

City of High Point

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



Meeting Agenda

Monday, October 20, 2014

5:30 PM

Council Chambers

City Council

*James C. Davis, Mayor
Foster L. Douglas, Jason P. Ewing,
Jeffrey J. Golden, Judith P. Mendenhall,
Britt W. Moore, Rebecca R. Smothers,
Jay W. Wagner*

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE**REGULAR AGENDA ITEMS****FINANCE COMMITTEE - Council Member Moore, Chair**

- [140308](#) Contract - Eastside WWTP Repair - Electrical Ductbank
The Public Services Department is requesting approval of contract with East Coast Construction Services, LLC in the amount of \$295,699.00 for replacement of underground electrical power feeds to the main treatment process of the Eastside WWTP.
- [140309](#) Contract - Purchase of Electric Line Truck
Fleet Services is requesting approval of the purchase of a 2015 Freightliner truck with a Terex body in the amount of \$230,886 using the National Joint Powers Alliance (NJPA contract) and disposing of the old electric line truck through the online auction process.
- [140310](#) Contract - Purchase of Electric Bucket Truck
Fleet Services is requesting approval of the purchase of a new Altec AA55-E bucket truck in the amount of \$121,089 using the National Joint Powers Alliance (NJPA) and disposing of the old electric bucket truck through the online auction process.
- [140311](#) Rescind Contract - Road Machinery Services
The Fleet Services Department recommends rescinding the contract with Road Machinery Services for \$345,000 and instructing staff to coordinate the repairs through Goodin Equipment Services and other local vendors.
- [140312](#) Contract Renewal - Official Payments
The Customer Service Department is requesting that City Council approve the renewal of contract with Official Payments in the amount of \$255,000 for the processing of credit cards and checks for utility and non-utility payments.
- [140313](#) Resolution - Issuance of Series 2014 General Obligation 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, City Council is requested to adopt the attached "Order Authorizing \$14,235,000 General Obligation Refunding Bonds."

Pending Items

- [140296](#) Contract - Washington Street Streetscape Project
Engineering Services recommends that Council approve the base bid with both alternates and award contract ENG2014-003 Washington

Street Streetscape Project to Atlantic Contracting at the bid amount of \$438,327.50. At the October 2nd City Council meeting this item was referred back to committee to receive further information.)

[140297](#)

Budget Ordinance Amendment - Washington Street Streetscape Project Council is requested to adopt a budget ordinance amending the 2014-2015 Budget Ordinance to appropriate funds for the Washington Street Streetscape Project.

COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers,

Chair

[140314](#)

College Drive Speed Limit - NCDOT - Letter of Concurrence Council is requested to authorize the issuance of a letter of concurrence from the City of High Point to the North Carolina Department of Transportation (NCDOT) regarding ordinance updates for the speed limit along S. College Drive between Kivett Drive and Kearns Avenue.

[140315](#)

W. Kivett Drive On-Street Parking Proposal Consideration of a request to restripe two blocks of W. Kivett Drive to accommodate additional on-street parking.

[140316](#)

Resolution of Intent - Street Abandonment 14-11 - CHP Approval of Resolution of Intent that establishes a public hearing date of Monday, November 7, 2014, at 6:15 p.m. to consider a request to abandon a 40-foot wide unimproved right of way (known as Blair Avenue) lying along the west and east side of S. Centennial Street, between Lake Avenue and E. Kerns Avenue.

Pending Items

[140299](#)

Ordinance - Text Amendment 14-05 - CRP High Point, LLC A request by CRP High Point, LLC to amend Table 4-5-1 and Section 9-5-2(r) of the Development Ordinance to allow Automobile Rental or Leasing in Sub-Area B of the Main Street (MS) District.

PUBLIC HEARINGS - 6:15 P.M.

COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers,

Chair

[140317](#)

Resolution - Street Abandonment 14-07 - High Point University A request by High Point University to abandon the eastern portion of the Barbee Avenue right of way lying between Willow place and Montlieu Avenue (private drive sections).

[140318](#)

Resolution - Land Use Plan Amendment - High Point University A request by High Point University to change the Land Use Map Classification for approximately 2.8 acres from Low Density Residential to an Institutional classification. The site is lying along the south & east side of Barbee Avenue, between Willow Place and Montlieu Avenue

(private drive section).

[140319](#)

Ordinance - Amendment to Zoning Case 14-09 - High Point University
A request by High Point University to amend Conditional Zoning Case 14-09 to:

- a. Add approximately 4.1 acres to Conditional Zoning Ordinance 14-09.
- b. To rezone approximately 4.1 acres from a Residential Single Family-7 (RS-7) District to a Conditional Zoning Public & Institutional (CZ-PI) District. The site is lying along the south & east side of Barbee Avenue, between Willow Place and Montlieu Avenue (private drive section).

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT

[140320](#)

Appointments - High Point Housing Authority
Mayor James C. Davis is recommending the appointment of the following individuals to the High Point Housing Authority.

Appointment of Mr. Roosevelt Swinnie to serve as the Resident Council Member. Mr. Swinnie will fill the unexpired term of Lisa Huff, who has resigned. Mr. Swinnie's term will be effective immediately and will expire 12/22/2018.

Appointment of Mr. Jim Grdich to serve as the private developer/community housing developer representative. Mr. Grdich will fill the unexpired term of Dan Reynolds, who has resigned. Mr. Gridch's appointment will be effective immediately and will expire 12/22/2016.

Appointment of Mr. James LeGrande to serve as the community volunteer and activist/business owner representative. Mr. LeGrande will fill the unexpired term of James Szafran, who has resigned. Mr. LeGrande's term will be effective immediately and will expire on 12/22/2015.

[140321](#)

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

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

[140322](#)

Minutes to be approved
Special Called Meeting - Closed Session (Personnel): October 2nd @ 4:00 p.m.
Special Called Meeting - Closed Session (City Clerk Evaluation):
Monday, October 6th @ 3:30 p.m.
Finance Committee Meeting: Monday, October 6th @ 4:30 p.m.
Regular Council Meeting: Monday, October 6th @ 5:30 p.m.
Comprehensive Planning Committee Meeting: Tuesday, October 7th @ 4:00 p.m.
Special Called Meeting - EDC Incentives: Thursday, October 16th @ 8:30 a.m.

Special Called Meeting -Closed Session (Personnel): Thursday, October
16th @ 9:00 a.m.

ADJOURNMENT

CITY OF HIGH POINT

AGENDA ITEM



Title: Land Use Plan Amendment Case 14-04

From: Lee Burnette, Planning & Development
Director

Meeting Date: October 20, 2014

Public Hearing: Yes

Advertising Date/ October 8, 2014 and
October 15, 2014

Advertised By: Planning & Development

Attachments: A. Planning and Zoning Commission Recommendation
B. Staff Report

PURPOSE:

A request by High Point University to change the Land Use Map Classification for approximately 2.8 acres from Low Density Residential to an Institutional classification. The site is lying along the south & east side of Barbee Avenue, between Willow Place and Montlieu Avenue (private drive section).

BACKGROUND:

Staff report and the Planning & Zoning Commission's recommendation is enclosed.
(Combined report LUPA 14-04 and Zoning Amendment 14-09)

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. On September 23, 2014, a public hearing was held before the Planning and Zoning Commission regarding-LUPA14-04. The Planning & Zoning Commission recommended **approval** of LUPA14-04 by a vote of 6-0.

B. Staff recommends **approval** of LUPA14-04 as outlined in the attached staff report.

CITY OF HIGH POINT

AGENDA ITEM



Title: Amendment to Zoning Case 14-09

From: Lee Burnette, Planning & Development
Director

Meeting Date: October 20, 2014

Public Hearing: Yes

Advertising Date: October 8, 2014 and
October 15, 2014

Advertised By: Planning & Development

Attachments: A. Planning and Zoning Commission Recommendation
B. Staff Report
C. Conditional Zoning Ordinance

PURPOSE:

A request by High Point University to amend Conditional Zoning Case 14-09 to:

- a) Add approximately 4.1 acres to Conditional Zoning Ordinance 14-09.
- b) To rezone approximately 4.1 acres from a Residential Single Family-7 (RS-7) District to a Conditional Zoning Public & Institutional (CZ-PI) District. The site is lying along the south & east side of Barbee Avenue, between Willow Place and Montlieu Avenue (private drive section).

BACKGROUND:

Staff report and the Planning & Zoning Commission's recommendation is enclosed.
(Combined report LUPA 14-04 and Zoning Amendment 14-09)

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. On September 23, 2014, a public hearing was held before the Planning and Zoning Commission regarding-Z14-09. The Planning & Zoning Commission recommended **approval** of Z14-09 by a vote of 6-0.
- B. Staff recommends **approval** of Z14-09 as outlined in the attached staff report.

PLANNING AND ZONING COMMISSION RECOMMENDATION

High Point University

Land Use Plan Amendment Case 14-04

AND

High Point University

Amendment to Zoning Case 14-09

At their September 23, 2014 public hearing, the Planning and Zoning Commission reviewed Land Use Plan Amendment Case 14-04 (LUPA14-04) and Amendment to Zoning Case 14-09 (Z14-09). All members of the Commission were present, except for Mrs. Marie Stone and Mr. Andrew Putnam. Mr. Andy Piper, Senior Planner presented LUPA 14-04 and recommended approval as outlined in the staff report. Mr. Herbert Shannon, Senior Planner, presented Z14-09 and recommended approval of the request as outlined in the staff report.

Speaking on behalf of the request was Mr. Chris Dudley, Chief of Staff, High Point University, 883 Montlieu Avenue.

No one spoke in opposition of the request.

Speaking neither in favor nor in opposition to the request was Ms. Mae Frances McRae, 401 Underhill Street, High Point. Ms. McRae voiced no objection to the request, but requested additional information from the University as to future expansion plans they are considering in this area. Mr. Dudley provided Ms. McRae with his business card and contact information.

The Planning & Zoning Commission recommended ***approval*** of Land Use Plan Amendment Case 14-04 by a vote of 6-0.

The Planning & Zoning Commission recommended ***approval*** of Amendment to Zoning Case 14-09 by a vote of 6-0. Upon making its recommendation, the Planning & Zoning Commission stated that its recommendation is consistent with the City's adopted plans and reasonable and in the public interest based on the following: 1) The site abuts the High Point University Campus to the north and northwest, 2) With the approval of Land Use Plan Amendment Case 14-04, the request is consistent with the Land Use Plan, and 3) Stream buffer standards of the Development Ordinance and the condition offered by the applicant to maintain an existing perimeter lot as open space next to abutting residential dwellings will ensure development will be compatible with the adjacent residential neighborhood.

**CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT**

**STAFF REPORT
LAND USE PLAN AMENDMENT CASE 14-04
AMENDMENT TO ZONING CASE 14-09
September 23, 2014**

Requests		
Applicant: High Point University	Owner: High Point University	
LUPA Proposal: To change the future land use designation for approximately 2.8 acres.	From:	Low Density Residential
	To:	Institutional
Zoning Proposal: To amend Conditional Zoning Ordinance 14-09 (CZ14-09) to: a. Add approximately 4.1 acres to CZ14-09. b. To rezone approximately 4.1 acres.	From:	RS-7 Residential Single Family-7 District
	To:	CZ PI Conditional Zoning Public & Institutional District

Site Information		
Location:	The site is lying along the south & east side of Barbee Avenue, between Willow Place and Montlieu Avenue (private drive section).	
Tax Parcel Numbers:	Plan Amendment	Zoning Request
	Portions of tax parcels 0190229 thru 0190238	All of tax parcels 0190229 thru 0190238
Site Acreage:	Plan Amendment	Zoning Request
	Approximately 2.8 acres	Approximately 4.1 acres
Current Land Use:	Plan Amendment	Zoning Request
	Undeveloped parcels	Undeveloped parcels
Physical Characteristics:	The parcels associated with this request have a moderate to severely sloping terrain. A perennial stream, with corresponding 100-year flood hazard area, runs along the eastern & southern portions of these parcels and the steeper terrain runs along this stream corridor.	
Water and Sewer Proximity:	A 6-inch City water line and an 8-inch City sanitary sewer line are lying adjacent to the site within Barbee Avenue. Also, a 15-inch City sanitary sewer line runs along the stream corridors adjacent to the eastern boundary of the site.	
General Drainage and Watershed:	The site drains in a southeasterly direction and development is subject to the City Lake General Watershed Area requirements of the water supply watershed regulations. Engineered stormwater measures are required for non-residential or multifamily development with an impervious surface area that is greater than 24% or more of the site.	
Overlay District:	City Lake General Watershed Area (GWA)	

Adjacent Property Zoning and Current Land Use			
North:	CZ-PI	Conditional Zoning Public & Institutional District	High Point University campus
South:	RS-7	Residential Single Family-7 District	Single family residential dwellings
East:	RS-7	Residential Single Family-7 District	Single family residential dwellings
West:	RS-7 CZ-PI	Residential Single Family-7 District Conditional Zoning Public & Institutional District	Single family residential dwellings Undeveloped parcels that are part of the High Point University campus

Adjacent Land Use Plan Designations	
North:	Institutional
South:	Recreation / Open Space
East:	Recreation / Open Space
West:	Low Density Residential and Institutional

Purpose of Existing and Proposed Land Use Plan Designations	
Existing Designation:	Low-Density Residential: These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.
Proposed Designation:	Institutional: Public, quasi-public and institutional uses on large tracts are included in this classification.

Relevant Land Use Policies and Related Zoning & LUPA History	
Community Growth Vision Statement:	Goal 1: Obj. 1H: Support the continued growth of the City's educational institutions for their many educational, cultural and economic benefits.
Land Use Plan Goals, Objectives & Policies:	The following goal of the Land Use Plan is relevant to this request: Goal #2: Encourage development that enhances and preserves established neighborhoods.
Relevant Area Plan(s):	Core City Plan <u>Neighborhood Planning Principles – Discernible Boundaries:</u> Do not allow neighborhoods to get chipped away at their edges by incompatible uses and development forms. Employ design measures to accentuate their boundaries through features such as gateway treatments and street tree plantings. University Area Plan <u>Goal 3:</u> Ensure compatibility between the edge of campus and the surrounding neighborhood. <u>Policy 3.3:</u> Where existing vegetation does not exist, provide landscaping that delineates the campus and residential properties and provides sufficient separation between the university and adjacent residential areas. <u>Policy 3.5:</u> Transition the intensity of uses along the campus edge adjacent to existing residences.

	<u>Policy 3.7: Mitigate the impacts of new campus development on adjacent properties through the provision of conditions with rezoning requests.</u>
Zoning History:	Starting in 1998, the University began a westward expansion of the campus from Panther Drive (formerly W. College Drive), to N. Centennial Street to accommodate their growth. In May 2013, City Council approved Zoning Case 13-08 which was the first expansion of the University campus into the abutting residential neighborhoods lying south of Montlieu Avenue.
LUPA History:	Land Use Plan Amendments to accommodate expansion of the High Point University campus south of Montlieu Avenue were approved in November 2013 for the two-block area between N. Centennial Street and Fifth Street, followed by the block bounded by Fifth Street and Barbee Avenue to the west of the current site in May 2014.

Transportation Information							
Adjacent Streets:	Name			Classification		Approx. Frontage	
	Barbee Avenue			Local Street		513 ft.	
	Montlieu Avenue			Private Drive		285 ft.	
Vehicular Access:	The proposed amendment will not change previously adopted conditions pertaining to access.						
Traffic Counts: (Average Daily Trips)	Barbee Avenue				No count data		
	Montlieu Avenue (Private Drive)				Converted to a private drive		
Estimated Trip Generation:	No information.						
Traffic Impact Analysis:	Required				Comment		
		<u>Yes</u>		<u>No</u> X	None		
Pedestrian Access:	Development of the site is subject to the sidewalk requirements of the Development Ordinance.						

School District Comment
Not applicable to this zoning case.

Details of Proposal

1. General Overview:

The University has purchased the parcels lying along the south & east side of Barbee Avenue, between Willow Place and Montlieu Avenue. Now that they own all the property along both sides of the eastern terminus of Barbee Avenue, they are petitioning to add this area to their campus and have submitted both a Land Use Map Amendment and a Zoning Map Amendment (Rezoning) application for this area.

2. Summary of Land Use Plan Amendment Request:

The City Land Use Map denotes a Low Density Residential and Recreation/Open Space classification for this area. This Land Use Map Amendment proposes to change the Low Density Residential classification of this area to an Institutional land use classification. This

request is similar to what was approved by the City Council in November 2013 for the two-block area south of Montlieu Avenue, between N. Centennial Street and Fifth Street, and in May 2014 for the block between Fifth Street and the eastern segment of Barbee Avenue immediately to the west of this current request.

This requested expansion of the campus is inconsistent with the University Area Plan adopted by City Council in December 2009, because the site is outside the Growth Areas outlined by the plan for University expansion. It is important to note that the University Area Plan is not a master plan for the University but rather a neighborhood plan. The Growth Areas, noted in the University Area Plan, were established to increase predictability about future campus expansion in order to protect and help maintain the stability of adjacent neighborhoods. However, the High Point City Council has previously approved Land Use Plan Amendment 13-01 and Zoning Case 13-08 for campus expansion south of Montlieu Avenue to Barbee Avenue, which permitted expansion of the High Point University campus beyond the limits of the University Area Plan in this specific geographical area. According to a presentation given by the University to City Council on July 17, 2014, this will be the last of three anticipated expansions in the area, because they do not intend to acquire any additional land to the south of Barbee Avenue.

3. Summary of Zoning Request:

The Zoning Map Amendment proposes to rezone this 4.1-acre area to a Conditional Zoning Public & Institutional (CZ-PI) District and to add this land area to Conditional Zoning Ordinance 14-09 (CZ14-09) which governs development of the southwestern portion of the campus. This amendment does not change previously adopted conditions in CZ14-09; however, the applicant has offered a new condition that the westernmost lot along the south side of Barbee Avenue be preserved as open space to provide for separation and buffering to the adjacent residential neighborhood from University related activities.

Staff Analysis

This application adds additional land area to the previously approved CZ14-09 District. Former findings are still relevant and comments in this section are restricted to the new changes proposed under this application. Section 9-3-13 of the Development Ordinance states that the Planning & Zoning Commission and the City Council shall be guided by the purposes and intent of the Development Ordinance, and shall give consideration to the following in the review and discussion of any Conditional Zoning application. Based on the applicant's submittal and proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these ordinance considerations.

Consistency with Adopted Plans:

The proposed Conditional Zoning District is appropriate for its proposed location and is consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans

Staff Comments:

This request is outside of the Growth Areas of the University Area Plan; however, Council previously approved a Land Use Plan Amendment and zoning request, outside of the Growth Areas, for the three blocks lying south of Montlieu Avenue to the west of the site. As a matter of

policy, Council's action established Barbee Avenue as the new limits of the campus. This current amendment request would expand those limits east and southeast of Barbee Avenue, and the University has stated there are no intentions to expand further south.

Review Factors:

The applicant's proposed Conditional Zoning District, including the proposed use(s), written conditions and Conditional Zoning Plan, satisfactorily meets or addresses the following:

<u>Factor #1</u>	Produces a development that is compatible with surrounding development character and land uses;
	<u>Staff Comments:</u> The parcels associated with this request about the University to the north & northwest. Additionally, a perennial stream with flood zone areas and stream buffers, as required by the Development Ordinance, separates the site from adjacent residential dwellings to the east & south. Based on the adjacent development pattern and physical constraints, the allowances of university related uses will be compatible with the surrounding development and land uses.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.;
	<u>Staff Comments:</u> Existing conditions of CZ14-09 that mitigate impacts along the perimeter of site, such as lighting, fencing, landscaping, access, screening of mechanical equipment and location of loading areas are not changing.
<u>Factor #3</u>	Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;
	<u>Staff Comments:</u> The site is within the City Lake General Watershed Area and development will be subject to the watershed regulations. Additionally, stream buffer standards of the Development Ordinance will limit development of the eastern portions of the site.
<u>Factor #4</u>	Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire; and;
	<u>Staff Comments:</u> The site is within an area currently served by City of High Point utilities and municipal services and the submittal has no known impacts on municipal services.
<u>Factor #5</u>	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties.
	<u>Staff Comments:</u> If approved, the zoning site becomes a new campus edge and should be considered a Transition Area as defined in the University Area Plan. The intent of Transition Areas is to maintain the existing setting, if possible, to ensure compatibility with abutting residential areas. The perennial stream acts as a buffer and permanent edge to the east and south, the only direct connection with the adjacent residential neighborhoods is at the southwestern corner of Willow Place and Barbee Avenue.

	The condition offered by the applicant to maintain the edge parcel as open space will ensure development will not adversely impact adjacent property owners.
--	--

Changes in the Area:

There have been changes in the type or nature of development in the area of the proposed Conditional Zoning District that support the application.

Staff Comments:

The city blocks lying south of Montlieu Avenue were historically a residential neighborhood near the High Point University campus. Over the past two years, the University has purchased these blocks, razed the residences, and obtained zoning approval to facilitate the development of University related uses. In addition, the University has obtained Council approval to abandon the public street network in this area with Willoubar Terrace, Fifth Street and Montlieu Avenue all being abandoned and added to the campus land area. These actions have changed the character of this area.

Development Patterns:

The proposed Conditional Zoning District would result in development that promotes a logical, preferred and orderly development pattern.

Staff Comments:

With this eastern segment of Barbee Avenue being landlocked by the Montlieu Avenue street abandonment, all housing having been razed and previous zoning actions by Council permitting University related uses on the blocks between Montlieu Avenue and Barbee Avenue, the viability of continued residential development of this site is unlikely.

Reasonableness/Public Interest:

An approval of the proposed Conditional Zoning District is considered reasonable and in the public interest.

Staff Comments:

In this case, staff suggests that the approval of the applicant's request can be considered to be reasonable and in the public interest because: 1) The site abuts the High Point University Campus to the north and northwest, 2) Subject to the approval of Land Use Plan Amendment Case 14-04, the request will be consistent with the Land Use Plan, and 3) Stream buffer standards of the Development Ordinance and the condition offered by the applicant to maintain an existing perimeter lot as open space next to abutting residential dwellings will ensure development will be compatible with the adjacent residential neighborhood.

Recommendation

The comments in this report are based on policies contained in the City Council adopted Land Use Plan, Community Growth Vision Statement, University Area Plan (neighborhood area plan), Core City Plan, and from previous City Council land use and zoning decisions.

If the City Council determines this is an appropriate expansion of the University campus, then Land Use Plan Amendment Case 14-04 should be approved. Once that request is approved, then it is reasonable for the City Council to approve the requested amendment to Zoning Case 14-09 with the conditions offered by the applicant.

Required Action

Planning and Zoning Commission:

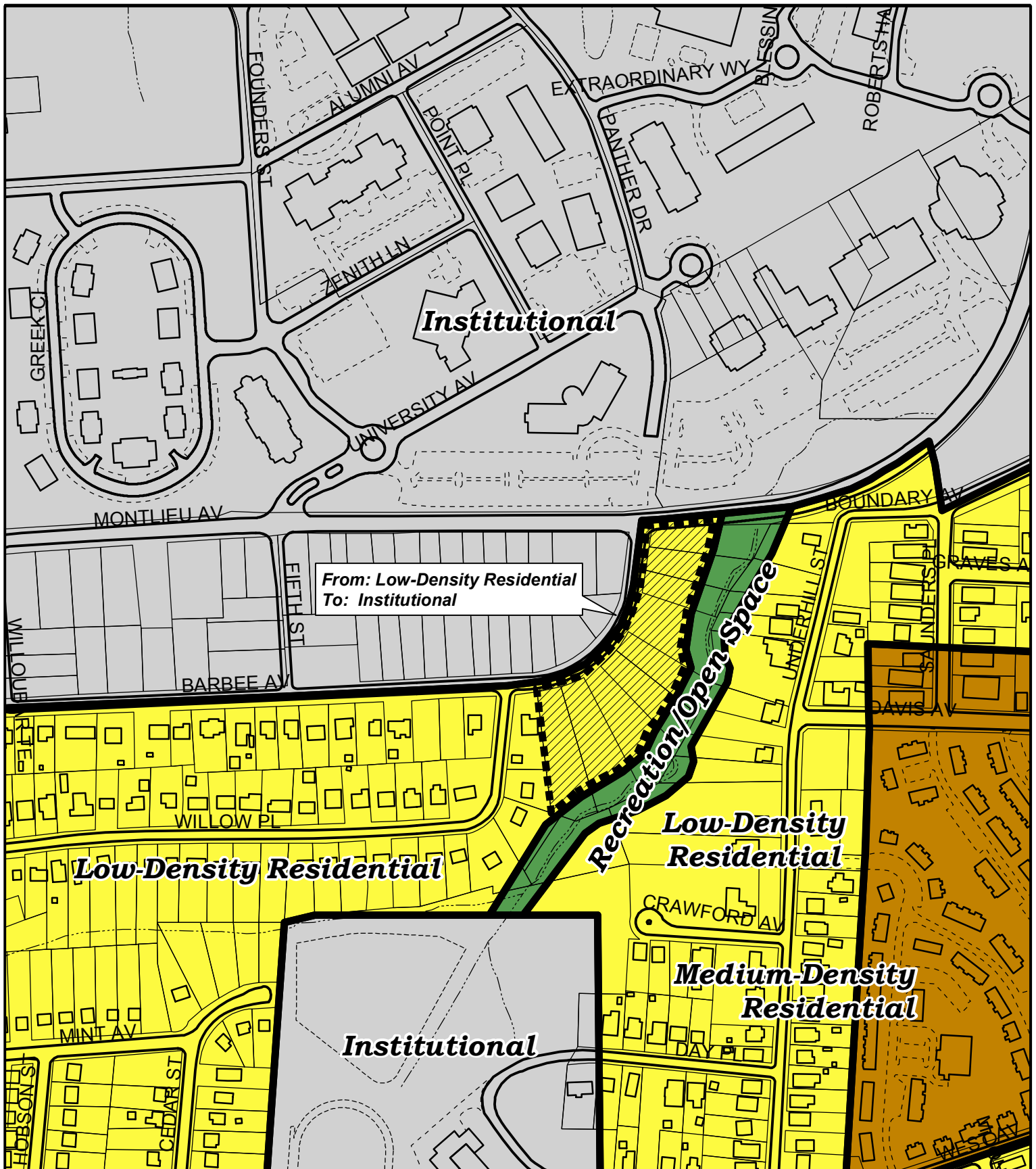
The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

City Council:

The NC General Statutes require that the City Council also place in the official record a statement of consistency with the City's adopted plans, and explain why the action taken is considered to be reasonable and in the public interest when rendering its decision in this case. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

Report Preparation

This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and Andy Piper AICP, Senior Planner, and reviewed by Robert Robbins AICP, Development Services Administrator and Lee Burnette AICP, Director.



LAND USE PLAN AMENDMENT 14-04

**Request: From: Low Density Residential
To: Institutional**

Existing Land Use Plan
Subject Property Boundary



**Planning & Development
Department**

City of High Point

Date: September 11, 2014



Scale: 1"=300'
G:/Planning/Secure/ba-pz/
2014/pz/lupa14-04.mxd

Scale: 1"=500'
G:/Planning/Secure/ba-pz/
2014/pz/Az14-09.mxd

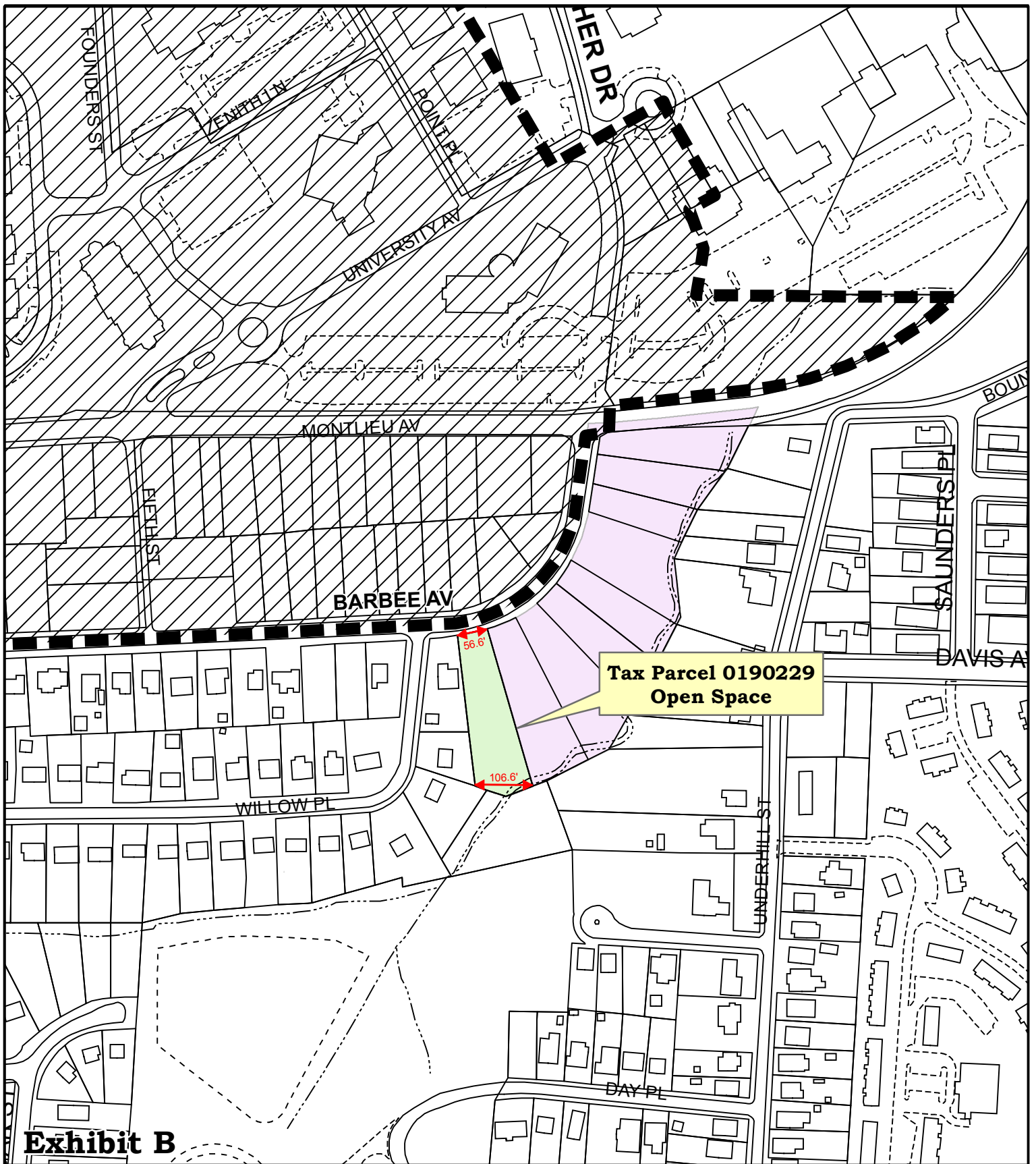


Exhibit B

AMENDMENT TO CZ14-09

From: Residential Single Family-7
To: Conditional Zoning Public Institutional

Existing Zoning Boundary —————
Subject Property Boundary - - - - -

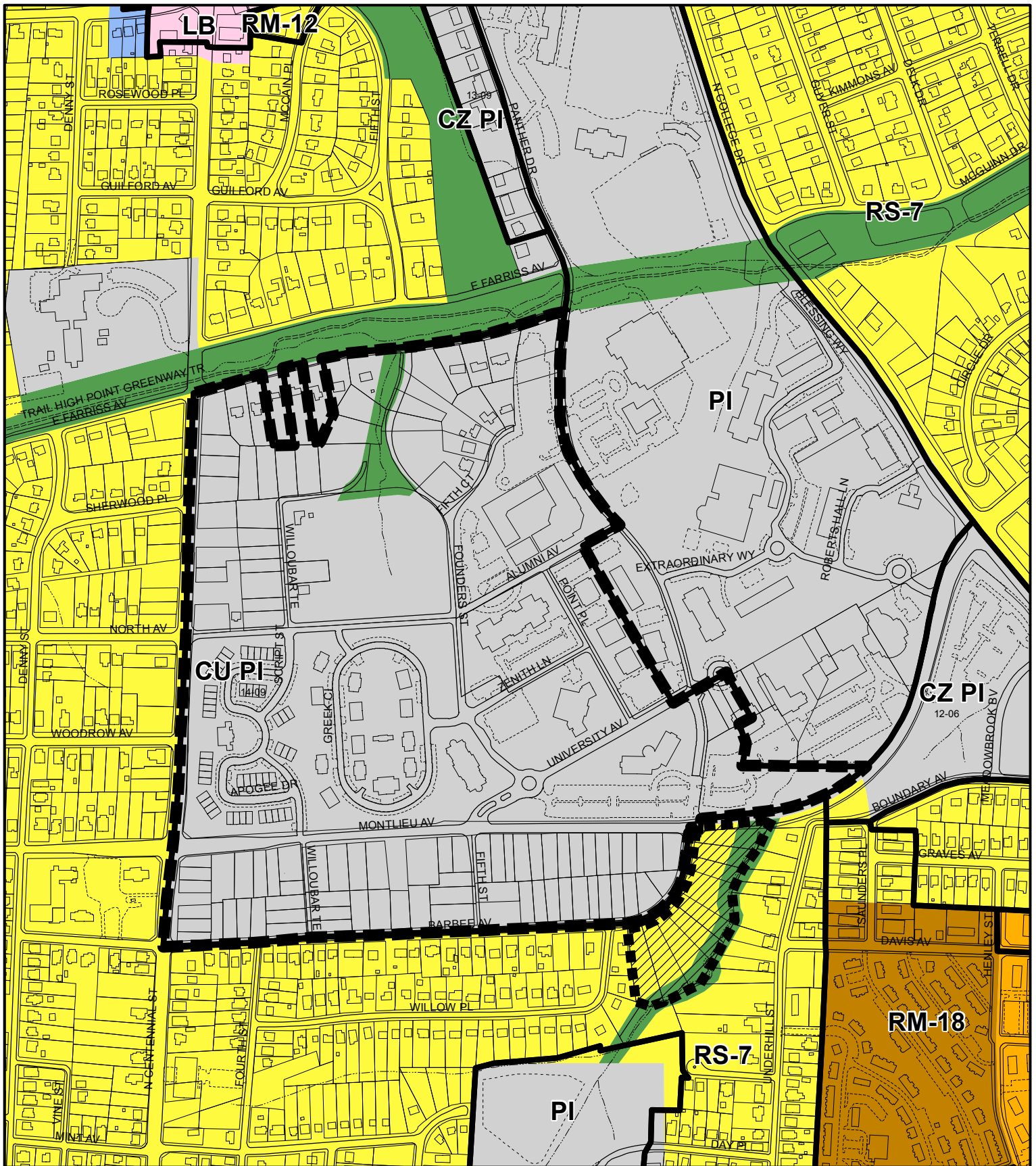
**Planning & Development
Department**

City of High Point

Date: September 16, 2014



Scale: 1"=200'
G:/Planning/Secure/ba-pz/
2014/pz/Az14-09exh.mxd



AMENDMENT TO CZ14-09

Land Use Plan

- | | |
|---|---|
| Low-Density Residential | Office |
| Moderate-Density Residential | Local/Convenience Commercial |
| Medium-Density Residential | Institutional |
| Recreation/Open Space | |

Planning & Development
Department

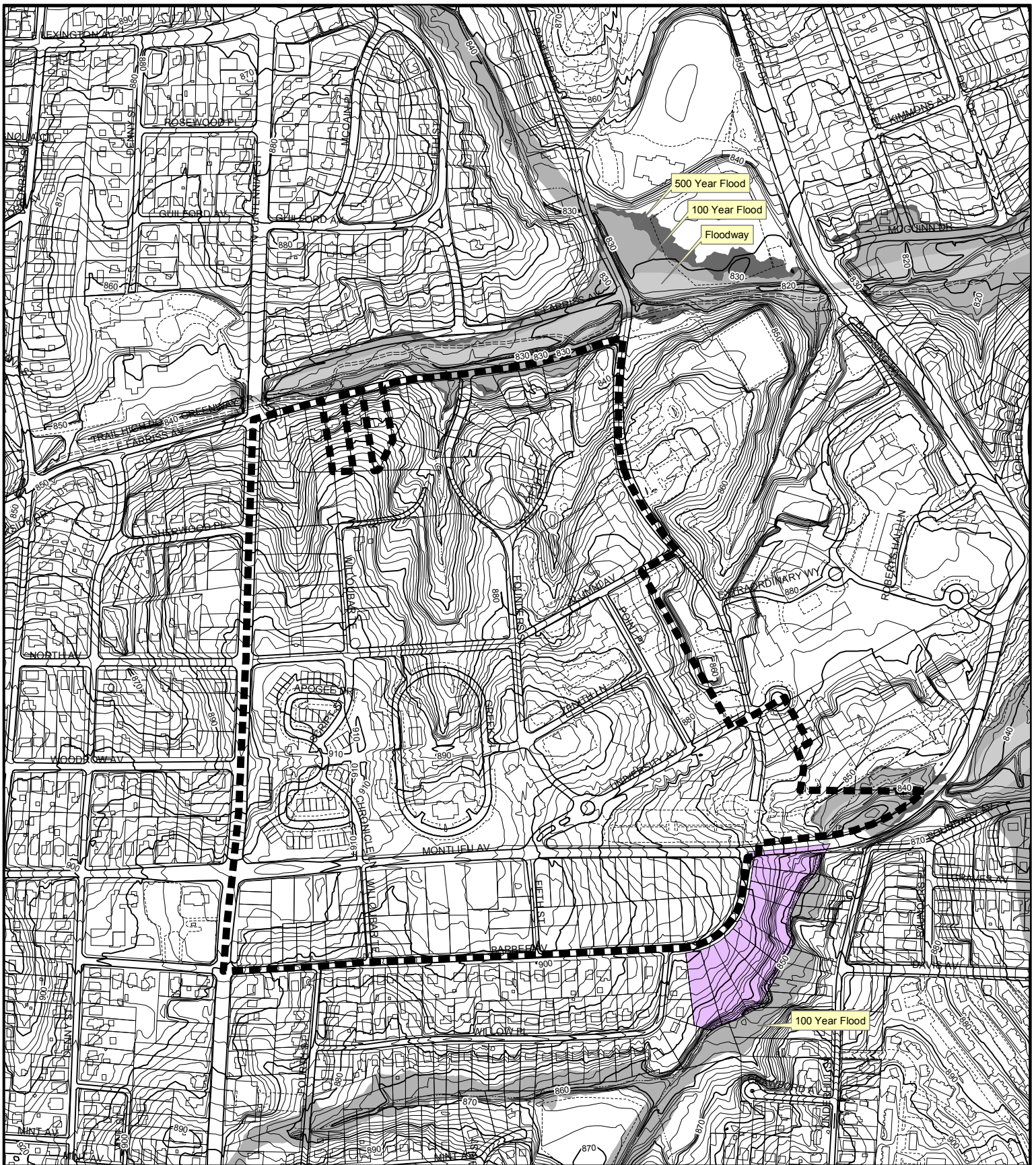
City of High Point

Date: September 11, 2014



Scale: 1"=500'

G:\Planning\Secure\ba-pz/
2014/pz/z14-09clu.mxd



AMENDMENT TO CZ14-09

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: September 11, 2014



Scale: 1"=500'

G:\Planning\Secure\ba-pz/
2014\pz\z14-09topo.mxd

AMENDMENT TO CZ14-09



AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 9-3-12, ZONING MAP AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of The City of High Point adopted “The City of High Point Development Ordinance” on January 7, 1992 with an effective date of March 1, 1992, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on September 23, 2014 and before the City Council of the City of High Point on October 20, 2014 regarding **Amendment to Zoning Case 14-09** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on September 14, 2014, for the Planning and Zoning Commission public hearing and on October 8, 2014 and October 15, 2014, for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

WHEREAS, the proposed amendment was adopted by the City Council of the City of High Point on **October xx, 2014.**

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT:

SECTION 1

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **A Conditional Zoning Public & Institutional (CZ-PI) District.** The property is approximately **96.3** 92.2 acres and lying **east of Willow Place,** north of Barbee Avenue, east of N. Centennial Street, south of E. Farriss Avenue and west of Panther Drive. The property is also known as Guilford County Tax Parcels 0189862 thru 0189875, 0189888, 0189893, 0190022 thru 0190059, 0190162 (portion), 0190072, 0190073, 0190075, 0190077 thru 0190089, 0190107 thru 0190122, 0190126, 0190140, 0190161, 0190185 thru 0190187, 0190191, 0190196 thru 0190215; **0190229 thru 0190238;** 0217153 and 0217154

SECTION 2

That the property herein described shall be perpetually bound by the following use(s) authorized and condition(s) imposed, unless subsequently changed or amended as provided for by the Development Ordinance.

