

**HIGH POINT CITY COUNCIL  
REGULAR MEETING  
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING  
December 19, 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).*

**RECOGNITIONS AND PRESENTATIONS**

**160386**

**Humanitarian of the Year Award**

*Jenn Brandt, Chair of the Human Relations Committee will announce the recipient of the Humanitarian of the Year Award.*

*Jenn Brandt, Chair of the High Point Human Relations Commission, presented the 2016 Humanitarian of the Year Award to Lisa Hawley. Ms. Brandt shared that the Humanitarian of the Year Award was created to honor a High Point citizen who during his/her lifetime has made a significant contribution to Human Relations in High Point. This award honors an individual who has risen above and beyond the call of duty by furthering the cause of the quality and fair treatment for all citizens, particularly those in vulnerable populations or underrepresented groups.*

*This year's recipient's projects included:*

- *Mattress Program (to ensure that every child and family in High Point had a mattress);*
- *Feeding Lisa's Kids (provided nourishment to hungry children in High Point by delivering food to student's homes)*
- *Serving and providing a nutritious meal for families at West End Ministries once a month*
- *Through World Relief, assisted and helped settle three Refugee families from the Congo.*

*[applause and standing ovation]*

*A photo opportunity followed presentation of the award.*

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

Committee Members: J. Davis, C. Davis Hill and Alexander (all were present)

**CONSENT AGENDA ITEMS**

Chairman J. Davis reported that the Finance Committee met on December 14th and recommended approval of the following finance items. He recommended that these matters be rolled into one motion for approval.

**At this time, Chairman J. Davis moved to approve all finance-related matters on the Consent Agenda. Council Member Wagner 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.*

**160387      Contract - Bid No 28 - Mini Derrick with Trailer**

Award of contract for Bid No. 28 with Scott Powerline & Utility Equipment in the amount of \$160,000.00 for the purchase of a mini Derrick with flatbed trailer.

*Approved the contract for Bid No. 28 with Scott Powerline & Utility Equipment in the amount of \$160,000.00 for the purchase of a mini Derrick with flatbed trailer.*

**A motion was made by Council Member Davis, seconded by Council Member Wagner, that this matter be approved. The motion carried by a 9-0 unanimous vote:**

**160389      Contract - Corrosion Inhibitor Ward Water Treatment Plant**

Approval of contract with Sterling Water Technologies in the amount of \$95,964.00 for corrosion inhibitor for the Ward Water Treatment Plant improvements.

*Approved the contract with Sterling Water Technologies in the amount of \$95,964.00 for corrosion inhibitor for the Ward Water Treatment Plant improvements.*

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

**160390      Change Order - Wharton-Smith, Inc. - Eastside WWTP Solids Handling Improvements**

Approval of Change Order No. 5 to the Wharton-Smith, Inc., contract in the amount of \$370,914.74 for Eastside WWTP Solids Handling Improvements.

*Approved the change Order No. 5 to the Warton-Smith, Inc., contract in the amount of \$370,914.74 for Eastside WWTP Solids Handling Improvements.*

**A motion was made by Council Member J. Davis, seconded by Council Member Wagner, that this matter be approved. The motion carried by a 9-0 unanimous vote:**

**REGULAR AGENDA ITEMS****FINANCE COMMITTEE** - Council Member J. Davis, Chair

*Committee Members: J. Davis, C. Davis Hill and Alexander (all were present)*

**160391**      **FY 2015-2016 Audit Report**

Council is requested to acknowledge receipt of the High Point Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2016 and related required communications for the City's auditors, Cherry Bekaert LLP.

*Acknowledged the receipt of the High Point Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2016 and related required communications for the City's auditors, Cherry Bekaert LLP.*

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

**PENDING ITEM****160370**      **Comprehensive Fee Schedule - Public Services Department**

Consideration of the proposed Comprehensive Fee Schedule for the Public Services Department of the City of High Point. Consideration of the proposed Comprehensive Fee Schedule for the Public Services Department of the City of High Point.

*The City Council Finance Committee met on November 30, 2016 and considered a motion to increase these fees by 50% of the proposed new fee schedule effective July 1, 2017 and the remaining 50% effective December 1, 2017. That motion failed on a 2 to 2 vote, which means this item comes to the full City Council without a recommendation. At the December 5, 2016 City Council Meeting this item was deferred back to the Finance Committee for further discussion during the Wednesday, January 11, 2017 meeting at 4:00 p.m.*

**COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE** - Mayor

Pro Tem Golden, Chair

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

**160392**      **Ordinance - Demolition of Structure - 3106 Central Avenue**

Adoption of an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 3106 Central Avenue, belonging to Mary Lee & Sheenna Lee.

