

City of High Point

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



Meeting Agenda

Monday, August 19, 2013

4:45 PM

Council Chambers

City Council

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

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE**REGULAR MEETING ITEMS****FINANCE COMMITTEE - Mayor Pro Tem Moore, Chair**

- [130217](#) Budget Ordinance Amendment - Planning and Development Inspections Staff
Adoption of an ordinance amending the 2013-2014 Budget Ordinance to appropriate funds in the amount of \$88,000.00 for additional Planning and Development Inspections Staff.
- [130218](#) Purchase of Equipment - Ford F750 Dump Trucks
Council is requested to authorize staff to purchase two (2) Ford F750 Dump Trucks from Piedmont Truck Center in the amount of \$115,552 each for a total contract price of \$231,104.00. These vehicles will be used by the Streets Division and will be equipped with snow plows and salt spreaders.
- [130219](#) Purchase of Equipment - John Deere 624K Wheel Loader
Council is requested to authorize staff to purchase a 2013 John Deere 624H Wheel Loader from James River Equipment Company in the amount of \$177,653.60. This equipment will be used at the Ingleside Compost Facility.

COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers, Chair

- [130220](#) Resolution of Intent - Street Abandonment Case 13-11
Approval of a Resolution of Intent that establishes a public hearing date of September 16, 2013 at 5:30 p.m. to consider a request by High Point University to abandon all of the southern terminus of Meadowbrook Boulevard lying west of N. College Drive and north of Boundary Avenue.
- [130221](#) Resolution of Intent - Street Abandonment Case 13-12
Approval of a Resolution of Intent that establishes a public hearing date of September 16, 2013 at 5:30 p.m. to consider a request by the Technical Review Committee to abandon an unimproved right-of-way lying approximately 300 feet west of Francis Street, running in an north to south direction, between Model Farm Road and Jay Place.
- [130222](#) Resolution of Intent - Street Abandonment Case 13-13
Approval of a Resolution of Intent that establishes a public hearing date of September 16, 2013 at 5:30 p.m. to consider a request by the Technical Review Committee to abandon an unimproved right-of-way, lying south of the intersection of Meridian Avenue and Oaklawn Street.

PUBLIC HEARINGS - 5:30 P.M.

**COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers,
Chair**

- [130223](#) Ordinance - Annexation 13-03 - Larry E. Holbrook and Ursula A. Holbrook
A request by Larry E. Holbrook and Ursula A. Holbrook to consider a voluntary contiguous annexation of a five (5) acre parcel located along the east side of Deep River Road, approximately 215 feet south of Sunset Hollow Drive (2034 Deep River Road).
- [130224](#) Ordinance - Rezoning Case 13-06 - U-Haul of Central North Carolina
A request by U-Haul of Central North Carolina to rezone approximately 0.97 acres from the Residential Single Family-7 (RS-7) District to a Conditional Zoning Highway Business (CZ-HB) District. The site is lying south of Newell Street and west of Clark Place.
- [130225](#) Resolution - Street Abandonment 13-10 - U-Haul of Central North Carolina
A request by U-Haul of Central North Carolina to abandon the southern 228 feet of Clark Place, a partially improved 40-foot wide right-of-way lying south of Newell Street.
- [130226](#) Ordinance - Rezoning Case 13-07 - Phoenix Academy Foundation
A request by the Phoenix Academy Foundation to rezone approximately 46.2 acres from an Agricultural (AG) District and Conditional Use Public & Institutional (CU-PI) District to a Conditional Zoning Agricultural (CZ-AG) District. The site is lying along the west side of Walpole Road, approximately 850 feet south of Clinard Farms Road.
- [130227](#) Ordinance - Text Amendment 13-05 - 321 Eastchester, LLC (Van York Chevrolet)
A request by 321 Eastchester, LLC to amend Table 5-16-3 (Specifications for Accessory Attached Signs Requiring a Permit) of the sign regulations and Table 4-4-1 (Eastchester Scenic Corridor Overlay District Landscaping and Signage Regulations) of the Development Ordinance to establish wall sign standards for multiple franchise business under single ownership.

