

**HIGH POINT CITY COUNCIL  
REGULAR MEETING  
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING  
JANUARY 4, 2016 – 5:30 P.M.**

**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:*

**Present:**

*Mayor William S. Bencini, Jr., Mayor Pro Tem Jeffrey Golden (Ward 1); and Council Members Cynthia Y. Davis (At-Large), Latimer Alexander (At-Large); Christopher Williams (Ward 2), Alyce Hill (Ward 3), Jay Wagner (Ward 4), James C. Davis (Ward 5) and Jason Ewing (Ward 6).*

**SPECIAL RECOGNITIONS**

**Special Recognition- Retirement of Henry Moon**

*Prior to the Public Comment Period, City Attorney JoAnne Carlyle recognized Henry Moon, the City's Right-of-Way Agent, and congratulated him on his pending retirement. She shared that Henry was such a personable individual and someone very knowledgeable in the right-of-way field and highly respected amongst his peers inside and outside North Carolina. She expressed her utmost respect for Mr. Moon and thanked him for his service to the City.  
[applause]*

**Special Recognition- Kimberly Thore- Right-of-Way Agent**

*At this time, Ms. Carlyle introduced Kimberly (Kim) Thore, the City's new Right-of-Way agent. Ms. Thore comes to the City of High Point from the City of Greensboro.*

**PUBLIC COMMENT PERIOD**

**Jonathan Fritz**, 211 E. Ray Avenue, addressed Council regarding the issue of speeding in downtown High Point, including the area in front of GTCC on S. Main Street. He pleaded with the City Council to find a way to control the reckless behavior of drivers in the city. Mr. Fritz mentioned he had visited Spencer, North Carolina, the Home of the NC Transportation Museum, on a couple of occasions and pointed out their police department aggressively enforces the 20 mph speed limit downtown and the 35 mph speed limit around the town and as a result, their downtown is flourishing, businesses are opening, more people are out on the streets and there is more pedestrian and bicycle traffic as a result of the lower speed limits. He further added that in the cities that promote greater participation in bicycling and walking, repainting/redesigning the streets actually causes the drivers to slow down.

*He also expressed appreciation to Council Member Williams for helping him get a traffic sign removed. He also mentioned that he sent an email to the Mayor and City Manager with a link regarding some ideas about downtown High Point that could be considered by the City Council.*

**Louis Thibodeaux**, 1241 Kensington Drive, addressed Council regarding the Kensington/Country Club/Dovershire stormwater improvements in his neighborhood. He distributed a sheet containing the names/addresses of his neighbors who have asked to be notified by the City of any future meetings involving these stormwater issues. At the advice of the Mayor, he contacted his representatives on the City Council (Council Members Alexander, Hill and C. Davis) and also spoke with Council Member Wagner about the issues he and his neighbors were having with water flowing in their neighborhood. He pointed out that Council Member C. Davis was the only one who came out to see the effect of the water flowing on their property. He questioned the purpose of speaking at a public forum if the citizens are receiving no feedback from Council.

Mayor Bencini asked Mr. Thibodeaux to give the list of names/addresses to the City Clerk, who would get it to the City Manager and Jeron Hollis, Communications & Public Engagement Director.

At this time, Council Member C. Davis asked City Manager Greg Demko if he was aware of any upcoming meetings pertaining to the stormwater for the Country Club/Dovershire area. Mr. Demko replied that the subject of stormwater and stormwater projects would be discussed during the Pre-Budget City Council Meeting on Thursday, January 7th at 3:00 p.m., but the discussion would be from a budgeting standpoint, not from an individual project standpoint.

