

**HIGH POINT CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING
September 6, 2016 – 5:30 P.M.**

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE

Mayor Bencini called the meeting to order and asked everyone to stand for a moment of silent prayer. The Pledge of Allegiance followed.

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 Latimer Alexander (At-Large), Cynthia Y. Davis (At-Large), Christopher Williams (Ward 2), Alyce Hill (Ward 3), Jay Wagner (Ward 4), James C. Davis (Ward 5) and Jason Ewing (Ward 6)*

RECOGNITIONS AND PRESENTATIONS

160265 Proclamation - National Recovery Month

Mayor Bencini will read a Proclamation into the record proclaiming the month of September as “National Recovery Month”.

Mayor Bencini read the Proclamation in the record proclaiming the month of September as "National Recovery Month" and presented it to Ralph Rodland. A photo op followed the reading of the Proclamation. Mr. Rodland shared that he is a recovering addict since March 28, 2010 and it is estimated that there are 23 million in long-term recovery in the country with more than 1,000 in High Point. He asked those who were in attendance in the audience who identifies as someone in recovery to please rise. He issued an invitation for everyone to join them at the Guilford County Rally for Recovery scheduled for Sunday, September 25th at Oak Hollow Festival Park from 2-5 p.m.

Mayor Bencini personally thanked Mr. Rodland and Caring Services for all they do for recovery in High Point.

Council Member C. Davis thanked Mr. Rodland for what he does in the recovery process and shared that she recently lost a loved one due to an overdose. She thanked him for pursuing the recovery process.

160266 Recognition - HP Fire Department - International Accredited Fire Organization

Fire Chief Tommy Reid and members of the HP Fire Department will be present for recognition for recently being awarded as an Internationally Accredited Fire Organization.

Chief Reid reported on the High Point Fire Department's recent accreditation. Several of them traveled with the city manager to San Antonio, Texas to go through the accreditation process. He mentioned that the process actually started in July 2015 and advised that the process not only looks into the Fire Department, but it also encompasses many other departments as well. He introduced members of his staff who were also present: Tim Wright, Deputy Fire Chief; Kyle Hoover, GIS Analyst; Brian Evans, Assistant Fire Chief; and Mike Levins, Assistant Fire Chief. Chief Reid highlighted that High Point was one of 10 nations that participate in the accreditation process and High Point was one of 234 agencies out of the 10 nations to receive accreditation and one of 38 in the United States to have accreditation as well as an ISO-1 rating. [applause]

160267

Introduction - Ray Gibbs, Forward High Point, Inc. Executive Director

Formal introduction of Ray Gibbs to City Council as the Executive Director of Forward High Point, Inc.

Doyle Early, 405 Hillcrest Drive, Chairman of Forward High Point, introduced the new Executive Director of Forward High Point, Ray Gibbs. He mentioned that Mr. Gibbs graduated from North Carolina State with a degree in landscape architecture, also a real estate broker, has been involved in urban development for over 30 years. Mr. Gibbs was involved in downtown development in Smithfield as well as downtown Greensboro, where he served as CEO. Mr. Gibbs did a master plan for Greensboro which included the Center City Grasshoppers Park, Performing Arts Center, etc.....

Mayor Bencini advised that Mr. Gibbs' reputation precedes him and he knows he will do a great job in High Point.

Mr. Gibbs stated that he always comes back to downtown development because it is his love to try to bring activity and heart and soul back to the center of community. He was hopeful that the city could move forward and bring back and exciting, attractive, inviting, downtown that is the soul of the community. He encouraged Council to contact him with any ideas/contacts from anyone they hear is interested in developing a project.

Mr. Gibbs distributed an update on Forward High Point, which is hereby attached in Legistar as a permanent part of these proceedings.