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT

- [130228](#) Theatre Study Committee Report
Per assignment by City Council at the July 15th, 2013 meeting to Jim Davis, Judy Mendenhall and Becky Smothers to submit a report for appointment and scope of study of the Theatre Complex.
- [120229](#) Boards and Commissions - Vacancies
Attached is the current list of vacancies for all Boards and Commissions.

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

[130229](#)

Approval of the following Minutes

Compressive Planning Committee meeting held Monday, August 5th @ 3:30 pm.

High Point City Council Regular Meeting held Monday, August 5th @ 4:45/5:30 p.m.

Adjourned Session of City Council held Thursday, August 8th @ 9:00 a.m.

ADJOURNMENT



2013058697

GUILFORD CO, NC FEE \$26.00
PRESENTED & RECORDED:

08-28-2013 03:14:26 PM

JEFF L. THIGPEN
REGISTER OF DEEDS
BY: JANE SCHULTZ
DEPUTY-HP

BK: R 7525

PG: 1835-1837

32
Return to: JoAnne Caryle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Ordinance No. 7002 / 13-34

ANNEXATION OF CONTIGUOUS LANDS
AN ORDINANCE EXTENDING THE CITY LIMITS OF THE CITY OF HIGH POINT

WHEREAS, The City of High Point has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and,

WHEREAS, the City Clerk has investigated the sufficiency of said petition and has certified it to be valid and the City Council set a public hearing date and notice of public hearing was published; and,

WHEREAS, a public hearing on this annexation was held at the Municipal Building at 5:30 p.m. on the 19th day of August, 2013; and,

WHEREAS, the City of High Point does hereby find as a fact that said petition meets the requirements of G.S. 160A-31 as amended;

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

SECTION 1. By virtue of the authority granted by G.S. 160A-31 as amended, the following described territory is hereby annexed, and made a part of the City of High Point as of August 19, 2013.

ANNEXATION CASE 13-03 (Larry E. Holbrook and Ursula A. Holbrook)

Being all of Tract No. 3, of the property of Alfred R. Kimrey according to a Plat duly recorded in Plat Book 72, Page 359, in the Office of the Register of Deeds for Guilford Count, North Carolina, and being more fully described as follows:

Commencing at an existing 1/2" iron rod, said iron rod being the southwest corner of Trustees of First Emmanuel Baptist Church (D.B. 5479, Pg. 1639) and the northwest corner of Larry E. &

Ursula A Holbrook (D.B. 5309, Pg. 713) and being on the old eastern right-of-way of Deep River Road (SR 1538) and being the point and place of **BEGINNING**; thence from said **BEGINNING** point and along said Emmanuel Baptist Church & said Holbrook boundary lines North 86°15'20" East 2.40 feet to a new iron pipe, said new iron being the new right-of-way of said Deep River Road (SR 1538) and the new annexed line; thence along said Emmanuel Baptist Church & said Holbrook boundary lines and the new annexed line North 86°15'20" East 934.48 feet to an existing 1/2" iron pipe, said iron pipe being the southeast corner of said Emmanuel Baptist Church and the northeast corner of said Holbrook properties and being in the western boundary line of The City of High Point (D.B. 5286, Pg. 676) and being on the existing City of High Point Corporate Limits; thence leaving the said Emmanuel Baptist Church boundary and along the City of High Point Corporate Limits lines South 3°27'16" West 237.48 feet to an existing 1/2" flat iron rod, said flat iron rod being the southeast corner of said Holbrook property and being the common corners of Monique N. Hurst & Simon Y. Earle (D.B. 6374, Pg. 2804) and Fan & Yao Lee (D.B. 6227, Page 2571); thence leaving said City of High Point and Monique N. Hurst & Simon Y. Earle property and along said Fan & Yao Lee and along said City of High Point Corporate Limits South 86°14'21" West 905.44 feet to a new iron rod and being the northwest corner of Pam Sue Cochran (D.B. 5197, Pg. 1748), said iron being the new right-of-way of said Deep River Road (SR 1538); thence leaving the said Pam Sue Cochran property South 86°14'21" West 5.52 feet to a new iron rod; and along the Old Deep River Road (SR 1538) right-of-way and the said new City of High Point Corporate Limits North 2°48'47" West 235.90 feet to the point and place of **BEGINNING**.
Containing 5.00± acres or 217,799± Sq. Ft.

