

City of High Point

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



Minutes

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

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

Present 8 - Council Member Foster Douglas, Council Member Jason Ewing, Council Member Jeffrey Golden, Council Member Judy Mendenhall, Council Member Rebecca Smothers, Council Member Jay Wagner, Council Member Britt Moore, and Mayor James Davis

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.

Attachments: [1. Eastside WWTP Repairs](#)

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.

Approved contract with East Coast Construction Services, LLC in the amount of \$295,699.00 for replacement of underground electrical power fees to the main treatment process of the Eastside WWTP.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that this Contract be approved. The motion PASSED by an 8-0 unanimous vote.

[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.

Attachments: [2. Electric Line Truck \(10-20-14\)](#)

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.

Approved contract with National Joint Powers Alliance (NJPA) in the amount of \$230,886.00 for the purchase of a 2015 Freightliner truck with a Terex body.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that this Contract be approved. The motion PASSED by an 8-0 unanimous

vote.

[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.

Attachments: [3. Electric Bucket Truck \(10-20-14\)](#)

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.

Approved contract with National Joint Powers Alliance (NJPA) in the amount of \$121,089 for the purchase of a new Altec AA55-E bucket truck.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that this Contract be approved. The motion PASSED by an 8-0 unanimous vote.

[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.

Attachments: [4. Compactor Refurbish \(10-20-14\)](#)

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 to rescind the contract with Road Machinery Services in the amount of \$345,000.00 and instructed staff to coordinate the repairs through Goodin Equipment Services and other local vendors.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that to approve the rescission of the contract with Road Machinery Services in the amount of \$345,000.00 and instructed staff to coordinate the repairs for the equipment through Goodin Equipment Services and other local vendors. The motion PASSED by an 8-0 unanimous vote.

[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.

Attachments: [5. Official Payments Contract Renewal 2014](#)

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 of the contract renewal with Official Payments in the amount of \$255,000.00 for the processing of credit cards and checks for utility and non-utility payments.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that this Contract be approved. The motion PASSED by an 8-0 unanimous vote.

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."

Attachments: [6. Issuance of Series 2014 GO Refunding Bonds](#)

[October 20 2014 Agenda](#)

[LGC - Bonds](#)

[Affidavit of Publication GO Bonds](#)

[20141114164659989](#)

Resolution No. 1411/14-51

Introduced 10/20/2014; Adopted 10/20/2014

Resolution Book, Volume XVIII, Page 133

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 adoption of the "Resolution Making Certain Findings and Determinations and Authorizing the Filing of an Application with the Local Government Commission in Connection with the Proposed Issuance of General Obligation Refunding Bonds by the City of High Point; and adopted the "Order Authorizing \$14,235,000.00 General Obligation Refunding Bonds.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that this Resolution be adopted. The motion PASSED by an 8-0 unanimous vote.

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.)

Attachments: [2014-003 Washington Street - Oct 17 2014](#)

Note: This matter was initially heard by Council on 10/6/2014, at which time the matter was postponed to allow for additional information to be received and for further review/study.

This matter was discussed during the Finance Committee meeting held at 4:30 p.m. prior to this meeting. The Committee heard a report from staff that additional water/sewer line work was needed due to the deteriorated condition of the lines due to the age of the lines (lines were installed around 1902). This will increase the cost of the project considerably and would require the city to accept additional bids for the water/sewer line replacement. It was the consensus of the Committee to leave this matter in pending and to accept bids for water/sewer line replacement.

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.

Attachments: [8. Budget Amendment - Washington Street Scapescape Project](#)

Note: This matter was initially heard by Council on 10/6/2014, at which time the matter was postponed to allow for additional information to be received and for further review/study.

This matter was discussed during the Finance Committee meeting held at 4:30 p.m. prior to this meeting. The Committee heard a report from staff that additional water/sewer line work was needed due to the deteriorated condition of the lines due to the age of the lines (lines were installed around 1902). This will increase the cost of the project considerably and would require the city to accept additional bids for the water/sewer line replacement. It was the consensus of the Committee to leave this matter in pending and to accept bids for water/sewer line replacement.

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.

Attachments: [2. Council Agenda Speed Limit on College](#)
[Ordinances Speed Limit on College and Kearns](#)

Ordinance No. 1801/14-80 (College Dr) Pg. 133
Ordinance No. 1802/14-81 (Kearns Ave.) Pg. 134
Introduced 10/20/2014; Adopted 10/20/2014
Ordinance Book, Volume XVIII

Adopted Ordinance concurring with the speed limit change along S. College Drive between Kivett Drive and Kearns Avenue.

