

**HIGH POINT CITY COUNCIL
REGULAR MEETING
February 2, 2015 – 5:30 P.M.
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING**

MINUTES

ROLL CALL and MOMENT OF SILENCE

Mayor Bencini called the meeting to order and asked for a moment of silence, which was followed by the Pledge of Allegiance.

Upon call of the roll, the following Council Members were present.

Mayor William S. Bencini, Jr., Mayor Pro Tem James C. Davis; and Council Members Cynthia Y. Davis (At-Large), Latimer Alexander (At-Large); Jeffrey Golden (Ward 1), Christopher Williams (Ward 2); Alyce Hill (Ward 3); Jay Wagner (Ward 4); and Jason Ewing (Ward 6)

RECOGNITIONS AND PRESENTATIONS

150029 2015 Big Sweep Poster Winner

Ms. Rebecca Coplin, High Point Big Sweep Coordinator, will be in attendance to recognize Vershon Baldwin, a first grade student at Parkview Village Elementary Expressive Arts Magnet School, who is the winner of the 2015 North Carolina Big Sweep Artist of the Year award.

Rebecca Coplin, High Point Big Sweep Coordinator, recognized Vershon Baldwin, a first grade student from Parkview Village Elementary Expressive Arts Magnet School, who is the winner of the 2015 North Carolina Big Sweep Artist of the Year Award. Vershon's Art teacher, Mrs. Juandalynn Jones-Hunt, accompanied Vershon and explained how the students were educated regarding the effects of littering on the community if there was no recycling. Vershon's parents were also present to support him in receipt of the award. [applause]

A photo opportunity with Mayor Bencini followed the presentation.

Exhibit Book, Volume XI, Page 23

150041 Recognition - Carson Lomax - P & Z Commission

Presentation of a plaque to Mr. Carson Lomax in recognition of his service on the Planning & Zoning Commission.

Lee Burnette, Director of Planning and Development, presented a plaque to Carson Lomax in recognition of his service on the Planning & Zoning Commission from 2009-2014. [applause]

REGULAR AGENDA ITEMSFINANCE COMMITTEE - Mayor Pro Tem Davis, Chair

Committee Members: C. Davis, Hill, and Williams

(all were present)

150030 PCI Security Audit Contract - nGuard

Council is requested to approve a contract with nGuard in the amount of \$96,990.00 to perform an outside security audit each year to identify any security vulnerabilities in the various computer systems used to store critical information.

This matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting. The Committee recommended this matter be forwarded to Council with a favorable recommendation for approval.

Approved contract with nGuard in the amount of \$96,990.00.

A motion was made by Mayor Pro Tem Davis, seconded by Council Member Williams, that this Contract be approved. The motion PASSED by a 9-0 unanimous vote.

150031 NCDOT - Supplemental Agreement - N. Main & Lexington Avenue Intersection Improvements

Council is requested to authorize the City Manager to execute a North Carolina Department of Transportation (NCDOT) Supplemental Agreement extending the required completion date of a project to make traffic signal and pedestrian improvements at the intersection of North Main Street and Lexington Avenue.

This matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting. The Committee recommended this matter be forwarded to Council with a favorable recommendation for approval.

Authorized the City Manager to execute a supplemental agreement with the North Carolina Department of Transportation (NCDOT) extending the required completion date of a project to make traffic signal and pedestrian improvements at the intersection of North Main Street and Lexington Avenue.

A motion was made by Mayor Pro Tem Davis, seconded by Council Member Williams, that this Contract be approved. The motion PASSED by a 9-0 unanimous vote.

150040 Contract - Automatic Transfer Switches

Council is requested to award a contract to HD Supply of Wake Forest NC in the amount of \$187,107.00 for the purchase of automatic transfer switches to replenish stock in the warehouse.

This matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting. The Committee recommended this matter be forwarded to Council with a favorable recommendation for approval.

Approved contract with HD Supply of Wake Forest, NC in the amount of \$187,107.00.