SECTION 2. Upon and after August 19, 2013, the foregoing property and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of High Point, and shall be entitled to the same privileges and benefits as other parts of the City of High Point. Said territory shall be subject to municipal taxes according to G.S. 160A-31.

SECTION 3. The Mayor of the City of High Point shall cause to be recorded in the Office of the Register of Deeds for Guilford County and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1, thereof, together with a duly certified copy of this ordinance.

Adopted by City Council,
this the 19th day of August, 2013
Lisa B. Vierling, City Clerk



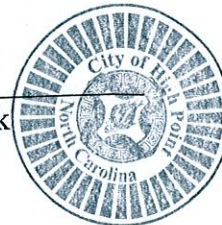
City of High Point
Municipal Office Building
211 South Hamilton Street
High Point, NC 27261

Certification

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, do hereby certify that the foregoing is a true and accurate Ordinance adopted by the City Council in official Session on August 19, 2013 and upon approval by City Council will be recorded in Book 88 of the Official Minute Books and Ordinance Book XVIII of this City, under my care, custody and control. As of this date, action to adopt said Ordinance has not been amended, rescinded or repealed and is in full force and effect.

WITNESS my hand and the Corporate Seal of the City of High Point, the 22nd day of August, 2013.


Lisa B. Vierling, City Clerk

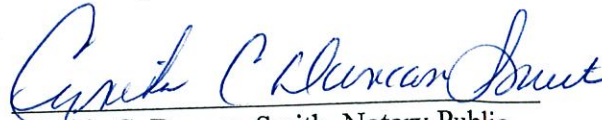


ACKNOWLEDGEMENT

I, Cynthia C. Duncan-Smith, a Notary Public of said County and State, do hereby certify that Lisa B. Vierling is known to me as City Clerk of the City of High Point; that this person personally appeared before me this date; and, upon authority duly given and as an act of said City, issued and executed the foregoing Certification.

WITNESS my hand and official Notarial Seal, this 22nd day of August, 2013.

CYNTHIA C. DUNCAN-SMITH
NOTARY PUBLIC
GUILFORD COUNTY, NC


Cynthia C. Duncan-Smith, Notary Public

Commission Expires: 1/18/2015

PLANNING AND ZONING COMMISSION RECOMMENDATION

On July 23, 2013, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except for Mrs. Martha Shepherd and Mr. Ed Spivey.

321 Eastchester, LLC (Van York Chevrolet)

Text Amendment Case 13-05

A request by 321 Eastchester, LLC to amend Table 5-16-3 (*Specifications for Accessory Attached Signs Requiring a Permit*) of the sign regulations and Table 4-4-1 (*Eastchester Scenic Corridor Overlay District Landscaping and Signage Regulations*) of the Development Ordinance to establish wall sign standards for multiple franchise business under single ownership.

Mr. Robert Robbins presented Text Amendment Case 13-05 and recommended approval as outlined in the staff report.

Speaking on behalf of the request was the applicant's attorney, Mr. Gilbert Gates, 300 N. Main Street, High Point. Mr. Gates provided an overview of the proposed text amendment and noted it would provide some flexibility in the location and placement of signs where multiple franchises share a single building.