A motion was made by Council Member Smothers, seconded by Council Member Moore,

that this Miscellaneous Item be approved. The motion **PASSED** by an unanimous vote.

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.

Attachments: [1. W. Kivett Drive On-Street Parking Proposal](#)

Chairwoman Smothers explained that this matter was addressed in a Comprehensive Planning Committee meeting held on October 7, 2014 at the request of a business owner on W. Kivett Drive. The Committee forwarded the request to Council with a favorable recommendation. It was noted that the plan would need to be forwarded to the North Carolina Department of Transportation (NCDOT) for consideration since it involves a state-maintained thoroughfare. The plan proposes an additional eleven on-street parallel parking spaces.

Approved the endorsement of the plan and submittal to the NCDOT for consideration.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this on-street parking proposal be approved. The motion PASSED by an 8-0 unanimous vote.

140316**Resolution of Intent - Street Abandonment 14-11 - CHP**

Approval of Resolution of Intent that establishes a public hearing date of Monday, November 17, 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.

Attachments: [1. ROI SA14-11 - CHP](#)

**Resolution No. 1412/14-52
introduced 10/20/2014; Adopted 10/20/2014
Resolution Book, Volume XVIII, Page 134**

Adopted Resolution of Intent establishing a public hearing date of Monday, November 17, 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.

A motion was made by Council Member Smothers, seconded by Council Member Ewing, to adopt this Resolution of Intent. The motion PASSED by an 8-0 unanimous vote.

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.

Attachments: [Text Amendment 14-05 - CRP High Point, LLC](#)

[Adopted TA14-05](#)

[High Point 100614 \(Text Amendment\)](#)

Ordinance No. 1799/14-78

Introduced 10/20/2014; Adopted 10/20/2014

Ordinance Book, Volume XVIII, Page 131

Transcript_____

Chairwoman Smothers: The next item is a pending item that was heard in committee last week and it was directed to staff to place it on the agenda for this evening. It's a text amendment that received considerable discussion, both at the public hearing and then again last week in committee. You all have heard it several times and I think the questions that were raised at the meeting last week indicated there was a fairly decent understanding of the issues involved. Is there any other comment?

Council Member Ewing: **I'd like to move that we approve the text amendment. I think it's consistent with the purpose of the comprehensive plan that was completed years ago and certainly in line with what the plan intended which was prudent development of our core city area. This amendment, I believe is reasonable and in the best interest of the public.**

Chairwoman Smothers: You've heard the motion. **I'll second it.**

Mayor Davis: Alright, we have a motion and a second for 140299 Ordinance for Text Amendment 14-05.

Chairwoman Smothers: In support of the motion, the primary concern that was identified as a critical nature in the staff report was that this would set some type of precedent that then would open the door for other automotive types of service uses, sales, new vehicles and used car sales. When, in fact, in examining the uses that are identified in the SIC codes, rental and leasing is not classified in the same manner as those other types of automotive uses. Consequently, it does give the staff the basis for denial of automotive types of uses that the previous committee had found to be not in keeping with their desire to see a build-out of that street. So this is a service industry that has vehicles that are there for short periods of time. It is leasing and not an automotive service center as the others are classified.

Mayor Davis: Any additional comments?

Council Member Wagner: yes. I'd like to speak in opposition to this. I think that this is not the right place for this type of business. I think we have a plan in place for the redevelopment and revitalization of that area and in order for that to be a success, we

have to have a sustained commitment to the plans that we have. I think this shows a shift in policy that does not support that prior plan. It does not support any of the established plans we have in that area. I think, also, it shows lack of support of this council for our staff who has recommended against the change. I think it shows a lack of support for the planning and zoning board, who unanimously recommended against the change. I think it also shows a lack of respect and support by this council for the businesses in that area who came out to oppose the change, and to the volunteers who worked in that area and who have been working for a number of years to help recruit new businesses to that area. I disagree with Ms. Smothers as to the precedent that we're also setting. I think that classifications are classifications, but the fact is auto sales is a very small jump from auto leasing. One of the primary goals that we had for the Main Street District and for that area was for the elimination of used car lots. I don't really see how someone who's going to want to come in and put a used car lot....I don't think we could have any real reasonable justification for turning that down after we do this. I also think that this is a bit of overkill. We have to do it as a text amendment, which means it applies to the entirety of Area B, when there could be ways to do this that would be less intrusive, less destructive to the zoning in that area. I think this particular way of doing it is not the right way to do it. I'm opposed to doing it any way you want to do it, but there are less....there's a less destructive to do it than the way we're doing it right now.