Part I. **USES:**

- A. Permitted Uses:** Only the following land uses shall be permitted, subject to the development and dimensional requirements of the Public & Institutional (PI) District and the specific conditions listed in this Conditional Zoning Ordinance:
- a. Colleges or Universities (SIC 8220)
 - b. Fraternities or Sororities (Univ. or College)
 - c. Accessory Uses and Structures (customary)

B. Guilford County Tax Parcel 0190229 (See Exhibit B) shall be maintained as open space. Except for grading and the installation of planting yards or fencing, no development shall be permitted.

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1. General Standards for the entire zoning site.

a. Screening of equipment, outdoor storage and loading docks:

Purpose and Intent: This section is intended to provide standards to mitigate negative impacts on adjacent property owners from viewing unsightly equipment, appurtenance or activities associated with permitted PI District uses. The intent is to filter views and to not have direct unobscured views of these areas; it is not intended to mandate 100% visual screening.

- i. Mechanical or electrical equipment, dumpsters, or other similar building appurtenances shall be screened from view, at a height of six (6) feet above ground level, as seen from the centerline of any adjacent public street. Existing or newly planted vegetation, opaque fences, masonry walls, other structures or combination thereof may be used to achieve an effective screen.
- ii. Within 100-feet of the perimeter of the zoning site, loading areas shall not be located on any side of a building that faces N. Centennial Street or E. Farriss Avenue. Loading areas facing Barbee Avenue shall be screened from view as seen from the centerline of Barbee Avenue.

b. Building Height:

i. Barbee Avenue:

See Condition II.A.3 of this Conditional Zoning Ordinance.

ii. N. Centennial Street and E. Farriss Avenue:

Within 200 feet of N. Centennial Street and E. Farriss Avenue, building height standard of the PI District shall apply. Beyond this 200-foot distance, a maximum building height of 100 feet shall be permitted.

c. Lot Combination: As requested by the Technical Review Committee, parcels associated with the zoning site shall be combined prior to development or subdivision.

d. Welcome Center Standards.

- i. Welcome Centers shall not be permitted within public right-of-ways.
- ii. The Welcome Center located at the intersection of N. Centennial Street and Montlieu Avenue (private drive) shall be oriented in such a manner that a minimum of seven (7) vehicular stacking spaces, per dimensional

standards of Table 5-6-2 of the Development Ordinance, shall be provided as measured perpendicular from the adjacent public street right-of-way (See Exhibit A “N. Centennial Street Entry Plan”).

e. Lighting

- i. Within fifty (50) feet of the perimeter of the zoning site, all freestanding exterior lighting shall be limited to twenty-five (25) feet in height. All lighting shall be directed inwards towards the interior of the zoning site and include the use of shields to direct lighting and glare away from adjacent residential uses.
- ii. Where the zoning site abuts residentially zoned parcel(s), exterior pole lighting shall be setback a minimum twenty-five (25) feet from the abutting residential parcel(s) property line. Said lighting shall be down lit and oriented inward toward the zoning site so as to shield adjoining residential properties from direct light.

2. N. Centennial Street Development Standards

The following development standards shall apply to townhome type dormitories or townhome type student housing developed within 100 feet of the N. Centennial Street right-of-way

- a. All buildings shall have a hip or gable pitched roof design.
- b. The size of each building(s) shall be limited to a maximum building footprint of 7,500 square feet.
- c. Except for where approved vehicular access points are located, parking, and vehicle circulation areas shall be located to the interior of the site so that buildings are located between the N. Centennial Street right-of-way and any parking or vehicle circulation areas. This shall not preclude placement of parking between buildings fronting along N. Centennial Street.
- d. The maximum building height shall be fifty (50) feet for any building within 100 feet of the N. Centennial Street right-of-way.
- e. Building Setback: Building setback shall meet standards of the PI District except as noted below:
 - i. Principal Building(s): A minimum thirty (30) foot setback shall be provided from the N. Centennial Street right-of-way.
 - ii. Accessory Structure(s): A minimum twenty (20) foot setback shall be provided from the N. Centennial Street right-of-way for covered and uncovered porches, decks and patios whether attached or unattached to a principal building, and any other accessory structure.

3. Barbee Avenue Development Standards

- a. Development and dimensional requirements of the PI District shall apply, except as follows:
 - i. A minimum fifty (50) foot building setback shall be provided from the Barbee Avenue right-of-way.

- ii. A maximum eighty-five (85) foot building height shall be permitted. The additional building setback requirement, noted in Table 4-11-5(f) of the Development Ordinance, for buildings over fifty (50) feet in height shall not apply.

B. Landscaping, Buffers, and Screening:

a. Fencing:

- i. N. Centennial Street: If fencing is installed along the N. Centennial Street frontage of the zoning site, the decorative perimeter fencing (brick & wrought iron/aluminum fencing) that generally outlines the boundary of the University shall be installed.
- ii. Barbee Avenue and E. Farriss Avenue: If opaque fencing is installed along the Barbee Avenue or E. Farriss Avenue frontage of the zoning site, said fencing shall be located behind the street planting yard.
- iii. Where the zoning site abuts a residentially zoned parcel(s), an opaque fence shall be installed in the required planting yard adjacent to the residential parcel.

b. Landscaping:

- i. Centennial Street frontage: A minimum thirty (30) foot wide Street Yard, planted at Type C rate, shall be installed along the N. Centennial Street frontage of the zoning site.
- ii. *Alternative Land Scape Plan along N. Centennial Street*
 - a) In lieu of ordinance requirements for street planting yards, a landscaping plan shall be required to be submitted for review and approval by the Planning & Development Department prior to issuance of any building permit upon the site. The objective of this plan is to screen the rear of structures located along N. Centennial Street frontages of the zoning site with an assortment of planting species, and to enhance the visual appearance of the permanent edge areas as identified in the University Area Plan. This plan shall at a minimum address the following:
 - b) This plan is specifically for the initial 75 feet of the site's N. Centennial Street frontages and should be designed to enhance the visual appearance of this corridor.
 - c) Through the use of an assortment of understory trees, canopy trees, shrubs, berms and other topography treatments, the exterior activity area at the rear of buildings shall be screened. The planting rate shall be sufficient to provide the desired screening effect within three (3) years of planting.
 - d) Fifty percent (50%) of trees and shrubs utilized on the plan along this roadway shall consist of evergreen species of planting material. These shrubs shall be a locally adapted species expected to reach a minimum height of thirty (30) inches and a minimum spread of thirty (30) inches within three years of planting.

- e) Along with the landscaping plan, a depiction of the building elevations and/or parking areas after landscaping, as viewed from N. Centennial Street may be requested from the property owners Landscape Architect to assist in assessing the effectiveness of the plan.
- iii. Barbee Avenue and E. Farriss Avenue frontage:
 - a) The Street Yard planting standards shall be increased from eight (8) foot width to a minimum width of fifteen (15) feet, and the planting rate for understory trees shall be increased from none to a minimum of 4 per 100 linear feet, and 33 evergreen shrubs per 100 linear feet. Additionally, these shrubs shall be a locally adapted species and are expected to reach a minimum height of thirty (30) inches within three years of planting.
 - b) Fifty percent (50%) of trees and shrubs utilized shall consist of evergreen species of planting material. These shrubs shall be a locally adapted species expected to reach a minimum height of thirty (30) inches and a minimum spread of thirty (30) inches within three years of planting.
 - c) Where parking is located within fifty (50) feet of the Barbee Avenue or E. Farriss Avenue right-of way, landscaping shall be arranged in such a manner as provide low-level screening from vehicle headlights that may face towards Barbee Avenue or E. Farriss Avenue.

C. Transportation

1. Vehicular Access:

1. N. Centennial Street

No new vehicular access shall be permitted from N. Centennial Street. Access shall be permitted to N. Centennial Street from the following existing streets, Montlieu Avenue (private street) and Alumni Avenue (private street).

2. Barbee Avenue

One (1) point of emergency access shall be allowed to Barbee Avenue. This access point shall be gated and not intended for general or service vehicle access; and shall be installed as approved by the High Point Department of Transportation.

2. Right-of-way Dedication and Improvements:

- a. The Director of Transportation shall approve all construction and improvements.
- b. The property owner shall dedicate an easement to cover the loop detectors for the signal operation on the closed (abandoned) portion of Montlieu Avenue where it intersects N. Centennial Street.

c. Intersection of N. Centennial Street and E. Farriss Avenue (southern portion of E. Farriss)

The property owner shall dedicate right-of-way along N. Centennial Street for the installation of a northbound right turn lane from N. Centennial Street into E. Farriss Avenue; and construct a north bound right-turn lane from N. Centennial Street into E. Farriss Avenue prior to the construction of a welcome center/guard house on E. Farriss Avenue.

d. The City of High Point Director of Transportation shall approve the exact location and design of all access points and turn lanes. In addition, the Director of Transportation and the North Carolina Department of Transportation (NCDOT), if applicable, shall approve all construction and improvements.

SECTION 3

That plans for any development on the property described herein shall be pursued in accordance with this conditional zoning district and shall be submitted to the City of High Point and other approval authorities for review in the same manner as other such plans now required to be approved by the City of High Point.

SECTION 4

Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5

That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6.

This ordinance shall become effective upon the date of adoption.

____th day of _____, 2014.

Lisa B. Vierling, City Clerk

Conditional Zoning Case 14-09 Supplemental Information	
Initial Zoning Application	Adopted September 15, 2014 (Ordinance # xxxx / 14-xx)

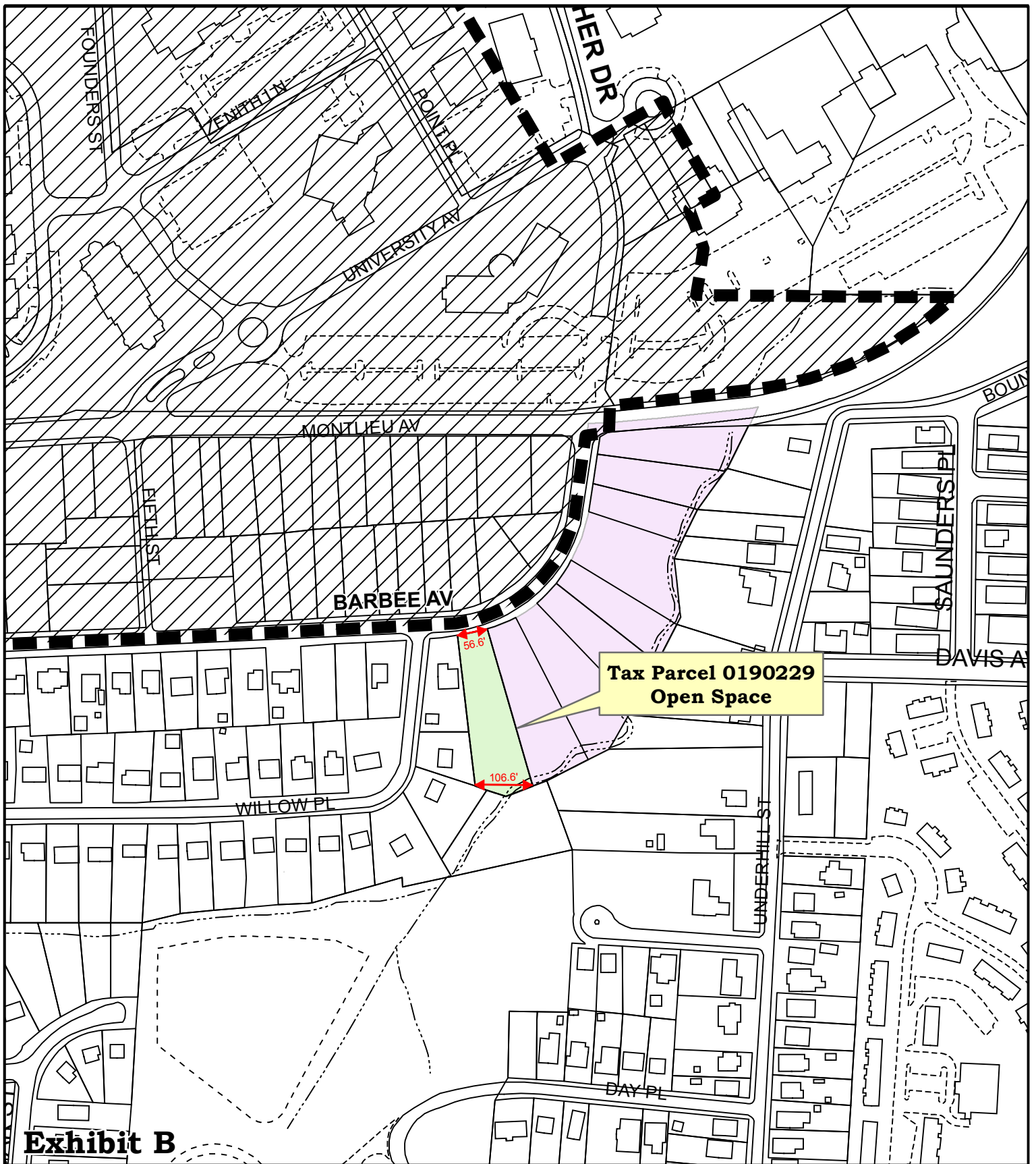


Exhibit B

AMENDMENT TO CZ14-09

From: Residential Single Family-7
To: Conditional Zoning Public Institutional

Existing Zoning Boundary —————
Subject Property Boundary - - - - -

**Planning & Development
 Department**

City of High Point

Date: September 16, 2014



Scale: 1"=200'
 G:\Planning\Secure\ba-pz/
 2014\pz\Az14-09exh.mxd

Citizens Information Meeting Report Amendment to Zoning Case 14-09

Submitted by: Chris Dudley, on behalf of
High Point University



HIGH POINT UNIVERSITY

September 8, 2014

To: City of High Point, North Carolina
Planning and Development Department

From: Chris Dudley
Chief of Staff

Re: Major Amendment Zoning Case CZ-14-09
Citizens Information Meeting, September 4, 2014, 6:00 P.M.

High Point University conducted a Citizens' Information Meeting in support of a Major Amendment to Zoning Case CZ-14-09. The meeting was held at High Point University in Norton Hall Room 103. Letters of invitation were mailed to 33 residents on August 25, 2014 (letter is attached). The application is for Rezoning and Amendments to Zoning Case CZ-14-09, which includes 10 parcels totaling approximately 4 acres fronting Barbee Avenue between Montlieu Avenue and Willow Place. Chris Dudley, Chief of Staff, and Dan Pritchett of Jamestown Engineering Group, Inc., represented the University.

Maps illustrating current and proposed projects within the University's main campus were reviewed with the participants, including their proposed use. Maps indicating the specific properties proposed for rezoning within this Major Amendment were also reviewed. Citizens were informed that a separate request to abandon/close the Barbee Avenue right-of-way fronting the lots included in this amendment between Willow Place and Montlieu Avenue was being brought before City Council concurrently with the Major Rezoning Amendment. It was emphasized that all current zoning conditions previously approved for the future Health Science site adjoining the property within this Major Amendment would also apply to this site. In addition, the entire area of the 1022 Barbee Avenue lot would be designated as open space to be utilized as a perimeter buffer.

It was a very positive meeting with specific discussion focused on the following:

- The current proposed schedule for site development.
- Zoning conditions applicable to site lighting and increased planting buffers along public streets. Discussions of the type of fencing proposed to be installed around the university properties was also discussed.

A copy of the Sign-in Sheet for this case is also attached.

Sign-In Sheet

Citizens Information Meeting
September 4, 2014
High Point University
RS-7 to CZ-PI

Major Amendment Rezoning Case No. 14-09
Rezoning Location: Lot Nos. 1022 - 1040 Barbee Avenue

Name

Address

Phone No./E-Mail
Address

CAROLYN JOHNSON

489 ROBIN LN. ARCHDALE NC 27263

C. Johnson
randolph.k12.nc.us

Barbara Dockery
David Dockery

1008 Barbee Ave High Point NC 27260
" " " "



August 25, 2014

**Subject: Citizen Information Meeting, Thursday, September 4, 2014
Rezoning of Lots 1022 – 1040 Barbee Avenue**

Ladies and Gentlemen,

A Citizen Information Meeting will be held on, Thursday, September 4, 2014, at 6:00 p.m. in Norton Hall, Room 203 (corner of University Avenue and Panther Drive) for the purpose of allowing us to inform you about our rezoning proposal.

High Point University has filed an application with the City of High Point for a major amendment to Conditional Zoning Case 13-08, and land use plan map amendment (from RS 7 to CZ PI) of 10 lots (1022 – 1040) on Barbee Avenue. The major amendment request includes rezoning of the lots from RS - 7 to CZ - PI. All zoning conditions of Zoning Case CZ-PI 13-08 will remain in effect. The property consists of 10 lots and approximately 4 acres.

We have enclosed for your review a Conditional Use District Zoning Citizen Information Meeting Statement made available by the City of High Point, which may help clarify the rezoning process and requirements.

The next meeting of the Planning and Zoning Commission with a public hearing on this proposal is scheduled to take place at City Hall on Tuesday, September 23, 2014, at 6:00 p.m.

Questions, comments, or concerns should be directed to Ron Guerra, Director of Construction and Renovation at 336-841-9363.

We look forward to answering your questions and receiving your input.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'Ron Guerra', written over a blue rectangular stamp that says 'HIGH POINT UNIVERSITY' in all caps.

HIGH POINT UNIVERSITY

Ron Guerra, MBA
Director of Construction and Renovation

CITY OF HIGH POINT

AGENDA ITEM

**Title: Official Payments Contract Renewal****From:** Bob Martin, Director of Customer Service**Meeting Date:** October 20, 2014**Public Hearing:** No**Advertising Date /****Advertised By:****Attachments:** Contract Renewal

PURPOSE: The Customer Service Department needs to renew its contract with Official Payments regarding the electronic processing of credit cards and checks for utility and non-utility payments.

BACKGROUND: The City of High Point began its relationship with Official Payments in 2006. The City was faced with new credit card regulations regarding Payment Card Industries (PCI) requirements and existing electronic credit card software was not within the required guidelines. Official Payments met those guidelines and continues to meet all PCI Compliance regulations. This will be the first renewal of this contract.

The City uses the Official Payments software to accept electronic utility credit card and check payments by phone, web and with a customer service representative. During the 2013-2014 budget year Official Payments processed 185,000 electronic payments.

With the implementation of Accela, this software will be used to accept payment for fees associated with the Planning and Inspection Department.

The existing Official Payments contract auto renews on November 1, 2014 with a reduction in price per transaction once Customer Service has completed a migration to a new platform. The reduction in transaction fees will result in an annual savings of \$35,000. The amount of \$255,000 is budgeted in the 2014-2015 budget (631256-527299).

BUDGET IMPACT: Funds for the Official Payments contract renewal are included in the 2014-15 budget.

RECOMMENDATION / ACTION REQUESTED:

The Customer Service Department recommends that City Council approve the continuing contract relationship with Official Payments.



OFFICIAL PAYMENTS SERVICES AGREEMENT

THIS OFFICIAL PAYMENTS SERVICES AGREEMENT (this "Agreement") is made effective this 1st day of November, 2012 (the "Effective Date"), by and between Official Payments Corporation, a Delaware corporation ("Official Payments"), and City of High Point, NC ("Client"). Client agrees to engage Official Payments, and Official Payments agrees to accept such engagement by Client, to perform the services (each a "Service" and collectively the "Services") in accordance with: (i) the Standard Terms and Conditions attached hereto as Schedule A, (ii) the Service Schedule for the Services selected which is attached hereto as Schedule B ("Service Schedule"), and (iii) the Fee Schedule which is attached hereto as Schedule C ("Fee Schedule"). Client will be provided with the Services as described in the attached Service Schedule on the terms set forth in Schedule A and in consideration of the fees set forth in the Fee Schedule.

Each party acknowledges that it has read and fully understands this Agreement and, by having its authorized representative sign below, agrees to its terms. This Agreement may be executed in counterparts, each of which shall be considered an original, but such counterparts shall together constitute one and the same document.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto as of the Effective Date.

OFFICIAL PAYMENTS CORPORATION

By: _____

Name: *Jeffrey W. Hodge*

Title: *Chief Financial Officer*

Address: 3550 Engineering Drive, Suite 400

Norcross, Georgia 30092

Email: clientservice@OfficialPayments.com

Telephone: 770-325-3100

Fax: 770-325-3099

CLIENT: City of High Point

By: _____

Name: *Randy E. McCaslin*

Title: Assistant City Manager

Address: P.O. Box 230
High Point, NC 27261

Email: randy.mccaslin@highpointnc.gov

Telephone: 336 883 3291

Fax: 336 883 3052

SCHEDULE A — TERMS AND CONDITIONS

These Terms and Conditions, together with the Signature Page, its attachments, exhibits, appendices, schedules, and/or Change Orders (collectively, this "Agreement"), are made and entered into by and between Official Payments and Client as of the Effective Date.

AGREEMENT

1. DEFINITIONS.

"Absorbed Fee" means the transaction fee, where applicable, charged to Client by Official Payments for a Customer making payment by use of the Services. The Absorbed Fees are set forth in Exhibit C, Fee Schedule.

"ACH" means the Automated Clearing House.

"Change Order" means the Change Order as defined in Section 14.2 below.

"Client Designated Account" means the credit/debit account(s) established and maintained by Client at an ACH receiving depository institution reasonably acceptable to Official Payments. Client Designated Account is further described in Section 4.2.

"Client Marks" means Client's logo, trademarks and other service marks.

"Customer" means the person, business or entity that initiates and makes payment through a Payment Transaction.

"Gateway" means a service to facilitate electronic payment transactions initiated by a Customer by electronic check, for which ACH information is supplied by Official Payments to the ACH processor contracted by the Client for processing on behalf of Client. In such instances, as further set forth in this Agreement, Client bears responsibility for payment of all banking and ACH processing fees, management of returned items, and internal overhead costs related to ACH processing.

"NACHA" means the National Automated Clearing House Association.

"Official Payments Marks" means Official Payments' logo, trademarks and other service marks.

"Official Payments System" means Official Payments' and its Suppliers' electronic payment processing system, including, without limitation, its technology, hardware, software and equipment.

"Payment Transaction" means an electronic payment transaction initiated by a Customer and processed by Official Payments and/or its Suppliers under this Agreement.

"Service" or "Services" means the payment processing service or services selected on Service Schedule, as amended from time to time by written Change Order.

"Service Fee" means the transaction fee charged to a Customer by Official Payments for the convenience of Customer making payments by use of the Services. The Service Fees are set forth in Exhibit C, Fee Schedule.

"Signature Page" means the Signature Page with the signature of each party as entered into by and between Official Payments and Client, as of the Effective Date, whereby Official Payments has been engaged by Client to provide the Services.

"Suppliers" means Official Payments authorized vendors including, but not limited to, processors, and for Gateway service, ACH processor(s) who have been directly contracted by the Client.

2. PROVISION OF SERVICES. Official Payments will provide the Services in accordance with the Service Schedule(s) and Change Orders.

3. CLIENT OBLIGATIONS. With respect to each Service:

3.1 Client will comply with all applicable laws and regulations, including, without limitation, NACHA rules and regulations and applicable Payment Card Industry Data Security Standards (PCI-DSS)

regulations on behalf of itself, its employees, agents and Customers, and will be liable to Official Payments for any and all liabilities, claims, costs, expenses, reimbursement obligations, fines and penalties which arise in connection with a failure to do so.

3.2 Client will take all reasonable security precautions within its system, hardware and software to prevent unauthorized or fraudulent use of the Official Payments System by Client, Client employees and agents, and Customers. Official Payments may, but will not be required to, assign to Client one or more identification numbers or passwords for Client's use in obtaining the Services. Once such identification number(s) or password(s) have been delivered to Client by Official Payments, the use and confidentiality of such numbers and/or passwords will be the sole responsibility of Client.

3.3 Other than as provided in the Service Schedule(s), Client will not impose any surcharge or penalty on any of the Services.

3.4 If Client requests a customized reporting format, Client will provide Official Payments with its desired reporting format sufficiently in advance of the requested report delivery date. Customized reporting formats require Official Payments' prior written approval, and may result in the imposition of a fee by Official Payments to Client.

3.5 Client will not require, as a condition to initiating a Payment Transaction, that a Customer agree in any way to waive such Customer's rights to dispute the transaction with their banking institution for legitimate reasons.

3.6 Subject to Section 8, Client will actively market and promote the Services at its cost including the marketing materials Client selects in accordance with the Fee Schedule. Client's marketing and promotion of the Services will include publishing the relevant URL for the Official Payments website and relevant telephone number (as applicable) on all relevant marketing materials. Client will obtain Official Payments' prior consent for the use of any promotional or marketing materials that reference the Services or Official Payments, except as to the pre-approved marketing materials provided by Official Payments. Client agrees to incorporate all reasonable changes requested by Official Payments into any of the marketing materials to ensure (i) the correct usage of the Official Payments trademarks and logos, (ii) the accuracy of the content, and (iii) acceptable graphics and presentation.

3.7 Client will be solely responsible, at its own expense, for acquiring, installing and maintaining all of its own equipment, software and data communication service, which is not a part of the Official Payments System.

3.8 If requested by Official Payments, Client will execute, and deliver to Official Payments, ACH authorization agreement(s), in the format provided by Official Payments, to authorize electronic credits/debits to/from the Client Designated Account, and any other certificates, instruments or documents as required by applicable laws and regulations in order to consummate the transactions and/or provide the Services contemplated by this Agreement.

3.9 If required by a credit card association, with respect to a Service, Client will enter into any applicable merchant credit card agreements and Client will fully adhere to the rules, regulations and operating procedures of such association, including without limitation, the use of specific credit card logos and marks.

3.10 For Electronic Check Services (Gateway version), Client will, with respect to such Service: (i) enter into applicable ACH processor agreement(s) and will fully adhere to the rules, regulations, and operating procedures of the same; and (ii) remain solely responsible for the management of returned items and the Client's internal overhead costs related to ACH processing.

3.11 Client shall (i) collect and verify all identification information as required by law or government regulation, and (ii) make such identifying information available to Official Payments if requested by a regulator, law enforcement officials, or judicial process.

3.12 Client agrees that with respect to the Point-of-Sale portion of the Services, as set forth on the Schedules hereto, Client shall, upon written notice by Official Payments that Official Payments can provide the functionality associated with delivery of Point-of-Sale service, accept and approve in writing so as to timely include such Point-of-Sale service into the Services

4. FEES, TAXES, AND PAYMENTS.

4.1. Fees, Taxes and Payments. For each Service provided, Client and/or Customer, as designated on the Fee Schedule, will pay Official Payments fees for Services without set-off or deduction in accordance with the fees and charges set forth on the Fee Schedule. Except as otherwise specifically set forth on a Service Schedule, fees owed by Client will be calculated on a monthly basis and will be debited from the Client Designated Account monthly in arrears by Official Payments or its Suppliers. Fees are subject to change by Official Payments upon delivery of a Change Order as described in Section 14.2 below. In the event that Official Payments incurs an increase in transaction processing fees, taxes or other increase in fees required by applicable law, an association regulation or other third party during the Term of this Agreement, Official Payments may pass through such charges with ten (30) days prior notice. During the Term of this Agreement, and for ninety (90) days thereafter, Official Payments (or its Suppliers) are authorized by Client to debit from the Client Designated Account, any fees and other amounts owed by Client under this Agreement, including, but not limited to, chargebacks, deposit charges, refunds, fines (inclusive of those imposed by NACHA), ACH debits that overdraw the Client Designated Account, and any other fines or liabilities incurred by Client. Official Payments may obtain and review Client's credit report solely related to the Services hereunder.

4.2 Client Designated Account. Prior to any Payment Transaction, Client will establish a Client Designated Account and will provide Official Payments with the electronic record specifications and permissions necessary for funds settlement. Client will maintain such account during the Term of this Agreement and for at least ninety (90) days after expiration or termination for any reason. Client agrees to maintain sufficient funds in the Client Designated Account to satisfy all fees and other obligations of Client. Client authorizes Official Payments, its assignee or its Suppliers to debit via ACH transfer, the Client Designated Account for any such amounts Client owes Official Payments. If the amount in the Client Designated Account does not contain sufficient funds to cover fees and obligations of Client, Client agrees to pay Official Payments the amount it owes under this Agreement upon demand, in readily available funds, together with all costs and expenses incurred to collect such amount, including, without limitation, reasonable attorneys' fees.

5. SUSPENSION; RESTRICTIONS. Official Payments may immediately suspend the Services or withhold Services or individual Payment Transactions in the event: (i) Official Payments has reason to believe there has been or may be a breach of security, fraud, or misrepresentation in connection with the Services, (ii) continued provision of the Services would violate any applicable law, government regulation, the NACHA rules and regulations or the rules and regulations of a credit card association, (iii) of a significant increase in Official Payments' and/or its Suppliers' cost of providing the Services (iv) performance is delayed, impaired or rendered impossible as a result of a cause beyond Official Payments' or its Suppliers' control, (v) of breach of the terms of this agreement by Client, its employees, or representatives, (vi) the financial status or credit quality of Client is substantially diminished in the reasonable discretion of Official Payments, or (vii) of non-payment of fees or other charges when they become due. In the event that Official Payments suspends the Services under this Section 5, in its reasonable discretion, Official Payments will provide Client with notice and opportunity to cure the act or situation giving rise to the suspension. In the event of a suspension under this Section 5, Official Payments may require Client to establish a reserve account or institute other mutually agreed restrictions prior to Official Payments restoring Services. Official Payments will have no liability for any suspension in accordance with the terms of this Section 5. Additionally, the availability and use of specific types of credit cards, debit cards and other payment options for Payment Transactions is determined by Official Payments in accordance with Official Payments' relationships with card associations, and the applicable rules, regulations and laws, and Official Payments may terminate or suspend the use of any such card(s) or payment options at any time, in its sole discretion, without prior notice.

6. TERM AND TERMINATION.

6.1. Term. This Agreement will be effective on the Effective Date and thereafter will continue for a period of two (2) years (the "Initial Term"). Thereafter, this Agreement will automatically renew for successive one year periods (each a "Renewal Term"), unless either party provides written notification to the other party of its decision not to renew this Agreement no later than ninety (90) days prior to the end of the Initial Term or the then current Renewal Term (the Initial Term, collectively with any Renewal Term(s), constitutes the "Term").

6.2. Termination.

6.2.1 Termination for Cause. Either party may terminate this Agreement for cause if the other party: (i) fails to cure a material breach within thirty (30) days of receiving written notice detailing the breach; (ii) becomes subject to any voluntary or involuntary bankruptcy, insolvency, reorganization, or liquidation proceeding, a receiver, trustee, liquidator or similar agent or officer is appointed for that party, or a party makes an assignment for the benefit of creditors, or admits its inability to pay its debts as they become due; or (iii) commits any act related to the Services with the intent to defraud the other party.

6.2.2 Termination by Official Payments. Official Payments may terminate this Agreement at any time upon written notice to the Client in the event the provision of the Services hereunder is determined by Official Payments, in its sole discretion, to violate any law, statute, regulation, rule, order or operating procedure enacted or promulgated by a governmental or judicial authority of competent jurisdiction, NACHA (or any similar industry organization with authority over the Services), or in the event that any law, regulation, rule, order or operating procedure is enacted or promulgated which effectively reduces or eliminates the fees charged by Official Payments.

6.2.3 Termination for Convenience. Either party may terminate this agreement for convenience upon ninety (90) days prior written notice to the other party. In the event (i) Client terminates this Agreement for convenience within the first year of the Initial Term, or (ii) Client decides not to complete implementation after Official Payments begins the implementation process, Client shall pay Official Payments a termination fee of \$5,000 in recognition of Official Payments' start-up/decommissioning costs related to the Services.

7. ACCOUNT MONITORING; SECURITY. Official Payments and its Suppliers may monitor the use of Services or Payment Transaction activity and investigate unusual or suspicious activity, provided, that in no event does Official Payments assume any responsibility to discover any breach of Client's security or misuse of the Services. Client and Official Payments will immediately notify the other if either discovers

any breach of security or misuse of the Service(s). Official Payments will have the right, at Official Payments' sole cost, to inspect Client's operation, system and web site to verify Client's compliance with its security obligations under this Agreement. Client will be responsible for failure to use reasonable security precautions and for any fraud committed by its employees, representatives or Customers.

8. INTELLECTUAL PROPERTY. In order that Client may promote the Services and Official Payments' role in providing the Services during the Term, Official Payments grants to Client a revocable, non-exclusive, non-transferable, royalty-free license to use Official Payments' Marks for such purpose only, in a form as approved by Official Payments. Client does not, and will not, have any other right, title, license or interest, express or implied, in and to any object code, software, hardware, Official Payments Marks, service mark, trade name, trade dress, formula, Official Payments System, know-how, telephone number, telephone line, domain name, URL, copyrighted image, text, script (including, without limitation, interactive voice response or the Official Payments website scripts) or other intellectual property right of Official Payments (collectively "Official Payments Intellectual Property"). All such Official Payments Intellectual Property, and all rights, title and interests therein (other than the license rights expressly granted in this Agreement) are owned exclusively by Official Payments. Client's license to use any Official Payments Marks will terminate upon the earlier of (a) the termination or expiration of this Agreement, (b) immediately, in the event of any breach of this section by Client (c) immediately, upon notice by Official Payments to the Client. Client will not utilize any Official Payments Intellectual Property in any manner that would diminish its value or harm the reputation of Official Payments. Client agrees that any use of the Official Payments Marks will conform to reasonable standards of acceptable use specified by Official Payments. All use of the Official Payments Marks will inure to the sole benefit of Official Payments. In connection with the provision of the Services, Client grants to Official Payments a revocable, non-exclusive, non-transferable, royalty-free license to use Client Marks. Official Payments' license will terminate upon the termination or expiration of this Agreement.

9. COMPLIANCE WITH LAWS, RULES AND REGULATIONS. Each party will comply with all applicable federal and state laws, the rules and regulations of federal, state and local governmental authorities and governing industry associations, including without limitation, Federal Reserve Regulation E (12 C.F.R. Part 205), the rules of NACHA, the credit card association rules and regulations, PCI-DSS standards, and all applicable privacy laws and regulations, all of which are incorporated herein by reference and made a part of this Agreement as if set forth in full herein. Official Payments and Suppliers may from time to time establish reasonable rules, regulations and operational guidelines with respect to use of the Services by Client, and Client agrees to be bound by and comply with such rules, regulations and guidelines thirty (30) days after delivery thereof to Client, unless earlier or immediate compliance is (i) required by law or regulation, (ii) determined by Official Payments, in its reasonable discretion, to be necessary, or (iii) otherwise agreed upon in writing by the parties.

10. WARRANTY AND DISCLAIMER.

10.1 Warranty. Each party represents and warrants that it has the full legal right, authority and power to enter into this Agreement and perform its obligations hereunder and that the person who signs the Agreement for each party has full authorization to bind the respective party. Client will provide to Official Payments the forms that are necessary, as determined by Official Payments, to set up the Services within ten (10) days of full execution of this Agreement. Client represents and warrants to Official Payments that all information provided in such forms is current, correct and complete. Client agrees to notify Official Payments in writing of any changes to such Client information within ten (10) days of such change.

10.2. Disclaimer. Client acknowledges that electronic payment transactions and data processing involves the inherent risk of human and machine errors, omissions, delays and losses, including, without limitation, inadvertent loss or errors. Official Payments and its Suppliers do not, and cannot, control the flow of data to or from the Official Payments System, which depends in large part on the Internet and third parties, including, without limitation, connectivity/access providers. ACCORDINGLY, NEITHER OFFICIAL PAYMENTS NOR ITS SUPPLIERS WARRANT THAT THE SERVICES WILL BE ERROR FREE, UNINTERRUPTED, SECURE, OR VIRUS FREE, AND OFFICIAL PAYMENTS AND ITS SUPPLIERS DISCLAIM LIABILITY RESULTING FROM OR RELATED TO SUCH EVENTS. EXCEPT AS EXPRESSLY PROVIDED FOR HEREIN, THE SERVICES ARE PROVIDED "AS IS" AND "AS AVAILABLE", AND OFFICIAL PAYMENTS, ITS AFFILIATES AND SUPPLIERS MAKE NO REPRESENTATIONS OR WARRANTIES OF ANY KIND WHATSOEVER, WHETHER ORAL OR

WRITTEN, EXPRESS, IMPLIED OR STATUTORY, BY OPERATION OF LAW OR OTHERWISE, INCLUDING, WITHOUT LIMITATION, ANY IMPLIED OR STATUTORY WARRANTIES OF MERCHANTABILITY, FITNESS FOR PARTICULAR PURPOSE, CONFORMITY TO ANY REPRESENTATION OR DESCRIPTION, NON-INTERFERENCE, TITLE, OR NON-INFRINGEMENT.

11. INDEMNIFICATION.

11.1 Indemnification of Official Payments. To the extent permitted by law, Client will indemnify, defend, and hold harmless Official Payments, and its officers, employees, directors, agents, affiliates and shareholders, in their individual capacities or otherwise, from and against any and all losses, claims, demands, penalties, actions, causes of action, suits, obligations, liabilities, damages, delays, costs or expenses, including, without limitation, reasonable attorney's fees (collectively, "Losses") asserted by a third party that result from, relate to, arise out of, or are incurred in connection with: (i) Client's gross negligence or willful misconduct resulting in personal injury or property damage; (ii) Client's misuse of the Service or the Official Payments System; (iii) inaccurate or incomplete Client data or Customer data collected by Client; (iv) Client's failure to comply with applicable laws; (v) Client's failure to comply with the terms of this Agreement; or (vi) any claim of libel, violation of privacy rights, unfair competition or infringement of patents, trademarks, copyrights or other intellectual property.

11.2 Indemnification of Client. Official Payments will indemnify, defend and hold harmless Client, and its officers, employees, directors, agents and shareholders, in their individual capacities or otherwise, from and against any and all Losses asserted by a third party that result from, relate to, arise out of, or are incurred in connection with: (i) Official Payments' gross negligence or willful misconduct resulting in personal injury or property damage; (ii) Official Payments' failure to comply with laws applicable to Official Payments as a provider of a Service; or (iii) a claim that a Service infringes a registered U.S. patent, trademark or copyright. However, Official Payments will not be liable for (and Client will indemnify Official Payments against) any infringement claim that results, in whole or in part, from: (a) Client's use of a Service in a manner or for a purpose not specifically described in the applicable Service Schedule, or (b) Client's products or services; or (c) Client's failure to implement corrections or changes provided by Official Payments. If a claim has been asserted that the Service infringes a registered U.S. patent, trademark, or copyright, or in Official Payments' opinion such a claim is about to be asserted, Official Payments may, at its option either: (1) procure for Client the right to continue using the Service; (2) replace or modify the Service so that it becomes non-infringing; or (3) terminate the applicable Service.

11.3 Contingencies to Indemnification. The obligation to provide indemnification under this section is contingent upon: (i) the indemnified party promptly notifying the indemnifying party in writing of any claim; (ii) the indemnifying party having sole control over the defense and settlement of the claim, provided, however, that the indemnifying party may not settle a claim, accept liability or incur obligations on behalf of the other party without the other party's written consent, which will not be unreasonably withheld or delayed; or (iii) the indemnified party reasonably cooperating during defense and settlement efforts at its own expense. Notice will be considered prompt so long as there is no material prejudice to the indemnifying party.