Mr. Lomax requested clarification as to how the size of signs would be calculated and what would be the maximum size sign permitted. Mr. Robbins and Mr. Burnette addressed this question and concluded by stating this type of signage would be unique, as they do not occur often, and stated that the proposed text amendment also includes definitions and standards to address this type of signage in the future.

No one spoke in opposition to the request.

The Planning & Zoning Commission recommended **approval** of Text Amendment Case 13-05, by a vote of 7-0.

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

**STAFF REPORT
TEXT AMENDMENT CASE 13-05
July 23, 2013**

Request	
Applicant: 321 Eastchester, LLC (Vann York GM)	Affected Ordinance Sections: Table 5-16-3 regarding attached signs; Table 4-4-1 regarding signage in the Eastchester Scenic Corridor Overlay District; and Chapter 2 regarding definitions.
Proposal: To establish wall sign standards for multiple franchise businesses under single ownership.	

Background

The Vann York GM auto dealership is comprised of separate franchises with the four major brands of General Motors; Chevrolet, Buick, Cadillac and GMC trucks. The dealership is required by GM to display at least one sign for each of the four brands. The sign provisions of the Development Ordinance currently allow only one wall sign per wall, and the Eastchester Scenic Corridor Overlay District restricts total sign area per wall to 100 square feet. A text amendment has been requested that will permit the minimum signage required by GM.

Details of Proposal

Changes to the Ordinance proposed by this text amendment are designed to permit a multiple franchised business to have more than one sign on a wall and to allow slightly increased sign area on one wall of the building depending on the number of franchises. In addition, two new definitions are added to Chapter 2 *Definitions* of the Ordinance which define Building Elevation, generally, and Wall as it will be interpreted for the purpose of calculating allowable sign area.

Analysis

The Development Ordinance calculates the maximum area of a wall sign based upon a percentage (either 5%, 7.5% or 10% depending on the business zoning district) applied to the area of the wall. In the Eastchester Scenic Corridor Overlay District (ESCO), there is a maximum area of signage per wall regardless of the size of the wall. The number of wall signs permitted per wall is generally restricted to one, with the exception of certain multi-tenant buildings where some grouping of signs onto one wall is permitted.

The applicant's proposed signage on the front of the dealership building will violate the current sign ordinance in two ways. First, the number of signs on the same wall exceeds the one sign permitted, and second, the area of all of the signage requested is more than the 100 square feet limit set by the ESCO regulations. An amendment that is applicable to all businesses that alters the number and area of permitted signs would change long-standing regulations and could have

widespread effects. Therefore, the applicant has proposed that these changes should only apply to businesses containing more than one franchise. A franchise is basically permission granted by a manufacturer to a distributor or retailer to sell its products. By limiting the changes proposed by this amendment to a small group of businesses, the overall effect of the amendment will be minimal. Automobile dealerships are the primary target for these changes, but other multiple franchise businesses such as fast food/convenience store/gas or multiple fast food franchises in the same building might also be subject to them.

The proposed text amendment changes are: 1) More than one sign may be permitted on a wall of a multiple franchised business, up to the current limit prescribed by the Ordinance; 2) On one wall of a multiple franchised business, an additional 15%, 30% or 40% increase in total sign area may be permitted depending on the number of franchises; 3) Establishes a maximum area for any one sign when more than one sign is located on a wall based on the number of franchises; 4) Prohibits application of the amended provisions to multiple tenant commercial buildings; 5) Defines the term Building Elevation; and 6) Defines the term Wall, as it is used in the calculation of permitted sign area.

Although the applicant's primary concern is to amend the sign regulations in a way that allows a multiple franchise automobile dealership in the Eastchester Scenic Corridor Overlay District to have multiple signs on a single wall and to increase allotted sign area, staff suggests that the amendment should apply to similar multiple franchise businesses in all zoning districts. Again, the number of businesses that will be able to utilize the provisions of the amendment will be small. Regulations for number and area of signs for all other businesses in the City will remain as currently listed in the Development Ordinance.