Council Member Mendenhall: What would that be, Mr. Wagner?

Council Member Wagner: I think the proposal to shift the line south, although I'm opposed to that, would be a better way of doing it. Because then, this change would not apply to the entirety of Area B; it would only be shifting a line and essentially changing the zoning and what's the available uses by shifting the line. This is going to apply not just to this site; it's going to apply to the entire area. Now, that's not to say that we're going to have a rush of auto leasing places coming in there; but, again I disagree. We're a quarter inch from sales and I don't see how we can keep them out. There were so many car lots in there that for the use of the property, if you've got a paved piece of parking lot, it's very easy to have a used car lot on it. It's kind of the lowest, common denominator for a use. It's just really against what we're trying to do there. It's against the vision for that area and it's against the policies that we've put in place. The better way to do it if you're going to do it....and I'm opposed to both. But the better way to do it if you're going to do it is to move the line and not change the text.

Chairwoman Smothers: I don't think that moving the line addresses the issue, but I certainly respect the difference of opinion and think that plans are reviewed periodically as the need exists and that's what this body was elected to do in terms of setting policy. I fail to see how the elimination of one very specific use is going to generate destruction of what the vision was. Yet, in fact, you are taking a business that's been in town for 22 years that's wanting to expand, and will actually be bringing full-time employees who hopefully will be part of that walkable area down there and use it as well as increasing business. So I think it's appropriate. It's certainly consistent with codes used by the federal government in terms of classification of different types of automobile uses and

if the staff can't use that, then lines don't serve a real purpose. I do think that there is a need to go back and look at those areas that are up and down Main Street to see if there are other kinds of uses that perhaps need to be addressed. But more importantly, I think we need a streetscape plan for the main corridor that nobody ever picked up after we put these areas in place. That is a very definite omission.

Council Member Moore: Well, I agree with that and I think what we're seeing here is what happens when you have an issue where this Council has certainly done its job and its homework and there's good discussion on both sides. But I think that, you know, our charge I believe as elected officials is to take into consideration the intended consequences and even harder to detect unintended consequences. I have spoken to several folks including the Enterprise folks and put in a lot of hours trying to gather the appropriate information as much as I can. They're a fine organization. A great corporate citizen of the town, with a great relationship with HPU. I think they actually keep some cars over there if I understand it correctly. So from that standpoint, I understand the context I believe on both sides. This is a tough issue-a tough decision. I did notice Friday night as I cut through there headed to a class reunion that about 20-30 college students were crossing Lexington headed down towards Tom's or beyond and about 20-30 others were coming up the street headed to Blue Bourbon Jacks or wherever else they may have been going. My point in saying that is that there's no secret where I stand on what has happened to the city and the change of the economy and the fact that we're struggling to re-identify ourselves, but we've also heard a lot lately about the phenomenal growth of HPU and how do we best leverage from that and create unison with that. Personally, after reviewing all of this, I think that our Planning & Zoning Commission got this one right. So I'm not going to be able to support this amendment.

Council Member Ewing: A quick question for staff....if someone were to come in and apply, some of the concern is a used car lot having the ability to open in this area. If someone wanted to open a used car lot, they would have to come in and apply for a text amendment, correct, because this only addresses leasing. So then it would ultimately have to come back to Council again. Okay. Thank you.

Council Member Mendenhall: I also think, Mr. Wagner, I do take some umbrage with what you said about our not respecting staff. I think staff is bound by plans that are in place. They don't have the prerogative of changing plans. That is something that's given to this body to do and one of the things that we talked about when we were meeting as a committee was the fact that anybody who knows anything about planning knows that plans are not in place ad-infinitum, but they are always open for discussion and for potential change. I do think Mr. Ewing's point that he just made is very well taken because if this business is allowed to come in to do what it does, it does not necessarily mean that future councils would allow other non-acceptable uses that relate to automobiles, sales, used car lots-whatever. And I think we have made it clear, we have no disrespect for citizens who volunteered their time, nor for intents. And I agree with you, I think we do need to look at the whole corridor. We probably need to revisit the line, but we also need, I think, to look at streetscaping. One of the questions that

those of us who are running for office dealt with at the Chamber candidates forum was streetscaping and gateways into the city. And we have a couple that have been updated and are really beautiful and we're working now on South Main...a portion of South Main. We have a lot of areas, parts of Main Street that are main gateways into our city that need a lot of work. We need to address things like that as well.