A motion was made by Mayor Pro Tem Davis, seconded by Council Member Williams, that this Contract be approved. The motion PASSED by a 9-0 unanimous vote.

150032

Contract - CIGNA Healthcare - Employee Healthcare Benefits

Council is requested to authorize the City Manager to execute a 9-month contract with CIGNA Healthcare for the continuation of healthcare coverage for city employees during the short term plan year April 1, 2015 to December 31, 2015; and to authorize the City Manager to execute all related contractual documents during short term plan year.

This matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting. The Committee recommended this matter be forwarded to Council with a favorable recommendation for approval.

Authorized the City Manager to execute a 9-month contract with CIGNA Healthcare for the continuation of healthcare coverage for city employees during the short term plan year April 1, 2015 to December 31, 2015, and authorized the City Manager to execute all related contractual documents during the short term plan year.

A motion was made by Mayor Pro Tem Davis, seconded by Council Member Williams, that this Contract be approved. The motion PASSED by a 9-0 unanimous vote.

Pending Items

140387

Lease Agreement - SECU for CashPoints ATM Machine

Council is requested to authorize the City Manager to execute a Lease Agreement with the State Employees Credit Union (SECU) allowing for the installation of a CashPoints ATM on City property in the Commerce Street parking lot.

Note: This matter has been pending since December 5, 2014. At that time, Council directed staff to provide additional information regarding other possible sites/locations.

COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE - Council Member Golden, Chair

Committee Members: Alexander, Ewing and Williams
(all were present)

150033

Amendment of Core City Homebuyer Assistance Program

Consideration of an amendment to the Core-City Homebuyer Assistance program approved by City Council at the November 3, 2014 meeting.

Mike McNair, Director of Community Development & Housing, provided an update. He explained at the last Community Housing & Neighborhood Development Committee Meeting held on January 13, 2015, there was some discussion regarding the possibility of amending the Core-City Homebuyer Assistance Program. This came about due to a recommendation staff received from a citizen, who asked that the program be expanded to the entire Core City. The committee favorably recommended to limit the level of assistance to \$7,500 and established a purchase price cap of \$200,000 that would extend to the entire Core City. Council Member Alexander inquired about the number of applications the City has received. Mr. McNair, Director of Community Development & Housing replied that no applications have yet been submitted, but there has been quite a bit of favorable discussion in the community regarding the program. Mayor Pro Tem Davis asked if the income requirements might be a little on the high side. Mr. McNair explained there is no income requirement; the applicant would basically have to get approved for a mortgage loan. Mayor Pro Tem Davis expressed concerns that those who qualify for a mortgage are not necessarily looking at the Core area. Mr. McNair explained that the City is trying to get these prospective homebuyers to buy homes in the Core and he felt many of the people who are already paying \$1,000 a month in rent would like to purchase a home, but they lack a downpayment to do so. He noted the way this program is set up, it is structured so that the loan is deferred for three years so it does not get caught up in the debt-coverage ratios. Mayor Pro Tem asked if anyone took advantage of the program when it was previously offered and Mr. McNair noted that the previous program was targeted to low-to-moderate income homebuyers and the first program did work. Council Member Ewing pointed out part of the success of the first program was the increased number of foreclosures at that time which had a positive effect on the program.

Approved an amendment to the Core-City Homebuyer Assistance Program that was previously approved by City Council at the November 3, 2014 meeting.

A motion was made by Council Member Ewing, seconded by Council Member Williams, that the amendment to the Core-City Homebuyer Assistance Program be approved. The motion PASSED by a 9-0 unanimous vote.

PLANNING & DEVELOPMENT COMMITTEE - *Council Member Wagner, Chair*
Committee Members: C. Davis, J. Davis, and Golden
(all were present)

150034 Resolution of Intent - Annexation Case ANX15-02 - City of High Point

Approval of a Resolution of Intent that establishes a public hearing date of Monday, February 16, 2015. to consider a voluntary contiguous annexation of City owned property. The requested annexation consists of approximately 8.2 acres, lying at the southwest corner of Kivett Drive and Kersey Valley Road, and is also known as Guilford County Tax Parcels 0161052, 0161053, 0161078, 0161100, 0161102, 0161103, 0161105, 0161498, 0161505, 0161526 & 0161527, which are all owned by the City of High Point.