**Ben Edwards**, 1410 Wales Drive, also addressed Council regarding the stormwater issues in the Country Club/Dovershire area. He also distributed a sheet containing the names/addresses of his neighbors who have asked to be notified by the City of any future meetings involving these stormwater issues. He and his neighbors questioned why they were not notified about the upcoming initiative and asked what they could do to prevent this from happening. He explained that currently they are having major issues from the current stormwater from the creeks and they do not want their liabilities to increase. He noted the City's stand has generally been that it's not the City's problem and any additional improvements to the erosion control or the flooding would have to be paid for by the residents--not the City of High Point. He disagreed and felt it is the City's problem pointing out the problem would only worsen as time goes by. He informed Council that he has videos of the flooding from the storms and acknowledged that he did address these issues with Council Member C. Davis and she came out to see where the flood waters were coming in. He noted the City has not really done much to help him and his neighbors out.

There being no further comments, the Mayor declared the Public Comment Period closed and proceeded with the remainder of the Agenda.

## **REGULAR AGENDA ITEMS**

### **FINANCE COMMITTEE** - Council Member J. Davis, Chair

Committee Members: J. Davis, C. Davis, Hill, Williams  
(All were present)

**160002      ElectriCities Joint Wood Pole Purchase**

Council is requested to authorize the appropriate city official to execute contract with ElectriCities (United Wood and McFarland Cascade) for the purchase of wood poles in the amount of \$98,596.50.

*Garey Edwards, Director of Electric Utilities, explained this is the annual bid for wood poles and earlier in the year, the City agreed to participate with ElectriCities to jointly purchase various things such as poles, wire, etc.... in an effort to get better pricing. Mayor Bencini asked staff to clarify the differences in the breakdowns of the different municipalities. Mr. Edwards explained there are two types of poles and the various cities have their preferences. He noted the CCA treated poles are smaller poles and generally used for outdoor lighting, while the Pinta poles last longer and are easier to climb. Council Member Ewing asked if this process was more cumbersome than the City bidding individually and Mr. Edwards replied this process was easier.*

*Council Member C. Davis expressed disappointment that ElectriCities only looked at three companies and asked Council Member Alexander, who serves on the ElectriCities Board, if it might be possible to get a bigger pool to choose from. Council Member Alexander explained that these three were selected and were the lowest, winning bidders so-to-speak. Council Member C. Davis then asked if it might be possible for the City to simultaneously solicit bids to try to find something that is competitive, while also considering these bids. Mr. Edwards replied these bids are typically pretty close, and historically there is safety in numbers so the more that bid, the better the price. Council Member C. Davis asked if these three were repeat vendors and Mr. Edwards explained the vendors actually change from year-to-year, and we did have a different vendor last year.*

Approved the contract with ElectriCities (United Wood and McFarland Cascade) for the purchase of wood poles in the amount of \$98,596.50 and authorized the appropriate city official to execute the contract.

**A motion was made by J. Davis, seconded by Council Member Hill, that this Contract be approved. The motion PASSED by a 9-0 unanimous vote.**

**160003      Contract - Corrosion Inhibitor - Ward Water Treatment Plant**

Council is requested to award Bid No. 47 to Sterling Water Technologies in the amount of \$95,964.00 for the chemical bid for corrosion inhibitor used at the Ward Water Treatment Plant.

*Terry Houk, Director of Public Services, explained the corrosion inhibitor is fed into the distribution system at the Water Plant to coat the pipes to restrict copper and lead from leaching into the water system. He noted in the past, the City has had some issues with bidders not meeting the specifications, so a testing protocol was developed with the bidders required to submit one litre samples with their analysis, which was then outsourced for a comparison analysis. He pointed out one of the bidders did not submit enough samples and*

*the bid was deemed non-responsive. The second sample that came in did not meet the bid specifications, but the third sample ran did meet the bid specifications. Staff is recommending the contract for the corrosion inhibitor be awarded to Sterling Water Technologies in the amount of \$95,964.00.*

*Mayor Bencini asked staff if the City continues to test the product after the vendor is chosen. Mr. Houk explained that they do random testing and found that there is a certain percentage of the polyphosphate silica blend that is supposed to be in the line or in the chemical, but it was discovered that it was not. To remedy that, they have to feed double the concentration to get the corrosion inhibitor into compliance because the water quality may fail.*

*Approved contract with Sterling Water Technologies in the amount of \$95,964.00.*

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

**160004**

**Contract - Temporary Staffing Services**

Council is requested to approve a contract with Blue Arbor, Inc. for temporary staffing services.