Chairwoman Smothers: Mr. Mayor, unless there's further discussion, I call the question.

Council Member Wagner: I'd like to just respond to what Judy said if I can. I think that....I understand what y'all have said and I appreciate what Britt said especially. Again, I think there's a better way to do this. This is a use that I believe is already allowed in Area A. Is that right Lee?

Lee Burnette: Nodded affirmatively.

Council Member Wagner: Okay, if you move the line, you're basically putting this into an area where it's already allowed. Where as opposed to changing the text of what is allowed over the entirety of Area B. So I think that's the better way to accomplish what you're trying to accomplish. Again, even though I'm against it. And I respect what you said Judy about taking another look at things, but to be flat and blunt with you, it's 180 degrees contrary to what you said two weeks ago. You sat here and you said you were not going to support this specifically because you felt we needed to respect the actions of prior councils. So, you know, I would call on you tonight to stand by what you said two weeks ago and not flop over on this and change your vote and respect what prior councils have done in creating this plan.

Chairwoman Smothers: I'm not trying to defend Ms. Mendenhall, but I think this Council not too long ago changed the sign ordinance within a given area to permit a different type of signage at the Chamber of Commerce for the Convention & Visitors Bureau who was asking for it and Mr. Mabe is here tonight. So to say that you can't ever change something...you don't need an elected body if all you're going to do is go by policies that you have and never reexamine.

Council Member Moore: But you do need to look at them especially in this change of economy that we're in. I think it would be wise for this Council any any Councils going forward to look at them on a more regular basis.

Chairwoman Smothers: And they will set their own agenda and do that, as we have.

Council Member Moore: I was just making a suggestion. That's all I was doing.

Council Member Mendenhall: I also feel that if....

Council Member Wagner: What good is a comprehensive plan if you don't stick with it.

Chairwoman Smothers: You're not going to have success with comprehensive plans if you never take into consideration what changes might be necessary.

Council Member Mendenhall: Well, as an individual human being, I believe that if I looked at additional data that gives me a second thought about something, I have the right to change my mind and change my vote. If I don't, then we don't need to meet once we make a statement. We'll just know that it'll be in the record. I had additional information. I had time to think about it and I changed my mind. Maybe it's just my prerogative because I'm a woman, but I think anybody can change their mind.

Mayor Davis: The question is being called. We have a motion and a second to approve Text Amendment 14-05, 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. I would like for everyone to show the hands on this vote. All in favor, raise their hand. Six.....

[Davis, Smothers, Golden, Douglas, Mendenhall, and Ewing]

Mayor Davis: All opposed? Two.

[Moore and Wagner]

Mayor Davis: Motion carries 6-2.

[end of transcript]

Adopted Ordinance approving Text Amendment 14-05 amending 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 based on consistency with the purpose of the Comprehensive Plan that was completed years ago and that it is in line with intentions of the plan which was to provide for prudent development of the Core City area and that it is reasonable and in the best interest of the public.

A motion was made by Council Member Ewing, seconded by Council Member Smothers, that this matter be adopted. The motion carried by the following vote:

Aye: 6 - Council Member Douglas, Council Member Ewing, Council Member Golden, Council Member Mendenhall, Council Member Smothers, and Mayor Davis

Nay: 2 - Council Member Wagner, and Council Member Moore

PUBLIC HEARINGS - 6:15 P.M.

[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).

Attachments: [2. Resolution - Street Abandonment 14-07 - HPU](#)

Resolution No. 1413/14-53

Introduced 10/20/2014; Adopted 10/20/2014

Resolution Book, Volume XVIII, Page 135

The public hearing for this matter was held on Monday, October 20, 2014 at 6:15 p.m.

Herb Shannon of Planning and Development, provided an overview of the staff report. He reported that this request has been reviewed by the Technical Review Committee; no objections were stated, but it was noted that the utility easements would need to be retained. Approval of the abandonment would not deny any property owner reasonable access and the request is consistent with right-of-way abandonment and would not be contrary to public interest. The Planning and Zoning Commission heard the request at their meeting held on September 23, 2014 and also recommended approval, as well as staff.