12. LIMITATION OF LIABILITY. NEITHER OFFICIAL PAYMENTS NOR ITS SUPPLIERS WILL BE LIABLE FOR INDIRECT, SPECIAL, PUNITIVE, INCIDENTAL OR CONSEQUENTIAL DAMAGES, INCLUDING WITHOUT LIMITATION, LOSS OF PROFITS, REVENUE, BUSINESS, DATA OR DAMAGES FROM LOSS OF USE OR DELAY, ARISING OUT OF OR IN CONNECTION WITH THIS AGREEMENT, HOWEVER ARISING UNDER ANY THEORY (INCLUDING BUT NOT LIMITED TO NEGLIGENCE, TORT, CONTRACT, STRICT LIABILITY OR UNDER STATUTE), EVEN IF OFFICIAL PAYMENTS HAS BEEN INFORMED IN ADVANCE OF THE POSSIBILITY OF SUCH POTENTIAL CLAIM, LOSS OR DAMAGE. OFFICIAL PAYMENTS' TOTAL AGGREGATE LIABILITY FOR DAMAGES FOR ANY ACTION RELATED TO THIS AGREEMENT OR THE SERVICES PROVIDED WILL IN NO EVENT EXCEED THE AMOUNT OF THE FEES PAID TO OFFICIAL PAYMENTS IN CONNECTION WITH THE PARTICULAR TRANSACTION FOR THE SPECIFIC SERVICE GIVING RISE TO DAMAGES HEREUNDER. The foregoing limitation of liability and exclusion of certain damages will apply regardless of the success, sufficiency or effectiveness of other remedies. Client acknowledges that without its agreement to the limitations contained herein, Official Payments would be compensated differently, and would charge Client increased fees for the Payment Transactions.

13. CONFIDENTIALITY. Each party that receives confidential information (as "Receiving Party") will treat information received from the other (as "Disclosing Party") (verbally, electronically, visually, or in a written or other tangible form) that (i) is designated as "confidential" at or prior to disclosure, or (ii) should be reasonably understood to be confidential or proprietary ("Confidential Information") as strictly confidential. Official Payments designates information relating to the Services and the terms of this Agreement as its Confidential Information. Non-public financial information that is personally identifiable to a Customer (referenced in the Gramm-Leach-Bliley Act of 1999 as "Non-public Personal Information" or "NPI") is designated as Confidential Information.

Each party will: (i) restrict disclosure of the other party's Confidential Information to only its own employees and agents solely on a "need to know" basis in accordance with the Agreement; (ii) advise its employees and agents of their confidentiality obligations; (iii) require agents to protect and restrict the use of the other party's Confidential Information; (iv) use the same degree of care to protect the other party's Confidential Information as it uses to safeguard its own Confidential Information of similar importance but in any event at least commercially reasonable care; (v) establish procedural, physical and electronic safeguards, designed to prevent the compromise or unauthorized disclosure of Confidential Information; and (vi) notify the other party of any unauthorized possession or use of the other party's Confidential Information as soon as possible after learning of that unauthorized use or possession. Official Payments will promptly notify Client and, if requested by Client, each of its affected Customers, of any incident that has resulted or is likely to result in the misuse of NPI, and will comply with all laws regarding NPI that are applicable to it and the Services it provides.

Except as expressly provided for in this Agreement, Confidential Information will remain the property of the party from or through whom it was received. Except for NPI, neither party will be obligated to preserve the confidentiality of any information that: (a) Receiving Party can demonstrate was rightfully known by Receiving Party prior to disclosure by Disclosing Party; (b) is a matter of public knowledge without Receiving Party's violation of these terms; (c) Receiving Party can demonstrate was or is independently developed by Receiving Party without use of Disclosing Party's confidential information; (d) is released for disclosure to Receiving Party with written consent of Discloser; or (e) properly came into the possession of Receiving Party from a third party that has the right to disclose it without an obligation of confidentiality. Disclosure of Confidential Information will be permitted if it is: (1) required by law; (2) in connection with the tax treatment or tax structure of the Agreement; or (3) in response to a valid order of a U.S. court or other governmental body, provided the owner receives written notice and is afforded a reasonable opportunity to obtain a protective order and further provided that such disclosure is limited to the minimum extent required by law as determined by an attorney. Upon termination of a Service Schedule, each party will destroy the other party's Confidential Information relating to that Service Schedule in a manner designed to preserve its confidentiality, or, at the other party's written request and expense, return it to the disclosing party, except as otherwise required by law. Every part of this section is subject to Client's compliance with the North Carolina Public Records Law.

14. GENERAL PROVISIONS.

14.1 Notices. Except as expressly provided herein, all notices and other communications required or permitted hereunder will be given in writing and will be delivered personally, by nationally recognized overnight courier, by facsimile or by e-mail to the applicable address shown on the Signature Page. Such notice, regardless of the manner delivered, will be deemed to have been delivered the next business day after delivery to the applicable address set forth on the Signature Page, with a second copy. Additionally, a second copy of any notice to Official Payments shall be addressed to the General Counsel at the same address. Any party may change its address for notice hereunder by providing notice to all other parties as provided herein. Each party agrees that any notice delivered by email is hereby deemed to be notice delivered "in writing" and, for notices containing requests for new services, agreements to receive new services, and other offers or acceptances regarding modifications to this Agreement, such email constitutes such party's "electronic signature" to such writing (provided that such email is sent by an authorized representative of such party).

14.2 Modifications. This Agreement may not be amended except by a writing executed by authorized representatives of both parties, or by a Change Order issued by Official Payments as set forth in this Section 14.2. From time to time Official Payments may issue a written modification to this Agreement ("Change Order"), which Change Order may be in response to a request for new Services by Client, or

may contain an offer of new Services by Official Payments, a price change, or other modification to this Agreement. Such Change Orders will be delivered and responded to in the manner set forth in Section 14.1. Each such Change Order will be effective upon mutual acceptance in writing by both parties of the same.

14.3 Entire Agreement; Severability; Waiver. This Agreement, together with the Signature Page, the Schedules, and any exhibits, as amended by any Change Orders, constitutes the entire agreement between Client and Official Payments with respect to the subject matter hereof, and supersedes any prior agreement, oral or written, between Client and Official Payments and/or its representatives(s) in connection with this Agreement. The failure of either party to enforce any terms or conditions of this Agreement shall not be construed as a waiver of such or any other terms or conditions herein contained. If any provision herein is held to be invalid or unenforceable for any reason, the remaining provisions will continue in full force without being impaired or invalidated in any way. The parties agree to replace any invalid provision with a provision that most closely approximates the intent and economic effect of the invalid provision.

14.4 Remedies. Except as otherwise expressly provided in this Agreement, (i) all remedies available to either party are cumulative and not exclusive, and (ii) termination, expiration or suspension of this Agreement will not limit either party from pursuing other remedies available at law or in equity.

14.5 Assignment. This Agreement may not be assigned by either party (by operation of law or otherwise) without the prior written consent of the other party; provided, however, that the foregoing will not prohibit Official Payments from assigning this Agreement or its rights hereunder, nor require the consent of the Client, in connection with any change of control, corporate reorganization, merger or consolidation of Official Payments. Any purported assignment, transfer, or delegation in violation of this Section will be null and void. Subject to the foregoing, this Agreement will be binding upon, inure to the benefit of, and be enforceable by the parties and their respective successors and assigns.

14.6 Status of the Parties; Suppliers. Official Payments is the agent of Client for the limited purpose of accepting payments from Customer and forwarding such payments to Client ("Official Payments Agency Role"). Except for the Official Payments Agency Role, the parties are independent contractors, and nothing herein will be construed to create a partnership, joint venture, franchise, or employer-employee relationship by or between Client and Official Payments. Except for Official Payments Agency Role, no party will have the authority to commit or bind any other party without such party's prior written consent. Client acknowledges and agrees that certain portions of the Services which enable Payment Transactions may be provided by Official Payments Suppliers, including, but not limited to, processing and formatting of Payment Transactions and the debiting and crediting of the Client Designated Account in accordance with the terms of this Agreement.

14.7 Headings. The headings that appear in this Agreement are inserted for convenience only and do not limit or extend its scope.

14.8 Construction. This Agreement will not be construed more strongly against either party, regardless of who is more responsible for its preparation.

14.9 Governing Law. This Agreement will be governed by and construed in accordance with the laws of the State of North Carolina excluding its conflicts of law rules.

14.10 No Third Party Rights. This Agreement is for the sole benefit of the parties hereto and nothing herein, express or implied, is intended to or shall confer upon any other person or entity any legal or equitable right, benefit or remedy of any nature whatsoever under or by reason of this Agreement.

14.11 Force Majeure. Official Payments will not be considered in breach of or in default of any of its obligations under this Agreement, and will in no way be liable to the Client hereunder, to the extent its performance hereunder is delayed, impaired or rendered impossible as a result of a cause beyond its control, including, without limitation, acts of God, natural disasters, acts of terror, war, riots, fire, storms, quarantine restrictions, floods, explosions, labor strikes, labor walkouts, extraordinary losses of utilities (including, but not limited to, telecommunications services), external computer "hacker" attacks, delays of common carriers or similar causes that are beyond Official Payments' reasonable control.

14.12 Enforcement. Each party acknowledges that the provisions of this Agreement regarding confidentiality and use of the other party's resources (including, without limitation, the Official Payments System and each party's intellectual property) are reasonable and necessary to protect the other party's legitimate business interests. Each party acknowledges that any breach of such provisions will result in irreparable injury to the other for which money damages could not adequately compensate. If there is a breach of such provisions, then the injured party will be entitled, in addition to all other rights and remedies which it may have at law or in equity, to have a decree of specific performance or an injunction issued by any competent court, requiring the breach to be cured or enjoining all persons involved from continuing the breach. The existence of any claim or cause of action that a party (or any other person involved in the breach) may have against the other party will not constitute a defense or bar to the enforcement of such provisions.

14.13 Survival. Any provisions of this Agreement that are, by their nature continuing, will survive the expiration or termination of this Agreement, including, without limitation, Sections 1, 4, 8, 11,12,13, and 14.

SCHEDULE B - SERVICE SCHEDULE

The services provided by Official Payments are described in accordance with this Service Schedule and are subject to and governed by the terms and conditions of the Agreement. Attached to this Service Schedule and incorporated by reference into the Agreement is the **Fee Schedule**, which lists the fees to be paid to Official Payments by the Customer and/or Client for the Services.

- ☒ **Electronic Check Services (Gateway version):** Official Payments accepts electronic payments from personal and business checking and savings accounts. Official Payments is NACHA compliant; for Gateway version electronic check services, as here, applicable NACHA compliance obligations attach to the Client.
- ☒ **Credit Card Services:** Official Payments accepts electronic payments from Customers using a major credit card, including VISA®, MasterCard®, American Express® and Discover®.
- ☒ **Debit Card Services:** Official Payments accepts electronic payments from Customers using a debit card, which may include VISA and MasterCard.
- ☐ **Bill Me Later®:** Bill Me Later provides an another alternative way for Customers to pay. Customers choosing the Bill Me Later option are transferred to the Bill Me Later site where they are given an opportunity to be approved by Bill Me Later. Upon approval by Bill Me Later the Customers obligation to the Client is paid by Bill Me Later and the Customer now has an agreement to pay Bill Me Later at a later date. Bill Me Later will invoice the Customer for the amount due.
- ☐ **Prepaid Cards:** Prepaid cards provide a convenient way for a Customer to convert physical cash to electronic funds; the purchaser then uses the card online to pay an obligation, similar to using a bank debit card. Many brands of prepaid cards are available at retail locations throughout the United States. Many brands permit a card to be loaded with funds and later reloaded up to a specific dollar limit.
- ☐ **MoneyGram®:** Cash payments are accepted at remote walk-up locations through Official Payments' partnership with MoneyGram, a leading global remittance company and expedited cash payment provider. With a presence inside all Walmart and CVS locations in the United States, MoneyGram is a convenient payment channel. MoneyGram has thousands of additional payment centers nationwide.
- ☒ **Point-of-Sale (POS):** Official Payments offers over-the-counter payment capability through its Virtual Terminal application which can turn any Internet-enabled Client computer into a POS payment processing station. It provides Client staff a streamlined process for making payments on behalf of Customers.

Virtual Terminals link directly to Official Payments' Internet payment gateway via Web Services technology. In this way, the virtual terminals perform all of the functions of traditional POS swipe machines while processing through Internet channels. Client personnel utilizing the Virtual Terminal begin transactions by entering user account and other information on the Virtual Terminal application screen. This page is similar to Official Payments' standard payment processing web pages but is reduced to the minimum requirements for the fastest possible transaction processing. Once account and user information is verified, Client personnel will be prompted to enter payment card information.

If the Virtual Terminal had been equipped with a swipe reader, Client Personnel then swipes the credit card through the wedge and the information that is present on Tracks 1 & 2 of the card's magnetic stripe is retrieved and inserted into the application. Although the data stored on the back of the card may vary slightly by card brand (e.g., VISA, MasterCard, American Express,

etc.) the following elements are typically present: card number, expiration date, and cardholder name. In all cases, the payment webpage is flexible enough to allow for the inclusion of all required data.

In POS transactions, Client personnel act as an agent of Customer in making the payment and not as agent of Official Payments in processing the payment. Client personnel are responsible for providing all consumer disclosures and notices to Customer, including but not limited to the amount of the service fee and the right of the Customer to cancel the transaction before it is finalized.

- ☒ **IVR (Interactive Voice Response):** Official Payments offers hosted payments by telephone either through its standard IVR entry point (800-2PAYTAX) or a customized IVR solution which requires custom development at a cost to the Client. IVR systems are backed by the same security and reliability built into the Internet model to protect Customers and their sensitive data. IVR-based payments are integrated with the same reports generated for Web-based payments providing a single source for all payment information. All text messages and prompts are user-friendly and designed to collect the necessary information to identify and reconcile the collected payments. The IVR script can be presented in both English and Spanish.
- ☒ **Mobile Payments:** Official Payments offers a mobile-friendly site to allow Customers to pay via their smartphones, tablet, or other approved mobile communication device.
- ☐ **Installment Payment Plan:** The installment payment plan Service is a Web-based solution that allows Customers to make periodic installment payments instead of paying in one lump sum, subject to frequency and maximum number of installments as required by law. Official Payments administers the plan through its Website on behalf of the Client according to Client requirements. Client acknowledges that Official Payments is not a bank and does not provide credit, lend money or take deposits. Official Payments provides the Customer, on behalf of Client, an electronic payment processing service to facilitate payments from the Customer to the Client. Successful completion of a payment transaction is (a) conditioned on Customer providing to Official Payments accurate and complete information with regard to the transaction and Customer's method of payment; and (b) subject to financial institution and Client acceptance, approval, authorization and processing of each payment. To establish an account under the Service, a Customer must complete the online enrollment process, pay the application fee, and agree to the terms and conditions of the Online Services Agreement including authorization of the payment transaction debit.

Cancelling or Changing a Payment: A Customer may request to cancel or change a scheduled payment in accordance with the established procedures as provided in the Official Payments Website and must be submitted to Official Payments by 12:00 pm Eastern Time on the day prior to the scheduled payment that the Customer wishes to cancel or change. If the Customer does not provide such notice to Official Payments prior to the scheduled payment date, Official Payments may not be able to cancel or change the processing of the payment as originally scheduled.

Client Modifications: The Client may request a modification to the original schedule of installment payments as part of its billing cycle and process. Official Payments is obligated to disburse to the Client only those payments actually received directly from the Customer in an authorized and approved transaction. Official Payments may request and obtain a credit check on a Customer's credit.

SCHEDULE C - FEE SCHEDULE

Additional Payment Terms

Any fees owed by Client and not debited by Official Payments in accordance with section 4 of the Agreement are due and payable within ten (10) days of the date receipt of invoice. Fees and other charges owed to Official Payments and not paid when due will bear interest of 1.5% per month, but in no event more than the highest rate permitted by law. Official Payments may issue a Change Order from time to time which Change Order may contain changes to the Services, new Services, changes to the fees, and/or other modifications to this Agreement. Such Change Orders and the changes issued in the Change Order shall become effective as provided in section 14.2 of this Agreement.

A. Electronic Check (Gateway version) Fees

Service Fees to be charged to Customer by Official Payments:

\$_____ per Payment Transaction

Fees to be charged to Client by Official Payments:

Set-up Fee: \$ 0.00

Absorbed Fees: \$0.50 per Payment Transaction

(Not applicable for Gateway version)

Returned Transaction Fee: Please indicate Agency option choice:

- ☐ \$_____ as a Returned Transaction Fee for each Returned Transaction. Official Payments will not represent the returned item to the depository institution identified by Customer in the Payment Transaction.
- ☐ \$_____ as a Returned Transaction Fee for each initial Returned Transaction. Official Payments will make one Representment of the returned item to the depository institution identified by Customer in the Payment Transaction.

B. Credit/Debit Card Fee Schedule

Service Fees to be charged to Customer by Official Payments:

Absorbed Fees to be charged to Client by Official Payments:

For Utility Bill Payments, Client will pay Official Payments an Absorbed Fee of \$1.75 for each Payment Transaction. American Express will not be accepted for utility payments.

C. Bill Me Later

D. Prepaid Cards

E. MoneyGram

F. Point-of-Sale (POS) (effective if and as indicated in Section 3.12 of the Agreement)

G. IVR (Interactive Voice Response):

Same as Electronic Check and Credit/Debit Card Fee Schedules above.

H. Installment Payment Plan:

I. Marketing Material

In order to effectively market the services for the benefit of Official Payments and Client, Official Payments shall provide marketing materials to be used by Client to market and promote the services during the term of Agreement. In consideration of Official Payments providing the marketing materials Client shall select a marketing package and pay the corresponding fee.

☐ **Level I: Fee: \$2,500**

- FAQs
- Buck Slips/Counter Cards
- Poster/Flyers
- Business Cards
- Access and training on Official Payments Client Connect marketing portal

☐ **Level II: Fee: \$5,000**

- Customized FAQs
- Customized Buck Slips/Counter Cards
- Customized Poster/Flyers
- Customized Business Cards
- Website Consultation and Recommendations
- Access and training on Official Payments Client Connect marketing portal

☐ **Level III: Fee: \$10,000**

- *Level II marketing*
- Creative for Client's Website –
- Call to Action; Banner; Copy
- Announcement of Partnership in Official Payments Social Media Channels
- Facebook

-
- Twitter
 - Linked In

- Upcoming Due Date Promotion (Select One)
- Promotion on Official Payments Social Media Channels
- Promotion on Official Payments Blog

**HIGH POINT CITY COUNCIL
SPECIAL MEETING
OCTOBER 16, 2014 – 9:00 A.M.
CITY MANAGER’S CONFERENCE ROOM**

MINUTES

Present:

Mayor James C. Davis (Ward 5) and Council Members Rebecca R. Smothers (At-Large); Britt Moore (At-Large); Judith P. Mendenhall (Ward 3); Jay Wagner (Ward 4); and Jason Ewing (Ward 6)

Absent:

Council Members Jeff Golden (Ward 1) and Foster Douglas (Ward 2)

Staff Present:

City Attorney, JoAnne Carlyle; City Clerk Lisa Vierling

Others Present:

Heather Lee, Senior Partner, Developmental Associates, LLC
Joe Durham, Retired Wake County Manager, Developmental Associates, LLC

Mayor Davis called the meeting to order and announced the purpose of the meeting was to go into a Closed Session for the purpose of personnel (city manager search), pursuant to North Carolina General Statute 143-318.11(a)(6).

Upon motion duly made and seconded, Council went into a Closed Session at 9:00 a.m. for the purpose of meeting with the consultant to conduct the secondary screen and to discuss applicants for the city manager search that is underway.

Upon motion duly made and seconded, Council reconvened into Open Session with an announcement that no action was taken as a result of the Closed Session.

The meeting adjourned at 11:00 a.m. upon motion duly made and seconded.

Respectfully Submitted,

Lisa B. Vierling, MMC
City Clerk

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 9-3-12, ZONING MAP AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of The City of High Point adopted “The City of High Point Development Ordinance” on January 7, 1992 with an effective date of March 1, 1992, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on September 23, 2014 and before the City Council of the City of High Point on October 20, 2014 regarding Amendment to Zoning Case 14-09 a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on September 14, 2014, for the Planning and Zoning Commission public hearing and on October 8, 2014 and October 15, 2014, for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

WHEREAS, the proposed amendment was adopted by the City Council of the City of High Point on October 20, 2014.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT:

SECTION 1

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **A Conditional Zoning Public & Institutional (CZ-PI) District.** The property is approximately 96.3 acres and lying east of Willow Place, north of Barbee Avenue, east of N. Centennial Street, south of E. Farriss Avenue and west of Panther Drive. The property is also known as Guilford County Tax Parcels 0189862 thru 0189875, 0189888, 0189893, 0190022 thru 0190059, 0190162 (portion), 0190072, 0190073, 0190075, 0190077 thru 0190089, 0190107 thru 0190122, 0190126, 0190140, 0190161, 0190185 thru 0190187, 0190191, 0190196 thru 0190215; 0190229 thru 0190238; 0217153 and 0217154

SECTION 2

That the property herein described shall be perpetually bound by the following use(s) authorized and condition(s) imposed, unless subsequently changed or amended as provided for by the Development Ordinance.

Part I. USES:

- A. Permitted Uses:** Only the following land uses shall be permitted, subject to the development and dimensional requirements of the Public & Institutional (PI) District and the specific conditions listed in this Conditional Zoning Ordinance:
- a. Colleges or Universities (SIC 8220)
 - b. Fraternities or Sororities (Univ. or College)
 - c. Accessory Uses and Structures (customary)

- B. Guilford County Tax Parcel 0190229 (See Exhibit B) shall be maintained as open space. Except for grading and the installation of planting yards or fencing, no development shall be permitted.

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1. General Standards for the entire zoning site.

a. Screening of equipment, outdoor storage and loading docks:

Purpose and Intent: This section is intended to provide standards to mitigate negative impacts on adjacent property owners from viewing unsightly equipment, appurtenance or activities associated with permitted PI District uses. The intent is to filter views and to not have direct unobscured views of these areas; it is not intended to mandate 100% visual screening.

- i. Mechanical or electrical equipment, dumpsters, or other similar building appurtenances shall be screened from view, at a height of six (6) feet above ground level, as seen from the centerline of any adjacent public street. Existing or newly planted vegetation, opaque fences, masonry walls, other structures or combination thereof may be used to achieve an effective screen.
- ii. Within 100-feet of the perimeter of the zoning site, loading areas shall not be located on any side of a building that faces N. Centennial Street or E. Farriss Avenue. Loading areas facing Barbee Avenue shall be screened from view as seen from the centerline of Barbee Avenue.

b. Building Height:

- i. Barbee Avenue:
See Condition II.A.3 of this Conditional Zoning Ordinance.
- ii. N. Centennial Street and E. Farriss Avenue:
Within 200 feet of N. Centennial Street and E. Farriss Avenue, building height standard of the PI District shall apply. Beyond this 200-foot distance, a maximum building height of 100 feet shall be permitted.

c. Lot Combination: As requested by the Technical Review Committee, parcels associated with the zoning site shall be combined prior to development or subdivision.

d. Welcome Center Standards.

- i. Welcome Centers shall not be permitted within public right-of-ways.
- ii. The Welcome Center located at the intersection of N. Centennial Street and Montlieu Avenue (private drive) shall be oriented in such a manner that a minimum of seven (7) vehicular stacking spaces, per dimensional

standards of Table 5-6-2 of the Development Ordinance, shall be provided as measured perpendicular from the adjacent public street right-of-way (See Exhibit A “N. Centennial Street Entry Plan”).

e. Lighting

- i. Within fifty (50) feet of the perimeter of the zoning site, all freestanding exterior lighting shall be limited to twenty-five (25) feet in height. All lighting shall be directed inwards towards the interior of the zoning site and include the use of shields to direct lighting and glare away from adjacent residential uses.
- ii. Where the zoning site abuts residentially zoned parcel(s), exterior pole lighting shall be setback a minimum twenty-five (25) feet from the abutting residential parcel(s) property line. Said lighting shall be down lit and oriented inward toward the zoning site so as to shield adjoining residential properties from direct light.

2. N. Centennial Street Development Standards

The following development standards shall apply to townhome type dormitories or townhome type student housing developed within 100 feet of the N. Centennial Street right-of-way

- a. All buildings shall have a hip or gable pitched roof design.
- b. The size of each building(s) shall be limited to a maximum building footprint of 7,500 square feet.
- c. Except for where approved vehicular access points are located, parking, and vehicle circulation areas shall be located to the interior of the site so that buildings are located between the N. Centennial Street right-of-way and any parking or vehicle circulation areas. This shall not preclude placement of parking between buildings fronting along N. Centennial Street.
- d. The maximum building height shall be fifty (50) feet for any building within 100 feet of the N. Centennial Street right-of-way.
- e. Building Setback: Building setback shall meet standards of the PI District except as noted below:
 - i. Principal Building(s): A minimum thirty (30) foot setback shall be provided from the N. Centennial Street right-of-way.
 - ii. Accessory Structure(s): A minimum twenty (20) foot setback shall be provided from the N. Centennial Street right-of-way for covered and uncovered porches, decks and patios whether attached or unattached to a principal building, and any other accessory structure.

3. Barbee Avenue Development Standards

- a. Development and dimensional requirements of the PI District shall apply, except as follows:
 - i. A minimum fifty (50) foot building setback shall be provided from the Barbee Avenue right-of-way.

- ii. A maximum eighty-five (85) foot building height shall be permitted. The additional building setback requirement, noted in Table 4-11-5(f) of the Development Ordinance, for buildings over fifty (50) feet in height shall not apply.

B. Landscaping, Buffers, and Screening:

a. Fencing:

- i. N. Centennial Street: If fencing is installed along the N. Centennial Street frontage of the zoning site, the decorative perimeter fencing (brick & wrought iron/aluminum fencing) that generally outlines the boundary of the University shall be installed.
- ii. Barbee Avenue and E. Farriss Avenue: If opaque fencing is installed along the Barbee Avenue or E. Farriss Avenue frontage of the zoning site, said fencing shall be located behind the street planting yard.
- iii. Where the zoning site abuts a residentially zoned parcel(s), an opaque fence shall be installed in the required planting yard adjacent to the residential parcel.

b. Landscaping:

- i. Centennial Street frontage: A minimum thirty (30) foot wide Street Yard, planted at Type C rate, shall be installed along the N. Centennial Street frontage of the zoning site.
- ii. *Alternative Land Scape Plan along N. Centennial Street*
 - a) In lieu of ordinance requirements for street planting yards, a landscaping plan shall be required to be submitted for review and approval by the Planning & Development Department prior to issuance of any building permit upon the site. The objective of this plan is to screen the rear of structures located along N. Centennial Street frontages of the zoning site with an assortment of planting species, and to enhance the visual appearance of the permanent edge areas as identified in the University Area Plan. This plan shall at a minimum address the following:
 - b) This plan is specifically for the initial 75 feet of the site's N. Centennial Street frontages and should be designed to enhance the visual appearance of this corridor.
 - c) Through the use of an assortment of understory trees, canopy trees, shrubs, berms and other topography treatments, the exterior activity area at the rear of buildings shall be screened. The planting rate shall be sufficient to provide the desired screening effect within three (3) years of planting.
 - d) Fifty percent (50%) of trees and shrubs utilized on the plan along this roadway shall consist of evergreen species of planting material. These shrubs shall be a locally adapted species expected to reach a minimum height of thirty (30) inches and a minimum spread of thirty (30) inches within three years of planting.

- e) Along with the landscaping plan, a depiction of the building elevations and/or parking areas after landscaping, as viewed from N. Centennial Street may be requested from the property owners Landscape Architect to assist in assessing the effectiveness of the plan.
- iii. Barbee Avenue and E. Farriss Avenue frontage:
 - a) The Street Yard planting standards shall be increased from eight (8) foot width to a minimum width of fifteen (15) feet, and the planting rate for understory trees shall be increased from none to a minimum of 4 per 100 linear feet, and 33 evergreen shrubs per 100 linear feet. Additionally, these shrubs shall be a locally adapted species and are expected to reach a minimum height of thirty (30) inches within three years of planting.
 - b) Fifty percent (50%) of trees and shrubs utilized shall consist of evergreen species of planting material. These shrubs shall be a locally adapted species expected to reach a minimum height of thirty (30) inches and a minimum spread of thirty (30) inches within three years of planting.
 - c) Where parking is located within fifty (50) feet of the Barbee Avenue or E. Farriss Avenue right-of way, landscaping shall be arranged in such a manner as provide low-level screening from vehicle headlights that may face towards Barbee Avenue or E. Farriss Avenue.

C. Transportation

1. Vehicular Access:

1. N. Centennial Street

No new vehicular access shall be permitted from N. Centennial Street. Access shall be permitted to N. Centennial Street from the following existing streets, Montlieu Avenue (private street) and Alumni Avenue (private street).

2. Barbee Avenue

One (1) point of emergency access shall be allowed to Barbee Avenue. This access point shall be gated and not intended for general or service vehicle access; and shall be installed as approved by the High Point Department of Transportation.

2. Right-of-way Dedication and Improvements:

- a. The Director of Transportation shall approve all construction and improvements.
- b. The property owner shall dedicate an easement to cover the loop detectors for the signal operation on the closed (abandoned) portion of Montlieu Avenue where it intersects N. Centennial Street.

c. Intersection of N. Centennial Street and E. Farriss Avenue (southern portion of E. Farriss)

The property owner shall dedicate right-of-way along N. Centennial Street for the installation of a northbound right turn lane from N. Centennial Street into E. Farriss Avenue; and construct a north bound right-turn lane from N. Centennial Street into E. Farriss Avenue prior to the construction of a welcome center/guard house on E. Farriss Avenue.

d. The City of High Point Director of Transportation shall approve the exact location and design of all access points and turn lanes. In addition, the Director of Transportation and the North Carolina Department of Transportation (NCDOT), if applicable, shall approve all construction and improvements.

SECTION 3

That plans for any development on the property described herein shall be pursued in accordance with this conditional zoning district and shall be submitted to the City of High Point and other approval authorities for review in the same manner as other such plans now required to be approved by the City of High Point.

SECTION 4

Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5

That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

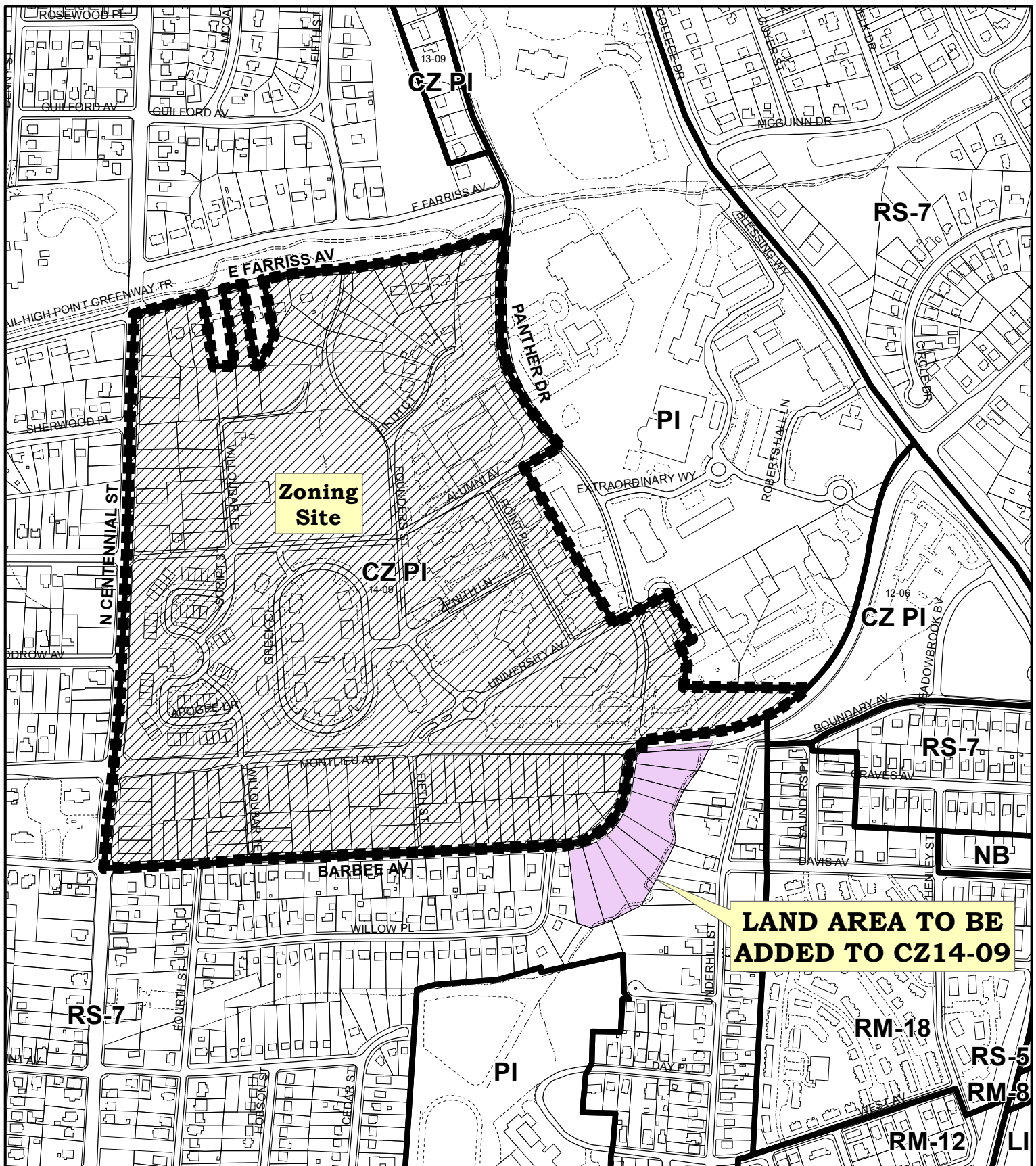
SECTION 6.

This ordinance shall become effective upon the date of adoption.

20th day of October, 2014.

Lisa B. Vierling, City Clerk

Conditional Zoning Case 14-09 Supplemental Information	
Initial Zoning Application	Adopted September 15, 2014 (Ordinance # 1798 / 14-77)



AMENDMENT TO CZ14-09

From: Residential Single Family-7
To: Conditional Zoning Public Institutional

Existing Zoning Boundary —————
Subject Property Boundary - - - - -

**Planning & Development
 Department**

City of High Point

Date: September 24, 2014



Scale: 1"=500'
 G:/Planning/Secure/ba-pz/
 2014/pz/Az14-09.mxd

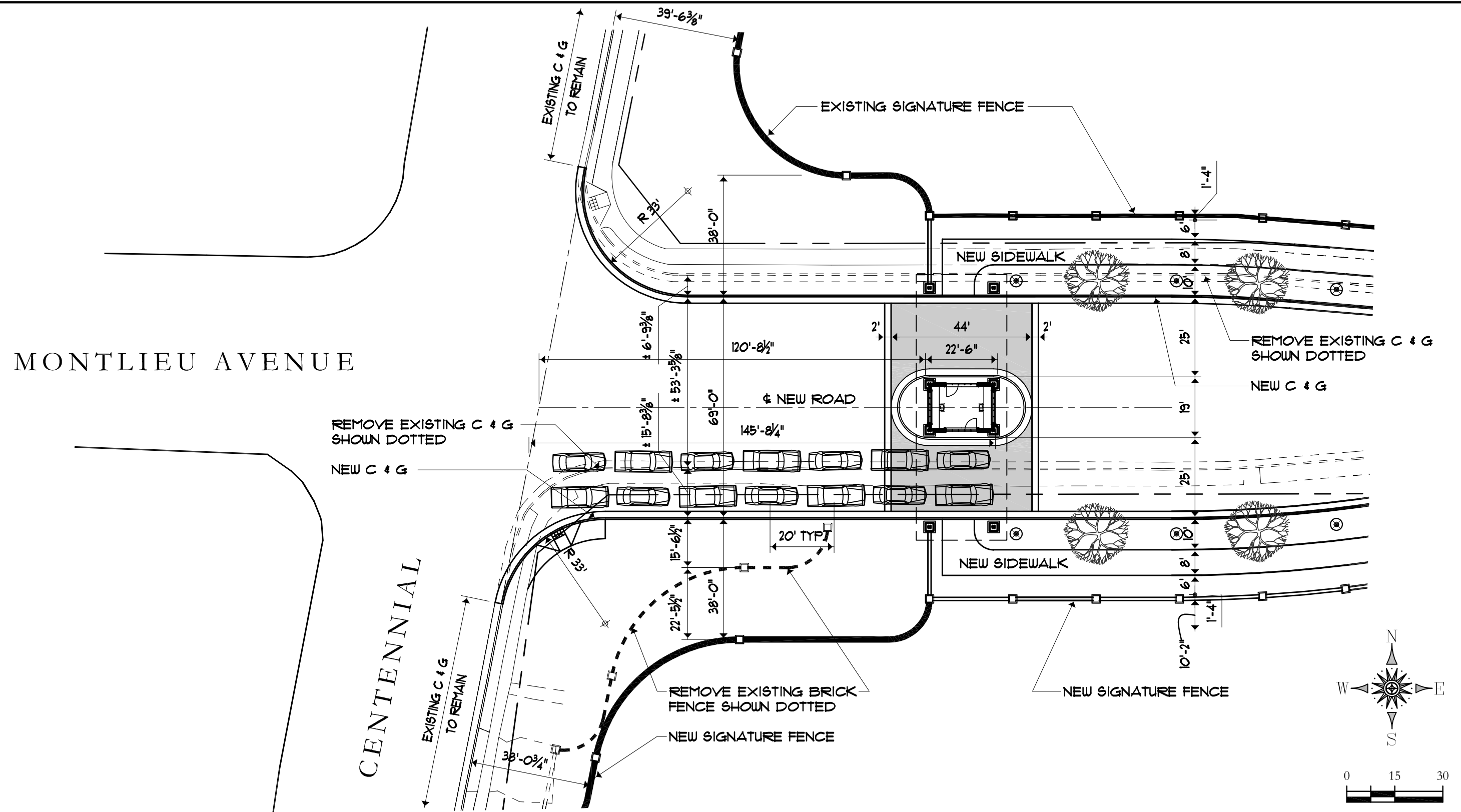


Exhibit "A"

CENTENNIAL ENTRY PLAN
HIGH POINT UNIVERSITY

H I G H P O I N T U N I V E R S I T Y

4-4-2014

**WALTER
ROBBS
CALLAHAN
& PIERCE**
Architects, P.A.

Suite 301
Winston-Salem, NC
Telephone
Fax

530 North Trade Street
27101
336-725-1371
336-725-1465



MERCER
ARCHITECTURE INC

1015 HUTTON LN. SUITE 106
HIGH POINT, NC 27262
PHONE: (336) 885-1200
FAX: (336) 885-1201

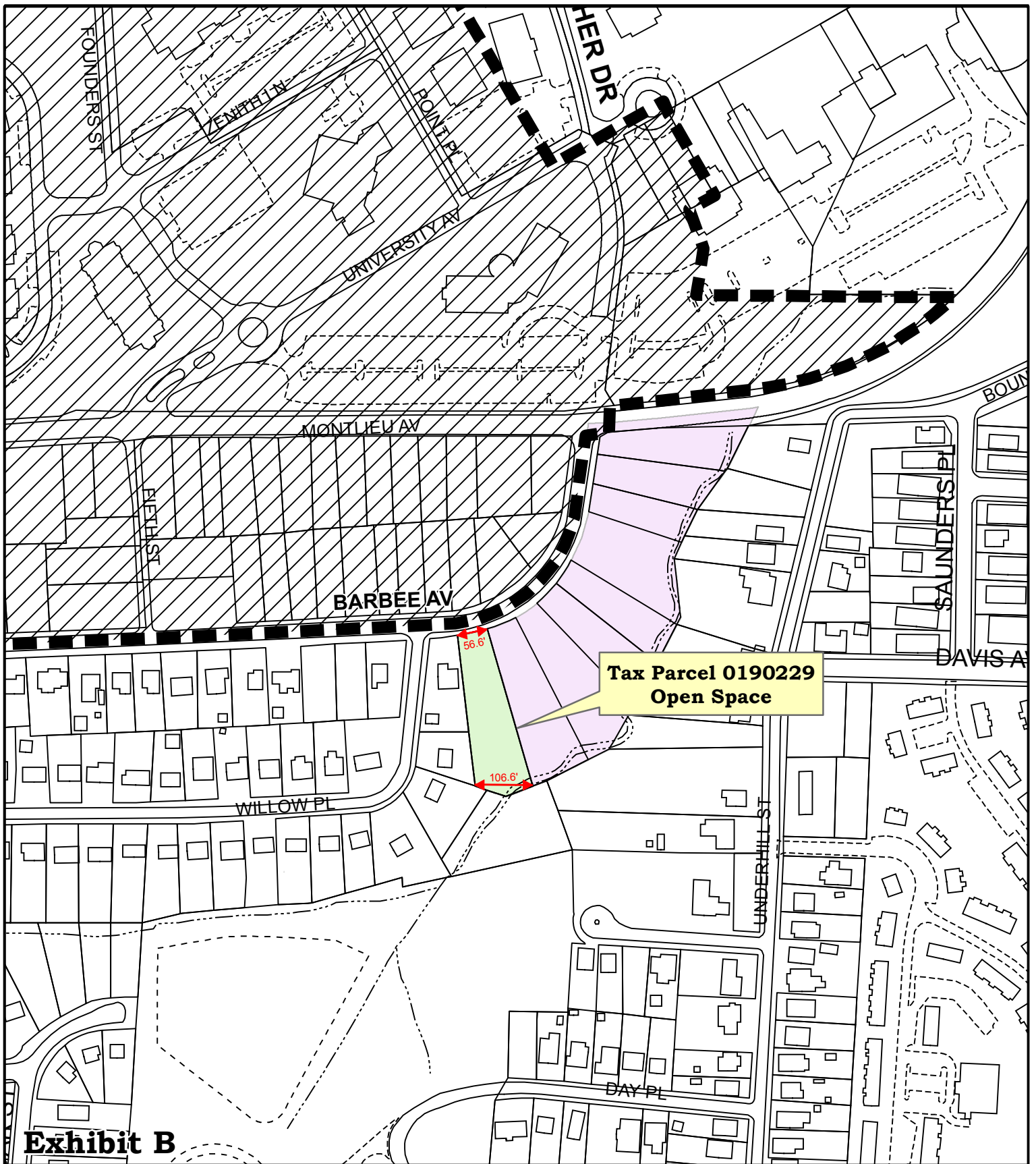


Exhibit B

AMENDMENT TO CZ14-09

From: Residential Single Family-7
To: Conditional Zoning Public Institutional

Existing Zoning Boundary —————
Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: September 16, 2014



Scale: 1"=200'
G:/Planning/Secure/ba-pz/
2014/pz/Az14-09exh.mxd

**FINANCE COMMITTEE
OCTOBER 6, 2014 – 4:30 P.M
CITY MANAGER’S CONFERENCE ROOM**

MINUTES

PRESENT:

Committee Chair Moore, Interim Mayor Davis, Council Member Wagner

OTHERS PRESENT:

Council Members Douglas, Ewing, Golden, Mendenhall and Smothers

STAFF PRESENT:

Randy McCaslin, Interim City Manager; Bob Morgan, Assistant City Manager, Eric Olmedo, Budget Officer; Jeron Hollis, Public Information; Jeff Moore, Director of Finance; Loren Hill, Economic Development; Terry Houk, Director of Public Services; Gary Smith, Fleet Services Director; Steve Lingerfelt, IT Director; Robby Stone, Assistant Director of Public Services; Melanie Bruton, MRF Superintendent; Keith Pugh, Director of Engineering; JoAnne Carlyle, City Attorney; Lisa Vierling, City Clerk; Dawn Sparks, Deputy City Clerk

MEDIA PRESENT:

Pat Kimbrough, *High Point Enterprise*

OTHERS PRESENT:

Cindy Davis, Planning & Zoning Commission

AGENDA ITEMS

140290 Contract – Purchase of Landfill Dozer

Council is requested to approve contract with Carolina Cat for the purchase of a 2014 Caterpillar D6K dozer for use at the landfill in the amount of \$169,500.00.