*Angela Kirkwood, Director of Human Resources, advised this is a request for temporary staffing services through a citywide one-year contract and explained this is an opportunity for departments that have employees out on any type of leave to have a temporary service provide a person to come in to cover the office. Chairman J. Davis mentioned an email he received questioning part of the bid process. He asked about the number of bidders. Ms. Kirkwood replied there were a total of five qualified bids, and about thirteen submitted bids, but many did not meet the specified conditions. Chairman J. Davis then asked about the method used for scoring the proposals. Ms. Kirkwood explained the Purchasing Department provided the standard and created a matrix that was used to weight each one of the conditions as far as the location, in terms of whether or not they had insurance, in terms of how many years of service they had in staffing, etc.... and then staff reviewed and evaluated each provider.*

*Council Member C. Davis inquired as to how many of those submitting bids were actually considered local High Point agencies. Ms. Kirkwood noted there were actually two of these bidders that were High Point agencies. Council Member C. Davis then asked about the specified requirements for the general liability because there seemed to be some confusion about that amount. She explained that according to the email that Council received, the agency expressing concerns initially asked to be removed, but then asked that Council postpone a decision on this matter until they agency could be considered. City Attorney JoAnne Carlyle advised that the general liability limit is usually set at two million dollars, but it actually would depend on the exposure. She further explained that if the City would like to do business with that cannot afford this amount, depending on the size of the company, staff may take a look at the exposure.*

*Council Member C. Davis pointed out that it was her understanding that the individual sending the email was told that the liability limits were more than what she had, so she withdrew her proposal from consideration. For this reason, Council Member C. Davis asked*

*Council to consider delaying a decision on the matter until the next meeting to allow the applicant to be considered with the others. At this time, Council Member Alexander asked City Attorney Carlyle to review the state law requirements on the bidding process. Ms. Carlyle advised that Council would have to start the process over. Council Member C. Davis asked if the fault would lie with the City because she did not feel it was the fault of the individual. Ms. Carlyle pointed out all bidders were given the exact same information. Ms. Kirkwood added that they were given the exact amount of time as the others. She pointed out it was provided to everyone and there was also the opportunity to attend the pre-bid hearing to ask questions and get things clarified. She noted since this individual did not attend the pre-bid hearing, it could only be assumed that they understood the instructions completely.*

*Mayor Pro Tem Golden asked if this was the first time the City used temporary staffing services. Ms. Kirkwood advised that the City has used temporary staffing services in the past, but has never had a citywide contract for office support positions. She felt it would be helpful to go to one source to get someone here quickly. Mayor Pro Tem Golden asked if there would be a retainer fee or if they would be used only as needed. Ms. Kirkwood explained it would be a fee for services and essentially the cost would come from the departments and the savings from the employees that are out on leave. Council Member C. Davis asked if the City would be locked in if there was a need for services even when they do not have individuals to fill it. Ms. Kirkwood advised this is strictly for office support and would not be for skilled positions.*

Approved the contract with Blue Arbor, Inc. for temporary staffing services.

**A motion was made by J. Davis, seconded by Council Member Alexander, that this Contract be approved. The motion PASSED by a 9-0 unanimous vote.**

**160005**

**Budget Ordinance - Cemetery Trust Funds**

Council is requested to adopt a budget ordinance amending the 2015-2016 Budget Ordinance to appropriate funds in the amount of \$89,400.90 to recognize revenue and expenditures related to the transfer of trust funds related to accepting ownership of the private portion of the Oakwood Cemetery.