*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. She reported that there was an original inspection on August 19, 2016. The property owner did not appear at the hearing that was held on September 13, 2016. An Order to Repair or demolish was issued with an expiration date of October 17, 2016. She reported that as of today, there has not been any contact from the owners and no permits have been pulled in reference to this property.*

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

**Ordinance No: 7257/16-77**

**Introduce date 12/19/2016; Adopted 12/19/2016**

**Ordinance Book, Volume XIX, Page 140**

**160393**

**Ordinance - Demolition of Structure - 1450 London Drive**

Adoption of an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 1450 London Drive, belonging to James C. Cook.

*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. She advised that this was from a previous case before the current case they were working on as a result of a fire that occurred on February 2009. She reported that they started the inspection during the summer on July 13, 2016 with the hearing held on July 29, 2016.*

*The current owner did show for the hearing and it was noted that a Lis Pendens was previously recorded on August 12, 2013. Mr. Cook purchased the home in May 2015 and did appear for the hearing. He planned to pull permits and repair the house. There were multiple violations of the Housing Code and, which prompted an order to repair or demolish to be issued with an expiration date of September 5, 2016.*

*Mr. Cook did pull a permit on September 12, 2016 and as of September 19, 2016 the permit was still marked incomplete due to no mention of contractors on his permit application. It was mentioned that there was almost \$15,000 of delinquent taxes owed on this property (nine years, plus 2016 taxes). Mr. Cook stated that he was aware of the taxes owed and commented that he should be able to start paying the taxes because the liens have now been removed on the property. He stated the owners did sign the property over to him with the understanding that he would make the repairs needed. He acknowledged that he assumed the lien and all liability with all the property when they signed it over to him. He advised that it would now be monetarily feasible for him to make the repairs. Ms. Loosemore mentioned this property is on the pending foreclosure list for Guilford County.*

*Council Member J. Davis asked if the city could deny a permit if the trades are not listed at the time they apply. Randy Hemann, Assistant City Manager, replied that it really would depend on the size of the job. Council Member J. Davis mentioned the new Accela software and noted the mechanical permits now follow the master permit. City Attorney JoAnne Carlyle explained the application does have certain requirements and if those requirements are not met then the permit can be denied. Council Member J. Davis questioned whether the city could technically hold up a permit due to lack all the necessary information.*

*Mr. Cook informed Council that all the trades were listed on the original permit when he applied and questioned why this information did not transfer over to the other permit. He explained that he would not be changing the structure, but would be removing and replacing the charred lumber due to the fires.*

*Mayor Pro Tem Golden asked when the city contacted Mr. Cook to let him know that his application was incomplete and how long it took him to respond. Ms. Loosemore replied that Mr. Cook was notified when the application was incomplete on September 19, 2016. Mr. Cook advised that staff had the wrong address for him and although he reported it he was told that they could not do a change of address because the notice would go to the address on the deed.*

*Adopted the ordinance ordering the housing inspector to effectuate the demolition of the dwelling located at 1450 London Drive, belonging to James C. Cook.*

**A motion was made by Council Member Wagner, seconded by Council Member Alexander, that this matter be adopted. The motion carried by a 9-0 unanimous vote.**

**Ordinance No: 7258/16-78**

**Introduce date 12/19/2016; Adopted 12/19/2016**

**Ordinance Book, Volume XIX, Page 141**

**160394**

**Transfer of Property - Bank of North Carolina - Infill Housing Needs**

Council is requested to approve the transfer of lots located at 2429 Williams Avenue, 1128 and 1130 Wayside Street, to the Bank of North Carolina to build new, single family homes to be sold at cost to a qualifying home buyers.

*Randy McCaslin, Deputy City Manager, reported on these properties that the city has purchased. He advised that the structure at 2429 Williams Avenue was damaged by fire and the property owner did not want to rebuild.*

*The other two lots located at 1128 and 1130 Wayside Street are vacant lots. Staff is requesting Council's approval of the transfer of these three lots to Bank of North Carolina for their infill program. He noted that they will construct a single-family residence and will sell them "at cost" to qualifying buyers.*

*JoAnne Carlyle, City Attorney, reminded Council that the motion would need to include the authority given to the Manager to execute the contract which was similar to the Radford property transfer to the Bank of North Carolina. In addition, the motion should include authority for the Mayor to execute the deeds.*