Following the conclusion of the staff report, Chairwoman Smothers opened the public hearing and asked if there were any comments in support of or in opposition to the request.

Chris Dudley, 1365 Trafalgar Drive, Vice President and Chief of Staff at High Point University, spoke in favor of the request. He acknowledged the presence of Dan Pritchett with Jamestown Engineering, who could address any questions regarding this request. Mr. Dudley pointed out this is the site of the new School of Health Sciences and Pharmacy and Undergraduate Science Building, with anticipated construction beginning in the first quarter of 2015 with a complete date of 2017. He noted this is a logical step in making traffic more accessible to residents in the area and explained that during the time of the Montlieu Avenue discussions, they had already acquired a majority of this property and talking to staff, once the additional properties were acquired, it would make sense for the traffic to turn right onto Willow, rather than going down to the end of Barbee at a closed Montlieu Avenue--it would prevent easier flow of traffic for service and emergency vehicles.

Chairwoman Smothers asked if there were any additional comments. There being none, the public hearing was closed.

Adopted Resolution authorizing the abandonment of the eastern portion of the Barbee Avenue right-of-way lying between Willow Place and Montlieu Avenue (private drive sections) with the retention of the following easements:

20-foot wide stormwater easement centered over all existing stormwater lines within and crossing the right-of-way
20-foot wide sanitary sewer easement centered over all existing sewer lines within and crossing the right-of-way
20-foot wide water easement centered over all existing water lines within and crossing the right-of-way
20-foot wide gas line easement centered over all existing Piedmont Natural Gas lines within and crossing the right-of-way
30-foot wide electrical easement, which also includes City fiber optic lines, cable TV lines and some North State Communication lines, centered over all existing electric lines within and crossing the right-of-way
15-foot wide North State Communications easement shall be retained for North State Communication utility lines that are separate from City electric lines. This easement shall be centered over these separate North State Communication utility lines within and crossing the right-of-way.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this Resolution be adopted. The motion PASSED by an unanimous vote.

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).

Attachments: [3. Land Use Plan Amendment 14-04 and Zoning Case 14-09 Staff Report - H signed resolution and map](#)

Resolution No. 1414/14-54

Introduced 10/20/2014; Adopted 10/20/2014

Resolution Book, Volume XVIII, Page 136

The joint public hearing for this matter and related matter 140319 Ordinance- Amendment to Zoning Case 14-09- High Point University was held on Monday, October 20, 2014 at 6:15 p.m.

Heidi Galanti of Planning and Development provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings. The applicant is requesting that the Land Use Map designation for this 2.8 acre area be amended from Low Density Residential to an Institutional classification. There are several relevant land use policies to consider in evaluating this request: Community Growth Vision Statement; University Area Plan; Core City Plan. Ms. Galanti noted that while this request for expansion is outside the growth area outlined in the plan, City Council previously approved similar requests allowing the expansion of the campus in the three blocks immediately to the west of the site. As a matter of policy, this establishes Barbee Avenue as the new limits of the campus. Ms. Galanti shared that according to a presentation made by HPU in July, this would be the last expansion in the area because they do not intend to acquire any additional land to the south of Barbee Avenue. This matter was heard by the Planning and Zoning Commission on September 23, 2014 and they recommended approval by a vote of 6-0; likewise, staff is also recommending approval.

Chairwoman Smothers opened the public hearing and asked if there were any comments. Chris Dudley, 1365 Trafalgar Drive, Vice President and Chief of Staff at High Point University, spoke in favor of the request and offered to address any

questions. There being no further comments, the public hearing was closed.

Adopted Resolution approving Land Use Plan Amendment 14-04 changing 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 and east side of Barbee Avenue, between Willow Place and Montlieu Avenue (private drive section).

A motion was made by Council Member Smothers, seconded by Council Member Ewing, that this Resolution be adopted. The motion PASSED by an unanimous vote.

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).

Attachments: [3. Land Use Plan Amendment 14-04 and Zoning Case 14-09 Staff Report - H](#)

Ordinance No. 1800/14-79

Introduced 10/20/2014; Adopted 10/20/2014

Ordinance Book, Volume XVIII, Page 132

The joint public hearing for this matter and related matter 140318 Resolution- Land Use Plan Amendment- High Point University was held on Monday, October 20, 2014 at 6:15 p.m.