Council Member C. Davis stated she understood the need for land for the landfill, but expressed concerns regarding the run-off into the nearby watershed. She asked to see the quality of the water and run-off into the area of concern. Council Member Alexander explained that all of the surface water in the landfill is channeled into a leachate pond, which

is treated through the city's wastewater system (run-off is caught, transported, treated and then released). He hoped Council would have the opportunity to participate in some facilities tours in the near future to see the facilities first-hand.

Adopted Resolution of Intent that establishes a public hearing date of Monday, February 16, 2015 to consider a voluntary contiguous annexation of City owned property consisting of 8.2 acres lying at the southwest corner of Kivett Drive and Kersey Valley Road.

A motion was made by Council Member Wagner, seconded by Council Member Ewing, that this Resolution of Intent be adopted. The motion PASSED by a 9-0 unanimous vote.

Resolution No. 1433/15-04

Introduced 2/2/2015; Adopted 2/2/2015

Resolution Book, Volume XIX, Page 4

150035

Ordinance Amendment- Concealed Carry in Parks & Recreation Facilities

Council is requested to make the appropriate changes to High Point City Ordinance 12-1-5e so it accurately complies with State Law regarding concealed carry in Parks and Recreation facilities and venues.

Adopted Ordinance Amendment- Concealed Carry in Parks & Recreation Facilities.

A motion was made by Council Member Wagner, seconded by Council Member Alexander, that this Amendment to the Concealed Carry in Parks & Recreation Facilities Ordinance be adopted. The motion PASSED by a 9-0 unanimous vote.

Ordinance No. 7121/15-04

Introduced 2/2/2015; Adopted 2/10/2015

Ordinance Book, Volume XIX, Page 4

PUBLIC COMMENT PERIOD - 6:00 P.M.

Pam Stern, 508 N. Hamilton Street, owner of the world's largest "Chest of Drawers," addressed Council and presented a map/plans for redevelopment of downtown. She the lack of attention to the "Chest of Drawers" since Andres Duany left because he suggested it be included in the downtown revitalization. She pointed out there were numerous eyesores in this area that need attention (i.e. building at the corner of Westwood/Main; Superior Grocery Store on Centennial; Richardson/Steele neighborhood, High Point Merchant's Association building, etc.....). She stated that years ago she was successful in stopping the showroom boundaries that were proposed, but pointed out there was no Plan B. She then shared her Plan B.

According to Ms. Stern, Hamilton and Wrenn should either be opened up for double lanes of traffic or Wrenn should be closed. She shared that when the showroom boundaries were being considered, she actually walked around and did a survey herself to people that were in attendance during pre-market and asked them if they would be willing to do retail on Wrenn;

most said yes. She also suggested that the Superior Grocery Store should be revitalized or replaced and noted this could be incorporated into the Washington Street Revitalization that is currently underway. Ms. Stern mentioned that years ago, Greensboro actually purchased two huge pieces of property and Natty Greene's located next door, and Greensboro turned around and resold the property back to the public and this is what grew downtown Greensboro. She also suggested that the City of High Point purchase the High Point Merchant's Association building and the Schmitt building located at the corner of Westwood and Main and turn the area into a park. She also stated she would like to see High Point University do a bike trail going through the cemetery to the "Chest of Drawers," while continuing to work on Washington Street and Centennial. She felt if all these ideas came to fruition, it might could explode into something wonderful.

In closing, Ms. Stern pointed out the "Chest of Drawers" is already a downtown attraction that brings visitors to the downtown area and she felt the City should do more to capitalize on this.