Gary Smith advised that the dozer itself along with the other two items on the agenda are all around eight to ten years old and have about 10,000 hours, which is when you begin seeing a lot of wear and tear on the equipment. Presently all three pieces of equipment are in good working condition, and staff is proposing that Council consider moving forward with replacing all three pieces of equipment now, but retaining this equipment for at least a couple of years as backup equipment. Over the past couple of years the tonnage in the landfill has increased and staff feels like requesting new equipment now would be the best solution for the City’s landfill.

Mr. Smith noted that other landfills similar to the City's have certain pieces of equipment on hand.

Randy McCaslin advised that the new landfill site and the old landfill site are about half a mile apart. Mr. McCaslin stated that if the purchase of this equipment is approved it will be part of an installment plan.

Council Member Ewing asked what the average life is of this equipment. Mr. Smith stated it would be about 15,000 hours, and they like to start looking for replacing the equipment when they accrue about 10,000, which leaves some resale value.

Council Member Smothers noted that it will take at least up to a year to get one of the pieces of equipment, and they should also consider the wear and tear moving from one landfill to another landfill has.

Council Member Douglas asked how much maintenance has been done on this equipment. Mr. Smith stated that all three of these have no major problems at the present and they could be useful as back up equipment for about two more years if they move them from primary everyday use to spare use at the old landfill site. Mr. Smith advised that they have invested a lot of dollars in maintenance over the course of eight years.

Council Member Douglas asked what the problem is with moving the equipment between landfills. Randy McCaslin stated it adds hours on the equipment, and that they actually have to put plates down on the road to protect it when crossing.

A motion was made by Mayor Davis, seconded by Council Member Wagner to forward this matter to Council with a recommendation of approval. Motion passed unanimously. (3-0 Vote)

140291 Contract – Purchase of Landfill Excavator

Council is requested to approve contract with Carolina Cat for the purchase of a 2014 Caterpillar 963DQ Track Loader for use at the landfill in the amount of \$274,832.00.

Note: This item was discussed jointly with item 140290 Contract - Purchase of Landfill Dozer and 140292 Contract – Purchase of Landfill Track Loader.

A motion was made by Mayor Davis, seconded by Council Member Wagner to forward this matter to Council with a recommendation of approval. Motion passed unanimously. (3-0 Vote)

140292 Contract – Purchase of Lanfill Excavator

Council is requested to approve contract with Carolina Cat for the purpose of a 2014 Caterpillar 963DQ Track Loader for use at the landfill in the amount of \$274,832.00.

Note: This item was discussed jointly with item 140290 – Contract of Landfill Dozer and 140291 – Purchase of Plandfill Excavator.

A motion was made by Mayor Davis, seconded by Council Member Wagner to forward this matter to Council with a recommendation of approval. Motion passed unanimously. (3-0 Vote)

140293 Contract – Bid No. 05 – Citrix Upgrade and Managed Services

Council is requested to approve contract awarding Bid No. 05 for the purchase of Citrix Upgrade and Managed Services. Purchasing and the Information Technology Department are recommending that contract be awarded to Slait Consulting, LLC in the amount of \$137,555.00.

Steve Lingerfelt advised that this is an upgrade for the Citrix system, which is a desktop virtualization program. Council Member Ewing asked why there is such a big difference in the three bids. Mr. Lingerfelt stated that the City has a longstanding relationship Slait and he felt the other two companies are not familiar with the City's infrastructure.

A motion was made by Council Member Moore, seconded by Council Member Davis to forward this matter to Council with a favorable recommendation of adoption. Motion passed unanimously. (3-0 Vote)

140294 Contract - Bid No. 06 – Two Ram Baler for the Materials Recovery Facility

Council is requested to approve contract awarding Bid No. 06 for the purchase of one (1) Two Ram Baler for the Materials Recovery Facility (MRF). Purchasing and the Public Services Department are recommending that contract be awarded to Becker Complete Compactor, Inc. in the amount of \$369,963.88.

Terry Houk advised at the last Manager's Briefing Council discussed the MRF. The MRF is now down to one baler. Mr. Houk advised that the baler is critical to the operation of the MRF, and they spent \$132,000 in repairs of it last year.

Mayor Davis asked if they were to purchase the baler and redirect how the City does its recycle program would they still need the baler. Mr. Houk stated that the furniture market is very critical to High Point, and one of the biggest issues Council needs to keep in mind is how they will handle furniture market.

Council Member Douglas felt with the discussion Council has been having about the MRF, this is a lot of money to invest in something they may eventually outsource. Council Member Moore noted that they have already spent \$132,000 in repairs to the old baler. Randy McCaslin stated that during furniture market they are working twenty four hours a day and they have to be able to bale all that material. Even if they did contract out the MRF there would be issues of the ability to bale and store that material around the clock.

Bob Morgan advised that it is his understanding that they have kept this baler going by using parts off of the first baler, and it has become difficult to get those parts, and it is getting at the end of the life of this piece of equipment.

Council Member Smothers noted that there is more to the discussion of the MRF as to whether or not you contract the service out, and it is an investment and they have to keep it running. Terry Houk stated if they were to have a catastrophic failure of this equipment that could not be repaired they would have to have something to handle the material regardless.

Mayor Davis stated that until the time they make a decision on the MRF if they can recover some of the investment on this equipment by selling the cardboard.

Council Member Ewing asked if it would be possibility to lease this equipment. Mr. Houk stated that because the baler is so specialized it probably would not be possible to lease it. Council Member Ewing requested they find information on possibly leasing a bailer until they make a decision on the MRF.

A motion was made by Council Member Moore, seconded by Mayor Davis to forward this matter to Council with a favorable recommendation of approval. Motion passed unanimously. (3-0 Vote)

140295 Contract Extension – Coltrane Avenue Storm Improvements

Engineering Services and Public Services requires City Council approval of the contract extension (Change Order #3) to add the Coltrane Avenue Storm Sewer Improvements to existing contract ENG2013-008 with Breece Enterprises in the amount of \$159,261.00.

Keith Pugh stated that Coltrane Avenue has a storm system that collects behind Spirro's Restaurant and runs across Coltrane Avenue into a drainage way that eventually runs along the railroad tracks. There are sink holes developing over this, which is a great indicator that there is separation in the joints and there is a failed system. There is a corrugated metal pipe that has been dropped into that channel and covered, and over the years that pipe has corroded to the point where it has about disappeared. The addition of this project onto the existing Water, Sewer, and Storm Contract is to replace, repair, and restore that system.

Randy McCaslin clarified that this is not a change order for the project, but rather a change order to the contract to add this project. Mr. Pugh advised that the contract has multiple projects on it.

Council Member Douglas asked if they had checked into anyone else doing this project. Mr. Pugh stated that they did not bid this out because that adds more time, instead they are adding this work to the existing contract at the existing pricing that is in the contract, which was competitively bid. This contract was advertised in February, took bids during March and awarded in April of 2014.

Council Member Douglas expressed a concern over seeing so many contracts awarded to Breece and the addition of change orders to these contracts. Randy McCaslin noted that this contract was bid in March of this year and he guaranteed that Yates Construction and Triangle were part of that bid process. Mr. Pugh stated that the original contract received pricing from \$1.3 million to \$2.7 million.

A motion was made by Mayor Davis, seconded by Council Member Moore to forward this matter to Council with a favorable recommendation of approval. Motion passed unanimously. (Vote 3-0)

140296 Contract – Washington Street Streetscape Project

Engineering Services recommends that Council approve the base bid with both alternates and award contract ENG 2014-003 Washington Street Streetscape Project to Atlantic Contracting at the bid amount of \$438,327.50.

Keith Pugh advised that they have a base bid and two alternates to go along with that bid. The base bid includes removing and replacing the existing sidewalk along Washington Street from Centennial up to Penn Griffin Drive. This would include removing and replacing the sidewalks and installing tree pits and trees. The alternate #1 bid is to replace the curb and gutter on the street that would be adjacent to the new sidewalks. Alternate #2 is to go back in and mill out the existing asphalt to recreate a typical crown section on the roadway and resurface the road.

Staff's recommendation is to go with the base bid along with alternate 1 and 2, for a total of \$438,000. Mr. Pugh stated that originally they had discussed adding this to a Sharpe Brothers contract, and their pricing came in about \$600,000 and staff did not feel comfortable coming back to Council with a recommendation to do that work for that amount.

Mayor Davis stated that Council approved \$429,000 to be spent on Washington Street, which included decorative lighting, and this bid does not include the decorative lighting. Mr. Pugh stated that they have also extended the length of the project. There is a budget amendment that Council will consider that includes the electrical work and includes the benches and waste receptacles. Mayor Davis expressed concern of going from a \$429,000 project to a \$.75 million dollar project, and felt it was important to know how much further they extended the project because it has come close to doubling in costs. Randy McCaslin stated that what was originally presented was staff's engineering estimate, and at that point they did not have the Sharpe Brothers' bid. The electrical costs are an additional \$217,000 which will come from the electrical department.

Mayor Davis stated that when Council was discussing this they had some different options and it was his recollection that costs went up to \$1.6 million and Council went with the \$429,000 because it included lighting, and now if they go on the same thought process as before, they are looking at about \$750,000. Mayor Davis felt like Council's decision may have been different knowing this.

Council Member Smothers stated that Council also needs to affirm its intent to do this project and only wants to make sure they know what the additional dollars are for.

A motion was made by Council Member Moore, seconded by Mayor Davis to place this matter into committee. Motion passed unanimously. (Vote 3-0)

140297 Budget Ordinance Amendment – Washington Street Streetscape Project

Council is requested to adopt a budget ordinance amending the 2014-2015 Budget Ordinance to appropriate funds for the Washington Street Streetscape Project.

Note: This matter was discussed jointly with Item 140296 Contract – Washington Street Streetscape Project.

A motion was made by Council Member Moore, seconded by Mayor Davis to place this matter into committee. Motion passed unanimously. (Vote 3-0)

140298 Resolution – Condemnation – 699 Joyce Circle – Highway 66/I-74 Industrial Park

Council is requested to adopt a resolution authorizing the city attorney's office to proceed with condemnation proceedings on the property described in Deed Book 1783, Page 3332 of the Forsyth County Registry located at 699 Joyce Circle, High Point, NC. The property is needed to provide water service to the Highway 66/I-74 Industrial Park Project.

Note: This item was not discussed because there was not a quorum present due to the fact that Mayor Davis and Council Member Wagner were recused from discussing and making recommendations on this matter. Accordingly, this matter will be discussed at the Committee of the Whole without recommendation from the Finance Committee.

Other Matters

Randy McCaslin explained that during the legal advertisement in Greensboro paper regarding the City of High Point Charter Amendment which is on the ballot, the paper mentioned the High Point form of government. JoAnne Carlyle explained that the legal advertisement was legally accurate, but it went into so much depth and detail that the article that this particular chapter falls under actually says "form of government", which was referenced.

ADJOURNMENT

The meeting adjourned at 5:30 p.m. on a motion duly made and seconded.

Respectfully Submitted,

Dawn J. Sparks, CMC
Deputy City Clerk

Council Member Moore

WOMBLE
CARLYLE
SANDRIDGE
& RICE

A LIMITED
LIABILITY PARTNERSHIP



Suite 2100
150 Fayetteville Street Mall
Raleigh, NC 27601

Mailing Address:
Post Office Box 831
Raleigh, NC 27602
Telephone: (919) 755-2100
Fax: (919) 755-2150
Web site: www.wcsr.com

Jennifer Distefano
NC State Bar Certified Paralegal
Direct Dial: (919) 755-8132
Direct Fax: (919) 755-6168
E-mail: jdistefano@wcsr.com

October 21, 2014

VIA E-MAIL TRANSMISSION

High Point Enterprise

aloflin@hpe.com

Attention: Amy Loflin, Legal Advertising Department

Re: Publication of Order Authorizing \$14,235,000 General Obligation Refunding
Bonds for the City of High Point, North Carolina

Dear Amy:

Please publish the attached Bond Order once in the High Point Enterprise on Friday,
October 24, 2014.

Please scan and e-mail a copy of the proof of the Bond Order to me after the type has
been set, but prior to publication, for my review.

After the Bond Order has been published, please provide me with four publisher's
affidavits, with printed clippings attached, evidencing such publication.

The invoice for such publication should be forwarded to:

Jeffrey A. Moore
Financial Services Director
City of High Point
Post Office Box 230
High Point, North Carolina 27261
Telephone: (336) 883-3238

Thank you for your assistance and please do not hesitate to contact me if you have any
questions.

WOMBLE CARLYLE SANDRIDGE & RICE
A Limited Liability Partnership

Jennifer Distefano

Attachment

cc: Jeffrey A. Moore (via e-mail)
Lisa B. Vierling (via e-mail)

TO THE PUBLISHER OF THE HIGH POINT ENTERPRISE:

Please publish the following once in the High Point Enterprise on Friday, October 24, 2014:

**ORDER AUTHORIZING \$14,235,000 GENERAL OBLIGATION
REFUNDING BONDS**

BE IT ORDERED by the City Council of City of High Point, North Carolina:

1. That pursuant to The Local Government Bond Act, as amended, the City of High Point, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue General Obligation Refunding Bonds in an aggregate principal amount not exceeding \$14,235,000 for the purpose of providing funds, together with any other available funds, to (a) refund all of the City's outstanding Taxable General Obligation Refunding Bonds, Series 2013, dated November 26, 2013, and (b) pay certain expenses related thereto.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the City Clerk and is open to public inspection.

4. That this order shall take effect upon adoption.

The foregoing order was adopted on the 20th day of October, 2014, and is hereby published this 24th day of October, 2014. Any action or proceeding questioning the validity of the order must be begun within 30 days after the date of publication of this notice. The Financial Services Director of said City has filed a statement estimating that the total amount of interest that will be paid on the proposed bonds over the expected term of the bonds, if issued, is \$447,089.23. The estimate is preliminary, is for general informational purposes only, and may differ from the actual interest paid on such bonds. Such statement of estimated interest includes certain assumptions upon which such estimate is based, and there is no assurance that the circumstances included in such assumptions will occur. The validity of the proposed bonds is not subject to challenge on the grounds that the actual interest cost on the bonds when issued is different than the estimated interest amount set forth above.

Lisa B. Vierling
City Clerk of the
City of High Point, North Carolina

**HIGH POINT CITY COUNCIL
SPECIAL MEETING
OCTOBER 2, 2014 – 4:00 P.M.
CITY MANAGER’S CONFERENCE ROOM**

MINUTES

Present:

Mayor James C. Davis (Ward 5) and Council Members Rebecca R. Smothers (At-Large); Britt Moore (At-Large); Jeff Golden (Ward 1); Judith P. Mendenhall (Ward 3); Jay Wagner (Ward 4); and Jason Ewing (Ward 6)

Absent:

Council Member Foster Douglas (Ward 2)

Staff Present:

City Attorney, JoAnne Carlyle; City Clerk Lisa Vierling

Others Present:

Steve Straus, President & Founder, Developmental Associates, LLC
Heather Lee, Senior Partner, Developmental Associates, LLC

Mayor Davis called the meeting to order and announced the purpose of the meeting was to go into a Closed Session for the purpose of personnel (city manager search), pursuant to North Carolina General Statute 143-318.11(a)(6).

Upon motion duly made and seconded, Council went into a Closed Session at 4:00 p.m. for the purpose of meeting with the consultant to discuss applicants for the city manager search that is underway.

Upon motion duly made and seconded, Council reconvened into Open Session with an announcement that no action was taken as a result of the Closed Session.

The meeting adjourned at 5:45 p.m. upon motion duly made and seconded.

Respectfully Submitted,

Lisa B. Vierling, MMC
City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Land Use Plan Amendment Case 14-04

From: Lee Burnette, Planning & Development
Director

Meeting Date: October 20, 2014

Public Hearing: Yes

Advertising Date/ October 8, 2014 and
October 15, 2014

Advertised By: Planning & Development

Attachments: A. Planning and Zoning Commission Recommendation
B. Staff Report

PURPOSE:

A request by High Point University to change the Land Use Map Classification for approximately 2.8 acres from Low Density Residential to an Institutional classification. The site is lying along the south & east side of Barbee Avenue, between Willow Place and Montlieu Avenue (private drive section).

BACKGROUND:

Staff report and the Planning & Zoning Commission's recommendation is enclosed.
(Combined report LUPA 14-04 and Zoning Amendment 14-09)

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. On September 23, 2014, a public hearing was held before the Planning and Zoning Commission regarding-LUPA14-04. The Planning & Zoning Commission recommended **approval** of LUPA14-04 by a vote of 6-0.

B. Staff recommends **approval** of LUPA14-04 as outlined in the attached staff report.

CITY OF HIGH POINT

AGENDA ITEM



Title: Amendment to Zoning Case 14-09

From: Lee Burnette, Planning & Development
Director

Meeting Date: October 20, 2014

Public Hearing: Yes

Advertising Date: October 8, 2014 and
October 15, 2014

Advertised By: Planning & Development

Attachments: A. Planning and Zoning Commission Recommendation
B. Staff Report
C. Conditional Zoning Ordinance

PURPOSE:

A request by High Point University to amend Conditional Zoning Case 14-09 to:

- a) Add approximately 4.1 acres to Conditional Zoning Ordinance 14-09.
- b) To rezone approximately 4.1 acres from a Residential Single Family-7 (RS-7) District to a Conditional Zoning Public & Institutional (CZ-PI) District. The site is lying along the south & east side of Barbee Avenue, between Willow Place and Montlieu Avenue (private drive section).

BACKGROUND:

Staff report and the Planning & Zoning Commission's recommendation is enclosed.
(Combined report LUPA 14-04 and Zoning Amendment 14-09)

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. On September 23, 2014, a public hearing was held before the Planning and Zoning Commission regarding-Z14-09. The Planning & Zoning Commission recommended **approval** of Z14-09 by a vote of 6-0.
- B. Staff recommends **approval** of Z14-09 as outlined in the attached staff report.

PLANNING AND ZONING COMMISSION RECOMMENDATION

High Point University

Land Use Plan Amendment Case 14-04

AND

High Point University

Amendment to Zoning Case 14-09

At their September 23, 2014 public hearing, the Planning and Zoning Commission reviewed Land Use Plan Amendment Case 14-04 (LUPA14-04) and Amendment to Zoning Case 14-09 (Z14-09). All members of the Commission were present, except for Mrs. Marie Stone and Mr. Andrew Putnam. Mr. Andy Piper, Senior Planner presented LUPA 14-04 and recommended approval as outlined in the staff report. Mr. Herbert Shannon, Senior Planner, presented Z14-09 and recommended approval of the request as outlined in the staff report.

Speaking on behalf of the request was Mr. Chris Dudley, Chief of Staff, High Point University, 883 Montlieu Avenue.

No one spoke in opposition of the request.

Speaking neither in favor nor in opposition to the request was Ms. Mae Frances McRae, 401 Underhill Street, High Point. Ms. McRae voiced no objection to the request, but requested additional information from the University as to future expansion plans they are considering in this area. Mr. Dudley provided Ms. McRae with his business card and contact information.

The Planning & Zoning Commission recommended ***approval*** of Land Use Plan Amendment Case 14-04 by a vote of 6-0.

The Planning & Zoning Commission recommended ***approval*** of Amendment to Zoning Case 14-09 by a vote of 6-0. Upon making its recommendation, the Planning & Zoning Commission stated that its recommendation is consistent with the City's adopted plans and reasonable and in the public interest based on the following: 1) The site abuts the High Point University Campus to the north and northwest, 2) With the approval of Land Use Plan Amendment Case 14-04, the request is consistent with the Land Use Plan, and 3) Stream buffer standards of the Development Ordinance and the condition offered by the applicant to maintain an existing perimeter lot as open space next to abutting residential dwellings will ensure development will be compatible with the adjacent residential neighborhood.

**CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT**

**STAFF REPORT
LAND USE PLAN AMENDMENT CASE 14-04
AMENDMENT TO ZONING CASE 14-09
September 23, 2014**

Requests		
Applicant: High Point University	Owner: High Point University	
LUPA Proposal: To change the future land use designation for approximately 2.8 acres.	From:	Low Density Residential
	To:	Institutional
Zoning Proposal: To amend Conditional Zoning Ordinance 14-09 (CZ14-09) to: a. Add approximately 4.1 acres to CZ14-09. b. To rezone approximately 4.1 acres.	From:	RS-7 Residential Single Family-7 District
	To:	CZ PI Conditional Zoning Public & Institutional District

Site Information		
Location:	The site is lying along the south & east side of Barbee Avenue, between Willow Place and Montlieu Avenue (private drive section).	
Tax Parcel Numbers:	Plan Amendment	Zoning Request
	Portions of tax parcels 0190229 thru 0190238	All of tax parcels 0190229 thru 0190238
Site Acreage:	Plan Amendment	Zoning Request
	Approximately 2.8 acres	Approximately 4.1 acres
Current Land Use:	Plan Amendment	Zoning Request
	Undeveloped parcels	Undeveloped parcels
Physical Characteristics:	The parcels associated with this request have a moderate to severely sloping terrain. A perennial stream, with corresponding 100-year flood hazard area, runs along the eastern & southern portions of these parcels and the steeper terrain runs along this stream corridor.	
Water and Sewer Proximity:	A 6-inch City water line and an 8-inch City sanitary sewer line are lying adjacent to the site within Barbee Avenue. Also, a 15-inch City sanitary sewer line runs along the stream corridors adjacent to the eastern boundary of the site.	
General Drainage and Watershed:	The site drains in a southeasterly direction and development is subject to the City Lake General Watershed Area requirements of the water supply watershed regulations. Engineered stormwater measures are required for non-residential or multifamily development with an impervious surface area that is greater than 24% or more of the site.	
Overlay District:	City Lake General Watershed Area (GWA)	

Adjacent Property Zoning and Current Land Use			
North:	CZ-PI	Conditional Zoning Public & Institutional District	High Point University campus
South:	RS-7	Residential Single Family-7 District	Single family residential dwellings
East:	RS-7	Residential Single Family-7 District	Single family residential dwellings
West:	RS-7 CZ-PI	Residential Single Family-7 District Conditional Zoning Public & Institutional District	Single family residential dwellings Undeveloped parcels that are part of the High Point University campus

Adjacent Land Use Plan Designations	
North:	Institutional
South:	Recreation / Open Space
East:	Recreation / Open Space
West:	Low Density Residential and Institutional

Purpose of Existing and Proposed Land Use Plan Designations	
Existing Designation:	Low-Density Residential: These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.
Proposed Designation:	Institutional: Public, quasi-public and institutional uses on large tracts are included in this classification.

Relevant Land Use Policies and Related Zoning & LUPA History	
Community Growth Vision Statement:	Goal 1: Obj. 1H: Support the continued growth of the City's educational institutions for their many educational, cultural and economic benefits.
Land Use Plan Goals, Objectives & Policies:	The following goal of the Land Use Plan is relevant to this request: Goal #2: Encourage development that enhances and preserves established neighborhoods.
Relevant Area Plan(s):	Core City Plan <u>Neighborhood Planning Principles – Discernible Boundaries:</u> Do not allow neighborhoods to get chipped away at their edges by incompatible uses and development forms. Employ design measures to accentuate their boundaries through features such as gateway treatments and street tree plantings. University Area Plan <u>Goal 3:</u> Ensure compatibility between the edge of campus and the surrounding neighborhood. <u>Policy 3.3:</u> Where existing vegetation does not exist, provide landscaping that delineates the campus and residential properties and provides sufficient separation between the university and adjacent residential areas. <u>Policy 3.5:</u> Transition the intensity of uses along the campus edge adjacent to existing residences.

	<u>Policy 3.7: Mitigate the impacts of new campus development on adjacent properties through the provision of conditions with rezoning requests.</u>
Zoning History:	Starting in 1998, the University began a westward expansion of the campus from Panther Drive (formerly W. College Drive), to N. Centennial Street to accommodate their growth. In May 2013, City Council approved Zoning Case 13-08 which was the first expansion of the University campus into the abutting residential neighborhoods lying south of Montlieu Avenue.
LUPA History:	Land Use Plan Amendments to accommodate expansion of the High Point University campus south of Montlieu Avenue were approved in November 2013 for the two-block area between N. Centennial Street and Fifth Street, followed by the block bounded by Fifth Street and Barbee Avenue to the west of the current site in May 2014.

Transportation Information			
Adjacent Streets:	Name		Approx. Frontage
	Barbee Avenue	Local Street	513 ft.
	Montlieu Avenue	Private Drive	285 ft.
Vehicular Access:	The proposed amendment will not change previously adopted conditions pertaining to access.		
Traffic Counts: (Average Daily Trips)	Barbee Avenue	No count data	
	Montlieu Avenue (Private Drive)	Converted to a private drive	
Estimated Trip Generation:	No information.		
Traffic Impact Analysis:	Required		Comment
	☐ Yes	☒ No	None
Pedestrian Access:	Development of the site is subject to the sidewalk requirements of the Development Ordinance.		

School District Comment
Not applicable to this zoning case.

Details of Proposal

1. General Overview:

The University has purchased the parcels lying along the south & east side of Barbee Avenue, between Willow Place and Montlieu Avenue. Now that they own all the property along both sides of the eastern terminus of Barbee Avenue, they are petitioning to add this area to their campus and have submitted both a Land Use Map Amendment and a Zoning Map Amendment (Rezoning) application for this area.

2. Summary of Land Use Plan Amendment Request:

The City Land Use Map denotes a Low Density Residential and Recreation/Open Space classification for this area. This Land Use Map Amendment proposes to change the Low Density Residential classification of this area to an Institutional land use classification. This

request is similar to what was approved by the City Council in November 2013 for the two-block area south of Montlieu Avenue, between N. Centennial Street and Fifth Street, and in May 2014 for the block between Fifth Street and the eastern segment of Barbee Avenue immediately to the west of this current request.

This requested expansion of the campus is inconsistent with the University Area Plan adopted by City Council in December 2009, because the site is outside the Growth Areas outlined by the plan for University expansion. It is important to note that the University Area Plan is not a master plan for the University but rather a neighborhood plan. The Growth Areas, noted in the University Area Plan, were established to increase predictability about future campus expansion in order to protect and help maintain the stability of adjacent neighborhoods. However, the High Point City Council has previously approved Land Use Plan Amendment 13-01 and Zoning Case 13-08 for campus expansion south of Montlieu Avenue to Barbee Avenue, which permitted expansion of the High Point University campus beyond the limits of the University Area Plan in this specific geographical area. According to a presentation given by the University to City Council on July 17, 2014, this will be the last of three anticipated expansions in the area, because they do not intend to acquire any additional land to the south of Barbee Avenue.

3. Summary of Zoning Request:

The Zoning Map Amendment proposes to rezone this 4.1-acre area to a Conditional Zoning Public & Institutional (CZ-PI) District and to add this land area to Conditional Zoning Ordinance 14-09 (CZ14-09) which governs development of the southwestern portion of the campus. This amendment does not change previously adopted conditions in CZ14-09; however, the applicant has offered a new condition that the westernmost lot along the south side of Barbee Avenue be preserved as open space to provide for separation and buffering to the adjacent residential neighborhood from University related activities.

Staff Analysis

This application adds additional land area to the previously approved CZ14-09 District. Former findings are still relevant and comments in this section are restricted to the new changes proposed under this application. Section 9-3-13 of the Development Ordinance states that the Planning & Zoning Commission and the City Council shall be guided by the purposes and intent of the Development Ordinance, and shall give consideration to the following in the review and discussion of any Conditional Zoning application. Based on the applicant's submittal and proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these ordinance considerations.

Consistency with Adopted Plans:

The proposed Conditional Zoning District is appropriate for its proposed location and is consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans

Staff Comments:

This request is outside of the Growth Areas of the University Area Plan; however, Council previously approved a Land Use Plan Amendment and zoning request, outside of the Growth Areas, for the three blocks lying south of Montlieu Avenue to the west of the site. As a matter of

policy, Council's action established Barbee Avenue as the new limits of the campus. This current amendment request would expand those limits east and southeast of Barbee Avenue, and the University has stated there are no intentions to expand further south.

Review Factors:

The applicant's proposed Conditional Zoning District, including the proposed use(s), written conditions and Conditional Zoning Plan, satisfactorily meets or addresses the following:

<u>Factor #1</u>	Produces a development that is compatible with surrounding development character and land uses; <i>Staff Comments:</i> The parcels associated with this request about the University to the north & northwest. Additionally, a perennial stream with flood zone areas and stream buffers, as required by the Development Ordinance, separates the site from adjacent residential dwellings to the east & south. Based on the adjacent development pattern and physical constraints, the allowances of university related uses will be compatible with the surrounding development and land uses.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.; <i>Staff Comments:</i> Existing conditions of CZ14-09 that mitigate impacts along the perimeter of site, such as lighting, fencing, landscaping, access, screening of mechanical equipment and location of loading areas are not changing.
<u>Factor #3</u>	Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat; <i>Staff Comments:</i> The site is within the City Lake General Watershed Area and development will be subject to the watershed regulations. Additionally, stream buffer standards of the Development Ordinance will limit development of the eastern portions of the site.
<u>Factor #4</u>	Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire; and; <i>Staff Comments:</i> The site is within an area currently served by City of High Point utilities and municipal services and the submittal has no known impacts on municipal services.
<u>Factor #5</u>	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties. <i>Staff Comments:</i> If approved, the zoning site becomes a new campus edge and should be considered a Transition Area as defined in the University Area Plan. The intent of Transition Areas is to maintain the existing setting, if possible, to ensure compatibility with abutting residential areas. The perennial stream acts as a buffer and permanent edge to the east and south, the only direct connection with the adjacent residential neighborhoods is at the southwestern corner of Willow Place and Barbee Avenue.

	The condition offered by the applicant to maintain the edge parcel as open space will ensure development will not adversely impact adjacent property owners.
--	--

Changes in the Area:

There have been changes in the type or nature of development in the area of the proposed Conditional Zoning District that support the application.

Staff Comments:

The city blocks lying south of Montlieu Avenue were historically a residential neighborhood near the High Point University campus. Over the past two years, the University has purchased these blocks, razed the residences, and obtained zoning approval to facilitate the development of University related uses. In addition, the University has obtained Council approval to abandon the public street network in this area with Willoubar Terrace, Fifth Street and Montlieu Avenue all being abandoned and added to the campus land area. These actions have changed the character of this area.

Development Patterns:

The proposed Conditional Zoning District would result in development that promotes a logical, preferred and orderly development pattern.

Staff Comments:

With this eastern segment of Barbee Avenue being landlocked by the Montlieu Avenue street abandonment, all housing having been razed and previous zoning actions by Council permitting University related uses on the blocks between Montlieu Avenue and Barbee Avenue, the viability of continued residential development of this site is unlikely.

Reasonableness/Public Interest:

An approval of the proposed Conditional Zoning District is considered reasonable and in the public interest.

Staff Comments:

In this case, staff suggests that the approval of the applicant's request can be considered to be reasonable and in the public interest because: 1) The site abuts the High Point University Campus to the north and northwest, 2) Subject to the approval of Land Use Plan Amendment Case 14-04, the request will be consistent with the Land Use Plan, and 3) Stream buffer standards of the Development Ordinance and the condition offered by the applicant to maintain an existing perimeter lot as open space next to abutting residential dwellings will ensure development will be compatible with the adjacent residential neighborhood.

Recommendation

The comments in this report are based on policies contained in the City Council adopted Land Use Plan, Community Growth Vision Statement, University Area Plan (neighborhood area plan), Core City Plan, and from previous City Council land use and zoning decisions.

If the City Council determines this is an appropriate expansion of the University campus, then Land Use Plan Amendment Case 14-04 should be approved. Once that request is approved, then it is reasonable for the City Council to approve the requested amendment to Zoning Case 14-09 with the conditions offered by the applicant.

Required Action

Planning and Zoning Commission:

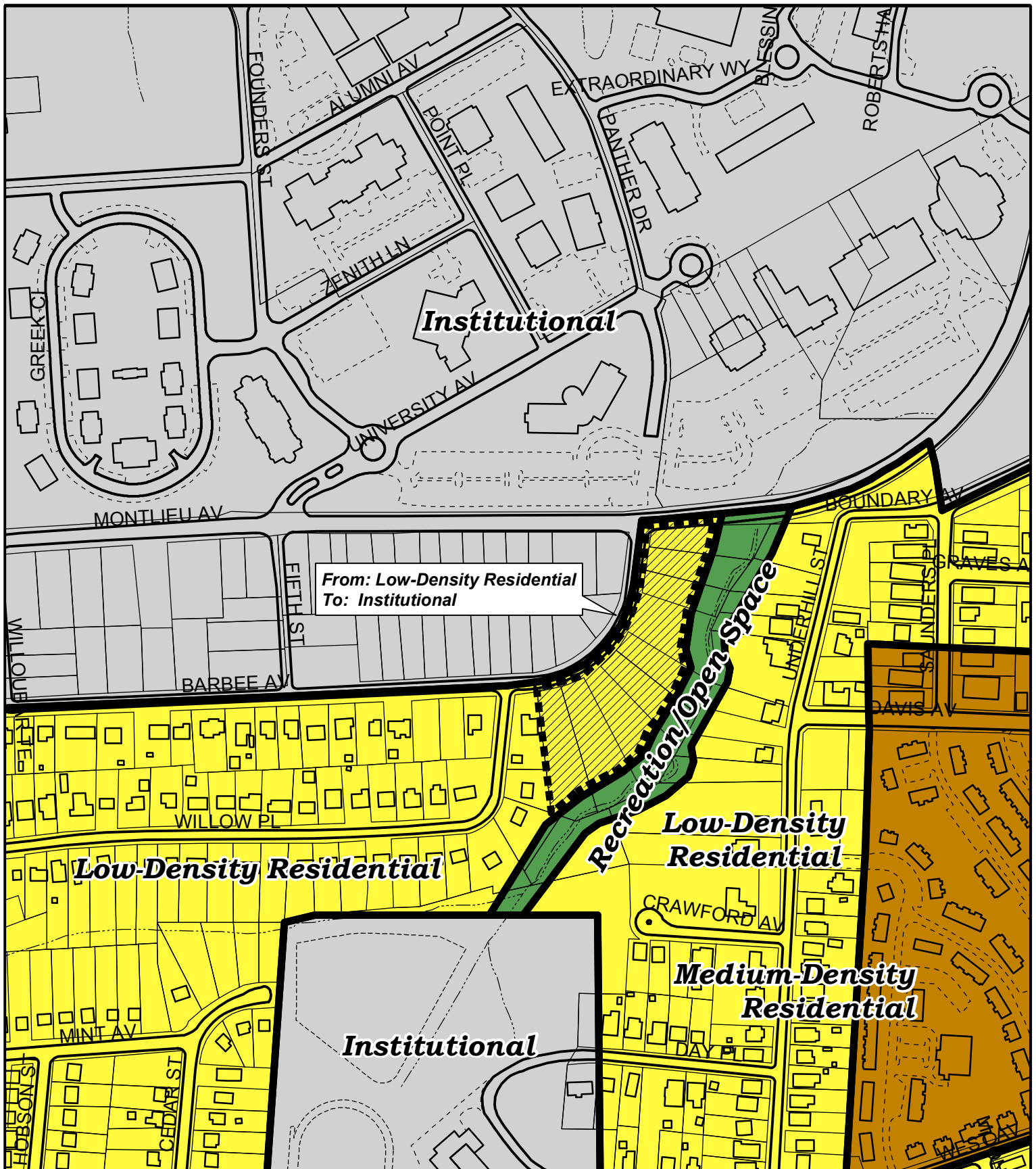
The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

City Council:

The NC General Statutes require that the City Council also place in the official record a statement of consistency with the City's adopted plans, and explain why the action taken is considered to be reasonable and in the public interest when rendering its decision in this case. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

Report Preparation

This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and Andy Piper AICP, Senior Planner, and reviewed by Robert Robbins AICP, Development Services Administrator and Lee Burnette AICP, Director.