*Eric Olmedo, Budget & Performance Manager, reported that in November 2014, the City Council authorized the City Manager to negotiate the transfer of ownership of the private section of the Oakwood Cemetery to the City and these negotiations are now complete. On December 15, 2015, the City received and deposited a check for the Trust Fund of that cemetery in the amount \$89,400.90. He explained this action would allow the City to accept this revenue and increase the expenditures of the Cemetery Division of Public Services and the funds must be spent for planned improvements to the Cemetery.*

Adopted Ordinance amending the 2015-2016 Budget Ordinance to appropriate funds in the amount of \$89,400.90 to recognize revenue and expenditures related to the transfer of trust funds related to accepting ownership of the private portion of the Oakwood Cemetery.

**Ordinance No. 7181/16-01**

**Introduced 1/4/2016: Adopted 1/4/2016**

**Ordinance Book Volume XIX, Page 64**

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

**160006      Resolution- Condemnation of Property - Model Farm Bridge Replacement**

Council is requested to adopt a resolution authorizing the City Attorney's office to institute civil proceedings to condemn property located at 205 and 311 Model Farm Road belonging to Model Farm Properties, LLC in connection with the Model Farm Bridge Replacement Project.

*Henry Moon, Right-of-Way Agent, explained this property is needed for a bridge replacement on Model Farm Road. He advised that he has secured all the necessary right-of-way for the project, except for the parcel located at 205 Model Farm Road due to a modest difference of opinion on the value. Due to the unsuccessful negotiations for the right-of-way, he is recommending the property be condemned and worked out through mediation or in court. Council Member Alexander asked how long staff has been in negotiations with this property owner and Mr. Moon replied a little over a year.*

*Council Member C. Davis pointed out Council did receive an email from someone representing the property owner, who was prepared to come to the meeting, but after making a phone call was under the assumption that everything was fine to continue the matter. On behalf of the property owner and the real estate person representing the property owner, she asked that this matter be continued to the next Council meeting. Chairman J. Davis asked if the property owners would still not have a few months' time to negotiate and come to a settlement before the action actually takes place. City Attorney JoAnne Carlyle advised that at Council's direction, staff would proceed and draft the documents to be filed at the courthouse, then would have to make a request for the check because once the lawsuit is filed, the check would have to be deposited at the same time. She pointed out the delay would not change anything at all. She understood the delay was requested so they could get another appraisal, but the delay would not hinder them from doing so. She further explained that the property owner would have 120 days once the lawsuit is filed, and they could continue to negotiate with the City and get an appraisal as well.*

*Mayor Pro Tem Golden asked if the property owner or representative was aware of this and Mr. Moon pointed out the property owner's representative is in real estate, so he should be well aware of the law. Council Member Wagner asked Ms. Carlyle if the disagreement was over the money offered or the actual condemnation of the property itself and Ms. Carlyle confirmed that the property owner disagrees with what the property was valued at. Council Member C. Davis felt it was not so much about the dollars or the money, but the fact that Council was asked by the property owner's representative to delay a decision for two weeks to afford them an opportunity to come and speak before Council, just giving them that time and respect for their property and to be heard. Ms. Carlyle pointed out the only thing that they could come to Council and discuss would be the amount. She advised that the engineers are ready to move forward with the project and she would not recommend a delay. Mr. Moon pointed out the property owner was given a certified notice over a month ago that this would be the date/time of the meeting to consider this action. Chairman J. Davis recalled that the Model Farm changed hands last year and asked if that ownership had changed since the negotiations were started. Mr. Moon replied that it had not.*

Adopted Resolution authorizing the City Attorney's office to institute civil proceedings to condemn property located at 205 Model Farm Road belonging to Model Farm Properties, LLC in connection with the Model Farm Bridge Replacement Project.

**A motion was made by Davis, seconded by Council Member Wagner, that this matter be adopted. The motion carried by the following 8-1 vote:**

Aye (8): Council Member Hill, Council Member Williams, Council Member Ewing, Council Member Wagner, Mayor Pro Tem Golden, Mayor Bencini, Council Member Alexander, and Council Member J. Davis

Nay (1): Council Member C. Davis

**Resolution No. 1600/16-01**

**Introduced: 1/4/2016: Adopted 1/4/2016**

**Resolution Book, XIX, Page 71**

**160007      MOU - High Point Historical Society/City of High Point - Little Red Schoolhouse Relocation Project**

Council is requested to approve a Memorandum of Understanding (MOU) between the High Point Historical Society and the City of High Point concerning the relocation of the Little Red Schoolhouse.