*Council Member C. Davis asked if the City Attorney had everything necessary to legally move forward. Ms. Carlyle replied that she did have the deeds for the properties, but would have to tweak the prior contract associated with the Radford property. She advised the bank would provide an accounting showing that none of the profits or none of the city's funds associating with this property would result in any profit for them. Council Member C. Davis then asked if the city would be extending the same type of offer/knowledge to other financial institutions so they could also take advantage of this infill opportunity. Mayor Bencini responded by expressing appreciation to the Bank of North Carolina for stepping up to the plate and implementing this program. He added that he would love for other financial institutions to do the same. He reiterated that the City did not initiate this program; the Bank of North Carolina did.*

*Approved the transfer of lots located at 2429 Williams Avenue, 1128 and 1130 Wayside Street to the Bank of North Carolina and authorized the city manager to execute the contracts and authorize the mayor to execute the deeds associated with the property transfers.*

**A motion was made by Council Member Ewing, seconded by Mayor Pro Tem Golden, that this matter be approved. The motion carried by a 9-0 unanimous vote.**

### **PENDING ITEM**

#### **160330      Ordinance - Demolition of Structure - 512 Hines Street**

Council is requested to adopt an ordinance requiring the building inspector to effectuate the demolition of a structure located at 512 Hines Street belonging to Eliseo Zavala.

(At the November 7, 2016 meeting this item was deferred to the December 5, 2016 Council Meeting. At the December 5, 2016 Council Meeting, Council deferred this item for 60 days or until the February 6, 2017 Council Meeting).

### **PROSPERITY & LIVABILITY COMMITTEE** - Council Member Ewing, Chair

*Committee Members: Ewing, Williams Hill and Wagner (were all present)*

#### **160395      Policy for Traffic Calming Residential Areas**

Consideration of the proposed Policy for Traffic Calming in Residential Areas. This matter has been discussed in the Prosperity and Livability Committee and is recommended to City Council with a favorable recommendation for approval.

*Mark McDonald, Director of Transportation, provided an overview of the proposed traffic calming policy. He reported that the proposed policy has been discussed in the Prosperity & Livability Committee over the past 1.5 years. High Point's current policy is 15-18 years old and has not been applied frequently. Staff researched traffic calming policies of other jurisdictions at Council's request. Mr. McDonald shared that the City of Raleigh did an extensive peer review looking at different ways cities handle traffic calming and staff chose to use Raleigh's policy as a model. Portions of Raleigh's policy was merged into High Point's proposed policy with portions of High Point's policy being retained as well. Staff drafted a new policy taking into account city funding, scoring methods, ranking criteria to prioritize projects. Mr. McDonald added that the Police, Fire, and Public Services Departments were also involved in reviewing the policy and will continue to be consulted on every project that comes forward so they can determine what the localized impacts might be of any given project.*

*Mr. McDonald then provided a brief overview of the proposed Traffic Calming Policy, which is hereby attached in Legistar as a permanent part of these proceedings.*

*The purpose of the policy is to establish guidelines for traffic calming measures on residential streets in the city with an objective to enhance safety in residential areas for all users (i.e. pedestrians, cyclists, motorists, users, etc....). The policy will be administered by the High Point Transportation Department. The policy also allows for the city to initiate*

*traffic calming in appropriate areas and it also provides provisions for the City Council to refund or defund the program as necessary as well as amend the policy as needed.*

*Mr. McDonald explained that staff took into account factors such as snow routes, transit routes, emergency service routes, etc.... that have been designated for those specific purposes. He pointed out that the policy would only apply to city streets serving residential neighborhoods and noted there are a number of exemptions to what streets are applicable. Thoroughfares and arterials such as Eastchester Drive, Centennial Street, and any other number of streets across the city that carry a very high volume of traffic at higher speeds intended for movement of traffic would not apply, nor any non-residential collectors such as in the Samet Drive/Palladium area.*

*Council Member Alexander asked how a location such as Rotary Drive would be addressed since snow routes would be exempt from the policy. Mr. McDonald replied that he wasn't sure whether or not Rotary Drive was on the snow route and noted that it serves as a residential collector street. Council Member Alexander pointed out that Rotary Drive always gets plowed during snow events. Mayor Bencini presumed that the City Council would have discretion over the snow routes if a street is determined to be in conflict with the citizen's or Council's desires to implement traffic calming devices. Council Member Alexander felt the residents should be made aware that installation of traffic calming devices may inhibit these streets from being plowed and they cannot have it both ways.*

*Mr. McDonald reviewed some of the Program Components and some of the different types of strategies that might be used: speed enforcement, pavement markings, signings, vertical treatments such as speed humps, raised crosswalks, intersections, horizontal treatments such as roundabouts and chokers, diversionary treatments that would result in a street or a portion of a street being closed to re-direct traffic. He noted some countermeasures that are already being applied are speed limit reductions, multi-way stops in certain areas, chicanes, etc....*