LAND USE PLAN AMENDMENT 14-04

**Request: From: Low Density Residential
To: Institutional**

Existing Land Use Plan
Subject Property Boundary



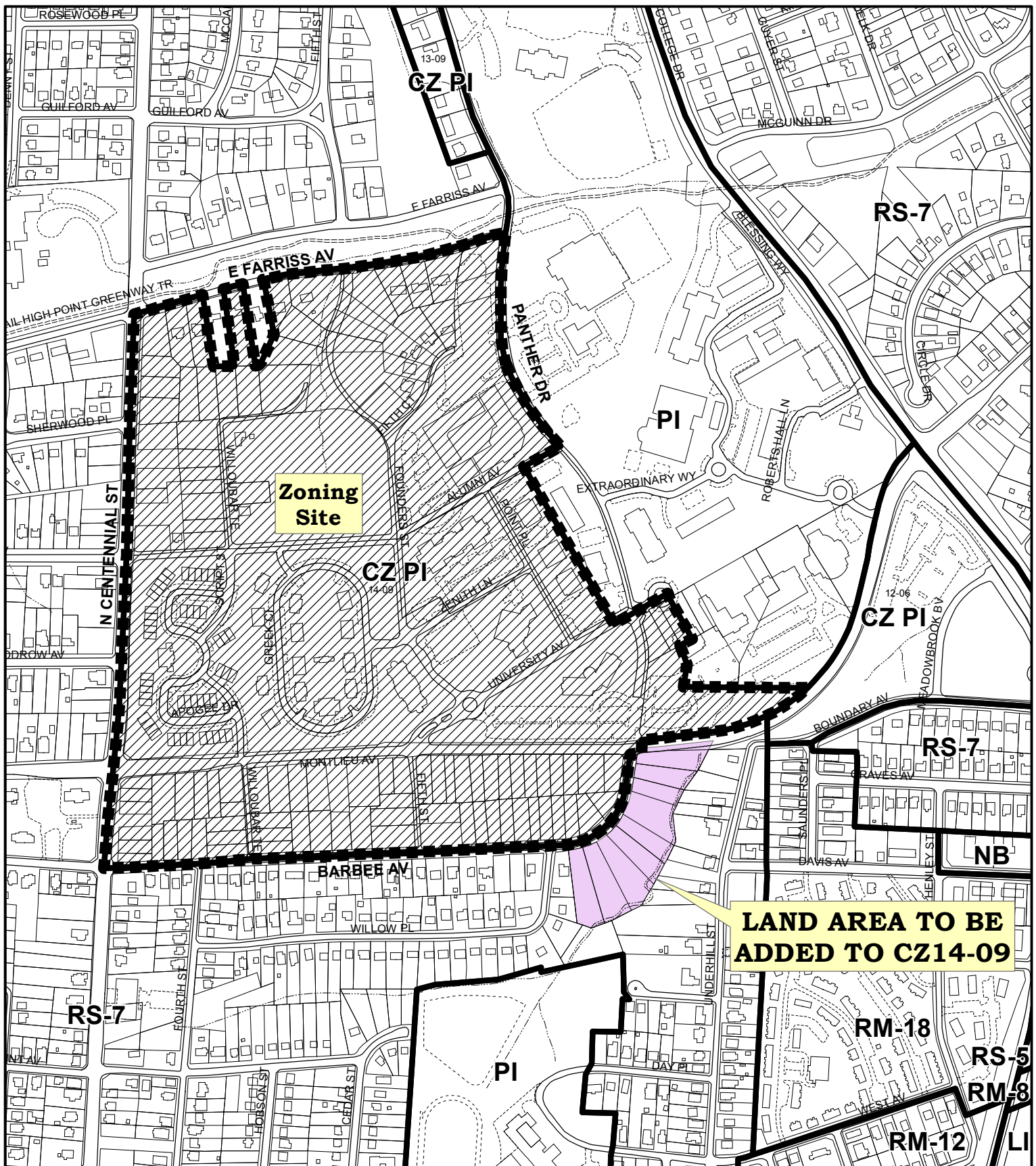
**Planning & Development
Department**

City of High Point

Date: September 11, 2014



Scale: 1"=300'
G:/Planning/Secure/ba-pz/
2014/pz/lupa14-04.mxd



AMENDMENT TO CZ14-09

From: Residential Single Family-7
To: Conditional Zoning Public Institutional

Existing Zoning Boundary —————
Subject Property Boundary - - - - -

**Planning & Development
 Department**

City of High Point

Date: September 24, 2014



Scale: 1"=500'
 G:/Planning/Secure/ba-pz/
 2014/pz/Az14-09.mxd

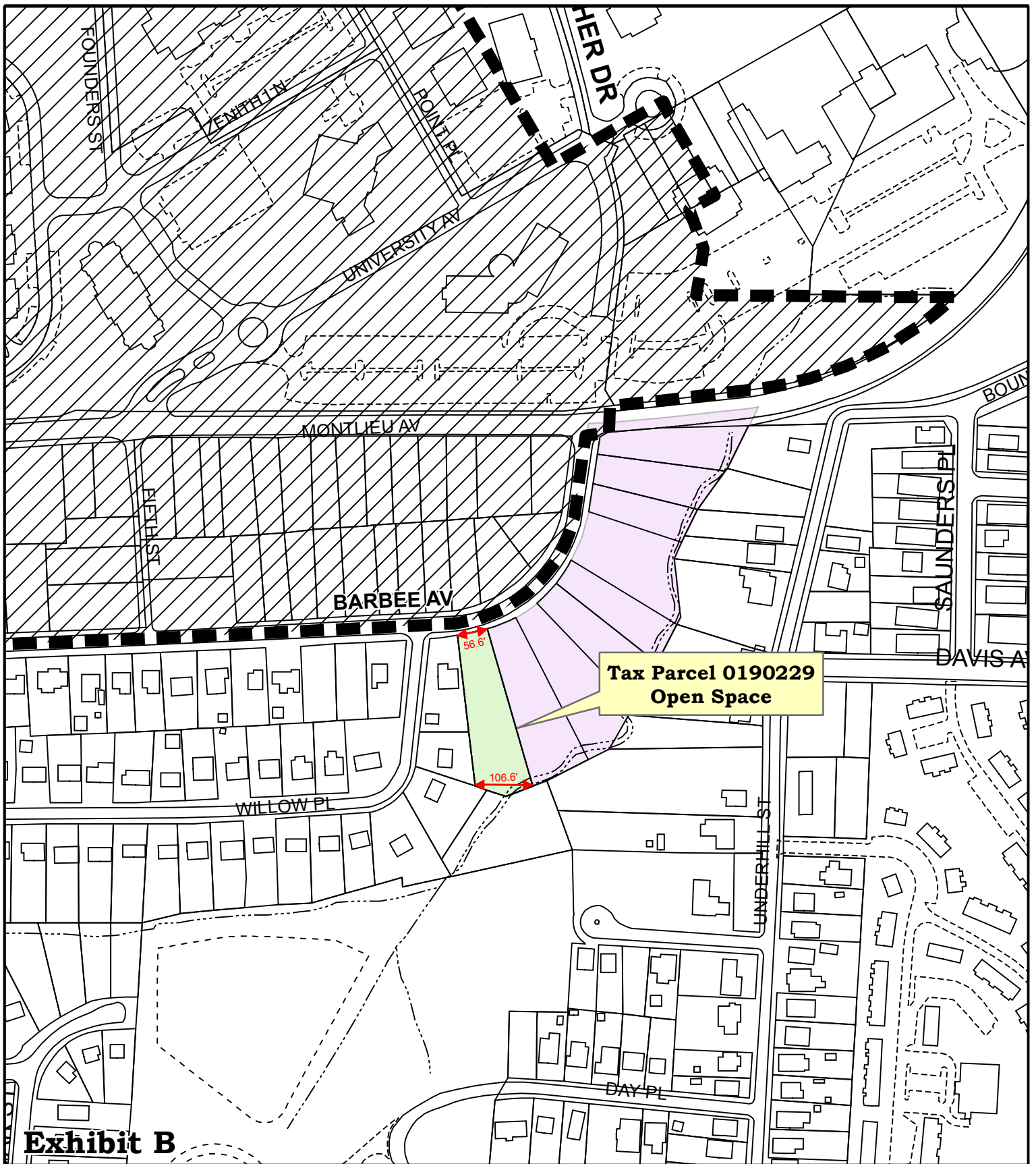


Exhibit B

AMENDMENT TO CZ14-09

From: Residential Single Family-7
To: Conditional Zoning Public Institutional

Existing Zoning Boundary —————
Subject Property Boundary - - - - -

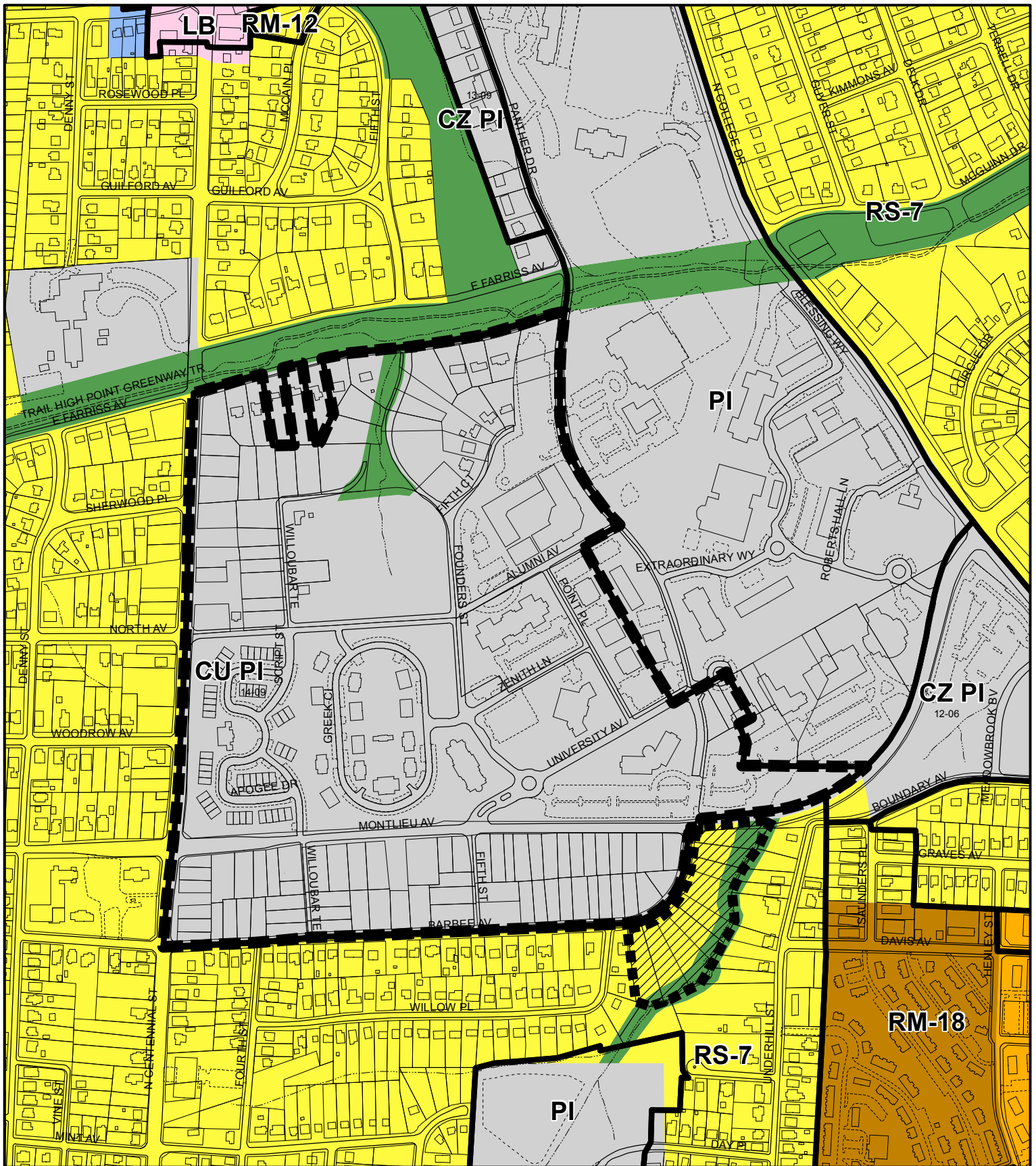
**Planning & Development
 Department**

City of High Point

Date: September 16, 2014



Scale: 1"=200'
 G:\Planning\Secure\ba-pz/
 2014\pz\Az14-09exh.mxd



AMENDMENT TO CZ14-09

Land Use Plan

- | | |
|---|---|
| Low-Density Residential | Office |
| Moderate-Density Residential | Local/Convenience Commercial |
| Medium-Density Residential | Institutional |
| | Recreation/Open Space |

Planning & Development
Department

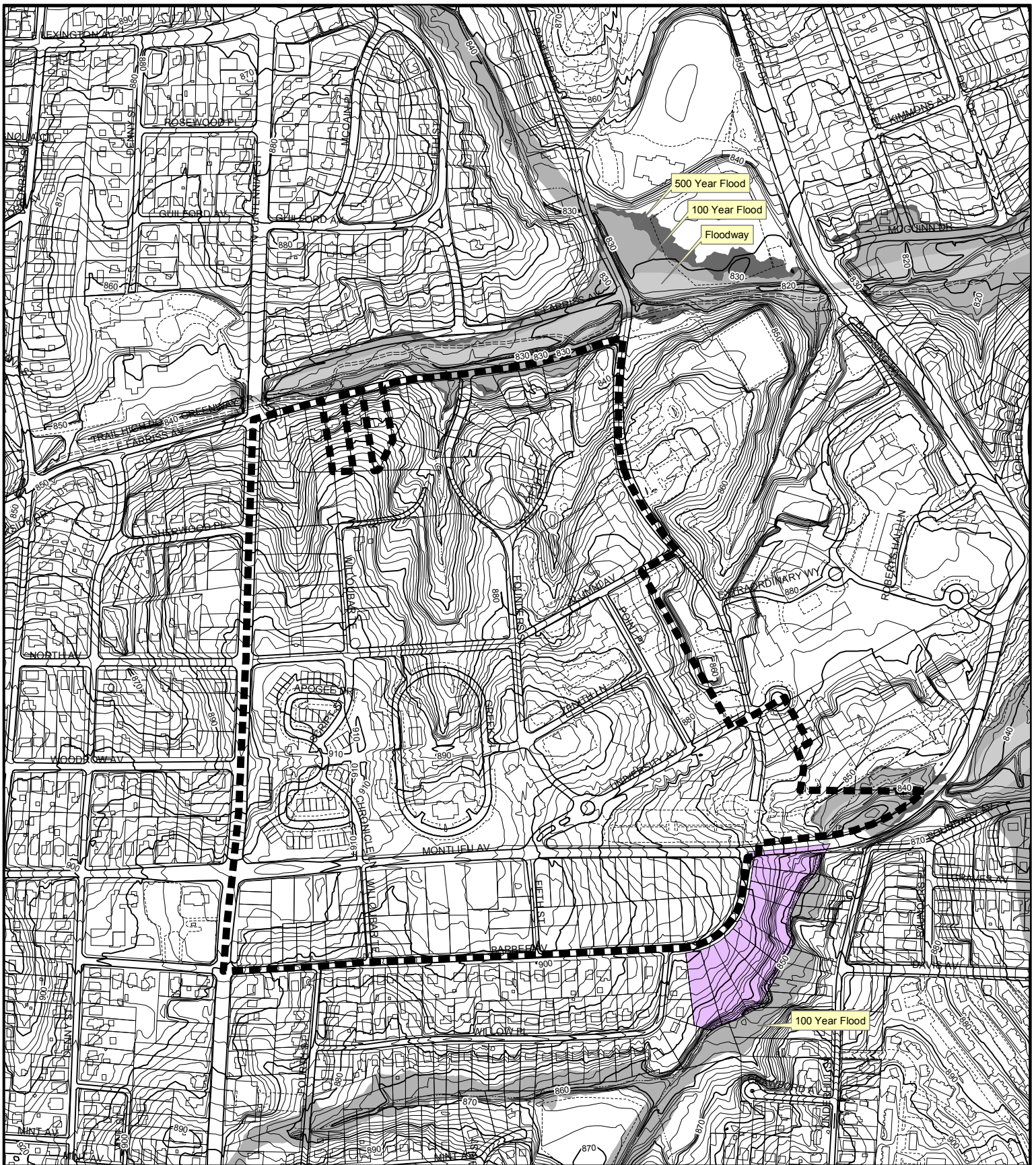
City of High Point

Date: September 11, 2014



Scale: 1"=500'

G:\Planning\Secure\ba-pz/
2014/pz/z14-09clu.mxd



AMENDMENT TO CZ14-09

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: September 11, 2014



Scale: 1"=500'

G:\Planning\Secure\ba-pz/
2014\pz\z14-09topo.mxd

AMENDMENT TO CZ14-09



AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 9-3-12, ZONING MAP AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of The City of High Point adopted “The City of High Point Development Ordinance” on January 7, 1992 with an effective date of March 1, 1992, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on September 23, 2014 and before the City Council of the City of High Point on October 20, 2014 regarding **Amendment to Zoning Case 14-09** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on September 14, 2014, for the Planning and Zoning Commission public hearing and on October 8, 2014 and October 15, 2014, for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

WHEREAS, the proposed amendment was adopted by the City Council of the City of High Point on **October xx, 2014.**

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT:

SECTION 1

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **A Conditional Zoning Public & Institutional (CZ-PI) District.** The property is approximately **96.3** 92.2 acres and lying **east of Willow Place,** north of Barbee Avenue, east of N. Centennial Street, south of E. Farriss Avenue and west of Panther Drive. The property is also known as Guilford County Tax Parcels 0189862 thru 0189875, 0189888, 0189893, 0190022 thru 0190059, 0190162 (portion), 0190072, 0190073, 0190075, 0190077 thru 0190089, 0190107 thru 0190122, 0190126, 0190140, 0190161, 0190185 thru 0190187, 0190191, 0190196 thru 0190215; **0190229 thru 0190238;** 0217153 and 0217154

SECTION 2

That the property herein described shall be perpetually bound by the following use(s) authorized and condition(s) imposed, unless subsequently changed or amended as provided for by the Development Ordinance.

Part I. **USES:**

- A. Permitted Uses:** Only the following land uses shall be permitted, subject to the development and dimensional requirements of the Public & Institutional (PI) District and the specific conditions listed in this Conditional Zoning Ordinance:
- a. Colleges or Universities (SIC 8220)
 - b. Fraternities or Sororities (Univ. or College)
 - c. Accessory Uses and Structures (customary)

B. Guilford County Tax Parcel 0190229 (See Exhibit B) shall be maintained as open space. Except for grading and the installation of planting yards or fencing, no development shall be permitted.

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1. General Standards for the entire zoning site.

a. Screening of equipment, outdoor storage and loading docks:

Purpose and Intent: This section is intended to provide standards to mitigate negative impacts on adjacent property owners from viewing unsightly equipment, appurtenance or activities associated with permitted PI District uses. The intent is to filter views and to not have direct unobscured views of these areas; it is not intended to mandate 100% visual screening.

- i. Mechanical or electrical equipment, dumpsters, or other similar building appurtenances shall be screened from view, at a height of six (6) feet above ground level, as seen from the centerline of any adjacent public street. Existing or newly planted vegetation, opaque fences, masonry walls, other structures or combination thereof may be used to achieve an effective screen.
- ii. Within 100-feet of the perimeter of the zoning site, loading areas shall not be located on any side of a building that faces N. Centennial Street or E. Farriss Avenue. Loading areas facing Barbee Avenue shall be screened from view as seen from the centerline of Barbee Avenue.

b. Building Height:

i. Barbee Avenue:

See Condition II.A.3 of this Conditional Zoning Ordinance.

ii. N. Centennial Street and E. Farriss Avenue:

Within 200 feet of N. Centennial Street and E. Farriss Avenue, building height standard of the PI District shall apply. Beyond this 200-foot distance, a maximum building height of 100 feet shall be permitted.

c. Lot Combination: As requested by the Technical Review Committee, parcels associated with the zoning site shall be combined prior to development or subdivision.

d. Welcome Center Standards.

- i. Welcome Centers shall not be permitted within public right-of-ways.
- ii. The Welcome Center located at the intersection of N. Centennial Street and Montlieu Avenue (private drive) shall be oriented in such a manner that a minimum of seven (7) vehicular stacking spaces, per dimensional

standards of Table 5-6-2 of the Development Ordinance, shall be provided as measured perpendicular from the adjacent public street right-of-way (See Exhibit A “N. Centennial Street Entry Plan”).

e. Lighting

- i. Within fifty (50) feet of the perimeter of the zoning site, all freestanding exterior lighting shall be limited to twenty-five (25) feet in height. All lighting shall be directed inwards towards the interior of the zoning site and include the use of shields to direct lighting and glare away from adjacent residential uses.
- ii. Where the zoning site abuts residentially zoned parcel(s), exterior pole lighting shall be setback a minimum twenty-five (25) feet from the abutting residential parcel(s) property line. Said lighting shall be down lit and oriented inward toward the zoning site so as to shield adjoining residential properties from direct light.

2. N. Centennial Street Development Standards

The following development standards shall apply to townhome type dormitories or townhome type student housing developed within 100 feet of the N. Centennial Street right-of-way

- a. All buildings shall have a hip or gable pitched roof design.
- b. The size of each building(s) shall be limited to a maximum building footprint of 7,500 square feet.
- c. Except for where approved vehicular access points are located, parking, and vehicle circulation areas shall be located to the interior of the site so that buildings are located between the N. Centennial Street right-of-way and any parking or vehicle circulation areas. This shall not preclude placement of parking between buildings fronting along N. Centennial Street.
- d. The maximum building height shall be fifty (50) feet for any building within 100 feet of the N. Centennial Street right-of-way.
- e. Building Setback: Building setback shall meet standards of the PI District except as noted below:
 - i. Principal Building(s): A minimum thirty (30) foot setback shall be provided from the N. Centennial Street right-of-way.
 - ii. Accessory Structure(s): A minimum twenty (20) foot setback shall be provided from the N. Centennial Street right-of-way for covered and uncovered porches, decks and patios whether attached or unattached to a principal building, and any other accessory structure.

3. Barbee Avenue Development Standards

- a. Development and dimensional requirements of the PI District shall apply, except as follows:
 - i. A minimum fifty (50) foot building setback shall be provided from the Barbee Avenue right-of-way.

- ii. A maximum eighty-five (85) foot building height shall be permitted. The additional building setback requirement, noted in Table 4-11-5(f) of the Development Ordinance, for buildings over fifty (50) feet in height shall not apply.

B. Landscaping, Buffers, and Screening:

a. Fencing:

- i. N. Centennial Street: If fencing is installed along the N. Centennial Street frontage of the zoning site, the decorative perimeter fencing (brick & wrought iron/aluminum fencing) that generally outlines the boundary of the University shall be installed.
- ii. Barbee Avenue and E. Farriss Avenue: If opaque fencing is installed along the Barbee Avenue or E. Farriss Avenue frontage of the zoning site, said fencing shall be located behind the street planting yard.
- iii. Where the zoning site abuts a residentially zoned parcel(s), an opaque fence shall be installed in the required planting yard adjacent to the residential parcel.

b. Landscaping:

- i. Centennial Street frontage: A minimum thirty (30) foot wide Street Yard, planted at Type C rate, shall be installed along the N. Centennial Street frontage of the zoning site.
- ii. *Alternative Land Scape Plan along N. Centennial Street*
 - a) In lieu of ordinance requirements for street planting yards, a landscaping plan shall be required to be submitted for review and approval by the Planning & Development Department prior to issuance of any building permit upon the site. The objective of this plan is to screen the rear of structures located along N. Centennial Street frontages of the zoning site with an assortment of planting species, and to enhance the visual appearance of the permanent edge areas as identified in the University Area Plan. This plan shall at a minimum address the following:
 - b) This plan is specifically for the initial 75 feet of the site's N. Centennial Street frontages and should be designed to enhance the visual appearance of this corridor.
 - c) Through the use of an assortment of understory trees, canopy trees, shrubs, berms and other topography treatments, the exterior activity area at the rear of buildings shall be screened. The planting rate shall be sufficient to provide the desired screening effect within three (3) years of planting.
 - d) Fifty percent (50%) of trees and shrubs utilized on the plan along this roadway shall consist of evergreen species of planting material. These shrubs shall be a locally adapted species expected to reach a minimum height of thirty (30) inches and a minimum spread of thirty (30) inches within three years of planting.

- e) Along with the landscaping plan, a depiction of the building elevations and/or parking areas after landscaping, as viewed from N. Centennial Street may be requested from the property owners Landscape Architect to assist in assessing the effectiveness of the plan.
- iii. Barbee Avenue and E. Farriss Avenue frontage:
 - a) The Street Yard planting standards shall be increased from eight (8) foot width to a minimum width of fifteen (15) feet, and the planting rate for understory trees shall be increased from none to a minimum of 4 per 100 linear feet, and 33 evergreen shrubs per 100 linear feet. Additionally, these shrubs shall be a locally adapted species and are expected to reach a minimum height of thirty (30) inches within three years of planting.
 - b) Fifty percent (50%) of trees and shrubs utilized shall consist of evergreen species of planting material. These shrubs shall be a locally adapted species expected to reach a minimum height of thirty (30) inches and a minimum spread of thirty (30) inches within three years of planting.
 - c) Where parking is located within fifty (50) feet of the Barbee Avenue or E. Farriss Avenue right-of way, landscaping shall be arranged in such a manner as provide low-level screening from vehicle headlights that may face towards Barbee Avenue or E. Farriss Avenue.

C. Transportation

1. Vehicular Access:

1. N. Centennial Street

No new vehicular access shall be permitted from N. Centennial Street. Access shall be permitted to N. Centennial Street from the following existing streets, Montlieu Avenue (private street) and Alumni Avenue (private street).

2. Barbee Avenue

One (1) point of emergency access shall be allowed to Barbee Avenue. This access point shall be gated and not intended for general or service vehicle access; and shall be installed as approved by the High Point Department of Transportation.

2. Right-of-way Dedication and Improvements:

- a. The Director of Transportation shall approve all construction and improvements.
- b. The property owner shall dedicate an easement to cover the loop detectors for the signal operation on the closed (abandoned) portion of Montlieu Avenue where it intersects N. Centennial Street.

c. Intersection of N. Centennial Street and E. Farriss Avenue (southern portion of E. Farriss)

The property owner shall dedicate right-of-way along N. Centennial Street for the installation of a northbound right turn lane from N. Centennial Street into E. Farriss Avenue; and construct a north bound right-turn lane from N. Centennial Street into E. Farriss Avenue prior to the construction of a welcome center/guard house on E. Farriss Avenue.

d. The City of High Point Director of Transportation shall approve the exact location and design of all access points and turn lanes. In addition, the Director of Transportation and the North Carolina Department of Transportation (NCDOT), if applicable, shall approve all construction and improvements.

SECTION 3

That plans for any development on the property described herein shall be pursued in accordance with this conditional zoning district and shall be submitted to the City of High Point and other approval authorities for review in the same manner as other such plans now required to be approved by the City of High Point.

SECTION 4

Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5

That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6.

This ordinance shall become effective upon the date of adoption.

____th day of _____, 2014.

Lisa B. Vierling, City Clerk

Conditional Zoning Case 14-09 Supplemental Information	
Initial Zoning Application	Adopted September 15, 2014 (Ordinance # xxxx / 14-xx)

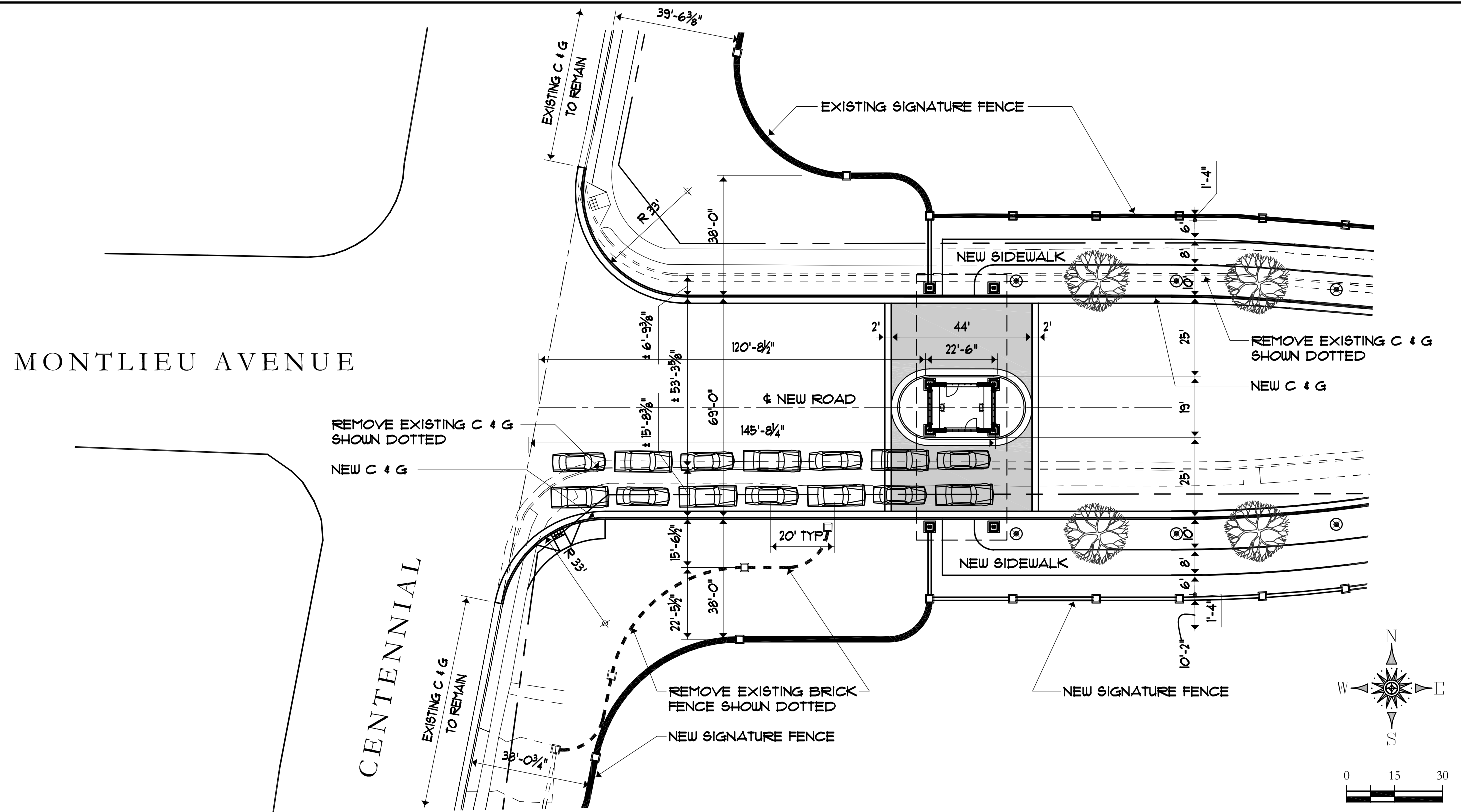


Exhibit "A"

CENTENNIAL ENTRY PLAN
HIGH POINT UNIVERSITY

H I G H P O I N T U N I V E R S I T Y

4-4-2014

**WALTER
ROBBS
CALLAHAN
& PIERCE**
Architects, P.A.

Suite 301
Winston-Salem, NC
Telephone
Fax

530 North Trade Street
27101
336-725-1371
336-725-1465



MERCER
ARCHITECTURE INC

1015 HUTTON LN. SUITE 106
HIGH POINT, NC 27262
PHONE: (336) 885-1200
FAX: (336) 885-1201

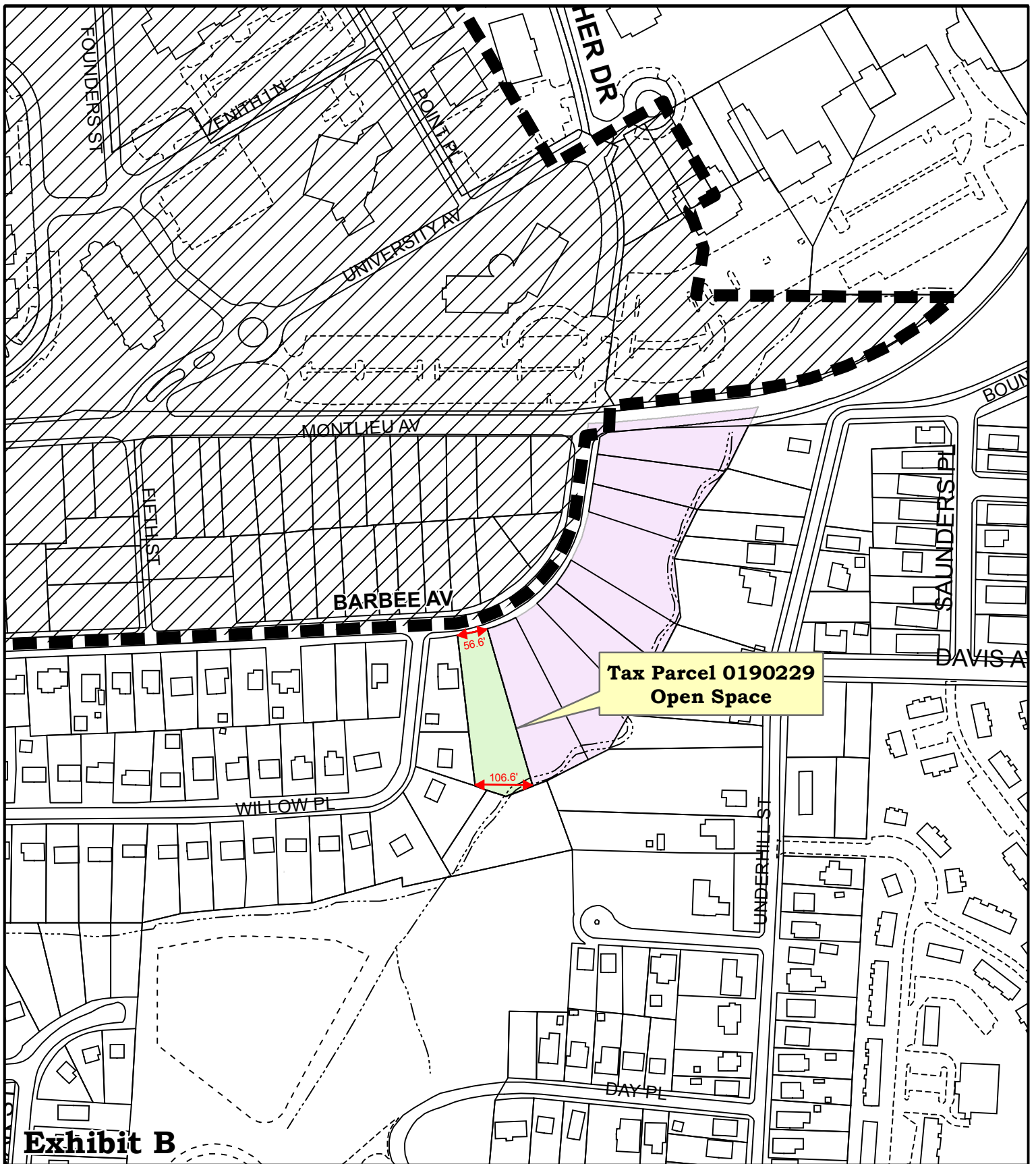


Exhibit B

AMENDMENT TO CZ14-09

From: Residential Single Family-7
To: Conditional Zoning Public Institutional

Existing Zoning Boundary —————
Subject Property Boundary - - - - -

**Planning & Development
 Department**

City of High Point

Date: September 16, 2014



Scale: 1"=200'
 G:/Planning/Secure/ba-pz/
 2014/pz/Az14-09exh.mxd

Citizens Information Meeting Report Amendment to Zoning Case 14-09

Submitted by: Chris Dudley, on behalf of
High Point University



HIGH POINT UNIVERSITY

September 8, 2014

To: City of High Point, North Carolina
Planning and Development Department

From: Chris Dudley
Chief of Staff

Re: Major Amendment Zoning Case CZ-14-09
Citizens Information Meeting, September 4, 2014, 6:00 P.M.

High Point University conducted a Citizens' Information Meeting in support of a Major Amendment to Zoning Case CZ-14-09. The meeting was held at High Point University in Norton Hall Room 103. Letters of invitation were mailed to 33 residents on August 25, 2014 (letter is attached). The application is for Rezoning and Amendments to Zoning Case CZ-14-09, which includes 10 parcels totaling approximately 4 acres fronting Barbee Avenue between Montlieu Avenue and Willow Place. Chris Dudley, Chief of Staff, and Dan Pritchett of Jamestown Engineering Group, Inc., represented the University.

Maps illustrating current and proposed projects within the University's main campus were reviewed with the participants, including their proposed use. Maps indicating the specific properties proposed for rezoning within this Major Amendment were also reviewed. Citizens were informed that a separate request to abandon/close the Barbee Avenue right-of-way fronting the lots included in this amendment between Willow Place and Montlieu Avenue was being brought before City Council concurrently with the Major Rezoning Amendment. It was emphasized that all current zoning conditions previously approved for the future Health Science site adjoining the property within this Major Amendment would also apply to this site. In addition, the entire area of the 1022 Barbee Avenue lot would be designated as open space to be utilized as a perimeter buffer.

It was a very positive meeting with specific discussion focused on the following:

- The current proposed schedule for site development.
- Zoning conditions applicable to site lighting and increased planting buffers along public streets. Discussions of the type of fencing proposed to be installed around the university properties was also discussed.

A copy of the Sign-in Sheet for this case is also attached.

Sign-In Sheet

Citizens Information Meeting
September 4, 2014
High Point University
RS-7 to CZ-PI

Major Amendment Rezoning Case No. 14-09
Rezoning Location: Lot Nos. 1022 - 1040 Barbee Avenue

Name

Address

Phone No./E-Mail
Address

CAROLYNE JOHNSON

489 ROBIN LN. ARCHDALE NC 27263

C. Johnson
randolph.k12.nc.us

Barbara Dockery
David Dockery

1008 Barbee Ave High Point NC 27260
" " " "



August 25, 2014

**Subject: Citizen Information Meeting, Thursday, September 4, 2014
Rezoning of Lots 1022 – 1040 Barbee Avenue**

Ladies and Gentlemen,

A Citizen Information Meeting will be held on, Thursday, September 4, 2014, at 6:00 p.m. in Norton Hall, Room 203 (corner of University Avenue and Panther Drive) for the purpose of allowing us to inform you about our rezoning proposal.

High Point University has filed an application with the City of High Point for a major amendment to Conditional Zoning Case 13-08, and land use plan map amendment (from RS 7 to CZ PI) of 10 lots (1022 – 1040) on Barbee Avenue. The major amendment request includes rezoning of the lots from RS - 7 to CZ - PI. All zoning conditions of Zoning Case CZ-PI 13-08 will remain in effect. The property consists of 10 lots and approximately 4 acres.

We have enclosed for your review a Conditional Use District Zoning Citizen Information Meeting Statement made available by the City of High Point, which may help clarify the rezoning process and requirements.

The next meeting of the Planning and Zoning Commission with a public hearing on this proposal is scheduled to take place at City Hall on Tuesday, September 23, 2014, at 6:00 p.m.

Questions, comments, or concerns should be directed to Ron Guerra, Director of Construction and Renovation at 336-841-9363.

We look forward to answering your questions and receiving your input.

Sincerely yours,

A handwritten signature in blue ink, appearing to be 'Ron Guerra', written over a blue rectangular stamp that reads 'HIGH POINT UNIVERSITY' in all caps.

HIGH POINT UNIVERSITY

Ron Guerra, MBA
Director of Construction and Renovation



Application for Appointment To Boards and Commissions

Please TYPE or PRINT the information requested on this application. You may attach additional pages and / or your resume if you wish. All appointments to City boards and commissions are made by the Mayor and City Council and are not limited to those persons who fill out applications.

Name James LeGrande

Street Address 918-H Lakecrest Avenue

City, State, Zip High Point, NC 27265

Employer Dade Paper Company

Business Address 6530 Judge Adams Rd. Whitsett, NC 27377

Phone: home 336-410-3304 work _____ fax _____

Email jmslegrande@aol.com

Do you live inside the corporate limits of High Point? Yes If not, do you live within High Point's extraterritorial zoning jurisdiction? _____

Please list (in order of preference) the boards and commissions on which you would be willing to serve.

1. Housing Authority of the City of High Point
2. _____
3. _____

Please list any work, volunteer, and/or educational experience that you would like us to consider in the review of your application. Please feel free to attach a resume or biographical information.

President of Five Points Community Pride Association, United Way of Greater

High Point (Board of Directors, Chairperson for African American Initiative

Steering Committee), Board of Directors Communities in School, etc.

Have you participated in the City Government 101 Course? _____ Year _____

Have you participated in Leadership High Point? _____ Year _____

----- RETURN TO: -----

City Clerk, City of High Point, P. O. Box 230, High Point, NC 27261 • 211 S. Hamilton Street

Phone: 336-883-3536 • Fax: 336-822-7067

Applications will be retained and active for a two-year period

James E. LeGrande

918-H Lakecrest Avenue
High Point, NC 27265
(336) 410-3304
Email: jmslegrande@aol.com

PROFESSIONAL SUMMARY:

Dynamic leader who conceptualizes, absorbs and acts with ease. Excellent track record in strategic development and implementation with strong negotiating skills. Over 22 years of progressively responsible experience; developing significant volume of new business with effective management skills and sound judgment. Results-oriented professional with excellent qualifications in planning, sales, marketing, budgeting, expense control, staffing, training, quality management and customer service. Outstanding troubleshooting abilities with a proven track record of turning around under-performing operations. Strong interpersonal skills with the ability to work effectively with a wide range of people, and the expertise in building highly-productive teams. Skilled multi-tasker; thrives in challenging situations. Excellent working in a team setting and/or independently to meet company goals and firm deadlines. Works well with all departments: operations, finance, human resources, customer service and inventory management.