Herb Shannon of Planning and Development presented the staff report, which is hereby attached in Legistar as a permanent part of these proceedings. He noted that none of the conditions previously adopted are being changed; all previous standards will remain in effect. Mr. Shannon explained the applicant has also submitted an amendment to add additional property to Conditional Zoning Case 14-09 for the CZ-PI District. Mr. Shannon noted there is a perennial stream running along the rear of the lots and with that stream, there are flood zone areas associated with it and the Development Ordinance has specific stream buffer and environmental regulations that would have to be met. This would act as a separation point to separate any development or use in this area from adjacent residential uses along Underhill. Conditional Use Zoning Case 14-09 already has several standards for development along the perimeter (i.e. fencing, lighting, loading dock placement). The stream buffer and environmental regulations will also provide buffers. To ensure that this request is compatible with adjacent property owners along Willow Place, the applicant has offered a new condition that the lot that is adjacent to the single family dwellings be reserved as an open space and buffer area. No development, building, or parking can go in this area--just landscaping and possibly signature fencing. This will assist in mitigating any impacts to adjacent property owners along Willow Place. The Planning and Zoning Commission reviewed this request at their September 23, 2014 Meeting and recommended approval by a vote of 6-0. Staff is also recommending approval of Conditional Zoning Case 14-09.

Following the presentation of the staff report, Chairwoman Smothers opened the public hearing and asked if there were any comments. Chris Dudley, 1365 Trafalgar Drive, Vice President and Chief of Staff at High Point University, spoke in favor of the

request and offered to address any questions. There being no further comments, the public hearing was closed.

Adopted Ordinance amending Conditional Zoning Case 14-09 to add: A) 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 based upon consistency with the City's adopted plans, and finds this action to be reasonable and in the public interest and does hereby adopt the statements as outlined in the Staff Analysis section of the staff report.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this Rezoning Case be adopted. The motion PASSED by an unanimous vote.

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.

Attachments: [GRDICH Jim 2014](#)

[LEGRANDE James 2014](#)

[SWINNIE Roosevelt 2014](#)

Approved the preceding appointments to the High Point Housing Authority as recommended by Mayor Davis.

A motion was made by Mayor Davis, seconded by Council Member Douglas, that this Miscellaneous Item be approved. The motion PASSED by an unanimous vote.

140325

Appointment to Theatre Advisory Board

As liaison to the Theatre Advisory Board, Council Member Moore is asking for consideration of the appointment of Amanda Foster Anderson to the Theatre Advisory Board. Ms. Anderson will be filling an unexpired term. Appointment to be effective immediately and will expire on 6/1/2015.

Attachments: [ANDERSON Amanda 2014](#)

Motion by Council Member Moore, second by Council Member Mendenhall to suspend the rules so this matter could be added to tonight's agenda for consideration. The motion carried unanimously.

Approved the appointment of Amanda Foster Anderson to the Theatre Advisory Board.

A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that this Miscellaneous Item be approved. The motion PASSED by an unanimous vote.

140321

Boards and Commissions - Vacancy Report

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

Attachments: [Vacancy Report](#)

This information is attached for informational purposes only. No action is required on this item.

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.

Attachments: [1. October 2 2014 Special Meeting](#)
[2. October 6 2014 Special Meeting](#)
[3. October 6 2014 Finance Committee](#)
[4. October 6 2014 High Point City Council](#)
[5. October 7 2014 Comprehensive Planning Committee](#)
[6. October 16 2014 Special Meeting](#)

The minutes of the preceding meeting were unanimously approved as submitted upon motion by Council Member Mendenhall and second by Council Member Moore.

A motion was made by Council Member Mendenhall, seconded by Council Member Moore, that this Miscellaneous Item be approved. The motion PASSED by an unanimous vote.

For Information Only:

Rick Josey, a member of Scout Troop 55 from First United Methodist Church, was recognized for working on the Citizens in the Community and Communications Merit badges. Also in attendance was his father, Franklin Josey, and Sid Adams, Merit Badge Counselor.

ADJOURNMENT

There being no further business to come before Council, this meeting was adjourned until Thursday, October 23, 2014 at 9:00 a.m.

Respectfully Submitted,

James C. Davis, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk