLING REAL ESTATE DEVELOPMENT OF NORTH CAROLINA, LLC**, a North Carolina limited liability company (3980 Premier Dr., Suite 210, High Point, NC 27265), hereinafter referred to as GRANTEE:

WITNESSETH:

WHEREAS, the GRANTOR, subject to and in consideration of the conditions set forth and the further sum of Forty-Four Thousand and No/100's Dollars \$44,000.00 to it paid by GRANTEE, the receipt of which is hereby acknowledged, has quitclaimed and by these presents, does quitclaim unto GRANTEE, its successors and assigns, all right, title and interest which GRANTOR has in and to the tracts or parcels of land in the County of Guilford, State of North Carolina, High Point Township, and more particularly bounded and described as follows:

See attached "Exhibit A"

The properties hereinabove described were acquired by the GRANTOR by instruments recorded in Deed Book 8403, Page 3011 and Deed Book 8101, Page 104 and Deed Book 8107, Page 1112 and Deed Book 8400, Page 2026.

SPECIAL PROVISIONS:

TO HAVE AND TO HOLD, the aforesaid tracts or parcels of land and all privileges thereunto belonging to the GRANTEE, its successors and/or assigns, free and discharged from all right, title, claim or interest of the GRANTOR and subject to any easements, restrictions, and right-of-way, if any, and ad valorem taxes for current and subsequent years.

GRANTOR makes no warranty, express or implied, as to the title of the Property.

IN WITNESS WHEREOF, the GRANTOR has caused this Deed to be executed in its corporate name by its Mayor, attested by its Clerk, the day and year first written above.



CITY OF HIGH POINT
By: [Signature]
Jay W. Wagner
Mayor of the City of High Point

Attest: [Signature]
Lisa B. Vierling
City Clerk

NORTH CAROLINA
GUILFORD COUNTY

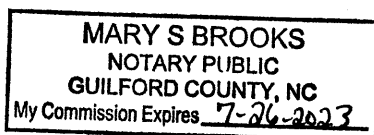
I, Mary S. Brooks, a Notary Public of Guilford County and State aforesaid, do hereby certify that Lisa B. Vierling personally appeared before me this day and acknowledged that she is City Clerk of the City of High Point, and that by authority duly given and as an act of the said City, the foregoing instrument was signed in its name by its Mayor, and attested by herself as its City Clerk.

WITNESS my hand and official seal, this the 9th day of February, 2022.

[Signature]
Notary Public

My commission expires:

July 26, 2023



"Exhibit A"

Parcel # 193334 Address: 208 Morgan Pl., described as:
BEING ALL OF LOT NUMBER THIRTY-NINE (39) of the Brockett Farm Subdivision of Hughes Memorial School, as shown on map duly recorded in Plat Book 12, Page 103, in the Office of the Register of Deeds for Guilford County, NC.

Parcel # 193259 Address: 209 Morgan Pl., described as:
BEING ALL OF LOT NUMBER TWENTY-SEVEN (27), shown on plat entitled "Brockett Farm Subdivision, Property of Hughes Memorial School" which plat is duly recorded in the Office of the Register of Deeds for Guilford County, NC in Plat Book 12, Page 103.

Parcel # 193258 Address: 213 Morgan Pl., described as:
BEING ALL OF LOT NUMBER TWENTY-FIVE (25) of the Brockett Farm Subdivision of Hughes Memorial School, as shown on map duly recorded in Plat Book 12, Page 103, in the Office of the Register of Deeds for Guilford County, NC.

Parcel # 183758 Address: 1108 Gordon St., described as:
BEGINNING at an iron post in the original right of way line of East side of Gordon Street 176 feet north of its intersection with the north line of East Avenue, and running South 85° 53' 30" East 167.91 feet to an iron post; thence North 05° 00' East 60 feet to an iron post; thence North 85° 53' 30" West approximately 167.79 feet to an iron post in the original right of way line on the east side of Gordon Street; thence along said original right of way line, South 5° 5' West 60 feet to an iron post, the point of BEGINNING, according to survey entitled "Property of Roy E. Jones" prepared by Robert P. Guarino, dated June 18, 1952, Job No. 2195, to which reference is hereby made.