HIGHLIGHTS OF QUALIFICATION:

Sales/Marketing Management-

- Establish highly effective relationships with potential clients at all levels from support staff through management:
 - create rapport by establishing commonality of interest (being knowledgeable of product/service)
 - maintain control of situation by asking questions to elicit a positive response
 - close sales by showing benefits to clients

Management / Supervision-

- Administer results-oriented, decision-making activities to produce high profit and maintain business growth.
- Effectively worked within budget constraints with concentration of labor cost and over-runs.
- Proficient with computers to produce/retrieve/store necessary information using e-mail and latest technology for transmitting all types of data.

Customer Service / Client Relations / Communications-

- Implementation of new ideas, product displays, and changes; establishing highly effective sales strategies.
- Converse with clients to assess their desires and implement personalized service according to their needs.
- Effective customers and working relationships with all personnel in customer service, inventory procedures, administrative skills, and in overall flow of communication from initial contact through completion of the task.

Leadership / Community Involvement-

- President of Five Points Community Pride Association, advocacy organization for unity within the community.
- Serve in many capacities for United Way of Greater High Point (Member of the Board of Directors as well as Chairperson for African American Initiative Steering Committee).
- Serve on Board of Directors for Community In School and Chairman of Volunteer Committee.
- Board of Directors of NIA Community Foundation.

PROFESSIONAL EXPERIENCE:**DADE PAPER CO, WHITSETT, NC****2009-Present****Sales Consultant**

- Responsible for sales of janitorial and foodservice supplies.
- Directed daily sales efforts within assigned territory in the Greensboro, NC region
- Personal sales of \$300,000/yr. while managing and providing customer service to accounts
- Introduced cost effective programs to schools, restaurants, caterers, and municipalities
- Customer base included: City of Greensboro, City of High Point, City of Winston-Salem
- Above & Beyond Catering, Peppermoon Catering, Grandover Resort, North Carolina A&T State Univ.

Richardson Safety Equipment, High Point, NC**Sales Representative****P/T 2008-2009**

- Responsible for sales of janitorial supplies and safety equipment

PROGRESSIVE BUSINESS SOLUTIONS, RALEIGH, NC**2007****Sales Representative**

Effectively marketed business forms in the Piedmont Triad territory via referrals and cold calls.

- Territory encompassed a 25-75 mile radius of Greensboro. Called 20-40 accounts per week and 8-10 per day. Called on five key accounts. Successfully introduced new products with great results and personally cultivated approximately 10 new accounts.
- Products marketed include janitorial, safety, floor care; major brands include Pacific and BayWest.
- Achieved 50% gain in business; accomplished 100% goal for year and ranked in Top 20% in the company.
- Present in-services, seminars and serve as a facilitator for same.

INDUSTRIAL PAPER PRODUCTS, INC., BURLINGTON, NC**1992-2006****Sales Representative / Management**

Directed day to day sales efforts within assigned territory for this 25 year old company specializing in industrial sales and distribution of paper, packaging, facility and maintenance supplies.

- Personal sales of over \$1 million yearly with full management and excellent customer care service.
- Recognized for "high-margin, high-profit sales" to small firms and Fortune 500 companies.
- Prospect and develop qualified customers for saving through single source distribution.
- Counsel with major corporations as a company representative in Carolinas Minority Supplier Development Council, Inc.
- Introduce new products and cost reduction programs to all accounts, such as Proctor & Gamble, Duracell, Guilford County Schools, and Food Lion.

HENLEY PAPER COMPANY, HIGH POINT, NC**Sales Representative / Customer Care / Telemarketing****1984-1992**

Managed all sales activities within assigned territory. Recognized for promptness, product knowledge, and an excellent co-worker.

- Manage and sold fine paper to printing companies, packaging, and advertising agencies.
- Prospected and developed new business in the Winston-Salem, Greensboro, High Point region
- Introduced new products and cost reduction programs to companies such as Gate City Printing, Walnut Circle Press, City of Greensboro, Soabar Graphics, PIP Printing, Sir Speedy Printing

FORMAL EDUCATION:

North Carolina A&T State University, Greensboro, NC

1985 Graduate

BACHELOR OF ARTS IN POLITICAL SCIENCE / BUSINESS ADMINISTRATION

COMPUTER SKILLS: Windows, MS Office, MS Outlook, Adobe, company based.

PERSONAL: Interests: youth mentor, motivational speaker, reading, exercising (gym). Open to travel and/or relocation.

-EXCELLENT PERSONAL & PROFESSIONAL REFERENCES AVAILABLE UPON REQUEST-

CITY OF HIGH POINT

AGENDA ITEM



Title: College Drive speed limit between Kivett Dr and Kearns Ave

From: Matthew Carpenter, Traffic Operations Engineer **Meeting Date:** October 20, 2014

Public Hearing: N/A

Advertising Date: N/A

Advertised By: N/A

Attachments: 45 MPH Speed Limit section on S. College Dr

PURPOSE: The North Carolina Department of Transportation (NCDOT) is requesting a letter of concurrence from the City of High Point regarding ordinance updates for the speed limit along S. College Drive between Kivett Drive and Kearns Avenue. This will ensure that the posted speed limit matches the most current ordinance for both the City and the NCDOT.

BACKGROUND: This part of an ongoing review of the speed limits on NCDOT streets within the City limits. This action keeps the current speed limit of 45 MPH.

BUDGET IMPACT: N/A

RECOMMENDATION / ACTION REQUESTED: Approval by the City Council.

**Certification of Municipal Declaration
To Repeal Speed Limits and Request for Concurrence**

Concurring State Ordinance Number: 1019036

Division: 7 County: GUILFORD

Municipality: HIGH POINT

Type: Municipal Speed Zones

Road: SR 1278

Car: 45 MPH

Truck: 45 MPH

Description: College Drive (SR 1278) from Green Street (SR 1300), north- ward to Kivett Drive(US 29-A).(Meets engineering warrants for 45 mph zone)

Municipal Certification

I, _____, Clerk of _____, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the _____ day of _____, 20____, the repeal of speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: _____ Page: _____ Ordinance/Resolution Number: _____

In witness whereof, I have hereunto set my
hand and the municipal seal this _____ day
of _____, 20_____.

(signature)

(municipal seal)

Department of Transportation Approval

Division: _____ Title: _____ Date: _____

Region: _____ Title: _____ Date: _____

**Certification of Municipal Declaration
To Enact Speed Limits and Request for Concurrence**

Concurring State Ordinance Number: 1068491

Division: 7 County: GUILFORD

Municipality: HIGH POINT

Type: Municipal Speed Zones

Road: SR 1278

Car: 45 MPH

Truck: 45 MPH

Description: Between Kearn Street and SR 1113 (Kivett Drive) in High Point.

Municipal Certification

I, _____, Clerk of _____, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the _____ day of _____, 20_____, the speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: _____ Page: _____ Ordinance/Resolution Number: _____

In witness whereof, I have hereunto set my

hand and the municipal seal this _____ day

of _____, 20_____.

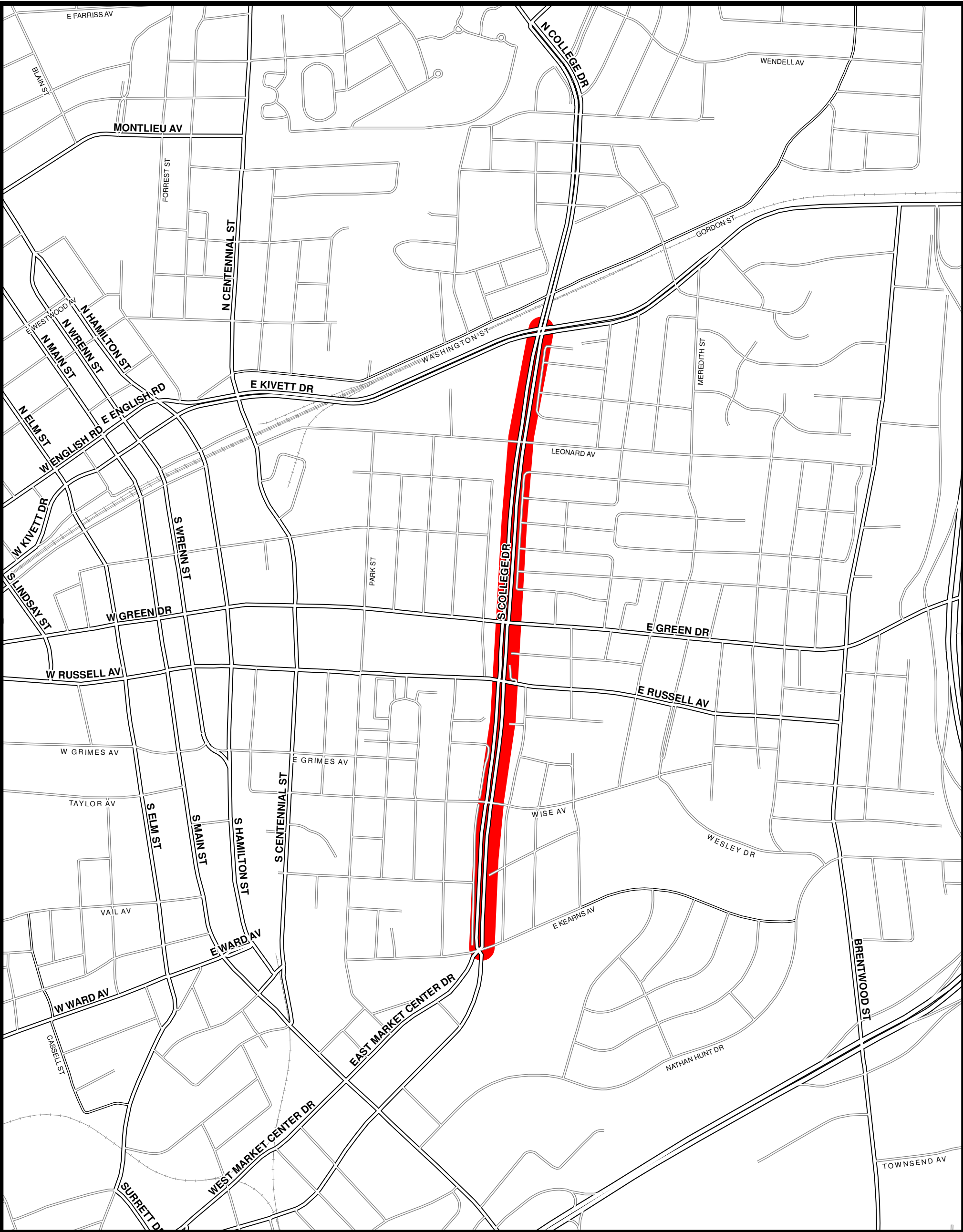
(signature)

(municipal seal)

Department of Transportation Approval

Division: _____ Title: _____ Date: _____

Region: _____ Title: _____ Date: _____

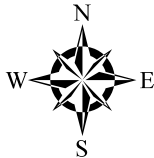


45 MPH SPEED LIMIT SECTION ON S. COLLEGE DRIVE



This map is provided as a public information resource and every reasonable effort has been made to assure the quality of the map. This data information and related graphics are not legal documents and are not intended to be used as such. The City of High Point makes no warranty, express or implied, as to the accuracy, reliability, utility or completeness of this information. The City of High Point assumes no liability either for any errors, omissions, or inaccuracies in the information provided regardless of the cause of such or for any decision made, action taken, or action not taken by the user in reliance upon any maps or information provided herein.

MAP PREPARED BY
CITY OF HIGH POINT TRANSPORTATION DEPARTMENT
211 S. HAMILTON STREET
HIGH POINT, NORTH CAROLINA 27260
OCTOBER 2014



CITY OF HIGH POINT

AGENDA ITEM



Title: Eastside WWTP Ductbank Replacement Project

From: Terry L. Houk, Director of Public Services

Meeting Date: October 20, 2014

Public Hearing: No

Advertising Date: September 5, 2014

Advertised By: Purchasing

Attachments: Formal Bid Recommendation
Bid Recommendation from Design Engineer
Pictures

PURPOSE: The Eastside WWTP main underground power feeds to the Nitrified Recycle System are failing. Bids were requested to replace the underground electrical power feeds to the main treatment process of the Eastside WWTP. Council needs to approve the lowest responsive bid.

BACKGROUND: The power conduits are encased in concrete and buried. Ground settlement is shearing the power feeds to the equipment. City forces cannot repair this system permanently. Water and Sewer Plants Maintenance has performed temporary repairs to maintain function of equipment.

BUDGET IMPACT: Funds for this project are in the following account: 421779-533701-421131026105-40201.

RECOMMENDATION / ACTION REQUESTED: Public Services is recommending that Council approve the lowest responsive bid submitted by East Coast Construction Services, LLC for replacement of electrical ductbank for \$295,669.00



**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Public Services**

COUNCIL AGENDA DATE: **October 20, 2014**

BID NO.: **08-092414** CONTRACT NO.: DATE OPENED: **Sep 24, 2014**

DESCRIPTION:

Replace the underground electrical power feeds to the main treatment process of the Eastside WWTP.

PURPOSE:

The power conduits are encased in concrete and buried. Ground settlement is shearing the power feeds to the equipment. City forces cannot repair this system permanently. This project will replace the power feeds.

COMMENTS:

Public Services is recommending that Council approve the lowest responsive bid submitted by East Coast Construction Services, LLC for replacement of electrical ductbank for \$295,699.00

RECOMMEND AWARD TO: **East Coast Construction** AMOUNT: **\$295,699.00**

JUSTIFICATION:

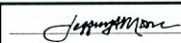
Bid process was properly performed.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
421779	533701	421131026105	40201	\$295,699.00
TOTAL BUDGETED AMOUNT				

DEPARTMENT HEAD: **Terry L. Houk** Digitally signed by Terry L. Houk
DN: cn=Terry L. Houk, o=Public Services, ou=City of High Point, email=terry.houk@highpointnc.gov, c=US
Date: 2014.10.14 09:41:25 -0400 DATE: **Oct 14, 2014**

The Purchasing Division concurs with recommendation submitted by the **Public Services** and recommends award to the lowest responsible, responsive bidder **East Coast Construction** in the amount of \$ **295,699.00**.

PURCHASING MANAGER: **Tarinda Chappell** Digitally signed by Tarinda Chappell
DN: cn=Tarinda Chappell, o=City of High Point, ou=Purchasing, email=tarinda.chappell@highpointnc.gov, c=US
Date: 2014.10.14 11:39:03 -0400 DATE: **Oct 14, 2014**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR:  Digitally signed by Jeffery A. Moore
DN: cn=Jeffery A. Moore, o=City of High Point, NC, ou=Financial Services Director, email=jeff.moore@highpointnc.gov, c=US
Date: 2014.10.14 14:57:38 -0400 DATE: **Oct 14, 2014**

CITY MANAGER: **Randy E. McCaslin** Digitally signed by Randy E. McCaslin
DN: cn=Randy E. McCaslin, o=ou, email=randy.mccaslin@highpointnc.gov, c=US
Date: 2014.10.15 10:12:42 -0400 DATE: **Oct 14, 2014**

4011 WestChase Blvd.
Suite 500
Raleigh, NC 27607

919 833-7152
hazenandsawyer.com

September 25, 2014

Mr. Terry Houk
Public Service Director
City of High Point
P.O. Box 230
High Point, North Carolina 27261

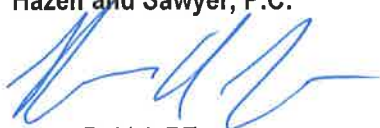
Re: Eastside Wastewater Treatment Plant
Ductbank Replacement
Bid No. 08-092414

Dear Mr. Houk:

Bids for the construction of the Eastside Wastewater Treatment Plant Ductbank Replacement Project were received on September 24, 2014. Two qualified Contractors submitted bids and the certified bid tabulation is attached.

East Coast Construction Services, LLC is the apparent low bidder with a total bid of \$295,699.00. Upon detailed review, their bid was determined to be in order and in accordance with the requirements of the Notice to Bidders. We recommend that the City of High Point proceed with award to the low bidder, East Coast Construction Services, LLC in the amount of \$295,699.00. Please do not hesitate to call if you have any questions.

Very truly yours,
Hazen and Sawyer, P.C.


Bryan R. Lisk PE
Senior Associate



**City of High Point, NC
Eastside WWTP Aeration Basins Ductbank Replacement
Single Prime Contract 1**

BID TABULATION

**Bid Date: September 24, 2014
Bid Opening Time: 2:00 p.m.
Bid Number 08-092414**

Pre Qualified Contractors:	License Number	Addenda Comfirmed	Affidavit A or B and H	Bid Bond	Bid Amout
Cooper Electric	00080-U	N/A	Y	Y	\$310,000.00
East Coast Construction	28555-U	N/A	Y	Y	\$295.699.00

CERTIFICATION

The bids tabulated herein were opened and read aloud at 2:00 p.m. on the 24th day of September, 2014 at the Municipal Office Building in the City of High Point, NC.

The tabulation is correct in that it lists the Bid Item Amounts as presented in the original price proposals from each bidder.

Eastside Emergency Repairs



The original power feeds are via underground incased in concrete. Ground settlement has resulted in power feeds shearing.





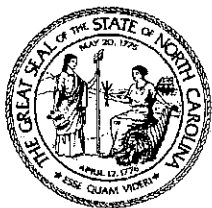
Please note that the original power feeds are fed out of bottom of cabinets.





Pictures of temporary repairs out of Master Control Center (MCC)





NORTH CAROLINA
DEPARTMENT OF STATE TREASURER
STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

JANET COWELL
TREASURER

T. VANCE HOLLOMAN
DEPUTY TREASURER

November 5, 2014

The Honorable Mayor
City of High Point
c/o Jeffrey A. Moore, CPA CGMA
Financial Services Director
PO Box 230
211 South Hamilton Street
High Point, North Carolina 27261

Re: City of High Point— General Obligation Refunding Bond, Series 2014
Request to issue not to exceed: \$14,235,000

Dear Mayor:

The application requesting Local Government Commission approval of issuance of the proposed bonds of the above-referenced unit was formally approved by the Executive Committee of the Local Government Commission on November 4, 2014.

Also enclosed is the Schedule of Financing Costs to be completed and returned within 30 days of closing. Instructions for completion are on the reverse side of the form.

We are pleased to have had this opportunity to serve you.

Sincerely,

A handwritten signature in black ink that reads "T. Vance Holloman".

T. Vance Holloman, Secretary
Local Government Commission

TVH/jlm

cc: Jeffrey A. Moore, CPA CGMA
Financial Services Director

Paul Billow, Esquire
Womble Carlyle Sandridge & Rice, LLP

Davenport & Company, LLC
Ted Cole, Mitch Brigulio

CITY OF HIGH POINT

AGENDA ITEM



Title: Authorize Issuance of Series 2014 General Obligation Refunding Bonds

From: Jeffrey A Moore, Financial Services Director

Meeting Date: October 20, 2014

Public Hearing: No

Advertising Date 10/24/2014

Advertised By: Bond Attorney

Attachments: Form of Proceedings

PURPOSE: The Financial Services Department recommends that the City Council take the final steps that were proposed in October 2013 with the then issued Series 2013 General Obligation Refunding Bonds (Taxable) by authorizing the issuance of \$14,235,000 Series 2014 General Obligation Refunding Bonds using a tax-exempt interest rate of 1.36%.

BACKGROUND: During Fall 2013, staff had identified that the bond market was favorable for refunding some of the City's outstanding Series 2005 general obligation bonds. As a result, City Council authorized the issuance of the Series 2013 Taxable General Obligation Refunding Bonds which were premised on the LGC approved Forward Bond Exchange that would refund those 2013 bonds with a tax-exempt (and therefore more advantageous) interest rate of 1.36% with the Series 2014 General Obligation Refunding Bonds. The City's bond attorneys have prepared the attached documents.

The LGC staff has recommended the refunding authorization to the full Local Government Commission for its approval at their November 4, 2014 meeting.

BUDGET IMPACT: The interest rate refunding savings based on the approved and premised Forward Bond Exchange have already been built into the debt service budgets for the General Debt Service and Water and Sewer funds in the 2014-2015 Annual Budget and scheduled for the next 5 fiscal years.

If Council decides not to approve the recommendation, the impact of maintaining the current bond interest rate of 1.72% will increase the costs of debt service by approximately \$20,000 in the current fiscal year and \$60,000 for next FY 2015-2016 before averaging an additional \$30,000 for the remaining 3 fiscal years.

RECOMMENDATION / ACTIONS REQUESTED:

1. 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."
2. City Council is requested to adopt the attached "Order Authorizing \$14,235,000 General Obligation Refunding Bonds"

A regular meeting of the City Council of the City of High Point, North Carolina was held in the Council Chambers of the Municipal Building at 211 South Hamilton Street in High Point, North Carolina, the regular place of meeting, at 5:30 p.m. on October 20, 2014.

Present: Mayor James C. Davis, presiding, and Council Members

Absent: Council Members

Also Present: _____

* * * * *

_____ introduced the following resolution the title of which was read and copies of which had been previously distributed to each Council Member:

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, NORTH CAROLINA

BE IT RESOLVED by the City Council (the “City Council”) of the City of High Point, North Carolina (the “City”):

Section 1. The City Council does hereby determine that:

(a) Preliminary analysis has been completed to demonstrate a benefit of refunding all of the City’s outstanding Taxable General Obligation Refunding Bond, Series 2013, dated November 26, 2013 (the “2013 Bond”).

(b) The City Council wishes to commence the procedures for the issuance of not to exceed \$14,235,000 General Obligation Refunding Bonds of the City (the “Bonds”) for the purpose of providing funds, together with other available funds, to refund all of the outstanding 2013 Bond.

(c) The annual audits of the City show the City to be in strict compliance with debt management policies and that the budgetary and fiscal management policies are in compliance with law.

Section 2. The filing by the City of an application with the North Carolina Local Government Commission for approval of the issuance of the Bonds in an aggregate principal amount not to exceed \$14,235,000 is hereby authorized, ratified and approved.

Section 3. The law firm of Womble Carlyle Sandridge & Rice, LLP is hereby appointed to serve, but solely at the pleasure of the City Council, as bond counsel to the City in connection with the issuance of the Bonds.

Section 4. Davenport & Company LLC is hereby appointed to serve, but solely at the pleasure of the City Council, as financial advisor to the City in connection with the issuance of the Bonds.

Section 5. This resolution shall take effect immediately upon its passage.

Thereupon, the resolution entitled: “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, NORTH CAROLINA” was passed by the following vote:

Ayes: _____

Noes: _____

Thereupon, _____ introduced the following order authorizing bonds, the title of which was read and copies of which had been previously distributed to each Council Member:

**ORDER AUTHORIZING \$14,235,000 GENERAL OBLIGATION
REFUNDING BONDS**

BE IT ORDERED by the City Council of City of High Point, North Carolina:

1. That pursuant to The Local Government Bond Act, as amended, the City of High Point, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue General Obligation Refunding Bonds in an aggregate principal amount not exceeding \$14,235,000 for the purpose of providing funds, together with any other available funds, to (a) refund all of the City’s outstanding Taxable General Obligation Refunding Bonds, Series 2013, dated November 26, 2013, and (b) pay certain expenses related thereto.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the City Clerk and is open to public inspection.

4. That this order shall take effect upon adoption.

The City Council thereupon designated the Financial Services Director of the City to make and file with the City Clerk the sworn statement of debt of the City which is required by The Local Government Bond Act, as amended, to be filed after the bond order has been introduced. The City Council also designated the Financial Services Director of the City to file with the City Clerk the statement of total estimated interest which is required by The Local Government Bond Act, as amended, to be filed with the City Clerk at the time the bond order is introduced and further directed the City Clerk to file a copy of such statement with the Local Government Commission.

Thereupon, the Financial Services Director of the City caused to be filed with the City Clerk, in the presence of the City Council, the sworn statement of debt and the statement of total estimated interest as so required.

Thereupon, the order entitled "ORDER AUTHORIZING \$14,235,000 GENERAL OBLIGATION REFUNDING BONDS" was adopted by the following vote:

Ayes: _____

Noes: _____

The City Clerk was thereupon directed to publish the aforementioned order, together with the appended statement as required by The Local Government Bond Act, as amended, once in the High Point Enterprise.

Thereupon, _____ introduced the following resolution the title of which was read and copies of which had been previously distributed to each Council Member:

**RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF A
\$14,235,000 CITY OF HIGH POINT, NORTH CAROLINA GENERAL
OBLIGATION REFUNDING BOND, SERIES 2014**

BE IT RESOLVED by the City Council (the "City Council") of the City of High Point, North Carolina (the "City"):

Section 1. The City Council has determined and does hereby find and declare as follows:

(a) An order authorizing \$14,235,000 General Obligation Refunding Bonds was adopted by the City Council of the City on October 20, 2014, which order is expected to take effect on November 23, 2014.

(b) None of said bonds have been issued, no notes have been issued in anticipation of the receipt of the proceeds of the sale of said bonds and it is necessary to issue not to exceed \$14,235,000 of said bonds at this time.

(c) The shortest period of time in which the City's outstanding Taxable General Obligation Refunding Bond, Series 2013, dated November 26, 2013 (the "2013 Bond"), to be refunded by said bonds can be finally paid without making it unduly burdensome on the taxpayers of the City as determined by the Local Government Commission of North Carolina (the "Commission") is a period which expires on March 1, 2019.

Section 2. Pursuant to said order there shall be issued a bond in the aggregate principal amount of \$14,235,000 designated "City of High Point, North Carolina General Obligation Refunding Bond, Series 2014" (the "Bond") and dated the date of delivery thereof. The Bond shall mature in annual principal installments on each March 1 as follows: \$325,000 2015, \$4,660,000 2016, \$4,540,000 2017, \$3,225,000 2018 and \$1,485,000 2019. The Bond shall bear interest on the outstanding principal amount (computed on the basis of a 360-day year consisting of twelve 30-day months) at a rate of 1.36% per annum, which interest shall be payable on each March 1 and September 1, beginning March 1, 2015, until payment of such principal sum.

The Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated, unless it is (a) authenticated upon an interest payment date, in which event it shall bear interest from such interest payment date or (b) authenticated prior to the first interest payment date, in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and interest on the Bond shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof.

The definitive Bond shall be initially issued as one fully-registered bond, without coupons, numbered R-1 and shall be initially registered in the name of the Purchaser.

Section 3. The Bond shall bear the manual or facsimile signatures of the Mayor and the City Clerk of the City and the official seal or a facsimile of the official seal of the City shall be impressed or imprinted, as the case may be, on the Bond.

The certificate of the Local Government Commission of North Carolina to be endorsed on the Bond shall bear the manual or facsimile signature of the Secretary of said Commission and the certificate of authentication of the Bond Registrar (hereinafter defined) to be endorsed on the Bond shall be executed as provided hereinafter.

In case any officer of the City or the Local Government Commission of North Carolina whose manual or facsimile signature shall appear on the Bond shall cease to be such officer before the delivery of the Bond, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and the Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of the Bond shall be the proper officers to sign the Bond although at the date of the Bond such persons may not have been such officers.

The Bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

The Bond and the endorsements thereon shall be in substantially the following form:

No. R-1

\$14,235,000

[THIS BOND MAY NOT BE TRANSFERRED EXCEPT IN ACCORDANCE WITH THE PROVISIONS SET FORTH HEREIN.]

United States of America
State of North Carolina

CITY OF HIGH POINT, NORTH CAROLINA
GENERAL OBLIGATION REFUNDING BOND
SERIES 2014

<u>Final Maturity Date</u>	<u>Interest Rate</u>
March 1, 2019	1.36%

The City of High Point, a municipal corporation in the State of North Carolina (the “City”), is justly indebted and for value received hereby promises to pay to

or registered assigns or legal representative the principal sum of Fourteen Million Two Hundred Thirty-Five Thousand Dollars (\$14,235,000) in annual principal installments as set forth in Exhibit A attached hereto and made a part hereof (each, a “Principal Payment Date”), with a Final Maturity Date as specified above, and to pay interest from the date hereof on the unpaid portion of said principal sum until payment thereof (computed on the basis of a 360-day year consisting of twelve 30-day months) at the Interest Rate specified above, such interest being payable as set forth in Exhibit A attached hereto (each, an “Interest Payment Date”).

This Bond shall bear interest from the Interest Payment Date next preceding the date on which it is authenticated, unless it is (a) authenticated upon an Interest Payment Date, in which event it shall bear interest from such Interest Payment Date or (b) authenticated prior to the first Interest Payment Date, in which event it shall bear interest from the date hereof; provided, however, that if at the time of authentication interest is in default, this Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on this Bond shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof. Payment of the final installment of principal of this Bond shall be made only upon the presentation and surrender hereof at the office of the Financial Services Director of the City in High Point, North Carolina (the “Bond Registrar”). For the prompt payment of both the principal of and interest on this Bond as the same shall become due, the faith and credit of the City are hereby irrevocably pledged.

This Bond is being issued by the City for the purpose of providing funds, together with any other available funds, to refund all of the City’s outstanding Taxable General Obligation Refunding Bond, Series 2013, dated November 26, 2013, and paying certain fees and expenses

relating to the sale and issuance of this Bond. This Bond is being issued under and pursuant to The Local Government Bond Act, as amended, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina, an order adopted by the City Council of the City, which order has taken effect, and a resolution duly adopted by said City Council (the "Resolution").

The principal installments of this Bond are not subject to redemption prior to their stated Principal Payment Dates.

The Bond Registrar shall keep at his office the books of the City for the registration of transfer of this Bond. The transfer of this Bond may be registered only upon such books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar, together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall deliver in exchange for this Bond a new Bond registered in the name of the transferee in an aggregate principal amount equal to the principal amount of this Bond, containing the same principal installments and bearing interest at the same rate. This Bond may not be exchanged for any denomination other than the outstanding principal amount thereof. Notwithstanding the foregoing, the Bond Registrar shall not register the transfer of this Bond to any person or entity other than (a) an affiliate of the registered owner, (b) a trust or custodial arrangement established by the registered owner or one of its affiliates, the owners of the beneficial interests in which are limited to qualified institutional buyers, as defined in Rule 144A promulgated under the Securities Act of 1933, as amended (the "1933 Act"), or (c) to a qualified institutional buyer that is a commercial bank having a combined capital and surplus, determined as of the date of any transfer, of \$5,000,000,000 or more that has executed and delivered to the City and the Local Government Commission of North Carolina an investor letter substantially in the form attached to the Forward Purchase Option Agreement (as defined in the Resolution).

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this Bond have happened, exist and have been performed in regular and due form and time as so required; that provision has been made for the levy and collection of a direct annual tax upon all taxable property within the City sufficient to pay the principal of and the interest on this Bond as the same shall become due; and that the total indebtedness of the City, including this Bond, does not exceed any constitutional or statutory limitation thereon.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Resolution until this Bond shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the City of High Point, North Carolina, by resolution duly adopted by its City Council, has caused this Bond to be signed by its Mayor and City Clerk and its official seal to be impressed hereon, all as of the ____ day of December, 2014.

[SEAL]

Mayor

City Clerk

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within Bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

This Bond is the Bond of the series designated herein and issued under the provisions of the within-mentioned Resolution.

Financial Services Director,
as Bond Registrar

Date of authentication: _____

ASSIGNMENT

FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells, assigns and transfers unto _____

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints _____,
_____.

attorney to register the transfer of said bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

In the presence of:

NOTICE: The signature must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

The signature to this assignment must correspond with the name as it appears on the face of the within Bond in every particular, without alteration of enlargement or any change whatever.

EXHIBIT A

DEBT SERVICE SCHEDULE

<u>Payment Date</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>	<u>Remaining Principal Balance</u>
March 1, 2015	\$ 325,000.00	\$ 47,861.23	\$ 372,861.23	\$13,910,000.00
September 1, 2015	--	94,588.00	94,588.00	13,910,000.00
March 1, 2016	4,660,000.00	94,588.00	4,754,588.00	9,250,000.00
September 1, 2016	--	62,900.00	62,900.00	9,250,000.00
March 1, 2017	4,540,000.00	62,900.00	4,602,900.00	4,710,000.00
September 1, 2017	--	32,028.00	32,028.00	4,710,000.00
March 1, 2018	3,225,000.00	32,028.00	3,257,028.00	1,485,000.00
September 1, 2018	--	10,098.00	10,098.00	1,485,000.00
March 1, 2019	1,485,000.00	10,098.00	1,495,098.00	0.00

Section 4. The principal installments of the Bond are not subject to redemption prior to their stated principal payment dates.

Section 5. The Bond Registrar shall keep at his or her office the books of the City for the registration of transfer of the Bond. The transfer of the Bond may be registered only upon such books and as otherwise provided in this resolution upon the surrender hereof to the Bond Registrar, together with an assignment duly executed by the registered owner thereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall deliver in exchange for the Bond a new Bond registered in the name of the transferee in an aggregate principal amount equal to the principal amount of the Bond, containing the same principal installments and bearing interest at the same rate. The Bond may not be exchanged for any denomination other than the outstanding principal amount thereof. Notwithstanding the foregoing, the Bond Registrar shall not register the transfer of this Bond to any person or entity other than (a) an affiliate of the registered owner, (b) a trust or custodial arrangement established by the registered owner or one of its affiliates, the owners of the beneficial interests in which are limited to qualified institutional buyers, as defined

in Rule 144A promulgated under the Securities Act of 1933, as amended (the “1933 Act”), or (c) to a qualified institutional buyer that is a commercial bank having a combined capital and surplus, determined as of the date of any transfer, of \$5,000,000,000 or more that has executed and delivered to the City and the Commission an investor letter substantially in the form attached to the Forward Purchase Option Agreement (hereinafter defined).

In all cases in which the transfer of the Bond shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time a new Bond in accordance with the provisions of this resolution. Any Bond surrendered in any such registration of transfer shall forthwith be canceled by the Bond Registrar. The City or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every such registration of transfer of the Bond sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such registration of transfer, but no other charge shall be made by the City or the Bond Registrar for registering the transfer of the Bond under this resolution.

The person or entity in whose name the Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or interest on the Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon the Bond and interest thereon, to the extent of the sum or sums so paid.

The City shall appoint such registrars, transfer agents, depositaries or other agents as may be necessary for the registration and registration of transfer of the Bond within a reasonable time according to then current commercial standards and for the timely payment of principal and interest with respect to the Bond. The Financial Services Director of the City, or any person at any time acting in such capacity, is hereby appointed the registrar, transfer agent and paying agent for the Bond (collectively the “Bond Registrar”), subject to the right of the City Council of the City to appoint another Bond Registrar, and as such shall keep at his or her office in the City, the books of the City for the registration, registration of transfer and payment of the Bond as provided in this resolution.

Section 6. The City covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended (the “Code”), or as may be amended from time to time, and any Treasury regulations now or hereafter promulgated thereunder, to the extent necessary so that the interest on the Bond will not be included in gross income of the owners of the Bond for federal income tax purposes.

Section 7. The City hereby exercises its option to issue the Bond and sell the same to Wells Fargo Municipal Capital Strategies, LLC, as the initial purchaser of the Bond (the “Purchaser”), pursuant to the terms of a Forward Purchase Option Agreement, dated November 7, 2013 (the “Forward Purchase Option Agreement”), among the City, the Commission and the Purchaser. The purchase price of the Bond to the Purchaser shall be equal to the aggregate par amount of the Bond.

Section 8. The 2013 Bond is hereby irrevocably called for redemption on December 2, 2014, at a redemption price equal to 100% of the outstanding principal amount thereof, plus

accrued interest to the redemption date, all in accordance with the provisions of the 2013 Bond, the resolution authorizing the issuance of the 2013 Bond, the Forward Purchase Option Agreement and this resolution.

Section 9. The Mayor, the Interim City Manager, the Financial Services Director and the City Clerk of the City are hereby authorized and directed to execute and deliver such closing and other documents necessary for the purpose of facilitating the sale and issuance of the Bond in a manner consistent with the terms of this resolution and the Forward Purchase Option Agreement. All actions heretofore taken by the Mayor, the Interim City Manager, the Financial Services Director or the City Clerk of the City for the purpose of facilitating the sale and issuance of the Bond in a manner consistent with the terms of this resolution and the Forward Purchase Option Agreement are hereby authorized, ratified and approved.

The officers of the City and the agents and employees of the City are hereby authorized and directed to do all acts and things required of them by the provisions of this resolution, the Bond and the Forward Purchase Option Agreement for the full, punctual and complete performance of the terms, covenants, provisions and agreements of the same.

Section 10. This resolution shall take effect upon its passage, except that the provisions in Section 8 hereof calling the 2013 Bond for redemption shall only become effective upon the issuance of the Bond.

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing resolution entitled "RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF A \$14,235,000 CITY OF HIGH POINT, NORTH CAROLINA GENERAL OBLIGATION REFUNDING BOND, SERIES 2014" was passed by the following vote:

Ayes: _____

Noes: _____

* * * * *

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of the City Council of said City at a regular meeting held on October 20, 2014, as relates in any way to the adoption of the foregoing order and the passage of the foregoing resolutions authorizing the sale and issuance of general obligation refunding bonds of said City and that said proceedings are recorded in the minutes of said City Council.

I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law.

WITNESS my hand and the official seal of said City this 20th day of October, 2014.

City Clerk

[SEAL]



NORTH CAROLINA
DEPARTMENT OF STATE TREASURER
STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

JANET COWELL
TREASURER

T. VANCE HOLLOMAN
DEPUTY TREASURER

October 15, 2014

The Honorable Mayor
City of High Point
c/o Jeffrey A. Moore, CPA CGMA
Financial Services Director
PO Box 230
211 South Hamilton Street
High Point, North Carolina 27261

Re: City of High Point– General Obligation Refunding Bond, Series 2014
Request to issue not to exceed: \$14,235,000

Dear Mayor:

In accordance with G.S. 159-51, the application requesting approval of the Local Government Commission for the issuance of bonds as described above is recorded in this office as having been filed on October 14, 2014 and accepted for submission to the Commission. We also acknowledge receipt of your Statement of Total Estimated Interest.

We are pleased to have had this opportunity to serve you.

Sincerely,

A handwritten signature in black ink that reads "T. Vance Holloman".

T. Vance Holloman, Secretary
Local Government Commission

TVH/jlm

cc: Jeffrey A. Moore, CPA CGMA
Finance Services Director

Paul Billow, Esquire
Womble Carlyle Sandridge & Rice

Davenport & Company, LLC
Ted Cole, Mitch Brigulio

CITY OF HIGH POINT

AGENDA ITEM



Title: Electric Bucket Truck

From: Gary Smith, Fleet Director

Public Hearing: N/A

Attachments: Formal Bid Recommendation

Meeting Date: October 20, 2014

Advertising Date / N/A

Advertised By: N/A

PURPOSE:

The Electric Department is currently using a 1998 Ford F700 Telect bucket truck that is in need of replacement due to age and hours. Maintenance and equipment repairs are over \$126,990 to date. Using a National Joint Powers Alliance (NJPA) contract a Altec AA55-E bucket truck body was identified for council approval.

BACKGROUND:

The Electric Department is currently using a 1998 Ford F700 Telect bucket truck that has over 11,750+ hours. The Altec AA55-E bucket truck body is similar to the one they are currently using and will meet their needs. The price of \$121,089 is for the truck body and installation on city supplied 2015 Ford F750 truck.

BUDGET IMPACT:

Funds are available in 2014-15 budget

RECOMMENDATION / ACTION REQUESTED:

The Fleet Services Department recommends purchasing the new Altec AA55-E bucket truck body from Altec Industries Inc. and disposing of the old electric bucket truck through the online auction process.





**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Fleet Services**

COUNCIL AGENDA DATE: **October 20, 2014**

BID NO.: **NJPA** CONTRACT NO.: **031014-ALTI** DATE OPENED:

DESCRIPTION:

2015 Altec AA55-E bucket truck body

PURPOSE:

The Electric Department is currently using a 1998 Ford F700 Telect bucket truck that is in need of replacement due to age and hours.

