City of High Point

Municipal Office Building
211 South Hamilton Street
High Point, NC 27261

Meeting Minutes

Monday, December 5, 2011

4:45:00 PM

Council Chambers

Rebecca R. Smothers, Mayor
M. Christopher Whitley, Mayor Pro Tem
Latimer B. Alexander, IV, James Corey,
Foster Douglas, A.B. Henley, III,
Britt W. Moore, Michael D. Pugh,
Bernita Sims, M. Christopher Whitley

ROLL CALL, PRAYER, PLEDGE OF ALLEGIANCE

Present: Mayor Smothers, Council Member Alexander, Council Member Moore, Council Member Sims, Council Member Douglas, Council Member Pugh, Council Member Henley, Council Member Whitley and Council Member Corey

APPROVAL OF THE MINUTES FROM PREVIOUS MEETINGS

The minutes of the following meetings were unanimously approved as submitted upon motion by Council Member Sims and second by Council Member Whitley.

Finance Committee; Monday November 21st @ 3:30 p.m.
Combined Meeting; Monday, November 21st @ 4:45/5:30 p.m.

FINAL ACTION TAKEN AT THIS MEETING

At the conclusion of the Committee of the Whole Session, and after all matters were heard by Council, **motion was made by Mayor Pro Tem Alexander, seconded by Council Member Whitley to suspend the rules in order to take final action on these matters at tonight's meeting. The motion carried unanimously. [9-0 vote]**

Motion was then made by Council Member Whitley, seconded by Council Member Sims that all Committee recommendations stand as final action regarding these matters. The motion carried unanimously. [9-0 vote]

This action cancels the meeting scheduled for Thursday, December 8th at 9:00 a.m.

PRESENTATION OF ITEMS

FINANCE COMMITTEE - Council Member Alexander, Chair
Committee Members: Whitley, Smothers and Corey

(all were present)

Budget Ordinance Amendment - City Project Funds

110247 Adoption of an ordinance amending the 2011-2012 Budget Ordinance to appropriate funds in the amount of $11,000 for the City Project.

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting.

The Committee recommended this matter be placed on Thursday's Agenda with a favorable recommendation.

Adopted Ordinance amending the 2011-2012 Budget Ordinance appropriating funds in the amount of $11,000 for the City Project.

Ordinance No. 6886/11-67 **Introduced 12/5/2011**
Adopted 12/5/2011
Ordinance Book Volume XVII, Page 67

A motion was made by Mayor Pro Tem Alexander, seconded by Council Member Sims, that this matter be adopted. The motion carried unanimously.

Facade Grant Program - The City Project

110248 Council is requested to approve a Facade Grant program as proposed by the City Project Board.

Chairman Alexander asked Wendy Fuscoe, City Project Development Director, to give an overview. She reported that the City Project Committee revisited the guidelines based on the comments that were provided to them by Council. The committee is putting forward for Council approval guidelines for a Facade Improvement Program basically to improve the facades of commercial/mixed-use properties in the entire Core City area.

Mayor Pro Tem Alexander asked Ms. Fuscoe to respond to the following questions/concerns:

1. Clarification of the requirement to remove aluminum false facades. He was concerned about the what effect this would have on the historic, signature buildings such as Kepley's Barbecue and Krispy Kreme.

Ms. Fuscoe explained it was not their intent to require removal of historical metal that's part of a feature and mentioned it was placed in the guidelines mainly due to businesses such as Mac's Furniture on Main Street, who has put up a metal facade over an original facade.

2. How would it be decided on as to the appropriateness of the facades.

Ms. Fuscoe noted it would be identified in the guidelines and explained that the city has already adopted an overlay plan calling for a certain, urban look and for the areas where there are currently no overlay plans in place, then the decision would be up to the grants committee.

3. What will the funding source for the program be?

Ms. Fuscoe stated the Committee is asking for the City Council to allocate funding and suggested it be in the $25,000 to $50,000 range. She noted that the Committee is advocating up to a $5,000 match and they plan to give up to $5,000 provided the property owner puts in $5,000.

4. Will the facade improvements substantially change the tax value of the property or merely the appearance of the property?

Ms. Fuscoe replied that ultimately, it could change the tax value and she had read where some other cities are getting up to a 20:1 payback on the dollar figure which in the long term would have an effect of ultimately improving the neighborhood and the property while also increasing the property value.

At this time, Council Member Sims moved to approve the Facade Improvement Program guidelines dated December 5, 2011 as presented by the City Project Committee. Council Member Pugh made a second to the motion which carried unanimously. [9-0 vote]

At this time, Mayor Smothers asked if there was an interest on the part of the City Council to set aside an amount of money or to direct staff to bring back the budget ordinance amendment. Pat Pate, Assistant City Manager, reported that there are funds in the amount of $25,000 left over from the Core City Project accounts that could be set aside for this for the remainder of the year.

Council Member Sims then moved to instruct staff to prepare a budget ordinance for $25,000 for the initial funding of the facade grant program with an expiration date of June 30th. Council Member Corey made a second to the motion which carried unanimously. [9-0 vote]

A motion was made by Council Member Sims, seconded by Council Member Corey, that this matter be approved. The motion carried unanimously.