Under the proposed amendment, allowable increases in sign area can be as much as 40 square feet in the ESCO district where the building is setback 50 feet, and up to 60 square feet where the building is set back 100 feet. These increases are applicable only to one wall of the building. Outside of the ESCO district where sign area maximums are more liberal, the single sign maximums will help minimize the effect of any overall area increases.

Recommendation

Staff recommends approval.

The proposed text amendment, as written, will accomplish what the applicant desires, but having a limited application will avoid wholesale changes in the City's sign regulations that would have the potential to increase sign clutter. In addition, the potential for the amendment to apply to more than one business interest makes the changes more meaningful, and more impartial.

With respect to Land Use Plan compatibility, this text amendment is neither supported nor discouraged by the policies contained therein.

Required Action

Planning and Zoning Commission:

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

City Council:

Upon rendering its decision in this case, the North Carolina General Statutes require that the High Point 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. In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) It helps a small group of businesses that are disadvantaged by the limitations of the current sign regulations, and is therefore more business friendly; and 2) Limited application will prevent large scale change and preserve long-standing sign regulations for the vast majority of businesses. The City Council may adopt this statement, add to or change it, or adopt its own statement.

Report Preparation

This report was prepared by Planning and Development Department staff member Robert L. Robbins, AICP and reviewed by G. Lee Burnette, AICP, Director

**TEXT AMENDMENT 13-05
PROPOSED AMENDMENT TO THE
CITY OF HIGH POINT DEVELOPMENT ORDINANCE**

(An amendment affecting Table 5-16-3, Table 4-4-1, and Chapter 2 – Definitions to establish wall sign standards for multiple franchise businesses under single ownership)

SECTION 1.

Table 5-16-3, entitled *Specifications for Accessory Attached Signs Requiring a Permit* shall be amended to add a new Note 1) **d)**, which shall read as follows:

d) A business which is the sole occupant (as owner or tenant) of a building and which owns or operates multiple franchised businesses at that building shall be allowed one overall business name sign and one sign for each franchise, which may be located on the same wall. The maximum area of business name and franchise signs located on the same wall shall be in accordance with the following: Maximum square footage as determined by the Ordinance (as a percent of wall area) + (i) 15% where 2 franchises exist; or (ii) 30% where 3 franchises exist; or (iii) 40% where 4 or more franchises exist, provided that these increased maximum permitted areas are applicable to only one wall of a building. Other signage may be permitted on this wall but the total area of all signage shall not exceed the applicable maximum under this provision. Multiple signs may be permitted on other walls of the same building provided that the maximum area of such wall signage, as provided under this Ordinance without regard to this provision, is not exceeded. In all cases where more than one sign is allowed on the same wall, no single franchise sign shall exceed 60 square feet in area where 2 or 3 franchises exist; 50 square feet where 4 franchises exist; and 40 square feet where more than 4 franchises exist. This provision shall not apply to a multiple tenant commercial building.

SECTION 2.

Section 9-2-2(a) *Definitions; Buildings and Structures* shall be amended to add the following definition, which shall be inserted alphabetically:

BUILDING ELEVATION: A fully dimensioned drawing of the exterior front, side or rear of a building showing architectural features such as windows, doors and roof lines, and which may also contain information regarding exterior materials, colors and fixtures.

Section 9-2-2(k) *Definitions; Signs* shall be amended to add the following definition, which shall be inserted alphabetically:

WALL: The vertical exterior surface of a building. The area of all parallel vertical surfaces along a single building elevation regardless of offsets shall be counted as one wall. The front of each unit of a multiple tenant commercial building shall be counted as a separate wall. The area of an angled wall surface shall be counted as part of whichever adjoining wall surface it is most parallel with. A 45 degree angled wall may be counted as part of the area of either adjoining wall, but not as a part of both.

SECTION 3.

Table 4-4-1, *Eastchester Scenic Corridor Overlay District Landscaping and Signage Requirements*, shall be amended to add Footnote **(7)** which shall read as follows:

(7) For multiple franchised businesses, the number of signs permitted per wall and the maximum amount of sign area may be increased in accordance with Table 5-16-3, Note 1(d).

This footnote shall be referenced in Table 4-4-1 under Signage Attached (Wall) to the left of Number Permitted and also Maximum Area with a superscript **(7)**.

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.

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 adoption.

Publish four (4) consecutive weeks: August 23 & 30, 2013 and September 6 & 13, 2013

RESOLUTION OF INTENT TO CONSIDER
STREET ABANDONMENTS
(Case # SA13-11)

WHEREAS, the City Council has been petitioned to abandon the following right-of-way: All of the southern terminus of Meadowbrook Boulevard lying west of N. College Drive and north of Boundary 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, September 16, 2013, at 5:30 p.m. as the date for said public hearing before the Council of the City of High Point, in the Council Chambers of the Municipal Building in High Point, on the abandonment case.

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) 883-3544 or FAX (336) 883-3056.

By Order of the City Council
This the 19th day of August, 2013.

Lisa B. Vierling, City Clerk

Petition Submitted By: High Point University



STREET ABANDONMENT REQUEST SA13-11

Applicant: High Point University

Area: 0.123 acres



Location of requested street abandonment



Previously abandoned right-of-ways

**Planning & Development
Department**

City of High Point

Date: August 7, 2012



Scale: 1"=200'

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**HIGH POINT CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS, HIGH POINT MUNICIPAL BUILDING
AUGUST 5, 2013 – 4:45 P.M.**

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE

Upon call of the roll, the following Council Members were present. Mayor Pro Tem Moore offered the invocation; the Pledge of Allegiance followed.

Mayor Bernita Sims, Mayor Pro Tem Britt Moore (At-Large), Council Member Rebecca Smothers (At-Large, Council Member Jeffrey Golden (Ward 1), Council Member Judy Mendenhall (Ward 3), Council Member Jay Wagner (Ward 4), Council Member James Davis (Ward 5), and Council Member Jason Ewing (Ward 6)

Council Member Foster Douglas (Ward 2) was absent.

Special Acknowledgements

Congratulations to Fire Chief Tommy Reid

City Manager Strib Boynton introduced Tommy Reid, the recently appointed Fire Chief. Chief Reid has been a part of the High Point Fire Department for 32 years. Mayor Sims congratulated Chief Reid on his promotion.

Mayor Sims then recognized scouts from Boy Scout Troop #55 who were attending the meeting working on their Citizenship in the Community and Communications badge: Austin Young, Parker Young, Neil Brown and Andy Wehr.

REGULAR MEETING ITEMS

FINANCE COMMITTEE - Mayor Pro Tem Moore, Chair
Committee Members: Wagner, Davis and Sims

(all were present)

130206 Contract - Bid No. 04 - Oak Hollow Substation Modifications

Approval of contract awarding Bid No. 04 for the purchase of electric materials necessary for modifications to the Oak Hollow Substation. Purchasing and the Electric Department recommends that contract be awarded to Peak Substation Services in the amount of \$219,800.00 which is the lowest responsible and responsive bidder meeting specifications.

Attachments: [Bid No. 04 - Oak Hollow Substation Modifications](#)

Garey Edwards, Director of Electric Utilities, explained this contract would be for steel to tie into the Oak Hollow Substation. Chairman Moore asked if there were any questions or comments. There being none, Council approved contract with Peak Substation Services for modifications to the Oak Hollow Substation in the amount of \$219,800.00 which is the lowest responsible and responsive bidder meeting specifications.

Approved contract with Peak Substation Services for modifications to the Oak Hollow Substation in the amount of \$219,800.00.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Smothers, that this Contract be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

130207 Contract - Bid No. 07 - Metalclad Switchgear

Approval of contract awarding Bid No. 07 for the purchase of two metalclad switchgear lineups for the Eastchester and Deep River substations. Purchasing and the Electric Department recommends that contract be awarded to Schneider Electric USA in the amount of \$697,891.00 which is the lowest responsible and responsive bidder meeting specifications.