Mr. Early then reported on the following priorities for Forward High Point:

- *Hire a CEO (this has been accomplished)*
- *The 501(c)3 reorganization is now complete and the 501(c)6 (operating company) formation is in process*
- *Cultivating partnerships with Business High Point, Chamber of Commerce, Convention & Visitors Bureau, City, County, etc....*
- *Their main project will be a multi-sport stadium. He reported that they have received a favorable feasibility study for CS&L and Odell Architects*
- *They have also received some cost estimates from Samet Corporation (this information is confidential at this time).*

He explained that the study was relatively expensive but they wanted to get the feasibility study done by the best people in that business and all this was privately funded (in excess of \$200,000)

One of the things Forward High Point wants to do is have a one-stop location for downtown development. He advised that ShowPlace West is a priority for them and they do have some developers that are interested in this building. Forward High Point wants to encourage both Main Street development in the North Main Street area as well as downtown. In terms of the projects they are looking at, they are looking at synthetic tif bonds, new market tax credits--all of which both the city managers and assistant city manager and Mr. Gibbs have experience with.

They are currently working on developing their logo and their website set up and have retained Karen McNeil's company to assist them with this. They have leased a two-room suite on the 6th floor of the Radio Building and are in the process of up-fitting this space for the Forward High Point office.

Regarding their search for a CEO for Forward High Point, Mr. Early reported they advertised statewide and in the International Downtown Development Association and had over 24 applicants with six to eight of them involved in downtown development in North Carolina. They conducted interviews for four of these candidates and chose Mr. Gibbs.

Mayor Bencini thanked Mr. Early and others involved to attract such highly qualified candidates and also thanked him for the report. He stressed the importance of them keeping Council up to date as much as possible, but understands the confidentiality aspect of what they are doing.

STRATEGIC PLAN UPDATE

160282 Strategic Plan Update

Blight/Code Enforcement Update

As part of this report, Mike McNair, Director of Community Development & Housing introduced five newly hired Local Codes Enforcement Officers:

- ❖ Billy Caudel
- ❖ Michael Sapp
- ❖ Jimmy Mullins
- ❖ Adam LeBeau
- ❖ Mark Walker

Mr. McNair advised that staff is in the process of conducting interviews for one more.

Chairman Golden reported that the Center for Community Progress would be back in High Point on September 8th and 9th to conduct a workshop on tax enforcement/foreclosure. He encouraged all of Council to attend. He noted there would also be a small group of people

meeting with the data team for Operation InAsMuch and the planning team for Say Yes to Education would also be there, as well as High Point CAV and the High Point Police Department.

Chairman Golden provided some statistics on the Code Enforcement:

| | |
|-----------------------------------|-----|
| Minimum Housing Complaints..... | 39 |
| Active Minimum Housing Cases..... | 116 |
| Back log cases..... | 207 |
| Demolitions..... | 7 |
| Orders to Vacate..... | 0 |
| Public Nuisance Complaints..... | 251 |
| Active complaints..... | 345 |
| City abated complaints..... | 56 |
| Owner abated cases..... | 124 |
| Zoning complaints..... | 35 |

He also reported that staff collected an additional 201 signs that were in the right-of-way, etc....

Lori Loosemore, Local Codes Enforcement Supervisor, shared some before and after photographs of demolitions as well as public nuisances.

Council Member Alexander suggested that Council do a bus tour throughout the city and thought it would be a good idea for Council to come up with a list of places they would like to ride by and determine what needs to be fixed. Council Member Williams pointed out the information that was shared by the Center for Community Progress helped address some of these, and noted he like the idea of a bus tour.

Mike McNair, Director of Community Development & Housing explained one of the things that has been discussed is the unclear language in the statutes on how to apply that and how the city would try to come up with a workable definition, then seek Council's guidance to move forward. He pointed out staff's focus presently is driven by the data.

Mayor Bencini thanked Mr. Golden for the work the Committee is doing to deal with blight and also expressed appreciation to Mike McNair and his staff for all their efforts. Council Member Ewing mentioned there was evidence on W. English that staff is doing what needs to be done to help clean up the city and property owners are acting appropriately.