Exhibit Book, Volume XI, Page 24 (map)

Toby Johnson, owner of "Bounces to Go" in High Point, located at 2516 South Main Street, addressed Council regarding some issues he is having with relocating his business. He noted that he opened his Bounces to Go business in High Point in January of 2008 and noted they rent and sell bounce houses, rent and retail balloons (approximately 30,000-40,000 a year), and they sell approximately 50,000 servings of popcorn, snowcones, cotton candy supplies, etc..., sell gospel items, prizes, power chairs and scooters, theatrical and juggling props, staging skirting, piping and drapery. He shared that he closed his business, Brenda's Costume Magic and Novelty, in Greensboro, to fortify the High Point location. On January 7, 2015, he rented the former Firestone building located across the street from his current business, Bounces to Go. Mr. Johnson shared that he has already made some improvements to this building in the tune of \$10,000 and on January 25, 2015, the High Point inspectors came in and classified his business as equipment rental only and he was told to stop the improvements. He advised that he obtained a list from the Planning Department on what qualifies as equipment rental and included in that list were: party rental supplies, TVs, furniture, electronics, appliance, etc. and all these fall into a category of equipment leasing and rental. He noted he was told that the rental companies that are all in shopping centers all over the city are already classified as retail businesses and questioned why a freestanding building located 150 feet from a shopping center would not be classified the same as the other rental companies located in the shopping centers. He felt the Planning Department was discriminating against him and trying to redefine his company into something that it is not because they are retail and rental. He asked Council to get this resolved as quickly as possible because he is currently paying rent at the two locations and his busy time of the year is generally March through November.

Exhibit Book, Volume XI, Page 25 (letter from Mr. Johnson to City Council; Business License 2014/2015; SIC Classification for Miscellaneous Equipment Rental and Leasing; miscellaneous business information)

Willie Futrell, President of the High Point Steelers, a youth football and cheer organization with AAU and **Terrell Easter**, Vice President of the High Point Steelers, addressed Council

about the lack of playing fields for them to practice and play their games on. Mr. Futrelle advised there are approximately 200-250 children who participate in the youth football program and noted they are ten-time State AAU champions. He informed Council that he has talked with the High Point Parks & Recreation staff and for some reason they feel that he is in direct competition with them, but they are not. He explained their season generally starts in June/July and because of daylight savings time, they have to have a playing field with lights. He noted when he met with the Parks & Recreation staff and the Mayor, and they came away from that meeting with an outrageous price for use of the field and they just could not afford it. He went on to say their support comes from fundraisers and donations and explained they volunteer their time and talents in an effort to keep these children off the streets and provide them with uniforms and a safe place to practice and play. Mr. Terrell conveyed that they are at their wits end and have nowhere to practice. He asked if Council would consider allowing them to use one of the city's fields because they have exhausted all other means. He informed Council that the schools in Winston-Salem allow their teams to use their fields at no charge and the Greensboro Parks & Recreation also allow their youth organizations to use the fields.

Council Member Alexander asked if there was a specific part of town they desire to be in. Mr. Easter noted they have been in the center of town for the last six to seven years and they would like some assistance because they have paid over \$3,000 in the last year to practice. He welcomed any suggestions Council might have to help them cut costs so they could continue helping these children. Council Member Alexander suggested the old Allen Jay Middle School property. Mr. Easter explained they have already looked into that site as a possibility, but they were told they could not use their field because the school is considering possibly doing a team next year. Mr. Futrelle clarified that High Point Andrews and High Point Central have extended their facilities to them, but they simply cannot afford what they charge.

Council Member C. Davis asked Mr. Futrelle and Mr. Easter if they could provide a schedule of practice times and games and Mr. Futrelle replied that the schedule for the games generally is made around June or July of each year. Council Member C. Davis pointed out the city allows other in-kind services for groups/organizations throughout the city and felt this is a worthwhile in-kind service that the city should be able to help with because of the life-changing impacts on the lives of the children. Mayor Bencini asked Mr. Terrell and Mr. Easter to get with the City Manager so he could facilitate a conversation with Parks & Recreation to see if they could possibly come up with a helpful solution.

Mayor Bencini then opened up the floor for additional comments. There being none, the Public Comment Period was closed.