Attachments: [Bid No. 07 - Metalclad Switchgear](#)

Garey Edwards, Director of Electric Utilities, reported this is to replace some outdated switchgear at the Eastchester and Deep River substations. The funds have been approved and are in the capital budget. He pointed out outdated switchgears are a safety hazard and mentioned one failed catastrophically on Eastchester about a year ago.

Approved contract with Schneider Electric USA in the amount of \$697,891.00 which is the lowest responsible and responsive bidder meeting specifications.

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

130208 Budget Ordinance Amendment - Front Loader Refuse Collection Truck

Adoption of a budget ordinance amending the 2013-2014 Budget Ordinance to appropriate funds in the amount of \$213,599.00 for a front loader refuse collection truck.

Attachments: [Budget Ordinance Amendment - Front Loader Refuse Collection Truck](#)

Note: This matter was discussed with 130209 Contract Bid No. 08- Front End Loader Cab/Chassis. Please refer to this matter for specific comments on this matter.

Referred this matter to the Finance Committee for additional information.

A motion was made by Council Member Davis, seconded by Council Member Wagner, that this Ordinance be referred to the Finance Committee. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

130209 Contract - Bid No. 08 - Front End Loader Cab/Chassis

Approval of contract awarding Bid No. 08 for the purchase of a new 2014 Peterbuilt 320 cab and chassis. Purchasing and the Fleet Services Division recommends that contract be awarded to Piedmont Peterbilt, LLC in the amount of \$126,333.00; and combined with the purchase of a New Way Mammoth 40 yard heavy duty front loading body in the amount of \$87,266.00 makes the total cost of the complete unit \$213,599.00.

Attachments: [Bid No. 08 - Front Loader Truck](#)

Richard McMillan, Assistant Director of Public Services, explained this is a replacement truck for the frontloader currently being used to pick up recycling dumpsters. The plan is to move forward with this truck purchase and have the city assume responsibility for offering this service with considerable cost savings than what the city is currently paying Republic to pick up multi-family garbage. Staff reported a projected savings to be in excess of \$100,000 a year and noted the city can exit out of the current contract with Republic with a 60-day notice. Council Member Davis questioned the timing of this and thought staff was going to do a presentation before Council which would include a projected savings. Council Member Wagner stated he, too, was a little hesitant to move forward with the purchase at this time because there were other companies who have expressed an interest in making presentations before Council on how the city handles waste and this has not yet happened. Council Member Smothers noted her issue is related to the overall Enterprise Fund realizing that staff would have to have some lead time to order equipment of this caliber.

Pat Pate, Assistant City Manager, noted that right now the city has a front end loader in its fleet that needs to be replaced, so part of the issue is with the existing service with picking up recyclables. So as part of that issue, staff recommends moving forward with the lease purchase to buy this vehicle which would allow continued operations. He also explained that there will be some additional significant discussions on the MRF operation, which is separate from the collection activities, but from a discussion standpoint, it could be combined. He pointed out that collection would still need to be done no matter what the city does with the MRF project and right now staff still needs it to continue the operations with the existing truck. He informed Council that should the decision be made for the city to take over the contract for the existing apartment pick-ups, then this truck would allow it, explaining that the existing truck would not due to its age and condition. The purchase of the new truck would basically allow the city to continue with the current operations because it affords the opportunity for expansion. He explained the existing truck is in bad condition, so staff thought it would be prudent to move forward with purchasing the front end loader truck since this would also give Council the opportunity for other options/decisions in the future.