Parcel # 176492 Address: 1608 Boundary Ave., described as:
BEING ALL OF Lot No. 130 of the J.C. Elliott Property, Subdivision No. 2 map or plat of which is duly recorded in Plat Book 16, Page 68 in the Office of the Register of Deed of Guilford County, NC.

Parcel # 191735 Address: 834 Putnam St., described as:
BEING ALL OF LOT 106 and THE NORTHERN HALF OF LOT 105 of North Park Subdivision, plat of which is duly recorded in the Office of the Register of Deeds of Guilford County, NC in Plat Book 3, at Page 79.

AFFP
NOTICE OF NEGOTIATED OFFER TO

Affidavit of Publication

STATE OF NC }
COUNTY OF GUILFORD } SS

Kimberly Cook, being duly sworn, says:

That she is Billing Clerk of the The High Point Enterprise, a daily newspaper of general circulation, printed and published in High Point, Guilford County, NC; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

January 27, 2022

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Kimberly Cook
Billing Clerk

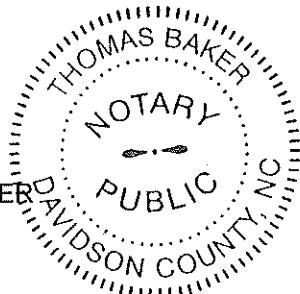
Subscribed to and sworn to me this 27th day of January 2022.

Thomas Baker
Thomas Baker, Notary Davidson, Guilford County, NC

My commission expires: October 27, 2024

00002253 70276650

CITY OF HP CITY MANAGER
PO BOX 230
HIGH POINT, NC 27261



NOTICE OF NEGOTIATED
OFFER TO PURCHASE
PROPERTY
BY THE CITY OF HIGH POINT
IN ACCORDANCE WITH
N.C.G.S. 160A-269

Please take notice that on the 18th day of January, 2022 the High Point City Council approved to sell properties owned by the City of High Point ("City") particularly described as follows:

- 208 Morgan Pl. (Parcel # 193334) consisting of approximately 6,534 square feet (.15 ac.)
- 209 Morgan Pl. (Parcel # 193259) consisting of approximately 7,841 square feet (.18 ac.)
- 213 Morgan Pl. (Parcel # 193258) consisting of approximately 11,761 square feet (.27 ac.)
- 1108 Gordon St. (Parcel # 183758) consisting of approximately 12,197 square feet (.28 ac.)
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The terms and conditions are such that:

The City is in receipt of a negotiated proposal/bid to purchase the above-described properties for the sum of \$44,000, and said bidder has placed the required deposit of five (5%) percent of said bid offer with the City Clerk as by law provided; and

Within ten (10) days from the publication date of this offer, any person may raise the bid by not less than ten percent (10%) of the first thousand dollars of the offer and five percent (5%) of the remainder and shall deposit with the City Clerk a sum equal to five percent (5%) of the increased bid, and the property shall be readvertised on the basis of the increased bid.

This notice is published in accordance with N.C.G.S. 160A-269.

Lisa B. Vierling
High Point City Clerk
(336) 883-3536

Jan. 27, 2022

CITY OF HIGH POINT

AGENDA ITEM



Title: High Point Fire Department – Underwater Remote Operated Vehicle (ROV) Grant – Budget Ordinance

From: Stephen M. Hawryluk
Budget and Performance Manager

Meeting Date: January 18, 2022

Public Hearing: No

Advertising Date / N/A

Advertised By: -

Attachments: Budget Ordinance

PURPOSE:

To accept and appropriate grant funds (\$120,000) from the Homeland Security Grant Program (HSGP), through the North Carolina Department of Emergency Management, for an underwater remote operated vehicle (ROV) for the High Point Fire Department.

BACKGROUND:

The Homeland Security Grant Program (HSGP), through the North Carolina Department of Emergency Management has awarded the High Point Fire Department a \$120,000 grant for an Underwater Remote Operated Vehicle (ROV). This ROV allows the dive team and other agencies a much safer avenue for searches underwater, limiting the amount of time an actual diver is in the water. It also can speed up the recovery process.