*Randy Hemann, Assistant City Manager, advised that the Finance Committee recommended that a Memorandum of Understanding (MOU) be prepared to identify the roles and responsibilities between the Historical Society and the City regarding moving and renovating the Little Red Schoolhouse. He referenced a letter included in the packet from the Historical Society that outlines their agreement with the MOU.*

*Chairman J. Davis asked if there were any questions.*

*Council Member C. Davis asked if it was ever determined if the Little Red Schoolhouse was owned by the City and City Attorney JoAnne Carlyle confirmed that the City does own it.*

***There being no further questions, Council Member J. Davis moved to approve the MOU between the High Point Historical Society and the City of High Point. Council Member Wagner made a second.***

*For further discussion, Council Member C. Davis stated that she would not be supporting this matter because she believed that the Historical Society has had ample time to raise some dollars prior to coming to the Council for money and she was not convinced that they have done due diligence. She pointed out this was an item with the previous City Council as well and that members of the community have reached out to her and asked her not to support it for that same reason.*

**Mayor Bencini then called for a vote on the motion to approve the MOU. The motion carried by the following 8-1 vote:**

Aye (8): Council Member Hill, Council Member Williams, Council Member Ewing, Council Member Wagner, Mayor Pro Tem Golden, Mayor Bencini, Council Member Alexander, and Council Member J. Davis

Nay (1): Council Member C. Davis

**150284      Budget Ordinance Amendment- Little Red Schoolhouse**

Adoption of a budget ordinance to appropriate funding in the amount of \$95,750 to relocate and stabilize the Little Red Schoolhouse to its final location on the High Point Museum Campus.

*Eric Olmedo, Budget & Performance Manager, reported this budget ordinance amendment appropriates the funds for the match from the appropriated fund balance in the General Fund.*

Chairman J. Davis entertained any questions/comments. There being none, **he then made a motion to adopt the Ordinance amending the 2014-2015 Budget Ordinance to appropriate funding in the amount of \$95,750 to relocate and stabilize the Little Red Schoolhouse to its final location on the High Point Museum Campus. Council Member Wagner made a second to the motion.**

*As a matter of further discussion, Council Member C. Davis stated that she would not be supporting this matter because she believed that the Historical Society has had ample time to raise some dollars prior to coming to the Council for money and she was not convinced that they have done due diligence. She pointed out this was an item with the previous City Council as well and that members of the community have reached out to her and asked her not to support it for that same reason.*

Mayor Bencini then called for a vote on the motion to adopt the Budget Ordinance Amendment for the Little Red Schoolhouse. The motion carried by the following 8-1 vote:

Aye (8): Council Member Hill, Council Member Williams, Council Member Ewing, Council Member Wagner, Mayor Pro Tem Golden, Mayor Bencini, Council Member Alexander, and Davis

Nay (1): Council Member Davis

Adopted an Ordinance amending the 2014-2015 Budget Ordinance to appropriate funding in the amount of \$95,750 to relocate and stabilize the Little Red Schoolhouse to its final location on the High Point Museum Campus.

**Ordinance No. 7182/16-02**

**Introduced 9/8/2015: Adopted 1/4/2016**

**Ordinance Book Volume XIX, Page 65**

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



**160008      Resolution of Intent - Street Abandonment Case 15-13**

Approval of a Resolution of Intent that establishes a public hearing date of Monday, February 15, 2016 to consider a request by Cascade Die Casting Group, Inc. to abandon the eastern portion (approximately 200 feet) of the Albertson Road right of way.