Sole Source Recommendation and Contract Extension - Water Treatment Chemicals

110251 City Council is requested to approve an exception to the bid laws under the "sole source qualification" for the purchase of chemicals by the Public Services Department; and approve the extension of the metals corrosion inhibitor contract form DABCO, Inc in the projected annual value of $175,000.00.

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting.

The Committee recommended this matter be placed on Thursday's Agenda with a favorable recommendation.

Approved an exception to the bid laws under the "sole source qualification" for the purchase of chemicals by the Public Services Department; and approved the extension of the metals corrosion inhibitor contract from DABCO, Inc. in the projected annual value of $175,000.00.

A motion was made by Mayor Pro Tem Alexander, seconded by Council Member Sims, that this matter be approved. The motion carried unanimously.

PUBLIC SAFETY & COMMUNITY DEVELOPMENT COMMITTEE - Council Member Sims, Chair
Committee Members: Alexander, Douglas and Corey

(all were present)

There were no matters appearing on tonight's Agenda for consideration by the Public Safety & Community Development Committee.

PLANNING, ECONOMIC DEVELOPMENT & INFORMATION TECHNOLOGY COMMITTEE - Council Member Whitley, Chair
Committee Members: Sims, Henley and Moore

(all were present)

There were no matters appearing on tonight's regular Agenda for consideration by the Planning, Economic Development & Information Technology Committee.

Pending Items

Resolution - Street Abandonment 11-07 - City of High Point - Gaylord Court

110234 A request by the Technical Review Committee to abandon a partially improved street right-of-way, known as Gaylord Court, located along the north side of Washington Street approximately 900 feet west of Eccles Place.

This matter has been pending since November 21, 2011.

Land Use Plan Amendment Case 11-04 - City of High Point - Core City Plan

110239 A request by the City of High Point Planning and Development Department to amend the Land Use Plan for eight Core City neighborhoods predominately from higher intensity to lower intensity designations in accordance with the recommendations of the Core City Plan. (See also Legislative File # 110261 for Land Use Amendments adopted at the 12/19/11 meeting)

This matter has been pending since November 21, 2011 and was referred to the Planning, Economic Development & Information Technology at that time to be further discussed on December 6th.

MISCELLANEOUS

Theatre Advisory Board Emeritus Status - Gene Bohi

110250 At the request of the Theatre Advisory Board, Council is asked to confirm the appointment of Mr. Gene Bohi as "Board Member Emeritus" for his service to the High Point Theatre and Theatre Advisory Board.

Approved the appointment of Gene Bohi as "Board Member Emeritus" for his service to the High Point Theatre and Theatre Advisory Board.

A motion was made by Mayor Pro Tem Alexander, seconded by Council Member Pugh, that this matter be approved. The motion carried unanimously.

Appointments - Theatre Advisory Board

110252 Council is requested to confirm the following appointments to the Theatre Advisory Board:

Monica R. Munoz - appointment to be effective immediately and will expire 6/1/2014
Ryan Ferguson - appointment to be effective immediately and will expire 6/1/2012
Megan Walley - appointment to be effective immediately and will expire 6/1/2012

Approved the appointment of the preceding citizens to the Theatre Advisory Board.

A motion was made by Mayor Pro Tem Alexander, seconded by Council Member Sims, that this matter be approved. The motion carried unanimously.

PUBLIC COMMENT PERIOD - 5:15 P.M.

There were no citizens present to address Council during the public comment period.

PUBLIC HEARINGS ON ITEMS - 5:30 P.M.

Planning, Economic Development & Information Technology Committee - Council Member Whitley, Chair

Ordinance - Text Amendment 11-09 - Habitat for Humanity of High Point, Archdale & Trinity

110249 A request by Habitat for Humanity to amend Section 9-5-2, Development Standards for Individual Uses, of the Development Ordinance pertaining to the maximum size of Antique Stores and Used Merchandise Stores in the Main Street (MS) District.

The public hearing for this matter was held on Monday, December 5, 2011 at 5:30 p.m.

Bob Robbins of Planning & Development gave an overview of the staff report which is hereby attached as a permanent part of these proceedings. He reported that staff has no objection to the revised language as suggested by the Planning & Zoning Commission and informed Council that there were two versions in the packet. The wording for the Planning Commission version appears on page 21 of the packet while the language as proposed by the applicant appears on page 25.

Following the presentation of the staff report, Chairman Whitley asked if there were any comments or questions from Council.

Council members expressed concerns about the following issues:

1. How are the taxes paid on the property and will it would remain on the tax rolls with Habitat using the property?

Staff replied that the property is owned by the First Presbyterian Church, but because it is being used as a retail property, it would be subject to ad valorem taxes. If they continue the retail use as proposed, it would remain on the tax books.

2. Is the parking adequate and would parking constraints further remove other buildings?

Staff replied that for most of the larger buildings, if the parking is adequate, this type of use would probably fit in because it isn't going to require a large amount of parking spaces.