The ROV is used for underwater surveys and inspections, with the ability to withstand harsh underwater conditions. It includes rotating imaging sonar, an ultra-high-definition camera, and grabber for recovery.

The proposed amendment appropriates \$120,000 in grant funds for the purchase of an Underwater Remote Operated Vehicle (ROV).

BUDGET IMPACT:

The program is covered 100% by federal funds. There is no local match requirement.

RECOMMENDATION / ACTIONS REQUESTED:

The Financial Services Department recommends and asks the City Council to accept this grant and approve the budget amendment.



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OF THE CITY OF HIGH POINT, NORTH CAROLINA
TO APPROPRIATE GRANT FUNDS FROM THE HOMELAND SECURITY GRANT PROGRAM,
THROUGH THE NORTH CAROLINA DEPARTMENT OF EMERGENCY MANAGEMENT

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Section 2. The 2021-2022 Budget Ordinance of the City of High Point should be amended as follows:

(A) That the following Fire grant revenues be amended as follows:

Federal Grant Revenue	\$120,000
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(B) That the following Fire grant expenditures be amended as follows:

Equipment and Machinery	\$120,000
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Section 3. That all ordinances, or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. That this ordinance shall be effective from and after its passage."

Adopted by High Point City Council, this the 18th day of January 2022

Mayor, Jay W. Wagner

ATTEST

Lisa B. Vierling,
City Clerk

**RESOLUTION OF HIGH POINT CITY COUNCIL
AUTHORIZING UPSET BID PROCESS FOR CITY PROPERTIES
LOCATED AT 208, 209 & 213 MORGAN PLACE, 1108 GORDON STREET, 1608
BOUNDARY AVENUE, AND 834 PUTNAM STREET, HIGH POINT, NC**

WHEREAS, The City of High Point (“City”) owns the following six (6) vacant lots (“Properties”):

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WHEREAS, North Carolina Statute §160A-269 permits the City to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, Sterling Real Estate Development of North Carolina, LLC has offered a bid of \$44,000 and paid the amount of \$2,200.00, the required five percent (5%) deposit on their offer for the Properties;

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1. Authorizes sale of the Properties described above through the upset bid procedure of North Carolina General Statute § 160A-269.
2. The City Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the properties, the amount of the offer, and shall state the terms under which the offer may be upset.
3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the City Clerk within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the City Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
4. If a qualifying higher bid is received, the City Clerk shall cause a new notice of upset bid to be published and shall continue to do so until a 10-day notice period has passed without

any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the City Council.

5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.

6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The city will return the deposit on any bid not accepted and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The city will return the deposit of the final high bidder at closing.

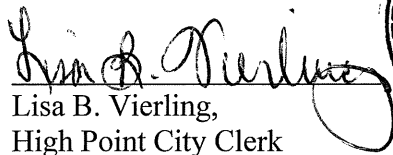
7. The terms of the final sale are that:

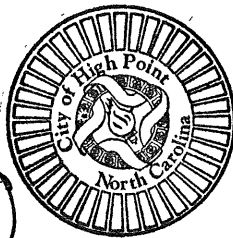
- the City Council must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed; and
- the buyer must pay with cash at the time of closing.

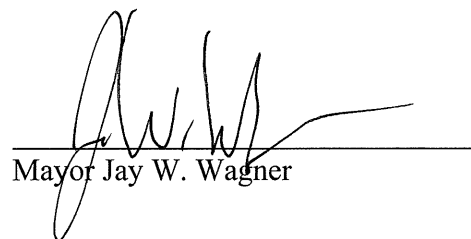
8. The City reserves the right to withdraw the properties from sale at any time before the final high bid is accepted and the right to reject at any time all bids.

9. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate city officials are authorized to execute the instruments necessary to convey the property to Sterling Real Estate Development of North Carolina, LLC.

Adopted this the 18th day of January, 2022.


Lisa B. Vierling,
High Point City Clerk




Mayor Jay W. Wagner