Adopted a Resolution of Intent that establishes a public hearing date of Monday, February 15, 2016 to consider a request by Cascade Die Casting Group, Inc. to abandon the eastern portion (approximately 200 feet) of the Albertson Road right of way.

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

**Resolution No. 1601/16-02**

**Introduced: 1/4/2016: Adopted 1/4/2016**

**Resolution Book, XIX, Page 72**

**GENERAL BUSINESS AGENDA****160009      Resolution -Revised Guilford County Multi-Jurisdictional Hazard Mitigation Plan**

Council is requested to adopt a resolution approving the revised Guilford County Multi-Jurisdictional Hazard Mitigation Plan.

*Glenn Clapp, Emergency Manager, explained that historically the City of High Point has actually utilized and adopted the Guilford County Multi-Jurisdictional Hazard Mitigation Plan, which outlines measures designed to lessen the impacts of the hazards faced by the community and any actions needed to reduce those impacts. He further explained that the plan is scheduled to be revised every five years, with the last revision in 2010. He advised that Guilford County Emergency Management secured a grant to hire a consultant to develop the plan with the input of the stakeholders, which resulted in the draft plan. The plan has been approved by the North Carolina Emergency Management and the Federal Emergency Management Agency.*

*Mayor Bencini asked if most of the other jurisdictions have already signed off on the Revised Guilford County Multi-Jurisdictional Hazard Mitigation Plan. Mr. Clapp replied that all have and High Point would conclude all the necessary approvals. Council Member J. Davis questioned why High Point was so late approving it. Mr. Clapp explained that it was due to some scheduling conflicts and pointed out the actual deadline set by FEMA is January 21st, which would allow sufficient time.*

Adopted a Resolution approving the revised Guilford County Multi-Jurisdictional Hazard Mitigation Plan.

*Following the vote on this matter, Council Member C. Davis shared that she serves as the Council's liaison to the Guilford County Emergency Management Planning Committee and has had some discussions with Mr. Clapp about possibly doing some table topics. She stated she would like for Council to instruct the city manager to have staff do something in line with*

*an exercise pertaining to what the City does in its daily activities should there be a crisis or a situation. Mayor Bencini asked if it might be possible to handle something of this nature during a Manager's Briefing in the near future. City Manager Demko noted staff could do this.*

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

**Resolution No. 1602/16-03**

**Introduced: 1/4/2016: Adopted 1/4/2016**

**Resolution Book, XIX, Page 73**

**160010**

**Approval of the Minutes of Previous City Council Meetings**

- Special Meeting (Strategic Planning Workshop), December 1st @ 9:00 a.m. (HPU)
- Finance Committee; December 2nd @ 4:00 p.m.
- Manager's Briefing; December 7th @ 4:00 p.m.
- City Council Meeting; December 7th @ 5:30 p.m.
- Special Meeting (Lunch & Learn re Smart Streets); December 9th @ 11:00 a.m. (Museum)

Approved the preceding minutes as submitted.

**A motion was made by Council Member J. Davis, seconded by Council Member Alexander, that the proceeding minutes be approved. The motion PASSED by a 9-0 unanimous vote.**

**160012**

**Firefighter's Relief Fund Board - Reappointment - Leslie Graham**

Council is requested to confirm the reappointment of Ms. Leslie Graham to the Firefighter's Relief Fund Board (Pension Fund) of Trustees as authorized by NC General Statute 58-84-30. Reappointment to be effective January 31, 2016 and will expire January 31, 2018.

Approved the reappointment of Leslie Graham to the Firefighter's Relief Fund board (Pension Fund) of Trustees. Appointment effective January 31, 2016 and will expire January 31, 2018.

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

**160011**

**Boards and Commissions - Vacancy Report**

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

*Note: This information is included for informational purposes only.*

ADJOURNMENT

Upon motion Council Member J. Davis and seconded by Council Member Ewing the meeting adjourned at 6:30 p.m.

Respectfully Submitted,

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William S. Bencini, Jr.  
Mayor

Attest:

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Lisa B. Vierling, MMC  
City Clerk