Council Member C. Davis reported there are two vacant houses on Cassell with the doors/windows open that need to be properly secured.

Millennial Task Force Update

Council Member Ewing reported that the Millennial Task Force has been extremely busy since their last meeting. They had their regular meeting August and held a 3.4 - 4 hour retreat to discuss the goals that have been put before them. He noted their August meeting was held at the Library's new small business center, which was well received after hearing

how the small business center works. He advised that every member of the Task Force presented information they collected on a city that they gathered information on that had good growth in Millennials and communication.

He reported that they are planning an event "Plant the Greenway" that is scheduled for Sunday, October 16th and noted they are currently working with the Parks & Recreation staff to add some edible plantings on the Greenway. He explained this is to help advertise how nice the city's Greenway is and call attention to some of the assets that the city has that residents can take advantage of. Council Member Ewing also added that Millennials frequently use Yelp and Trip Advisor and had agreed to visit some of the companies/businesses in High Point and to create at least ten positive reviews about the local businesses with a challenge to their peers to do the same in hopes that this will help publicize small businesses in High Point and get the information out there.

The Millennial Task Force worked on a mission and vision statement at their Retreat that aligns with the city's Strategic Goal. They also would like to not be referred to as "Millennials" and are working on a possible name change for the Task Force. They feel this would help them connect with more young professionals, rather than strictly Millennials, while still encompassing the same demographic.

They are also looking at creating working groups from the current task force that would focus on four different segments of that demographic:

- 1. How Millennials live (community, environment oriented, parks and recreation, Keep High Point Beautiful, etc...)*
- 2. How Millennials work, where they work*
- 3. How Millennials play*
- 4. How Millennials serve the community.*

Council Member Ewing stated that the Millennial Task Force has far exceeded his expectations compared to what they were tasked to do back in May and he was very impressed with the time and effort they have put in to the cause. He pointed out the thought process was to get feedback from them on the following four categories: Live, Work, Play and Serve. He noted the Millennial Task Force members are in charge of these, but they will go out and meet with a much larger base of Millennials to get more opinions and discuss these topics with them.

City Manager Greg Demko expressed appreciation to both the Millennial Task Force and those working on blighted housing. He felt their work thus far has been amazing.

PUBLIC COMMENT PERIOD

160281 Public Comment Period

A Public Comment Period will be held on the first Monday of the regular City Council meeting schedule at 5:30 p.m. or as soon thereafter as reasonably possible following recognitions, awards and presentations. Our policy states persons may speak on any item not on the agenda.

*Persons who have signed the register to speak shall be taken in the order in which they are listed. Others who wish to speak and have not signed in will be taken after those who have registered.

*Persons addressing City Council are asked to limit their comments to 3 minutes.

*Citizens will be asked to come to the podium, state their name and address and the subject(s) on which they will comment.

*If a large number of people are present to register concerns about the same subject, it is suggested that they might be acknowledged as a unified group while a designated speaker covers the various points. This helps to avoid repetition while giving an opportunity for people present with the same concerns to be recognized.

Thanks to everyone in the audience for respecting the meeting by refraining from speaking from the audience, applauding speakers, or other actions that distract the meeting.

Note: This is a summary of the comments made during the Public Comment Period. The transcript of the full comments will be attached in Legistar as a permanent part of these proceedings.

The following persons addressed Council during the Public Comment Period:

Glenn Chavis, 137 Orville Drive, addressed Council regarding the lack of sidewalks on Scientific. He asked Council to consider installing sidewalks in this area because of the high volume of foot traffic, high volume of street traffic and the terrain (ditches) makes it dangerous for folks to walk. He also cautioned Council from making remarks about "ugly" and pointed out beauty is in the eye of the beholder. He specifically mentioned a neighbor who has a branch on his property that is now overgrown with trees, etc..., but the State says there's not much that can be done about it anyway.