*He advised this would be a multi-step process that staff would work through with residents/citizens in the neighborhoods on identifying the problems and working through what the best solution would be. Mr. McDonald explained it would require a clear demonstration of need based on the data and area conditions. This data would be used to rank and prioritization purposes. Once they reach the Concept/Design stage, it would be supported by a petition which would require signatures of 75% of all residents within the affected area. Residents may choose to advance the prioritization of their funding by making some financial contribution to the project. Residents will not be permitted to install their own treatments on public right-of-way. Regarding the point assignment, speed and volume would be key factors, as well as pedestrian activity within the proximity to activities that generate pedestrians. Crash history as well as other factors such as geometric factors on the street, curvature and alignment of the road, condition of the road, etc... would also be taken into consideration.*

*Mr. McDonald then shared some examples of how the scoring might work and how points could be accumulated. He pointed out some projects may not score high enough to make the prioritization level and staff would look at these projects on an annual basis for up to three*

*years to determine if there might be any change in the patterns at some point that would help them rank high enough to reach the priority level.*

*Regarding REMOVAL of traffic calming devices, Mr. McDonald reported there is a process for removal that would be similar to reverse of the installation, but this would be at the request of the neighborhood and would also require 75% of signatures of the affected residents to do so. Mr. McDonald further explained that if removal was supported by data and proven to be ineffective, then the city would remove it at the city's cost; however, if it is not proven to be ineffective, then it would be up to the neighborhood to pay for the removal.*

*The Transportation staff will provide an Annual Report to Council identifying the requests received, actions taken, and results of the studies that have been conducted.*

*Following Mr. McDonald's presentation, he entertained questions. Council Member Alexander inquired about anticipated activity within the next two years. Mr. McDonald felt there would be activity within the next two years and explained that it would more than likely take a couple of months to do the data collection, as well as a couple of months to evaluate the data and come up with a design that would be suitable for the context of the location and meet the neighbors' approval. Then the request would move to the construction process.*

*Council Member Alexander asked for confirmation that there is presently \$100,000 in this year's budget set aside for traffic calming. Mr. McDonald affirmed this was correct.*

*Council Member Williams expressed concerns regarding the encroachment agreement and the landscaping and noted staff should make sure the proper landscaping is put into place to avoid any visibility issues, etc....*

*Council Member C. Davis expressed concerns regarding the required signatures of 75% that is in the policy with those that are opposed that the city initiates. She felt it was a little high and personally thought that 51% of the residents constitutes a majority and should have just as much control as the 75% that is proposed. She understood the payment for the removal by the neighborhood coming into play and stated she had no problem with that. She compared it to having to "pay to play," and pointed out some of the more depressed areas in neighborhoods may not be able to come up with the amount of dollars that other neighborhoods would. She asked if this would hold them back from the process or would their project be looked at the same level. Mr. McDonald noted four additional points on the scoring would occur with each 10% of contribution and it really would depend on how the project initially scores which would be based on other factors. He explained that a contribution of 50% may not exceed some project where there has been no contribution at all. He pointed out the city's current policy does not allow for any city funding whatsoever; it requires funding from the neighborhoods. He advised this is a way of allowing the city to fund this type of program, but also allow the neighborhoods to participate as a means of moving their projects forward and it is not known exactly how it will work until the policy is actually put into place.*

*Council Member Ewing reminded Council that this came about as a result of conversations that took place regarding the four-way STOP on Rotary and the three-way STOP on Johnson/Farriss which necessitated review of the city's current policy. He commended staff*

*for doing the necessary research and pulling the proposed policy together and further advised that this policy is coming to Council with a favorable recommendation from the Prosperity & Livability Committee.*

**At this time, Council Member Ewing MOVED TO ADOPT THE TRAFFIC CALMING POLICY. Council Member Williams made a SECOND.**

*For further discussion, Council Member Wagner agreed that the Prosperity & Livability Committee and staff did an excellent job working on this policy. He advised there was a lot of study/research and an enormous amount of work that was put into it. He mentioned Council Member C. Davis' concerns regarding contributions from neighborhoods and noted there was a lot of discussion by the Committee on how to weight and treat these scenarios. He pointed out the current policy requires any traffic calming measures to be 100% privately funded and noted a poorer neighborhood would simply not be able to do it anyway under the current policy. He advised that the new policy would at least put a system into place where a lower-end neighborhood can be afforded some relief if the need for a traffic calming measure is warranted. He felt the adoption of the new policy would be a step in the right direction and noted residents in some neighborhoods have already approached him inquiring about submitting a petition.*