COMMENTS:

The price of \$121,089 is for the truck body and installation on city supplied 2015 Ford F750 truck

RECOMMEND AWARD TO: **Altec Industries** AMOUNT: **\$ 121,089**

JUSTIFICATION:

The 2015 Freightliner with Terex Commander 4047 model digger derrick body is similar to the one they are currently using and will meet their needs.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
501271	532401			\$121,089
TOTAL BUDGETED AMOUNT				

DEPARTMENT HEAD: **Gary Smith** Digitally signed by Gary Smith
DN: cn=Gary Smith, o=City of High Point, ou=Fleet Services, email=gary.smith@highpointnc.gov, c=US
Date: 2014.10.13 12:04:10 -0400 DATE: **Oct 13, 2014**

The Purchasing Division concurs with recommendation submitted by the **Fleet Services and recommends award to the lowest responsible, responsive bidder **Altec Industries** in the amount of \$ **121,089.00**.**

PURCHASING MANAGER: **Tarinda Chappell** Digitally signed by Tarinda Chappell
DN: cn=Tarinda Chappell, o=City of High Point, ou=Purchasing, email=tarinda.chappell@highpointnc.gov, c=US
Date: 2014.10.13 12:35:31 -0400 DATE: **Oct 13, 2014**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR:  Digitally signed by Jeffrey A. Moore
DN: cn=Jeffrey A. Moore, o=City of High Point, NC, ou=Financial Services Director, email=jffmoore@highpointnc.gov, c=US
Date: 2014.10.13 14:21:13 -0400 DATE: **Oct 13, 2014**

CITY MANAGER: **Randy E. McCaslin** Digitally signed by Randy E. McCaslin
DN: cn=Randy E. McCaslin, o, ou, email=randy.mccaslin@highpointnc.gov, c=US
Date: 2014.10.13 14:41:59 -0400 DATE: **Oct 13, 2014**

A RESOLUTION AMENDING THE LAND USE PLAN FOR THE HIGH POINT PLANNING AREA

WHEREAS, the City Council of the City of High Point adopted the *Land Use Plan for the High Point Planning Area* on April 6, 2000, and

WHEREAS, changing circumstances may warrant that from time to time a particular land use designation be changed from one classification to another; and

WHEREAS, public hearings were held before the High Point Planning and Zoning Commission on September 23, 2014, and before the City Council of the City of High Point on October 20, 2014, regarding this proposed amendment (LUPA 14-04) to said *Land Use Plan for the High Point Planning Area*.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, NORTH CAROLINA:

SECTION 1. That the *Land Use Plan for the High Point Planning Area* be amended by redesignating approximately 2.8 acres (Portions of Guilford County tax parcels 0190229 thru 0190238) from Low Density Residential to Institutional.

SECTION 2. Should any section or provision of this resolution be declared invalid, such decision shall not affect the validity of remaining portions of this resolution.

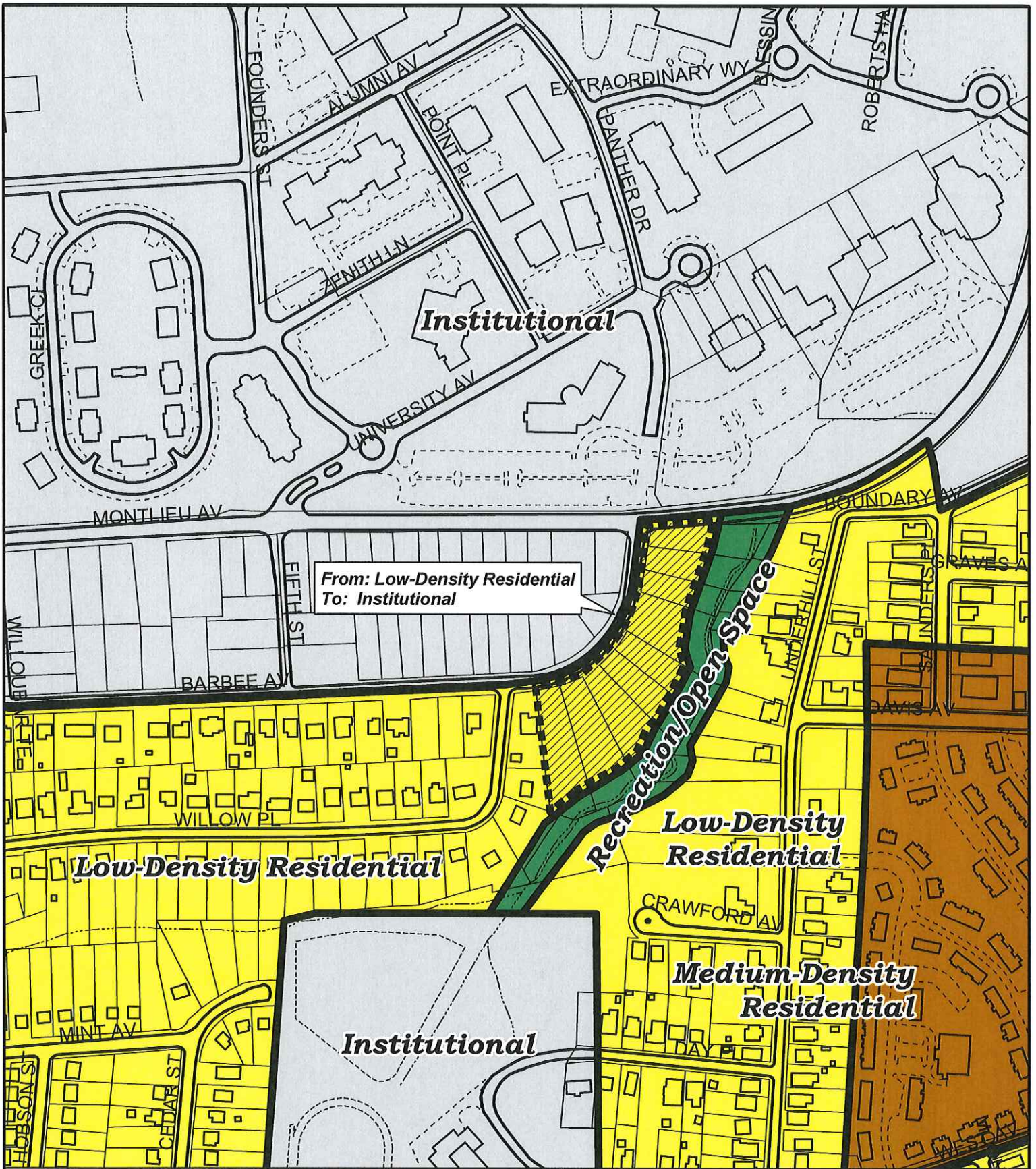
SECTION 3. This resolution shall become effective immediately upon adoption.

Adopted by City Council
this 20th day of October, 2014


Lisa Vierling, City Clerk



The complete file for this Land Use Plan Map Amendment may be inspected at the City of High Point Department of Planning and Development, Municipal Office Building, 211 South Hamilton Street, High Point, North Carolina.



LAND USE PLAN AMENDMENT 14-04

**Request: From: Low Density Residential
To: Institutional**

Existing Land Use Plan
Subject Property Boundary



**Planning & Development
Department**

City of High Point

Date: September 11, 2014



Scale: 1"=300'
G:\Planning\Secure\ba-pz\2014\pz\lupa14-04.mxd



Application for Appointment To Boards and Commissions

Please TYPE or PRINT the information requested on this application. You may attach additional pages and / or your resume if you wish. All appointments to City boards and commissions are made by the Mayor and City Council and are not limited to those persons who fill out applications.

Name Jim Grdich

Street Address _____

City, State, Zip _____

Employer Blue Ridge Companies, Inc.

Business Address 5826 Samet Drive, Suite 105 High Point, NC 27265

Phone: home _____ work 336-889-1512 fax 336-889-1501

Email jgrdich@blueridgecompanies.com

Do you live inside the corporate limits of High Point? _____ If not, do you live within High Point's extraterritorial zoning jurisdiction? _____

Please list (in order of preference) the boards and commissions on which you would be willing to serve.

1. Housing Authority of the City of High Point
2. _____
3. _____

Please list any work, volunteer, and/or educational experience that you would like us to consider in the review of your application. Please feel free to attach a resume or biographical information.

Have you participated in the City Government 101 Course? _____ Year _____

Have you participated in Leadership High Point? _____ Year _____

----- RETURN TO: -----

City Clerk, City of High Point, P. O. Box 230, High Point, NC 27261 • 211 S. Hamilton Street
Phone: 336-883-3536 • Fax: 336-822-7067

Applications will be retained and active for a two-year period



Jim Grdich

Vice President of Development

Blue Ridge Companies, Inc.

As the Vice President of Development, Jim is responsible for the oversight of all phases of Blue Ridge Companies' development activities, including project development, entitlement, design, and construction. During his time with Blue Ridge, Jim has been responsible for the development of over 10,000 apartment units across the Southeast from concept through completion.

Jim is a 30 year veteran of the Commercial Real Estate Development industry, bringing with him extensive experience and knowledge in the following fields: single family and multifamily residential development, commercial construction and land development. A licensed General Contractor in North Carolina, Jim also holds both his BSBA in Business Administration and MBA from East Carolina University, in Greenville, North Carolina.

Contact Information:

Jim Grdich

VICE PRESIDENT OF DEVELOPMENT

jgrdich@blueridgecompanies.com

5826 Samet Drive Suite 105 • High Point, NC 27265

p. 336.889.1512 f. 336.889.1501 m. 336.442.6591

CITY OF HIGH POINT

AGENDA ITEM



Title: Compactor Refurbish

From: Gary Smith, Fleet Director

Public Hearing: N/A

Attachments:

Meeting Date: October 20, 2014

Advertising Date / N/A

Advertised By: N/A

PURPOSE:

To rescind contract with Road Machinery Services to remanufacture existing landfill compactor approved by council on Tuesday, September 2, 2014.

BACKGROUND:

After approval by council to refurbish our landfill compactor we learned that Road Machinery Services is no longer a dealer of this equipment. The manufacturer of the landfill compactor recommended their North Carolina representative Goodin Equipment Services to assess the condition of our compactor instead. After further review by Goodin Equipment Services repairs are estimated at \$125,000.

BUDGET IMPACT:

\$220,000 potential savings in 2014-15 budget

RECOMMENDATION / ACTION REQUESTED:

The Fleet Services Department recommends rescinding the contract with Road Machinery Services for \$345,000 and instructing staff to coordinate the repairs through Goodin Equipment Services and other local vendors.



COMPREHENSIVE PLANNING COMMITTEE
Chaired by Council Member Smothers
OCTOBER 7, 2014 – 4:00 P.M.
THIRD FLOOR CONFERENCE ROOM

MINUTES

PRESENT:

Council Member Smothers, Council Members Davis, Ewing, Golden, Moore, Mendenhall and Wagner

ABSENT:

Council Member Douglas

STAFF PRESENT:

Randy McCaslin, City Manager	Loren Hill, Economic Development Director
Bob Morgan, Assistant City Manager	Lee Burnette, Director of Planning
Jeron Hollis, Communications Officer	Frank Jaques, Systems Analyst
Steve Lingerfelt, Director of IT	
Sandy Dunbeck, Economic Development Rep	
Tom Spencer, Project Administrator	
Mark McDonald, Director of Transportation	

OTHERS PRESENT:

Cindy Davis – Member of Planning and Zoning Commission

MEDIA PRESENT:

Pat Kimbrough, *High Point Enterprise*

ACELLA UPDATE

Tom Spencer advised that the ACELLA is software implementation services of which the City purchased the the land management and the case management portion of. IT has servers that will host ACELLA and the City will be responsible for the entire infrastructure. The main pieces to ACELLA are:

- ACELLA Automation. This is what most people in City Hall will use.
- ACELLA Citizen Access. This is what citizens use to access the system.
- Plan Review. Presently plan review is paper driven. They are creating an electronic process where those could be submitted electronically.
- ACELLA Mobile Office. This is for the Inspectors for Code Enforcement. It allows them to do inspections to give real time results.

Mr. Spencer stated In the last eighteen months they have created a document where the vendor can create an application. They are now at about 50% towards completion of the ACELLA project. Mr. Spencer stated that the City got the best deal on this software he has ever seen in 25 years. Mr. Spencer explained this is a highly complex integrated system that involves a lot of departments and a lot of systems, and in addition they are doing their standard operating procedures during this process.

The target to go live is Late Spring 2015.

Mr. Spencer stated that the ACELLA software has been purchased and servers have partitioned and set up, the software has been loaded on them and Redmark has now been engaged with the City to create that configuration document, and then configure the software.

Mayor Davis asked how the UDO delays play into the timeline. Lee Burnette stated that is another priority that Planning is involved with and for the most part it only involves two other people that are associated with ACELLA in the Planning Department.

Council Member Smothers asked how difficult will it be for someone to use. Mr. Spencer stated that the online piece they are putting together will have a training piece, and it is going to take time to educate people to use it. There will be some online tutorials and as well as a help icon for users. Lee Burnette stated that any type of application that comes into his department will be able to be done online.

Council Member Smothers asked how time intensive it will be for a period of time. Lee Burnette stated that in their current system staff keys in the information and it goes to a permit specialist, Mr. Burnette is hopeful that over time a good percentage of those people will go online to apply for their permits. Council Member Mendenhall asked if as complex and expensive as this is once it is put in place will they have to continually update it. Mr. Spencer stated that when they buy the software they pay a maintenance fee to provide support on the product and the next software release.

BILLBOARDS/OUTDOOR ADVERTISING

Council Member Ewing stated a complaint came in from a strip center on Eastchester that there was a store in the shopping center that had a larger sign than they thought was authorized. Notice was given that certain signs were not in compliance. One of the business owners depended on the sandwich boards to promote evening activities. Council Member Ewing spoke with the Manager and Planning and the biggest issue was a sandwich board being on a main roadway, but in a strip center where they have 200 feet of parking lot it was okay. Lee Burnette stated that the City's sign regulations apply to signage that is legible from the public street. The sandwich board was erroneously tagged in the action.

Council Member Smothers stated she understands that there are only four of the existing billboards that meet the regulations. Mr. Burnette stated that height is the biggest issue with most of those signs, and a lot of them are in the heavy industrial zone, and over the years the height requirement went down. Council Member

Smothers stated that there was conversation about the advantage of having some advertisement on both I-75 and I-85 that would direct people into town. Lee Burnette advised that state laws and city statutes state that there must be commercial or industrial zoning for signage. Council Member Smothers asked if they have an overriding policy that would allow for billboards within a certain amount of footage from interchanges, and if a change in a rezoning process to meet the state regulations would create a problem with spot zoning. Mr. Burnette stated that they cannot zone a piece of property solely for the purpose of allowing for outdoor advertising.

Council Member Moore stated that he felt that in a world where the economy is so marketed and branded that trying to find a compromise position that controllably gives a professional group an opportunity needs to be pursued.

Council Member Smothers stated that if there is the appetite for making some change Council needs to decide where that change would most appropriately be and then work from that and asked if staff could identify some of those and make some suggestions.

Council Member Ewing asked what the quantity change was in Fairway's proposal. Lee Burnette stated that it was to take down two boards in order to put up one board. Council Member Golden stated that he thought Fairway's suggestion was to spread the billboards out more throughout the city and not so concentrated in one area.

Council Member Mendenhall noted that spot zoning has always been prohibited, and she believed she heard that rather than zoning an entire expanse that they would look at particular sites. Mr. Burnette stated that the State has a provision that relates to outdoor advertising signs that says that the property has to be zoned commercial or industrial and they will not permit a sign where the zoning was established solely for the purpose of outdoor advertising.

Council Member Wagner stated that at one point they had talked about billboards being allowed in highway business zones and commercial districts along main thoroughfares so that it would be a system combining zoning and classification. Lee Burnette stated he would be more specific in saying thoroughfares or major thoroughfares.

Council Member Moore asked if there is a way to do a trial in the locations where the boards are already located and contain it to that area until they see how it works. Council Member Smothers stated that Fairway may not want them there. Mayor Davis stated that they did talk about doing a trial at the location of Main and Market with a digital board, and there was discussion saying they could not do that. Mr. Burnette stated that in order to allow it they would have to change the ordinance in some way and then in order to take an existing sign down is subject to the laws of non-conformance, and they cannot force the board to come down unless there is some type of compensation. JoAnne Carlyle stated that in NCGS 160A-199 it was her interpretation that the city could enter into a contract with a private landowner where a billboard is located because it deals with those billboards that are already in place, and she felt it could be something the City could do.

Council Member Ewing felt that the location at Piedmont Parkway and Wendover would be a good location for a billboard because it would capture a gateway coming to High Point.

Council Member Moore asked if there is no way to limit the opportunity for expansion of billboards. Lee Burnette stated it depends on how they zone it. If they set up a system that says billboards can go on any nonresidential piece of property, then billboards could do that without any limits. If they start adding separation requirements or limit it to certain areas, or distance between signs, then that will reduce the potential number. When the special number restriction on billboards was designed for 311, that number was calculated so there would be a maximum number of three billboards in that section of 311.

Council Member Davis felt they needed to hear from some citizens on this matter.

Council Member Smothers asked if the Council would be interested in seeing something centered around the bypass and Business 85. Council indicated that they would. Lee Burnette asked if Council was looking at the entire 311 corridor. Council Member Smothers clarified that they were looking at the entire 311 corridor and around the interchanges. Council Member Mendenhall felt they should put a cap on the billboards that would pull down a lot of the existing boards that are deteriorating.

Council Member Wagner stated that they also need to decide whether to allow electronic signs in the central business district to replace all the illegal market signs.

Council Member Wagner requested staff come back to Council with a draft ordinance change to allow the electronic signs in the central business district.

Lee Burnette clarified that Council's direction for staff is to look into electronic outdoor advertising for the Central Business District and allowing outdoor advertising on Business 85 and I-74. Mr. Burnette asked if Council wants to allow electronic advertising on that corridor as well. Council directed staff to look into electronic outdoor advertising on the Business 84/I-74 corridor.

STREET PARKING REQUEST

Council Member Smothers advised that a street parking request has come in for additional parking from Kivett Drive from Elm to Main Street. Christine Prentzas stated her request was to slow down the traffic on West Kivett Drive where the bus terminal is. Ms. Prentzas stated that there are a lot of accidents on this stretch of road, and also add some parking to this area. Ms. Prentzas requested that the parking be located on the west side of the street.

Mark McDonald advised that he and the City Manager went over the request. They looked at the entire two block area from Elm to Main Street. Kivett drive is two lanes one way coming in, with a third lane picked up at Lindsay Street. Mr. McDonald stated that they could actually drop the third lane at Elm Street, make it a right turn only onto

Elm Street, and then stripe out some on street parking from Elm Street to Payton Place and add a few spaces on Kivett. To do all of this it will require a signal plan, signal upgrades at two intersections, and then grind up old markings and put down new markings. Probably costs range from \$5,000 to \$7,000.

Randy McCaslin advised that the state would have to approve the change.

Mark McDonald stated that he thought they do have an abundance of parking on Main Street as it stands right now. There are presently 1,234 spaces in three parking decks. It could be signed better to direct people to the parking decks. Mr. McDonald felt that if they do look at these changes they need to look at it for more than two blocks, and they should look at all of Kivett and also consider English as well.

Council Member Mendenhall felt it would not hurt to go ahead and put the parking in and then if they need to consider changing English at a later time they could.

Mr. McDonald noted that several years ago the City did the Conversion Study for Kivett and English and it would limit some of those options of converting those two streets back to two way streets.

Council Member Wagner made a motion to place this matter on the agenda with a favorable recommendation of approval to authorize staff to make changes to allow for the addition of eleven parking spaces in a range of \$5,000 to \$7,000. Motion was seconded by Mayor Davis. Motion passed unanimously. (7-0 Vote)

Randy McCaslin advised in the meantime Mark McDonald will be getting in touch with DOT to seek their approval on the changes.

Ad Hoc Permitting Plan Review Committee Report

Council Member Wagner presented a report from the Committee about their review of the Planning Department. *(A copy of the report is attached to and made a part of these minutes.)* The report identifies problems in the departments as well as suggested solutions for those problems.

The Committee will meet on Wednesday, October 15th at 9:00 a.m. to further discuss the Ad Hoc Committee Report.

The Pit

Council Member Smothers stated the last time they discussed the The Pit they had requested that staff identify exactly what it was that the City actually had control over without having to get permission from property owners. JoAnne Carlyle has requested that Council give direction on what they want in an agreement.

Ms. Carlyle handed out a bulleted list containing items that would be included in any lease the City would enter into, and recommended that Council does not get bogged

down into the wording of the lease but gives direction to legal and let them put it into writing.

Ms. Carlyle stated she wants to meet with David Briggs and Lee Tillery and talk to them about a fee schedule, and secondly when they are ready to deal with the security issue the Council needs to decide if it will be mandatory for security to be provided by the police department.

Council Member Smothers requested that Ms. Carlyle go ahead and contact the police chief to get his opinion on the security upfront.

Meredith Street Apartments

Ms. Carlyle reminded Council that they adopted an ordinance to demolish the property in October 2012, staff came back in January 2013 for direction on whether to go forward with the demolition. At this point they would have to rebid for the demolition of the project and it will not be necessary to readvertise.

Randy McCaslin advised that the Housing Authority is also looking into the property as per Council's direction to see if the property is something they could take on.

A motion was made by Council Member Ewing, seconded by Mayor Davis, to put the demolition back out for bid. Motion passed unanimously. (Vote 7-0)

Urban Promise Zones

Randy McCaslin advised that Sandy Dunbeck, Mike McNair, and Wendy Fuscoe attended a webinar on promise zones last week. Ms. Dunbeck stated that they have looked at promise zones as a designation that the City could eventually apply for. The designation could be helpful for the City long term in applying for additional grants. They are recommending that the City go ahead and apply.

Council Member Mendenhall made a motion, seconded by Council Member Ewing to advise staff to move forward with applying for the designation. The motion passed unanimously. (Vote 7-0)

Ms. Dunbeck advised that there are a limit numbers for the designation and the City may not get it this round.

ADJOURNMENT

The meeting adjourned at 5:40 p.m. on a motion duly made and seconded.

Respectfully Submitted,

Dawn J. Sparks, CMC
Deputy City Clerk

Council Member Rebecca Smothers,
Committee Chair

**Certification of Municipal Declaration
To Enact Speed Limits and Request for Concurrence**

Concurring State Ordinance Number: 1068491

Division: 7 County: GUILFORD

Municipality: HIGH POINT

Type: Municipal Speed Zones

Road: SR 1278

Car: 45 MPH

Truck: 45 MPH

Description: Between Kearn Street and SR 1113 (Kivett Drive) in High Point.

Municipal Certification

I, Lisa B. Vierling, Clerk of High Point, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the 20th day of October, 20 14, the speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: 89 Page: Ordinance/Resolution Number: 1802/14-81

In witness whereof, I have hereunto set my

hand and the municipal seal this 21st day
of October, 20 14.

Lisa B. Vierling
(signature)



Department of Transportation Approval

Division: _____ Title: _____ Date: _____

Region: _____ Title: _____ Date: _____

**Certification of Municipal Declaration
To Repeal Speed Limits and Request for Concurrence**

Concurring State Ordinance Number: 1019036

Division: 7 County: GUILFORD

Municipality: HIGH POINT

Type: Municipal Speed Zones

Road: SR 1278

Car: 45 MPH

Truck: 45 MPH

Description: College Drive (SR 1278) from Green Street (SR 1300), north- ward to Kivett Drive(US 29-A).(Meets engineering warrants for 45 mph zone)

Municipal Certification

I, Lisa B. Vierling, Clerk of High Point, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the 20th day of October, 20 14, the repeal of speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: 89 Page: Ordinance/Resolution Number: 1801/14-80

In witness whereof, I have hereunto set my
hand and the municipal seal this 21st day
of October, 20 14.

Lisa B. Vierling
(signature)



Department of Transportation Approval

Division: _____ Title: _____ Date: _____
Region: _____ Title: _____ Date: _____

**HIGH POINT CITY COUNCIL
SPECIAL MEETING
OCTOBER 6, 2014 – 3:30 P.M.
CITY MANAGER’S CONFERENCE ROOM**

MINUTES

Present:

Mayor James C. Davis (Ward 5) and Council Members Rebecca R. Smothers (At-Large); Britt Moore (At-Large); Jeff Golden (Ward 1); Foster Douglas (Ward 2); Judith P. Mendenhall (Ward 3); Jay Wagner (Ward 4); and Jason Ewing (Ward 6)

Staff Present:

City Clerk Lisa Vierling

Mayor Davis called the meeting to order and announced the purpose of the meeting was to go into a Closed Session for the purpose of personnel (annual performance evaluation of the city clerk), pursuant to North Carolina General Statute 143-318.11(a)(6).

Upon motion duly made and seconded, Council went into a Closed Session at 3:30 p.m. for the purpose of conducting the city clerk’s evaluation.

Upon motion duly made and seconded, Council reconvened into Open Session.

The meeting adjourned at 4:20 p.m. upon motion duly made and seconded.

Respectfully Submitted,

Lisa B. Vierling, MMC
City Clerk

CITY OF HIGH POINT

AGENDA ITEM

**Title: W. Kivett Drive On-Street Parking Proposal****From:** Mark McDonald, Director of Transportation**Meeting Date:** October 20, 2014**Public Hearing:** N/A**Advertising Date /** N/A**Advertised By:** N/A**Attachments:** Exhibit A, Existing Conditions
Exhibit B, Proposed Marking Plan

PURPOSE: Consideration of a request to restripe two blocks of W. Kivett Drive to accommodate additional on-street parking.

BACKGROUND:

A business owner, Ms. Christina Prentzas representing Lily & Theo's Posh Pineapple, LLC in the 106 block of W. Kivett Drive, has proposed that W. Kivett from N. Elm Street to N. Main Street be restriped to permit on-street parking. In addition to providing more convenient parking for the store's customers as well as for other businesses that are close by, Ms. Prentzas maintains that the presence of on-street parking on this segment of W. Kivett will slow traffic and reduce crash frequency and severity.

Department of Transportation staff has prepared a preliminary marking plan that will convert the south curb lane in these blocks to on-street parking (see Exhibits A & B). This will require a minor reconfiguration on the W. Kivett approach to N. Elm that will convert an existing through-right turn lane into a right turn only lane, and will thus reduce the number of through traffic lanes from three lanes to two from N. Elm to a point approximately 110 feet east of Hayden Place. The existing lane configuration at N. Main Street will be retained.

This plan will create eleven on-street parallel parking spaces. Traffic volumes on W. Kivett Drive are approximately 5,000 vehicles per day. This volume is well within roadway capacity and the proposed changes are not expected to have a significant impact on traffic operations. However, since W. Kivett Drive is a state road (SR 1113), concurrence from the North Carolina Department of Transportation is necessary.

BUDGET IMPACT: The cost to make the changes described above is estimated in the range of \$5,000 to \$7,000. This includes removal of existing pavements markings, restriping the street to accommodate on-street parking along the south curb line, installing signing, and in-house updating of two NCDOT traffic signals at intersections where lane configurations will be modified.

RECOMMENDATION / ACTION REQUESTED: This item was presented to the Comprehensive Planning Committee on October 7. After review and discussion, the Committee voted 7-0 to refer the matter to the full Council with a favorable recommendation. With City Council's endorsement, the plan will be presented to local NCDOT officials for their consideration and approval. Implementation will be scheduled to coincide with other pavement marking needs, as weather permits, but no later than Spring 2015.





EXHIBIT B

HIGH POINT CITY COUNCIL
October 6, 2014 – 5:30 P.M.
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING

MINUTES

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE

Upon call of the roll, the following Council Members were present. Council Member Douglas offered the invocation; the Pledge of Allegiance followed.

Present: Interim Mayor James C. Davis (Ward 5), Council Member Rebecca R. Smothers (At-Large), Council Member Britt Moore (At-Large); Council Member Jeffrey Golden (Ward 1), Council Member Foster Douglas (Ward 2); Council Member Judith P. Mendenhall (Ward 3); and Council Member Jay Wagner (Ward 4); and Council Member Jason Ewing (Ward 6)

RECOGNITIONS AND PRESENTATIONS

140288 Proclamation - National Fire Prevention

The fire department supports NFPA and all life safety initiatives. Fire prevention week allows us to focus attention work with groups to promote awareness. Fire Chief Tommy Reid and Fire Marshall Chris Weir will be present to accept the proclamation.

Council Member Moore read the Proclamation into the record proclaiming October 5 - 11, 2014 as Fire Prevention Week throughout the city and urged all citizens to test their smoke alarms at least every month by pushing the test button, and to support the many public safety activities and efforts of High Point's fire and emergency services during Fire Prevention Week 2014. Fire Chief Tommy Reid and Fire Marshall Chris Weir were in attendance to accept the Proclamation.

140289 Proclamation - Breast Cancer Awareness & Care Enough to Wear Pink

The fire department supports all cancer awareness groups. We have partnered with High Point Regional/ UNC Health Systems to promote and provide support for cancer awareness and patients. Ms. Janet Forest, Oncology Service Line 1 Director with the HPRHS and Fire Chief Tommy Reid will be present to accept the proclamation.

Council Member Smothers read the Proclamation declaring October 2014 as National Breast Cancer Awareness Month into the record and encouraged citizens, government agencies, private businesses, nonprofit organizations, and all other interested groups to join in activities that will increase awareness of what Americans can do to prevent breast cancer. [applause] After reading the proclamation, she shared through her own personal experience that it is truly the support of friends and those who know you that gives strength to the person affected, as well as the family and encouraged everyone to please take the time to make a difference.

Council Member Mendenhall then read the "Cares Enough to Wear Pink" Proclamation into the record in honor of women who battle cancer and encouraged everyone to display an image of hope, courage, love, and awareness by wearing pink shirts in support of those battling cancer on October 22nd, 23rd, and 24th. Fire Chief Reid was present to accept the Proclamation. [applause]

Janet Forest, Oncology Service Line 1 Director, Hayworth Cancer Center at High Point Regional/UNC Health Systems, expressed appreciation to the City for recognizing the importance of this and raising awareness. She also thanked the High Point Fire Department for bringing back the Pink Heals Fire Truck.

140307 Resolution Honoring Congressman Howard Coble

Congressman Howard Coble was recognized and honored during the High Point Economic Development Corporation Meeting held on Wednesday, October 1, 2014 at 4:00 p.m. Mayor James C. Davis read the Resolution Honoring Congressman Howard Coble into the record during the meeting and presented it to Congressman Coble on behalf of the City Council and expressed appreciation to "Our Congressman, Howard Coble" for his leadership, his unselfish and dedicated devotion, and his positive impact on the City of High Point, the Sixth Congressional District, the State of North Carolina, and the United States.

The Resolution was presented to the City Clerk for inclusion in the official record.

REGULAR AGENDA ITEMS

FINANCE COMMITTEE - Council Member Moore, Chair

140290 Contract - Purchase of Landfill Dozer

Council is requested to approve contract with Carolina Cat for the purchase of a 2014 Caterpillar D6K dozer for use at the landfill in the amount of \$169,500.00.

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

Council Member Douglas stated he could not support the purchase of any of these three pieces of equipment (Landfill Dozer, Landfill Excavator, or Landfill Track Loader) because he felt the expenditure could not be justified just to have the equipment conveniently located.

Council Member Smothers advised that she would support approval because the equipment is needed to ensure no downtime at either of the landfills and would prolong the life of the existing equipment. Council Member Mendenhall also expressed support. Mayor Davis noted that while he felt Council Member Douglas' points are valid, he would support it because he understands the need for this type of equipment to be dependable. Council Member Golden explained that although the distance between the landfills may not be that great, consideration should be given to the cost of the equipment, repairs, etc.... and for that reason he would also support the equipment purchases.

Approved contract with Carolina Cat for the purchase of a 2014 Caterpillar D6K for use at the landfill in the amount of \$169,500.00.

A motion was made by Council Member Moore, seconded by Council Member Smothers, that the Contract with Carolina Cat for the purchase of a 2014 Caterpillar D6K dozer be approved. The motion carried by the following 7-1 vote:

Aye (7): Council Member Ewing, Council Member Golden, Council Member Mendenhall, Council Member Smothers, Council Member Wagner, Council Member Moore, and Mayor Davis
Nay (1): Council Member Douglas

140291 Contract - Purchase of Landfill Excavator

Council is requested to approve contract with Carolina Cat for the purchase of a 2014 Caterpillar 329 EL Excavator for use at the landfill in the amount of \$246,192.00

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

Council Member Douglas stated he could not support the purchase of any of these three pieces of equipment (Landfill Dozer, Landfill Excavator, or Landfill Track Loader) because he felt the expenditure could not be justified just to have the equipment conveniently located.

Council Member Smothers advised that she would support approval because the equipment is needed to ensure no downtime at either of the landfills and would prolong the life of the existing equipment. Council Member Mendenhall also expressed support. Mayor Davis noted that while he felt Council Member Douglas' points are valid, he would support it because he understands the need for this type of equipment to be dependable. Council Member Golden explained that although the distance between the landfills may not be that great, consideration should be given to the cost of the equipment, repairs, etc.... and for that reason he would also support the equipment purchases.

Approved contract with Carolina Cat for the purchase of a 2014 Caterpillar 329 EL Excavator for use at the landfill in the amount of \$246,192.00.

A motion was made by Council Member Moore, seconded by Council Member Smothers, that the contract with Carolina Cat for the purchase of a 2014 Caterpillar 329 EL Excavator be approved. The motion carried by the following 7-1 vote:

Aye (7): Council Member Ewing, Council Member Golden, Council Member Mendenhall, Council Member Smothers, Council Member Wagner, Council Member Moore, and Mayor Davis
Nay (1): Council Member Douglas

140292 Contract - Purchase of Landfill Track Loader

Council is requested to approve contract with Carolina Cat for the purchase of a 2014 Caterpillar 963DQ Track Loader for use at the landfill in the amount of \$274,832.00.

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

Council Member Douglas stated he could not support the purchase of any of these three pieces of equipment (Landfill Dozer, Landfill Excavator, or Landfill Track Loader) because he felt the expenditure could not be justified just to have the equipment conveniently located.

Council Member Smothers advised that she would support approval because the equipment is needed to ensure no downtime at either of the landfills and would prolong the life of the existing equipment. Council Member Mendenhall also expressed support. Mayor Davis noted that while he felt Council Member Douglas' points are valid, he would support it because he understands the need for this type of equipment to be dependable. Council Member Golden explained that although the distance between the landfills may not be that great, consideration should be given to the cost of the equipment, repairs, etc.... and for that reason he would also support the equipment purchases.

Approved contract with Carolina Cat for the purchase of a 2014 Caterpillar 963DQ Track Loader for use at the landfill in the amount of \$274,832.00 be approved.

A motion was made by Council Member Moore, seconded by Council Member Smothers, that the contract with Carolina Cat for the purchase of a 2014 Caterpillar 963DQ Track Loader be approved. The motion carried by the following 7-1 vote:

Aye (7): Council Member Ewing, Council Member Golden, Council Member Mendenhall, Council Member Smothers, Council Member Wagner, Council Member Moore, and Mayor Davis
Nay (1): Council Member Douglas

140293 Contract - Bid No. 05 - Citrix Upgrade and Managed Services

Council is requested to approve contract awarding Bid No. 05 for the purchase of Citrix Upgrade and Managed Services. Purchasing and the Information Technology Department are recommending that contract be awarded to Slait Consulting, LLC in the amount of \$137,555.00.

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

Approved contract with Slait Consulting, LLC in the amount of \$137,555.00 for the purchase of Citrix Upgrade and Managed Services.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that the contract with Slait Consulting, LLC for the purchase of Citrix Upgrade and Managed Services be approved. The motion PASSED by an 8-0 unanimous vote.

140294 Contract - Bid No. 06 - Two Ram Baler for the Materials Recovery Facility

Council is requested to approve contract awarding Bid No. 06 for the purchase of one (1) Two Ram Baler for the Materials Recovery Facility (MRF). Purchasing and the Public Services Department are recommending that contract be awarded to Becker Complete Compactor, Inc. in the amount of \$369,963.88.

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

Council Member Ewing requested this matter be pulled from the Finance Consent Agenda for separate consideration and discussion.

He explained that he finds it difficult to authorize \$370,000 at the present time while Council is in the process of deliberating the future of recyclables and the Materials Recovery Facility (MRF). He recommended staff look into the potential leasing of this equipment until a decision can be made as far as specific direction. Council Member Douglas agreed. Mayor Davis noted that while he agrees, he pointed out that the city has had to spend \$132,000 on maintenance already this year and the fact that the city does pick up cardboard during the Furniture Market with 24-hour operation at the MRF (so there is a return on the investment, which allows the city to recoup some of the money). He advised he would support the purchase because of the importance of the MRF operations. Council Member Smothers questioned whether or not the city would be able to get a reliable lease agreement for equipment such as this because the equipment has to be specially designed for each facility (which would take time that the city does not have in this case). She advised that the cardboard cannot be placed in the landfill, so there is an urgent need to purchase this equipment to compress the cardboard, so there is a market for it. She, too, pointed out that the MRF is in operation 24/7, ten weeks out of the year during the Furniture Market and felt it was a risk to the Landfill Fund if the city has to pay somebody to pick up the cardboard.

Council Member Ewing reiterated his concerns and wanted to know if leasing the equipment would be an option, but he does realize the need for the equipment. At this time, Terry Houk, Director of Public Services, reminded Council that the bids for this equipment were received September 9th and the bid is only good for 60 days. He offered to check with engineers regarding the lease option and reiterated that this equipment is extremely specialized.

Approved contract with Becker Complete Compactor, Inc. in the amount of \$369,963.88 for the purchase of one (1) Two Ram Baler for the Materials Recovery Facility (MRF).

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that the contract with Becker Complete Compactor, Inc. for the purchase of one (1) Two Ram Baler for the Materials Recovery Facility (MRF) be approved. The motion PASSED by a 5-3 vote.

Aye (5): Council Member Golden, Council Member Mendenhall, Council Member Smothers, Council Member Moore, and Mayor Davis

Nay (3): Council Member Douglas, Council Member Ewing, and Council Member Wagner

140295 Contract Extension - Coltrane Avenue Storm Sewer Improvements

Engineering Services and Public Services requests City Council approval of the contract extension (Change Order #3) to add the Coltrane Avenue Storm Sewer Improvements to existing contract ENG2013-008 with Breece Enterprises in the amount of \$159,261.00.

This matter was discussed during a Finance Committee Meeting held at 4:03 p.m. prior to this meeting. The Committee recommended this matter be forwarded to Council with a favorable recommendation for approval.

Chairman Moore advised that the Coltrane Avenue Storm Sewer Improvement project needs Council's immediate attention and is very close to being an emergency repair.

Approved an extension to the Breece Enterprises contract (Change Order #3) to add the Coltrane Avenue Storm Sewer Improvements to existing contract ENG 2013-008 in the amount of \$159,261.00.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that the extension to the Breece Enterprises Contract (Change Order #3) be approved to add the Coltrane Avenue Storm Sewer Improvements the existing contract ENG 2013-008. The motion PASSED by an 8-0 unanimous vote.

140296 Contract - Washington Street Streetscape Project

Engineering Services recommends that Council approve the base bid with both alternates and award contract ENG2014-003 Washington Street Streetscape Project to Atlantic Contracting at the bid amount of \$438,327.50.

Chairman Moore advised this matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting.

He explained it was recommended to put this matter and related matter 140297 Budget Ordinance Amendment- Washington Street Streetscape Project back into the Finance Committee for receipt of additional requested information and further review. Council Member Douglas pointed out by putting this matter back in Committee, it in no way means that the project would not be done. He noted that further study/review is needed and explained that it would not make sense for the city to pave over bad infrastructure and this may mean increasing the budgeted amount for the project. Chairman Moore agreed that it was not the intention of the Committee, or the Council to push this project back; they just wanted it done right.

A motion was made by Council Member Douglas, seconded by Council Member Mendenhall, to refer this matter back to the Finance Committee for further discussion. The motion PASSED by an 8-0 unanimous vote.

140297 Budget Ordinance Amendment - Washington Street Streetscape Project

Council is requested to adopt a budget ordinance amending the 2014-2015 Budget Ordinance to appropriate funds for the Washington Street Streetscape Project.

Chairman Moore advised this matter was discussed during a Finance Committee Meeting held at 4:30 p.m. prior to this meeting.

He explained it was recommended to put this matter and related matter 140296 Contract-Washington Street Streetscape Project back into the Finance Committee for receipt of additional requested information and further review. Council Member Douglas pointed out by putting this matter back in Committee, it in no way means that the project would not be done. He noted that further study/review is needed and explained that it would not make sense for the city to pave over bad infrastructure and this may mean increasing the budgeted amount for the project. Chairman Moore agreed that it was not the intention of the Committee, or the Council to push this project back; they just wanted it done right.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that this matter be referred to the Finance Committee for additional information and review. The motion PASSED by an 8-0 unanimous vote.