PUBLIC HEARINGS

PLANNING & DEVELOPMENT COMMITTEE - Council Member Wagner, Chair

150036 Ordinance - Annexation Case ANX15-01 - Mildred Redecker

A request by Mildred Redecker to consider a voluntary non-contiguous annexation of an approximately 1.35 acre parcel lying along the west side of Harvey Road, approximately 885

feet north of E. Kivett Drive. The property is addressed as 5404 Harvey Road and also known as Guilford County Tax Parcel 0161071.

The public hearing for this matter was held on Monday, February 2, 2015 at 6:15 p.m.

Herb Shannon of Planning and Development provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings. The applicant is requesting annexation to obtain access to city utilities. The site currently abuts a parcel within the City limits to the south. The unincorporated properties along Harvey Road are within the City's Extraterritorial Jurisdiction (ETJ), and subject to the City's zoning and development standards. The existing RS-9 District covering the annexation site is not requested to be changed. This annexation represents a logical progression of the City's annexation policy for this area as the property is within the City's ETJ and City services and service vehicles are already present in the area. Although this is a satellite annexation, the City's primary corporate limits are in close proximity to the site. The annexation of this parcel will not negatively impact the City's ability to provide services in this area.

Council Member Alexander asked if there have been problems with other septic tank failures in this area and Mr. Shannon replied that there have been some failures farther north towards Riverdale.

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

***Mildred Redecker**, owner of the property, spoke in favor and conveyed her need for City water.*

There being no further comments, the public hearing was closed.

Adopted Ordinance providing for the non-contiguous annexation of an approximately 1.35 acre parcel lying along the west side of Harvey Road, approximately 885 feet north of E. Kivett Drive, specially addressed as 5404 Harvey Road; annexation effective upon adoption.

A motion was made by Council Member C. Davis, seconded by Council Member Ewing, that this Ordinance be adopted. The motion PASSED by a 9-0 unanimous vote.

**Ordinance No. 7122/15-05
Introduced 2/2/2015; Adopted 2/2/2015
Ordinance Book, Volume XIX, Page 5**

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT

150038

City Council Liaison Appointment - CVB - Council Member Hill

Council is requested to confirm the appointment of Council Member Alyce Hill as the liaison to the Convention & Visitors Bureau. Council Member Hill will be replacing Council Member Alexander due to a scheduling conflict with another liaison appointment.

Approved the appointment of Council Member Alyce Hill to serve as the City's liaison to the High Point Convention & Visitors Bureau.

A motion was made by Council Member Alexander, seconded by Council Member Wagner, to approve the appointment of Council Member Alyce Hill as the liaison to the Convention & Visitors Bureau. The motion PASSED by a 9-0 unanimous vote.

150026 Boards and Commissions - Vacancy Report

Attached is the current list of vacancies for all Boards and Commissions.

Mayor Bencini pointed out there were several vacancies on the various boards and commissions and encouraged Council Members to review the vacancy report.

Council Member Alexander informed Council that he plans to recommend Sandy Franks, mother with five small children, to serve on the Parks & Recreation Commission and strongly encouraged the City Council to support her appointment should Ms. Franks agree to serve.

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

150039 Minutes to be approved

- Finance Committee - Tuesday, January 20th @ 3:30 p.m.
- Regular Council Meeting - Tuesday, January 20th @ 4:30 p.m.
- City Manager's Briefing - Thursday, January 22nd @ 9:00 a.m.

A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Davis, that the preceding minutes be approved with the corrections to the January 20, 2015 High Point City Council Regular Meeting Minutes (page 9) regarding the banking resolutions and corrections to the January 22, 2015 Briefing Session (page 2) regarding an inquiry she made about the amount of the CIGNA rate increase as recommended by Council Member C. Davis. The motion PASSED by a 9-0 unanimous vote.

ADJOURNMENT

Upon motion duly made by Mayor Pro Tem Davis and second by Council Member Ewing, the meeting adjourned at 6:30 p.m.

Respectfully Submitted,

William S. Bencini, Jr., Mayor

Attest:

Lisa B. Vierling, MMC

City Clerk