*Council Member C. Davis stated that the city currently has the ability to address those needs in the poorer neighborhoods without the policy and she did not feel that the city is being as proactive in some of those neighborhoods as they should have been based on the cost. She echoed the need for the policy, but was concerned over the disproportionate attention that a poorer neighborhood would get as compared to other neighborhoods that would be able to provide funding. She felt this put the poorer neighborhoods at a disadvantage.*

*Mayor Bencini asked if there were any additional comments. Prior to the vote, he thanked Chairman Ewing and the Prosperity & Livability Committee for all their efforts and hard work on the policy.*

**Adopted the proposed Policy for Traffic Calming in Residential Areas.**

**A motion was made by Council Member Ewing, seconded by Council Member Williams, that this matter be approved. The motion carried by an 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

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**GENERAL BUSINESS AGENDA****160399      Guilford County School Board - Shared Use Agreement**

Council is requested to authorize the Mayor to execute a 10-year renewal of the Shared Lease Agreement with the Guilford County School Board.

*City Attorney JoAnne Carlyle advised that the City of High Point and the Guilford County School Board entered into a shared use agreement for the Athletic Complex properties in 2006. She stated that since that time many things have changed (i.e. the Miracle Field had not been built, a middle school will not be built on the property). She reported that the Guilford County School Board has now transferred the title for the property where the school was going to be built to the City. She explained this was a 10-year contract that will expire or possibly automatically renew as of December 31, 2016. She advised that they would not be able to do this by the December 31, 2016 deadline, but requested that Council authorize execution it in January 2017.*

*Staff is seeking permission and authority from Council for the Mayor to execute the document once everything is finalized.*

**A motion was made by Council Member Alexander, seconded by Council Member Wagner, that this matter be approved. The motion carried by a 9-0 unanimous vote.**

**160396      Boards & Commissions - Appointments - EDC Board of Directors**

Council is requested to confirm the appointment of Dr. L'Tanya Joy Bailey, Patricia Carter-Jones, Bruce Davis, Will Davis, Jackie King, Chris Patrick, and Royale Wiggin to the Board of Directors of the High Point Economic Development Corporation. Appointments will be effective January 1, 2017 and will expire December 31, 2018.

*Approved the preceding appointments to the High Point Economic Board of Directors.*

**A motion was made by Council Member Alexander, seconded by Council Member Ewing, that this matter be approved. The motion carried a 9-0 unanimous vote.**

**160398      Revision to the 2014-2017 Boards & Commissions Liaison Member List**

Council is requested to approve a revision to the High Point City Council 2014-2017 Boards and Commission Liaison List to add the Greater High Point Food Alliance and to confirm the appointment of Council Member Chris Williams as the liaison to the committee.

*Approved the revision to the High Point City Council 2014-2017 Boards and Commission Liaison adding the Greater High Point Food Alliance and confirming the appointment of Council Member Chris Williams as the Liaison.*

**A motion was made by Council Member Williams, seconded by Council Member Hill, that this matter be approved. The motion carried a 9-0 unanimous vote.**

160397

**Minutes to Be Approved**

- Finance Committee Meeting; Wednesday, November 30th @ 4:00 p.m.
- Manager's Briefing Session; Monday, December 5th @ 4:00 p.m.
- Regular Council Meeting; Monday, December 5th @ 5:30 p.m.
- Prosperity & Livability Committee Meeting; Wednesday, December 7th at 9:00 a.m.

*Approved the preceding minutes as submitted.*

**A motion was made by Council Member Alexander, seconded by Council Member Wagner, that this matter be approved. The motion carried by a 9-0 unanimous vote.**

**CLOSED SESSION – PERSONNEL**

**Council Member Alexander moved to suspend the rules to allow City Council to go into closed session. Mayor Pro Tem Golden made a second to the motion and the motion carried unanimously.**

**At 6:28 p.m., Council Member Alexander made a motion to go into Closed Session for a personnel matter pursuant to N.C. General Statute 143-318.11(a)(6). Council Member Wagner made a second to the motion, which carried by a 9-0 unanimous vote.**

Upon reconvening into Open Session at 6:52 p.m., Mayor Bencini announced there was no action taken as a result of the Closed Session.

**ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 6:52 p.m. Upon motion duly made and seconded.

Respectfully Submitted,

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William S. Bencini, Jr., Mayor

Attest:

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Maria A. Smith  
Deputy City Clerk