140298 Resolution -Condemnation - 699 Joyce Circle - Highway 66/I-74 Industrial Park Project

Council is requested to adopt a resolution authorizing the city attorney's office to proceed with condemnation proceedings on the property described in Deed Book 1783, Page 3332 of the Forsyth County Registry, located at 699 Joyce Circle, High Point, NC. The property is needed to provide water service to the Highway 66/I-74 Industrial Park Project.

Motion by Council Member Moore, second by Council Member Mendenhall to recuse Council Member Wagner and Mayor Davis due to a financial conflict of interest regarding this matter. The motion carried unanimously.

City Attorney JoAnne Carlyle explained that on July 21, 2014, Council adopted a resolution authorizing the city attorney's office to file condemnation proceedings on the property located at 699 Joyce Circle, High Point, NC needed for the Richfork Creek Outfall project (sewer) and this condemnation resolution is needed to provide water service to the Highway 66/I-74 Industrial Park.

Adopted Resolution authorizing the city attorney's office to proceed with condemnation proceedings on the property described in Deed Book 1783, Page 3332 of the Forsyth County Registry, located at 699 Joyce Circle, High Point, NC.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that to adopt a resolution authorizing the city attorney's office to proceed with condemnation proceedings on the property described in Deed Book 1783, Page 3332. The motion carried by the following 6-0 vote:

Aye (6): Council Member Douglas, Council Member Ewing, Council Member Golden, Council Member Mendenhall, Council Member Smothers, and Council Member Moore

Recused (2): Council Member Wagner, and Mayor Davis

Resolution No. 1410/14-50
Introduced 10/6/2014; Adopted 10/6/2015
Resolution Book, Volume XVIII, Page 132

PUBLIC COMMENT PERIOD - 6:00 P.M.

Bob Burleson, representing Kepley's Barbecue on N. Main Street, addressed Council regarding the N. Main Street Road Diet Study. He discouraged Council spending a lot of money to go back to two lanes and felt four lanes of traffic were needed. He presented "We Say "NO" to Dieting Main Street" petitions to Council containing approximately 700 signatures to encourage the Mayor and City Council to reject the N. Main Street Road Diet proposal.

Christian Stephenson, 4205 S. Main Street, explained that he rides his bicycle for transportation and pointed out some mishaps involving him being stopped by a police officer while he attempted to lock his bicycle to a bench in a public area. He explained when he found out he could not attach his bicycle to the bench, he then proceeded to carry it into the IHFC building and was later stopped from doing that. He asked Council why there is no designated bicycle parking with racks in High Point. It was noted that bicycle racks are provided at City Hall, the Library and the Recreation Centers. Mayor Davis suggested Council could look at installing bicycle racks in the revitalization efforts that are currently being discussed.

Chuck Foster, a local artist, thanked the City Council for providing a way for him to display his art in the public.

PUBLIC HEARINGS - 6:15 P.M.

COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers, Chair

140299 Ordinance - Text Amendment 14-05 - CRP High Point, LLC

A request by CRP High Point, LLC to amend Table 4-5-1 and Section 9-5-2(r) of the Development Ordinance to allow Automobile Rental or Leasing in Sub-Area B of the Main Street (MS) District.

The public hearing for this matter was held on Monday, October 6, 2014 at 6:15 p.m.

Bob Robbins of the Planning & Development Department provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings. He reported that staff is recommending denial of Text Amendment 14-05 to allow Automobile Rental or Leasing in Sub-Area B of the Main Street (MS) District because it is contrary to the goals, objectives and implementation strategies of the Core City Plan. Mr. Robbins advised this would signal an about face in city policy and undoubtedly result in other auto-related

uses seeking to relocate in this area. The request was heard by the Planning & Zoning Commission on September 23, 2014; the Planning & Zoning Commission also recommended denial of Text Amendment Case 14-05 by a vote of 6-0. Mr. Robbins advised that the Development Ordinance requires a 2/3 favorable vote by the City Council (6 members) for this request to be approved because it is being forwarded to the City Council with an unfavorable recommendation from the Planning & Zoning Commission.

Mr. Robbins reported that Sub-Area B was envisioned as a pedestrian friendly space and automobile related businesses were one of several uses prohibited in this area. Staff felt approval of this Text Amendment would undo what has already been accomplished and noted staff has turned away several of these types of businesses since 2008.

Council Member Ewing mentioned a statement that was in the staff report about concerns that more of these type uses would come into that area and pointed out these cases would be handled on a case-by-case basis. City Attorney JoAnne Carlyle reminded Council that there would need to be consistency in the decisions that are made.

At this time, Chairwoman Smothers opened the public hearing and asked if there was anyone present to speak for or against the request.

John Valas, Regional Vice President, Western North Carolina, Enterprise Holdings, spoke in favor. He shared a 90-second video presentation and noted it is their intent to reinvigorate revitalization efforts downtown. He estimated that they would bring approximately 700 customers to the downtown High Point area per month and believes this number will increase to 1,200 customers over the next several months. Mr. Valas pointed out that Enterprise supports the Spring and Fall Furniture Market, which needs a downtown location. Enterprise will be moving into a piece of property and making significant improvements to a building that has been vacant for two years. Mr. Valas went on to share that Enterprise gives back to the community and is currently the number twelve United Way partner nationally with an annual contribution in excess of twelve million dollars.

He then shared some before and after photographs of the property at 1539 N. Main Street, as well as some before and after photographs of property that Enterprise renovated in Lincolnton, NC. Mr. Valas informed Council that the property located at 1539 N. Main Street is an ideal location and they did look at other locations, but none worked for them. They do not plan on acquiring the property, but will enter into a long-term lease for this property if approval is received by Council.

Coke Mann, 1845 St. Julian Place in Columbia, SC, representing CRP High Point, LLC (the applicant) addressed Council in favor of the request. He noted that CRP is helping Enterprise with their move. CRP plans to redevelop the property where Enterprise is currently located at the corner of Oxford and Main. The auto site (Parks) is contaminated and DENR has ordered them to clean up the property, which is estimated at about \$150,000; CRP is willing to clean the site up. Mr. Mann shared that they are proposing to make a sizeable investment to renovate this property and shared a site plan of how they are proposing the corner will be redeveloped. He asked for Council's approval of the Text Amendment to allow Enterprise to move.

Anna Troutman, owner of the property at Millis Square, spoke against the text amendment. She stated she had nothing against Enterprise, but felt the automobile rental/leasing company would be better suited elsewhere.

Elizabeth Yocum, 203 E. Lexington Avenue, High Point, Chair of Uptowne High Point, also spoke against the text amendment. She shared that Uptowne High Point has tirelessly worked with uptown businesses and property owners in renovation efforts and reminded Council that this is about Uptowne. She pointed out that the Rockspring corner is one of the main corners in this district and this kind of business would not bring more pedestrian traffic and would not improve shopping or dining. She informed Council that the responses from Uptowne High Point have been unanimously against the text amendment. Ms. Yocum shared that they desire more restaurants with outside patios and umbrellas, etc.... and asked Council not to approve the text amendment.

Chairwoman Smothers asked if there were any additional comments. There being none, the public hearing was closed.

She reiterated that passage of the text amendment would require a 2/3 vote of Council. She expressed concerns with staff's inability to deal with this specific request and stating that it would open the door for other automobile uses. She reminded Council that Enterprise Car Rentals is a company with 16+ years of history in High Point who is asking to expand and improve property that has been vacant for the last two years. She pointed out Enterprise has been providing a much needed service to visitors and residents of High Point and she would support their petition for approval of the text amendment.

Council Member Mendenhall noted that while she shares some of the same concerns, she felt approving the text amendment would set a bad precedent and open up the city for other similar requests. She stated that she felt Council should respect decisions made by previous Councils and that she would uphold the denial because she believed it to be in the best interest of the community to uphold the decision that was made several years ago.

Mayor Davis stated he would like more time to review the Core City Plan and Policies before making a decision and would support it to be referred back to the Comprehensive Planning Committee.

Council Member Wagner stated he chaired the Committee and was involved in the discussion/decisions in creating the Main Street District and various sub-areas. He pointed out this site happens to be in his ward and he felt the current site they have chosen is not the place for this type of business. He felt Council should uphold the denial and commented that if Council is going to make revitalization plans and zoning districts, Council has got to stand behind the decisions that have been made by staff and the Planning & Zoning Commission, since they understand what it was created for. Council Member Ewing pointed out the site being located in direct proximity to the new Convention & Visitors Bureau and on a larger scale, it would positively affect more than just that sub-area because of the increased exposure of the customers that would be visiting High Point. He saw this as a much bigger opportunity than the walkability of Main Street.

Chairwoman Smothers asked if there were any additional questions or comments. There being none, Council referred this matter to the Comprehensive Planning Committee for further discussion. City Attorney JoAnne Carlyle advised Council that they could continue a matter up to two months without mutual agreement from the applicant.

A motion was made by Council Member Smothers, seconded by Council Member Moore, that this matter be referred to the Comprehensive Planning Committee. The motion carried by the following 6-2 vote:

Aye (6): Council Member Douglas, Council Member Ewing, Council Member Golden, Council Member Smothers, Council Member Moore, and Mayor Davis

Nay (2): Council Member Mendenhall, and Council Member Wagner

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT

140300 Reappointments to the Board of Adjustment

Mayor James C. Davis is requesting consideration of the reappointment of *Richard Andrews* and *David Horne* to the Board of Adjustment. Reappointments to be effective immediately and will expire July 1, 2017.

Approved the reappointment of Richard Andrews and David Horne to the Board of Adjustment.

A motion was made by Mayor Davis, seconded by Council Member Smothers, that these reappointments be approved. The motion PASSED by an 8-0 unanimous vote.

140301 Appointments to the Theatre Advisory Board

Mayor James C. Davis is recommending the following reappointments/appointments to the Theatre Advisory Board.

Consideration of the reappointment of *Joyce Allen-Crawford*. Reappointment to be effective immediately and will expire June 1, 2017.

Consideration of the reappointment of *Catherine Bencini*. Reappointment to be effective immediately and will expire June 1, 2017.

Consideration of the appointment of *George Harris* to the Theatre Advisory Board. Mr. Harris will fill the unexpired term of Stephanie Coggins, who has resigned. Appointment to be effective immediately and will expire June 1, 2016.

Consideration of the appointment of *Tom Blount* to the Theatre Advisory Board. Mr. Blount will fill the expired term of Monica Munoz, who has resigned due to relocation. Appointment to be effective immediately and will expire on June 1, 2017.

Approved the preceding appointments/reappointments to the Theatre Advisory Board.

A motion was made by Mayor Davis, seconded by Council Member Moore, that reappointments/appointments be approved. The motion PASSED by an 8-0 unanimous vote.

140302 Reappointment to the Parks & Recreation Commission

Consideration of the reappointment of *Ed Price* as Council Member Moore's At-Large representative on the Parks & Recreation Commission. Reappointment to be effective immediately and will expire on July 1, 2017.

Approved the reappointment of Ed Price to the Parks & Recreation Commission.

A motion was made by Council Member Moore, seconded by Mayor Davis, that this reappointment be approved. The motion PASSED by an 8-0 unanimous vote.

140303 Appointment to the Citizens Advisory Council

Consideration of the appointment of *Perry Darnell Widemon, Jr.*, who resides in Ward 1, as Council Member Moore's At-Large representative on the Citizens Advisory Council. Mr. Widemon will fill the expired term of Yvonne Bostic Short. Appointment to be effective immediately and will expire May 31, 2016.

Approved the appointment of Perry Darnell Widemon, Jr. to the Citizens Advisory Council.

A motion was made by Council Member Moore, seconded by Council Member Golden, that this appointment be approved. The motion PASSED by an 8-0 unanimous vote.

140304 Boards and Commissions - Vacancy Report

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

This information is attached for informational purposes only. No action is required on this item.

140306 Appointment - PART Board - Mayor Jim Davis

Council is requested to suspend the rules in order to consider the appointment of Mayor Jim Davis to the PART Board replacing former Mayor Bernita Sims.

Approved the appointment of Mayor James C. Davis to the PART Board of Trustees. Appointment effective immediately and Mayor Davis will serve until a replacement is named.

A motion was made by Council Member Mendenhall, seconded by Council Member Ewing, that appointment be approved. The motion PASSED by an 8-0 unanimous vote.

MISCELLANEOUS**140324 Request for a Forensic Audit (Pcards and Manager's American Express Credit Card)**

Council Member Douglas requests Council direct staff to look at accounting firms to perform a forensic audit on the city's Pcards and the manager's American Express credit card. Since this matter did not originally appear on the agenda, motion was made by Council Member Ewing, seconded by Council Member Golden to suspend the rules so it could be considered. The motion carried unanimously.

Council Member Douglas felt a forensic audit is needed in anticipation of a new city manager being hired. He explained he would like to know specifically if the city manager followed policy/guidelines as to the appropriateness of the expenditures. Council Member Ewing asked for an update from staff regarding the newly proposed internal audit position. Interim City Manager Randy McCaslin advised that Human Resources Director Angela Kirkwood was currently out of town and that Human Resources is working on a new job description of this position. Mr. McCaslin send the job description out to Council as soon as it is available.

Council Member Golden suggested that Council define specific areas to look at instead of having an all-inclusive review. Council Member Smothers pointed out that upon the city manager's retirement, the American Express credit card account has been closed and is no longer active making it a moot point.

A motion was made by Council Member Douglas, seconded by Council Member Golden, that this matter be approved. The motion failed by the following 4-4 vote:

Aye (4): Council Member Douglas, Council Member Ewing, Council Member Golden, and Mayor Davis

Nay (4): Council Member Mendenhall, Council Member Smothers, Council Member Wagner, and Council Member Moore

City Clerk's Performance Evaluation

Mayor Davis announced that the City Council met in Closed Session at 3:30 p.m. prior to this meeting to conduct the City Clerk's annual performance evaluation. He reported that the City Clerk's review was very favorable and Council recommended a merit increase of 2% retroactive to July 1, 2014.

City Newsletter

Council Member Smothers complimented staff for the new city newsletter, "Around City Hall," that was recently published.

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS**140305 Minutes to be approved**

- Comprehensive Planning Committee: Thursday, September 11th @ 9:00 a.m.
- Finance Committee Meeting: Monday, September 15th @ 4:00 p.m.
- Regular Council Meeting: Monday, September 15th @ 5:30 p.m.
- Comprehensive Planning Committee: Thursday, September 16th @ 4:00 p.m.
- Community Housing & Neighborhood Development Committee: Tuesday, September 23rd @ 9:00 a.m.
- Briefing Session: Tuesday, September 23rd @ 4:00 p.m.

The minutes from the preceding meetings were unanimously approved as submitted.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that preceding minutes be approved. The motion PASSED by an 8-0 unanimous vote.

CLOSED SESSION

At 7:40 p.m., Council entered into Closed Session upon motion duly made and seconded pursuant to North Carolina General Statute 143-318.11(a)(4) to discuss potential economic development projects. The motion carried unanimously.

Upon reconvening into Open Session at 8:15 p.m., an announcement was made that there was no action taken as a result of the closed session.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 8:15 p.m. upon motion duly made and seconded.

Respectfully Submitted,

James C. Davis, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Electric Line Truck

From: Gary Smith, Fleet Director

Public Hearing: N/A

Attachments: Formal Bid Recommendation

Meeting Date: October 20, 2014

Advertising Date / N/A

Advertised By: N/A

PURPOSE:

The Electric Department is currently using a 1997 Ford F800 with a Telect digger derrick body that is in need of replacement due to age and hours. Using a National Joint Powers Alliance (NJPA) contract a 2015 Freightliner truck with a Terex body was identified for council approval.

BACKGROUND:

The Electric Department is currently using a 1997 Ford F800 with a Telect digger derrick body that has over 8,400+ hours. Maintenance and equipment repairs are over \$88,500 to date. The 2015 Freightliner with Terex Commander 4047 model digger derrick body is similar to the one they are currently using and will meet their needs. The price of \$230,886 includes the truck, body, manuals, and training as needed.

BUDGET IMPACT:

Funds are available in 2014-15 budget

RECOMMENDATION / ACTION REQUESTED:

The Fleet Services Department recommends purchasing the new 2015 Freightliner with Terex body from Terex Utilities and disposing of the old electric line truck through the online auction process.





**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Fleet Services**

COUNCIL AGENDA DATE: **October 20, 2014**

BID NO.: **NJPA** CONTRACT NO.: **031710-GII** DATE OPENED:

DESCRIPTION:

2015 Freightliner with Terex Commander 4047 model digger derrick body

PURPOSE:

The Electric Department is currently using a 1997 Ford F800 with a Telect digger derrick body that is in need of replacement due to age and hours.

COMMENTS:

The price of \$230,886 includes the truck, body, manuals, and training as needed.

RECOMMEND AWARD TO: **Terex Utilities** AMOUNT: **\$ 230,886**

JUSTIFICATION:

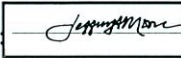
The 2015 Freightliner with Terex Commander 4047 model digger derrick body is similar to the one they are currently using and will meet their needs.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
501271	532401			\$230,886
TOTAL BUDGETED AMOUNT				

DEPARTMENT HEAD: **Gary Smith** Digitally signed by Gary Smith
DN: cn=Gary Smith, o=City of High Point, ou=Fleet Services, email=gary.smith@highpointnc.gov, c=US
Date: 2014.10.13 12:04:10 -0400 DATE: **Oct 13, 2014**

The Purchasing Division concurs with recommendation submitted by the **Fleet Services** and recommends award to the lowest responsible, responsive bidder **Terex Utilities** in the amount of \$ **230,886.00**.

PURCHASING MANAGER: **Tarinda Chappell** Digitally signed by Tarinda Chappell
DN: cn=Tarinda Chappell, o=City of High Point, ou=Purchasing, email=tarinda.chappell@highpoint.gov, c=US
Date: 2014.10.13 12:36:30 -0400 DATE: **Oct 13, 2014**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR:  Digitally signed by Jeffrey A. Moore
DN: cn=Jeffrey A. Moore, o=City of High Point, ou=Financial Services Director, email=jaffmoore@highpointnc.gov, c=US
Date: 2014.10.13 14:20:35 -0400 DATE: **Oct 13, 2014**

CITY MANAGER: **Randy E. McCaslin** Digitally signed by Randy E. McCaslin
DN: cn=Randy E. McCaslin, o=, email=randymccaslin@highpointnc.gov, c=US
Date: 2014.10.13 14:41:30 -0400 DATE: **Oct 13, 2014**



Application for Appointment To Boards and Commissions

Please TYPE or PRINT the information requested on this application. You may attach additional pages and / or your resume if you wish. All appointments to City boards and commissions are made by the Mayor and City Council and are not limited to those persons who fill out applications.

Name Roosevelt Swinnie

Street Address 701 E. Green Dr., Apt. 805

City, State, Zip High Point, NC 27260

Employer _____

Business Address _____

Phone: home 336-259-5797 work _____ fax _____

Email _____

Do you live inside the corporate limits of High Point? Yes If not, do you live within High Point's extraterritorial zoning jurisdiction? _____

Please list (in order of preference) the boards and commissions on which you would be willing to serve.

1. Housing Authority of the City of High Point
2. _____
3. _____

Please list any work, volunteer, and/or educational experience that you would like us to consider in the review of your application. Please feel free to attach a resume or biographical information.

Resident Council Member

Have you participated in the City Government 101 Course? _____ Year _____

Have you participated in Leadership High Point? _____ Year _____

----- RETURN TO: -----

City Clerk, City of High Point, P. O. Box 230, High Point, NC 27261 • 211 S. Hamilton Street
Phone: 336-883-3536 • Fax: 336-822-7067

Applications will be retained and active for a two-year period

CITY OF HIGH POINT

AGENDA ITEM



Title: Street Abandonment Case 14-07

From: Lee Burnette, Planning & Development
Director

Meeting Date: October 20, 2014

Public Hearing: Yes

Advertising Date/ September 19 & 26, 2014 and
October 3 & 10, 2014

Advertised By: Planning & Development

Attachments: A. Planning and Zoning Commission Recommendation
B. Staff Report
C. Resolution of Abandonment

PURPOSE:

A request by High Point University to abandon the eastern portion of the Barbee Avenue right-of-way lying between Willow Place and Montlieu Avenue (private drive section).

BACKGROUND:

Staff report and the Planning & Zoning Commission's recommendation is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. On September 23, 2014, a public hearing was held before the Planning and Zoning Commission regarding-SA14-07. The Planning & Zoning Commission recommended **approval** of SA14-07 by a vote of 6-0.

B. Staff recommends **approval** of SA14-07 as outlined in the attached staff report.

PLANNING AND ZONING COMMISSION RECOMMENDATION

High Point University

Street Abandonment SA 14-07

At their September 23, 2014 public hearing, the Planning and Zoning Commission reviewed Street Abandonment Case 14-07 (SA 14-07). All members of the Commission were present, except for Mrs. Marie Stone and Mr. Andrew Putnam. Mr. Herbert Shannon, Senior Planner, presented SA 14-07 and recommended approval of the request as outlined in the staff report.

Speaking on behalf of the request was Mr. Chris Dudley, Chief of Staff, High Point University, 883 Montlieu Avenue.

No one spoke in opposition of the request.

The Planning & Zoning Commission recommended approval of Street Abandonment Case 14-07, as recommend by staff, by a vote of 6-0.

**CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT**

**STAFF REPORT
STREET ABANDONMENT CASE 14-07
September 23, 2014**

Request	
Applicant: High Point University	Proposal: To abandon the eastern portion of the Barbee Avenue right-of-way lying between Willow Place and Montlieu Avenue (private drive section).

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
Montlieu Avenue	Private Drive	Private drive with 37-foot (+/-) wide paving with curb and gutter
Barbee Avenue	Local street	50-foot wide right-of-way; 30-foot (+/-) paving with curb and gutter

Adjacent Property Zoning and Current Land Use		
North	Conditional Zoning Public & Institutional District (CZ-PI) District	High Point University campus
South	Residential Single-Family 7 (RS-7)	Undeveloped parcels
East	Residential Single-Family 7 (RS-7) District	Undeveloped parcels
West	Conditional Zoning Public & Institutional District (CZ-PI) District	Undeveloped parcels that are part of the High Point University campus

Analysis

Over the past year, the High Point University campus has expanded in such a manner that it now extends south of Montlieu Avenue. The University has requested and been granted zoning approvals to permit university related uses in the blocks lying between Barbee Avenue and Montlieu Avenue, and the City has abandoned Willoubar Terrace, Fifth Street and that segment of Montlieu Avenue running between N. Centennial Street to N. College Drive. The Montlieu Avenue street abandonment has left the eastern segment of Barbee Avenue as a dead-end public street. Consequently, an agreement was signed, separate from the Montlieu Avenue abandonment, by the University and the City allowing the University to install a cul-de-sac or other form of public turnaround at this eastern terminus of Barbee Avenue.

The University has recently purchased the properties along the south and east side of Barbee Avenue, between Willow Place and Montlieu Avenue. Now that they own all of the parcels along both sides of the eastern segment of Barbee Avenue, they desire that this public turn around be constructed at an alternate location near the intersection of Barbee Avenue and Willow Place. To facilitate this relocation they have submitted this application to abandon the eastern portion of the Barbee Avenue right-of-way (ROW), lying just east of Willow Place.

The Barbee Avenue ROW has a width of 50 feet and is improved with a paved public street. This ROW and abutting parcels are depicted on two recorded maps. First, on a map recorded in November 1918 entitled “College Height – High Point, N.C.” in Plat Book 4 Page 158 and secondly on a map recorded in November 1919 entitled “Willoubar Terrace High Point N.C.” Plat Book 4 Page 132. This eastern portion of Barbee Avenue has historically served as a direct means of access for this residential neighborhood to Montlieu Avenue. With the University’s purchase of the properties lying between Montlieu Avenue and Barbee Avenue, the removal of the residential dwellings, and the abandonment of Montlieu Avenue, there is little public purpose remaining for the eastern segment of Barbee Avenue.

The Technical Review Committee (TRC) reviewed this requested street abandonment on July 2, 2014. The TRC stated no objections to the abandonment; however, the various utility service providers noted that easements must be retained for the multiple utility lines within this ROW.

Findings & Recommendation

This abandonment of the public’s interest and conveyance of the right-of-way to the abutting property owner (High Point University), as provided by State statutes, is found not to be contrary to the public’s interest. Adjacent residential property owners still have access to the Willow Place and the remaining public portion of Barbee Avenue to access their property. This proposed ROW abandonment will not deprive any property owners in the vicinity of this request reasonable means of ingress and egress to their property.

The Planning and Development Department recommends approval of the requested street abandonment with the retention of the following easements:

- A 20-foot wide stormwater easement centered over all existing stormwater lines within and crossing the right-of-way.
- A 20-foot wide sanitary sewer easement centered over all existing sewer lines within and crossing the right-of-way.
- A 20-foot wide water easement centered over all existing water lines within and crossing the right-of-way.
- A 20-foot wide gas line easement centered over all existing Piedmont Natural Gas lines within and crossing the right-of-way.
- A 30-foot wide electrical easement, which also includes City fiber optic lines, cable TV lines and some NorthState Communication lines, centered over all existing electric lines within and crossing the right-of-way.
- A 15-foot wide NorthState Communications easement shall be retained for NorthState Communication utility lines that are separate from City electric lines. This easement shall be centered over these separate NorthState Communication utility lines within and crossing the right-of-way.

Report Preparation

This report was prepared by Planning and Development Department staff member Herbert Shannon Jr, AICP, Senior Planner and reviewed by Bob Robbins, AICP, Development Administrator, and Lee Burnette, AICP, Director.



STREET ABANDONMENT REQUEST SA14-07

Applicant: High Point University
Area: 0.54 acres



Location of requested street abandonment



Previously abandoned right-of-ways

Department of Planning
and Development

City of High Point

Date: September 11, 2014



Scale: 1"=200'

G:/Planning/Secure/ba-pz/
2014/pz/sa14-07.mxd

Attachments: Photographs (September 2014) and Aerial (February, 2010)

Intersection of Barbee Avenue & Willow Place

Photo taken looking east, towards the intersection.



Intersection of Barbee Avenue and Montlieu Avenue (private section)

Photo taken looking north, towards the intersection.



Barbee Avenue

Photo taken looking west at the mid-point of street to be closed.



Intersection of Barbee Avenue and Montlieu Avenue (private section)

Photo taken looking south, away from the intersection.





STREET ABANDONMENT REQUEST SA14-07

Applicant: High Point University

Area: 0.54 acres



Location of requested street abandonment



Previously abandoned right-of-ways

Department of Planning
and Development

City of High Point

Date: September 23, 2014



Scale: 1"=200'

G:/Planning/Secure/ba-pz/
2014/pz/sa14-07.mxd

Return to: Joanne Carlyle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Resolution No. xxxx / 14-xx

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, IN A REGULAR MEETING ASSEMBLED ON THE 20th DAY OF OCTOBER, 2014 AT 6:15 P.M. IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, HIGH POINT, NORTH CAROLINA:

Street Abandonment Case 14-07 (Barbee Avenue – eastern segment)

WHEREAS, High Point University has petitioned the City Council of the City of High Point to permanently abandon (close) the eastern portion of the Barbee Avenue right-of-way lying between Willow Place and Montlieu Avenue (private drive section).

WHEREAS, This right-of-way, known as the eastern segment of Barbee Avenue, is depicted on the following maps: 1) a map recorded in November 1918 entitled “College Height – High Point, N.C.” in Plat Book 4 Page 158, 2) a map recorded in November 1919 entitled “Willoubar Terrace High Point N.C.” Plat Book 4 Page 132; and 3) a map recorded in November 1920 entitled “Willoubar Terrace High Point NC (*tracing of a map filed map book 4 page 132*) in Plat Book 4 Page 212.

The area to be abandoned is more specifically described as follows: Beginning at the southwest corner of the intersection of Montlieu Avenue (private) and Barbee Avenue, said point also being the northeast most

corner of Lot #4 of Survey for Angel Kotsios as recorded in Plat Book 15, Page 46 of the Guilford County Register of Deeds; thence approximately 50 feet in an easterly direction crossing Barbee Avenue along the original southern right-of-way of Montlieu Avenue (private), said right-of-way of Montlieu Avenue closed as described in Deed Book 7572 Page 2608 to the northwest most corner of Lot #201 of College Heights as recorded in Plat Book 4 Page 158 of the Guilford County Register of Deeds; thence south with the east right-of-way line of Barbee Avenue and with the west line of Lots #201 through #210 of College Heights to the northwest most corner of Lot #210 of College Heights; thence in a northerly direction approximately 50.00 feet, crossing Barbee Avenue to the southwest corner of Lot #15 of Block "N" of Willoubar Terrace as recorded in Plat Book 4 Page 212 of the Guilford County Register of Deeds and being in the north right-of-way line of Barbee Avenue; thence in an easterly direction with the north right-of-way line of Barbee Avenue and the southern line of Lots #15 and #14 of Willoubar Terrace to the northeast corner of Lot #14, said point also being the southeast corner of Lot #4 of the Survey for Angel Kotsios; thence continuing along the western right-of-way line of Barbee Avenue, the eastern line of Lot #4 to the point and place of beginning.

WHEREAS, the petition has been duly filed with this Council in a Regular meeting assembled on the 15th day of September, 2014, at 5:30 p.m. setting the 20th day of October, 2014 at 6:15 p.m., in the Council Chambers of the Municipal Building, as the time and place for a public hearing before said Council on said petition, and public notice of said time and place was ordered given, all pursuant to North Carolina G.S. 160A-299; and

WHEREAS, due and proper notice of said hearing to be heard on the petition at this meeting of City Council was made by publication in the High Point Enterprise for four (4) consecutive weeks, beginning September 19 & 26, 2014 and October 3 & 10, 2014; and,

WHEREAS, the above entitled matter, pursuant to said resolution and notice was called for hearing before said Council at which time there was no objection or opposition offered on the part of any firm or corporation to abandon (closure) of improved eastern portion of the Barbee Avenue right-of-way lying between Willow Place and Montlieu Avenue (private drive section); and

WHEREAS, it appearing to the satisfaction of this Council and the Council finds as a fact that the said right of way as herein described is not necessary for ingress and egress to any land adjoining said street; that the closing of said street is not contrary to the public interest and that no other individual, firm or corporation owning property in the vicinity of said street, or in the

subdivision in which said street is located, will be deprived of reasonable means of ingress or egress to this property.

NOW THEREFORE BE IT RESOLVED:

1. That the eastern portion of the Barbee Avenue right-of-way lying between Willow Place and Montlieu Avenue (private drive section), be closed pursuant to North Carolina G.S. 160A-299; and
2. That the City of High Point shall retain a 20-foot wide stormwater easement centered over all existing stormwater lines within and crossing the right-of-way; and
3. That the City of High Point shall retain a 20-foot wide sanitary sewer easement centered over all existing sewer lines within and crossing the right-of-way; and
4. That the City of High Point shall retain a 20-foot wide water easement centered over all existing water lines within and crossing the right-of-way; and
5. A 20-foot wide gas line easement shall be retain, centered over all existing Piedmont Natural Gas lines within and crossing the right-of-way; and
6. That the City of High Point shall retain a 30-foot wide electrical easement, which also includes City fiber optic lines, cable TV lines and some NorthState Communication lines, centered over all existing electric lines within and crossing the right-of-way; and
7. A 15-foot wide NorthState Communications easement shall be retained for NorthState Communication utility lines that are separate from City electric lines. This easement shall be centered over these separate NorthState Communication utility lines within and crossing the right-of-way; and
8. That a copy of this resolution be filed in the Office of the Register of Deeds for Guilford County, North Carolina.

By order of the City Council,
this the 20th day of October, 2014
Lisa B. Vierling, City Clerk

THE HIGH POINT ENTERPRISE

Affidavit of Publication

State of North Carolina,
Guilford County

To Whom it May Concern:
this is to certify the
advertisement attached
hereto has been published in

The High Point Enterprise

On the following dates:

October 24, 2014

Sworn to on this 24 day
of October, 2014

Lisa Robertson
High Point Enterprise Representative

Sworn to and Subscribed
before me this 24 day
of October, 2014

Barbara M Daniels
Notary Public

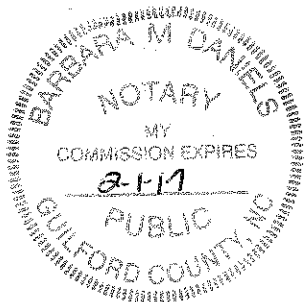
ORDER AUTHORIZING \$14,235,000 GENERAL OBLIGATION REFUNDING BONDS

BE IT ORDERED by the City Council of City of High Point,
North Carolina:

1. That pursuant to The Local Government Bond Act, as amended, the City of High Point, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue General Obligation Refunding Bonds in an aggregate principal amount not exceeding \$14,235,000 for the purpose of providing funds, together with any other available funds, to (a) refund all of the City's outstanding Taxable General Obligation Refunding Bonds, Series 2013, dated November 26, 2013, and (b) pay certain expenses related thereto.
2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.
3. That a sworn statement of debt of said City has been filed with the City Clerk and is open to public inspection.
4. That this order shall take effect upon adoption.

The foregoing order was adopted on the 20th day of October, 2014, and is hereby published this 24th day of October, 2014. Any action or proceeding questioning the validity of the order must be begun within 30 days after the date of publication of this notice. The Financial Services Director of said City has filed a statement estimating that the total amount of interest that will be paid on the proposed bonds over the expected term of the bonds, if issued, is \$447,089.23. The estimate is preliminary, is for general informational purposes only, and may differ from the actual interest paid on such bonds. Such statement of estimated interest includes certain assumptions upon which such estimate is based, and there is no assurance that the circumstances included in such assumptions will occur. The validity of the proposed bonds is not subject to challenge on the grounds that the actual interest cost on the bonds when issued is different than the estimated interest amount set forth above.

Lisa B. Vierling
City Clerk of the
City of High Point, North Carolina
Oct. 24, 2014



CITY OF HIGH POINT

AGENDA ITEM



Title: Resolution of Intent (ROI) for Street Abandonment Case 14-11

From: Lee Burnette, Planning & Development
Director

Meeting Date: October 20, 2014

Public Hearing: No

Advertising Date/ Not applicable

Advertised By:

Attachments: A. Resolution of Intent (ROI) for Street Abandonment Case 14-11
B. Map of right-of-way proposed to be abandoned

PURPOSE:

Approval of a Resolution of Intent that establishes a public hearing date of November 17, 2014, to consider a request to abandon a 40-foot wide unimproved right-of-way (known as Blair Avenue) lying along the west and east side of S. Centennial Street, between Lake Avenue and E. Kerns Avenue.

BACKGROUND:

Resolution of Intent for Street Abandonment Case 14-11 is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends City Council set a public hearing date of Monday, November 17, 2014 to hear this request.

Publish four (4) consecutive weeks: October 24 & 31, 2014 and November 7 & 14, 2014

RESOLUTION OF INTENT TO CONSIDER
STREET ABANDONMENT
(Case # SA14-11)

WHEREAS, the City Council has been petitioned to abandon the following right-of-way: A 40-foot wide unimproved right-of-way (known as Blair Avenue) lying along the west and east side of S. Centennial Street, between Lake Avenue and E. Kerns Avenue.

WHEREAS, G.S. 160A-299 requires the Council to first adopt a resolution declaring its intent to abandon the above right-of-way and calling a public hearing on the question;

NOW, THEREFORE BE IT RESOLVED, THAT THE COUNCIL declares its intent to consider the abandonment of the right-of-way above described and sets Monday, November 17, 2014, at 6:15 p.m. as the date for said public hearing before the Council in the Council Chamber of the Municipal Building in High Point.

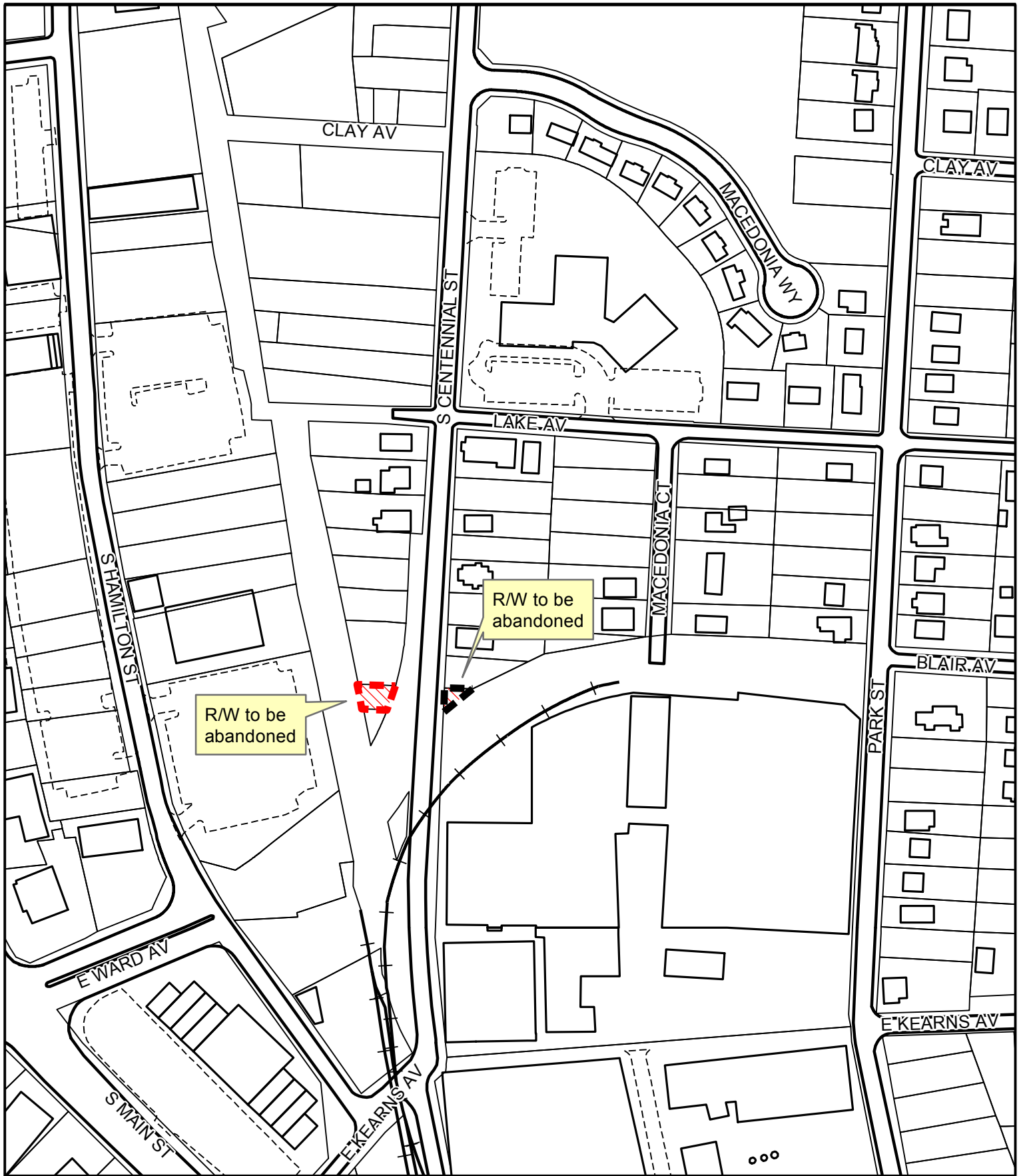
Persons wishing to be heard either for or against the said right-of-way abandonment are asked to be present for the hearing. The meeting facilities of the City of High Point are accessible to people with disabilities. If you need a special accommodation, call (336) 883-3298 or TDD# (336) 883-8517.

Further information pertaining to this request is available at the Planning and Development Department in Room 316 of the Municipal Office Building, 211 South Hamilton Street, High Point, North Carolina, (336) 883-3328 or FAX (336) 883-3056.

By Order of the City Council
This the 20th day of October, 2014.

Lisa B. Vierling, City Clerk

Petition Submitted By: City of High Point (City Manager's Office)



STREET ABANDONMENT CASE SA14-11

Applicant: City of High Point

Area: 0.062 acres



Location of requested street abandonment



Previously abandoned right-of-ways

**Department of Planning
and Development**

City of High Point

Date: October 13, 2014



Scale: 1"=200'

G:/Planning/Secure/ba-pz/
2014/pz/sa14-11.mxd