Jerry Mingo thanked Council for their continued efforts in demolitions in the east central part of High Point. He noted that the neighbors are happy and he is happy and they all appreciate everyone who has been involved (i.e. code enforcement, housing, environmental, police department, etc...). He added that the CAC has conducted bus tours for many years and agreed that there would be the "good, the bad, and the ugly."

Larry Diggs, 1127 Biltmore Avenue, also addressed Council regarding sidewalks. He expressed concerns that he has not seen much sidewalk construction in the past few years and referenced the monies that were approved by the Obama Administration for transportation. He felt there are a lot of places in the city that need sidewalks like Main Street, Kivett Drive, etc....

He also reminded Council that they conduct a lot of business that affects the Furniture Market, as well as High Point University. He felt oftentimes these projects, etc... tend to help

the "elite" and encouraged Council to do things that would help the average/common man in the inner city.

Mayor Bencini asked if there were any additional comments. There being none, the Public Comment Period was closed.

CONSENT AGENDA ITEMS

FINANCE COMMITTEE - Council Member J. Davis, Chair
Committee Members: J. Davis, C. Davis, Hill and Williams
(all were present)

Chairman J. Davis reported that the Finance Committee met on August 31st and recommended approval of the finance items. He recommended that these be rolled all into one motion for approval.

Council Member C. Davis asked that matter **160275 Change Order- Graves Construction Services- Skeet Club Road** be pulled from the Consent Agenda and placed on the Regular Agenda for further discussion.

At this time, **Chairman J. Davis MOVED to approve all finance-related matters on the Consent Agenda, with the exception of 160275, which will be considered separately. Council Member Alexander made a second to the motion, which carried unanimously.**

Note: Although one motion was made to approve/adopt these matters under the Finance Committee Consent Agenda, action on all of these matters will be reflected throughout the Consent Agenda portion of these minutes as being made and seconded by the same persons.

160269 Change Order - Eastside WWTP Solids Handling Improvements

Council is requested to approve a change order to the Wharton-Smith, Inc. contract in the amount of \$759,613.23 as part of the Eastside Waste Water Treatment Plant solids handling improvements.

Approved a change order to the Wharton-Smith, Inc. contract in the amount of \$759,613.23 as part of the Eastside Waste Water Treatment Plant solids handling improvements.

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

160270 Contract - Sole Source - YSI, Inc.

Council is requested to approve a sole source contract with YSI, Inc. in the amount of \$34,034.50 for the purchase of two (2) YSI, Inc., 6600 V2-4 Multi-parameter Water Quality Loggers for field remove monitoring of water supply lakes.

Approved a sole source contract with YSI, Inc. in the amount of \$34,034.50 for the purchase of two (2) YSI, Inc. 6600 V2-4 Multi-parameter Water Quality loggers for field remove monitoring of water supply lakes.

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

160271 Professional Services Agreement- Sidewalk Priorities

Council is requested to approve a Professional Services Agreement with US Infrastructure of Carolina, Inc., in the amount of \$95,378.00 to perform engineering work associated with constructing the City's priority sidewalks in various locations around the City.

Approved a professional services contract with US Infrastructure of Carolina, Inc. in the amount of \$95,378.00 to perform engineering work associated with constructing the City's priority sidewalks in various locations around the City.

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

160272 Contract - Sole Source - Urban Transportation

Council is requested to approve a sole source contract with Urban Transportation in the amount of \$40,500.00 for the purchase of an automatic passenger counting system. Software and necessary hardware will enable the transfer of data from the buses to the database.

Approved a sole source contract with Urban Transportation in the amount of \$40,500.00 for the purchase of an automatic passenger counting system.

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

160273 NCDOT - Transit Section 5303 Planning Grant Agreement

Council is requested to authorize the City Manager to execute the required agreement with the North Carolina Department of Transportation (NCDOT) to receive funds in the amount of \$49,500 for the Federal and State share of the transit system's Section 5303 planning grant.

Authorized the City Manager to execute the required agreement with the North Carolina Department of Transportation (NCDOT) to receive funds in the amount of \$49,500 for the Federal and State share of the transit system's Section 5303 planning grant.

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

160274 Contract - Rear Loading Refuse Trucks

Council is requested to approve contract with Carolina Freightliner of Raleigh for the purchase of two (2) New Way rear loading refuse bodies and declare the old trucks as surplus and disposal.

Approved contract with Carolina Freightliner of Raleigh for the purchase of two (2) New Way rear loading refuse bodies and declare the old trucks as surplus for disposal.

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

160276 Resolution - Authorize Issuance of Series 2016 GO Refunding Bonds

City Council is requested to approve the attached "Resolution Making Certain Findings and Determinations and Authorizing the Filing of an Application with the Local Government Commission in Connection with the Proposed Issuance of General Obligation Refunding Bonds by the City of High Point" and (2) City Council is requested to adopt the attached "Order Authorizing \$25,000,000 General Obligation Refunding Bonds"

Adopted the "Resolution Making Certain Findings and Determinations and Authorizing the Filing of An Application with the Local Government Commission in Connection with the Proposed Issuance of General Obligation Refunding Bonds by the City of High Point and adopted the "Order Authorizing \$25,000,000 General Obligation Refunding Bonds".

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

**Resolution No. 1639/16-39
Introduced 9/6/2016; Adopted 9/6/2016
Resolution Book, XIX, Page 109**

160277 Resolution - Authorize Issuance of Series 2016 Combined Enterprise System Refunding Bonds

City Council is requested to approve the attached "Resolution Making Certain Findings and Determinations Authorizing the Filing of an Application with the Local Government Commission, Requesting the Local Government Commission to Sell Bonds at a Private Sale, Approving the Financing Team and Authorizing the Distribution of a Preliminary Official Statement in Connection With the Issuance of Revenue Refunding Bonds By the City of High Point."

Adopted the "Resolution Making Certain Findings and Determinations Authorizing the Filing of an Application with the Local Government Commission, Requesting the Local Government Commission to Sell Bonds at a Private Sale; and Approved the Financing Team; and authorized the distribution of a Preliminary Official Statement in Connection with the Issuance of Revenue Refunding Bonds by the City of High Point."

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

**Resolution No. 1640/16-40
Introduce 9/6/2016; Adopted 9/6/2016
Resolution Book, XIX, Page 110**

REGULAR AGENDA ITEMSFINANCE COMMITTEE - Council Member J. Davis, Chair**160275 Change Order - Graves Construction Services - Skeet Club Road Project**

Council is requested to approve change order to the Graves Construction Services contract in the estimated amount of \$200,000.00 to provide for the excavation of dense rock and installation of utilities poles needed for the Skeet Club relocation project.

Deputy City Manager Randy McCaslin advised that the contractors ran into rock and had to bring in specialized equipment to drill the holes for the poles, which resulted in an increase in the contract amount. He noted the contractor for the work, Pike Electric, did not have the proper equipment to do it.

Council Member C. Davis asked if there was any additional information on the Skeet Club Road project going forward. City Attorney JoAnne Carlyle confirmed this change order was necessary due to the rock that was encountered.

Approved a change order to the Graves Construction Services contract in the estimated amount of \$200,000.00 to provide for the excavation of dense rock and installation of utilities poles needed for the Skeet Club relocation project.

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

COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE - Mayor Pro Tem Golden, Chair

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

160278 Ordinance - Demolition of Dwelling - 2408 Dane Street

Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a dwelling located at 2408 Dane Street belonging to Brenda Kay Jones and Vera Lee J. Williams.

Lori Loosemore, Local Codes Enforcement Supervisor, provided an overview of the staff report which is hereby attached in Legistar as a permanent part of these proceedings.

The first inspection on this structure was on April 22, 2016. At that time, the following major violations were cited:

1. Missing and damaged roof trusses and sheathing
2. Fire damaged electrical system
3. Fire damaged plumbing system
4. Damaged foundation wall
5. Kitchen walls and flooring need to be repaired/replaced

Ms. Loosemore reported that the property owner did not appear for the hearing. In its present state, the necessary repairs to the dwelling exceed 50% of the tax value for the structure. An Order to Demolish was issued on May 24, 2016 with a compliance date of June 24, 2016; however there have been no permits pulled and no appeals to date.

Ms. Loosemore advised there has been no communication from either of the property owners and reported there are a lot of past due taxes on the property.

Adopted Ordinance ordering the inspector to effectuate the demolition of a dwelling located at 2408 Dane Street.

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

**Ordinance No. 7236/16-56
Introduced 9/6/2016; Adopted 9/6/2016
Ordinance Book, XIX, Page 119**

PLANNING & DEVELOPMENT COMMITTEE - Council Member Wagner, Chair
Committee Members: Wagner,

160279 Resolution of Intent - Street Abandonment 16-04

Approval of a Resolution of Intent that establishes a public hearing date of Monday, October 3, 2016 at 5:30 p.m. to consider a request by West Mountain Funding, LLC to abandon a portion of the Staton Drive right of way, lying west of St. Johns Street.

Adopted a Resolution of Intent establishing a public hearing date of Monday, October 3, 2016 at 5:30 p.m. to consider a request by West Mountain Funding, LLC to abandon a portion of the Staton Drive right-of-way, lying west of St. Johns Street.

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. 1641/16-41
Introduced 9/6/2016; Adopted 9/6/2016
Resolution Book, Vol. XIX, Page 111**

PENDING ITEM:

160257 Resolution - High Point University - Street Abandonment 16-02

A request by High Point University to abandon the eastern portion (approximately 72 feet) of the North Avenue right-of-way. The portion of North Avenue to be abandoned is lying west of N. Centennial Street.

This item first appeared on the August 15th Council agenda and was placed in committee to receive further information. At the September 6th meeting, Council voted to place this matter on the September 19th agenda for a recommendation. At this time, if Council desires to move forward with Street Abandonment 16-02, a Resolution of Intent that establishes a public hearing date of Monday, November 7, 2016 at 5:30 p.m. should be adopted.

Chairman Wagner moved to remove this item from the pending list and place it on Council's agenda for consideration on September 19th. Council Member Ewing made a second to the motion.

For further discussion, Council Member J. Davis asked if this was making a motion to withdraw it from consideration because it says that HPU asked that the matter be withdrawn.

City Attorney Joanne Carlyle advised that based on the motion and votes made by Council prior, Council would be considering it on September 19th. Herb Shannon, Planning and Development, clarified that if it is Council's desire to remove this matter from pending, it would need to be readvertised, meaning this would require the adoption of a Resolution of Intent by the City Council, then it would have to be advertised for four consecutive weeks as required by North Carolina State Statutes.

Council Member J. Davis asked if HPU has purchased all the property on North Avenue where the street is proposed to be closed. The answer to this question was undetermined. Council Member J. Davis then asked if the city has changed its policy on street abandonments. Ms. Carlyle replied that it has not and explained that there are only two considerations before Council makes a decision on closing a street: one is whether or not it is contrary to the public interest, and the second is whether there is an individual property owner on the street that will be denied adequate ingress and egress to their property.

Council Member J. Davis pointed out that the Planning & Zoning Commission has heard this request twice and has voted "no" both times. Ms. Carlyle advised that the Council can make a decision regardless of how the Planning & Zoning Commission votes.

At this time, Council Member C. Davis advised that she would not be present at the September 19th meeting because she will be in Chapel Hill for a training session. She then offered a FRIENDLY SUBSTITUTE MOTION TO DEFER THIS MATTER UNTIL THE OCTOBER 3RD MEETING.