3. Concerns about the unsightliness of the Restore in Greensboro located on High Point Road.

Staff noted the petitioner would speak to this matter.

At this time, Chairman Whitley opened the public hearing and invited the petitioner to come forward and make some remarks.

Susan Wood, Executive Director for Habitat for Humanity of High Point, Archdale and Trinity, who resides in High Point at 3645 Rising River Road. She explained that Habitat for Humanity is a non-profit organization, who builds simple, decent and affordable homes for local families in need. They have built over 80 homes in the High Point Area and the last ten homes they have built have added $1,000,000 to the city's tax base. She reported their funding comes from individual donations, grants, homeowner's payments back to Habitat and from their Restore.

Ms. Wood explained that Restore means various things in different towns and in High Point, they see the community resource as High Point being the Furniture Capital of the World and as a result, they get a lot of donated items (new and used) from showrooms as well as from individuals, local businesses, and contractors. She assured the City Council that their store would never look as eclectic as the Restore located in Greensboro on High Point Road and noted there were zoning regulations that would restrict them from using this property in this manner. She noted they plan to clean up the facade, put up their Habitat sign in compliance with the ordinances for signage, repaint the lines in the parking lot and eventually resurface it once funds become available. They also plan to upfit the inside of the store to have a very modern look and they have had flooring donated for the building. Ms. Woods hopes the relocation of their Restore to the old Cloverleaf building will bring shoppers downtown as Habitat for Humanity has an unbelievable brand recognition.

Council Member Corey asked Ms. Woods if they plan to store any construction material for their habitat homes in the facility and if they would be putting their offices in the facility as well. Ms. Woods explained they do plan to put their offices/conference room in the back corner of 2,000 sq. ft. and they would be storing the big donations they get for their houses at the facility as well.

At this time, Ms. Woods asked the Habitat for Humanity volunteers to stand and recognized them as well as some of the board members that were present.

Council Member Douglas inquired about the square footage of the building at their English Road location and Ms. Woods replied the current square footage of useable space at the English Road location was about 9,000 sq. ft. with the parking being virtually non-existent. She felt there would be ample parking at the new facility because there are currently 102 parking spots at the Cloverleaf.

Chairman Whitley asked if there were any additional comments.

Doyle Early, 405 Hillcrest Drive, representing the First Presbyterian Church, spoke in favor of the request. He informed Council that the building has been vacant for one or two years now and they have exhausted many attempts to get it leased. He explained that they worked through their contacts with the IGA group about the possibility of putting another grocery store there and were told that the demographics do not support that particular use. He reported the church has entered into a lease with Habitat with a provision in it where there would be a credit set aside up to $30,000 over a period of time that they could use to do some renovations. He explained that when the article came out in the newspaper with some negative reviews, he started looking into it and pushed to get it going. Representatives from the church met with the Planning & Zoning Commission and were given an opportunity to explain their position and to get a better understanding of what they are trying to do. He stated the bottom line is it is a win-win situation for the First Presbyterian Church and for Habitat.

Council Member Corey concurred that it would be a win-win situation and felt having a Habitat for Humanity store in the center city would make it convenient for people from the north, south, east or west.

Chairman Whitley asked if there were any additional remarks regarding this text amendment case. There being no one else to speak, the public hearing was declared closed.

Following the conclusion of the public hearing, the Committee recommended this matter be placed on Thursday's Agenda with a favorable recommendation.

Adopted the Ordinance amending Section 9-5-2, Development Standards for Individual Uses, of the Development Ordinance pertaining to the maximum size of Antique Stores and Used Merchandise Stores in the Main Street (MS) District with the Planning & Zoning Commission's proposed changes based on consistency with the City's Land Use Plan. Additionally, Council finds this action to be reasonable and in the public's interest because the version approved by the Planning & Zoning Commission will permit a use seen as a benefit to the community without encouraging a proliferation of other uses.

Ordinance No. 6887/11-68 Introduced 12/5/2011
Adopted 12/5/2011
Ordinance Book Volume XVII, Page 68

A motion was made by Council Member Whitley, seconded by Mayor Pro Tem Alexander, that this matter be amended. The motion carried unanimously.

CLOSED SESSION- ECONOMIC DEVELOPMENT

Council Member Whitley moved to enter into Closed Session at 5:50 p.m. to be briefed by staff on proposed economic development projects pursuant to N.C. General Statute 143-318.11(a)(4). The motion was seconded by Council Member Sims and carried by unanimous vote. [9-0 vote]

For Information Only:

Meeting Reminder:

Chairman Whitley reminded Council that the Planning, Economic Dev. & Information Technology Committee would meet on Tuesday, December 6th at 9:00 a.m.

ADJOURNMENT

Upon reconvening into open session, with an announcement that no action was taken as a result of the closed session, the meeting adjourned at 6:25 p.m. upon motion duly made and seconded.

Respectfully Submitted,

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Rebecca R. Smothers, Mayor

Attest:

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Lisa B. Vierling, MMC
City Clerk