Council Member Alexander explained that there would not be any action at the September 19th meeting, only adoption of a Resolution of Intent that would establish a public hearing date to discuss/consider it.

There being no further discussion, Council Member C. Davis called the question.

The motion to remove this matter from the pending list carried by a 9-0 unanimous vote.

Removed matter from the pending list.

GENERAL BUSINESS AGENDA

160283 Lease Estoppel Certificate- IHFC Properties, LLC

City Council to authorize the Mayor to sign a Lease Estoppel Certificate with regards to the IHFC Properties, LLC lease for property located at 210-220 E. Commerce Avenue.

City Attorney JoAnne Carlyle asked Council to suspend the rules to consider Lease Estoppel Certificate with IHFC Properties, LLC for the property leased that is located at 210-220 E. Commerce Avenue.

Council Member Alexander moved to suspend the rules so this matter could be placed on tonight's agenda for consideration. Council Member C. Davis made a second to the motion.

Mayor Pro Tem Golden asked if this would constitute a conflict of interest for Council Member Williams. Ms. Carlyle advised that it would not be a conflict for him. She explained the Lease Estoppel Certificate is necessary in the general course of IHFC doing business with the city. This says that there are no outstanding payments, IHFC has not declared bankruptcy, and there is nothing out of the ordinary that would affect the transaction with IHFC.

Mayor Bencini pointed out this essentially affirms the ground lease that the city has with IHFC.

Approved the Lease Estoppel Certificate with IHFC.

160280 Minutes to be Approved

Community Housing & Neighborhood Development Committee; Tuesday, August 9th @ 10:00 a.m.

Finance Committee; Monday, Wednesday, August 10th @ 4:00 p.m.

Regular City Council Meeting; Monday, August 15th @ 5:30 p.m.

The minutes of the preceding minutes were unanimously approved as submitted.

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

160030 Boards & Commissions - Vacancy Report

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

Council Member Alexander stated after September 19th, he would like to get with Council Member C. Davis to do a thorough review of the boards and commissions and re-assess the vacancies and appointments that need to be made. After the review, they will submit a report back to Council. Council Member C. Davis shared that she would love to continue working with Council Member Alexander; however, she was not comfortable doing so because it concerns her that Council is not following the appointment policy. She stated because of this she would like to step aside and allow another council member to work with Council Member Alexander in regards to these appointments.

Mayor Bencini asked if someone else would like to volunteer to help Council Member Alexander. Since there were no volunteers, Council Member C. Davis expressed that she really does want to help, but reiterated that she was not comfortable moving forward if the policy is not going to be followed because she felt there are a lot of people in the city who are qualified and eligible to serve and they should be afforded an opportunity to serve.

Mayor Bencini noted the appointment policy would be an on-going discussion that Council would always have and felt the whole discussion around policy versus rules versus law would always be out there, but it would be healthy to continue that discussion. He expressed appreciation to Council Member C. Davis for her willingness to continue to help Council Member Alexander in this endeavor.

Other Business

Fee Schedule for Public Records

Council Member Alexander suggested in light of the number of public records requests that the city has involved a great deal of physical documentation and he is recommending that Council consider a fee schedule for recouping some of these costs for public records. He explained that many cities have adopted a fee and pointed out this was not meant to prohibit submittal of public records, but if it results in voluminous documentation, municipalities are authorized to recover the actual raw material cost for the records (does not include staff's time to compile the request). Council Member C. Davis did not see the necessity because she did not feel there have been that many requests from the general public for a lot of information. Mayor Bencini reiterated that many other communities do have a policy regarding this and he felt it would be timely to have the city attorney look into some type of fee schedule for public records.

It was the consensus of Council to have staff look into a proposed fee schedule for public records and report back to Council with the findings.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 6:36 p.m. upon motion duly made by Council Member Wagner and second by Council Member Alexander.

Respectfully Submitted,

William S. Bencini, Jr., Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk

DRAFT