Council Member Davis questioned the budget ordinance amendment and the purchase of this truck since this was not a line item in the budget that was just adopted. Mr. Pate explained staff felt it would be prudent as this would allow an expansion of service and could be done as a lease purchase. He pointed out this was laid out as an option in the budget discussions and the decision was made to come back with a broader package of information on the variety of things that could be done. Mr. Pate noted that the city would realize enough savings to pay for the debt service rather easily. Council Member Mendenhall asked about a time frame for the presentation/discussions on the proposed Enterprise Fund. City Manager Strib Boynton explained that staff plans to review the MRF as well as wastewater and other capital items on Thursday morning at 9:00 a.m. Mr. Pate further explained the meeting would be basically to talk about some of the on-going capital projects and noted the Enterprise Fund discussion would ultimately take place as part of the budget discussions for next year. He noted that preliminary discussions would still be necessary to give staff direction in looking for either establishing or not establishing the sanitation as an enterprise

fund. Council Mendenhall asked if cancellation of the contract would come from the City Council. Mr. Pate stated he was uncertain as to if cancellation of the contract with Republic would require Council approval or if staff could cancel it, but assured Council that the managers would want to make sure Council is informed before anything is done.

Due to the questions from Council regarding this purchase and the uncertainty as to the cancellation of the contract, Council Member Davis recommended both the budget ordinance amendment for the front loader refuse collection truck and the contract for the purchase of the front end loader cab/chassis be referred to the Finance Committee to allow time to get some additional information. Council Member Smothers asked if it would be possible for staff to have the additional information ready for discussion when Council meets on Thursday morning. Mr. Pate felt staff could be ready as far as the answer regarding the contract on Thursday. Council Member Mendenhall questioned the order of the agenda items and asked why the budget ordinance amendment was on the agenda before the actual truck purchase. Mr. Pate explained that Council could not approve the purchase of the truck without first having the funds available for the purchase.

Referred this matter to the Finance Committee for additional information.

A motion was made by Council Member Davis, seconded by Council Member Wagner, that this matter was referred to the Finance Committee. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

130210**Contract - Bid HGAC - Two Pierce Fire Engine/Pumper Trucks**

Approval of award of contract through HGAC for the purchase of two (2) Pierce fire engine/pumper trucks. Purchasing and the Fire Department recommends that contract be awarded to Atlantic Emergency Solutions Inc., in the amount of \$962,434.00, which is the lowest responsible, responsive bidder meeting specifications.

Attachments: [Contract - Purchase of Fire Trucks](#)

Fire Chief Tommy Reid explained these two truck purchases, if approved, would replace Engines 1 and 9 which were purchased in 1998 (15 years old) and would go into reserve status to replace a 1989 and a 1986 truck. He shared that it is more than just replacing the trucks because of the mileage, but the older trucks lack much needed safety features. The new trucks have rollover protection, airbags, protection for the occupants of the cab, etc..... Council Member Ewing asked if this purchase follows the replacement schedule that was discussed during the budget reviews. City Manager Strib Boynton noted this is a lease purchase and confirmed two pumpers were included as part of the replacement schedule in this year's budget. Council Member Davis asked for assurances that these trucks were not selected because of all the "bells and whistles." Chief Reid explained these trucks are middle of the line trucks and would be on the frontline for a minimum of 15 years and contain the safety features which is the most important aspect.

Approved contract with Atlantic Emergency Solutions, Inc. in the amount of \$962,434.00, which is the lowest responsible, responsive bidder meeting specifications.

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

130211 Budget Ordinance Amendment - Ralph Lauren Electrical Infrastructure Project

Adoption of an ordinance amending the 2013-2014 Budget Ordinance to appropriate funds in the amount of \$600,000.00 for the Ralph Lauren Electrical Infrastructure Project approved by the High Point City Council July 15, 2013.

Attachments: [Budget Ordinance Amendment - Ralph Lauren Generator](#)

Adopted ordinance amending the 2013-2014 Budget Ordinance to appropriate

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Ewing, that this Budget Ordinance Amendment be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

**Ordinance No. 7001/13-33
Introduced 8/5/2013; Adopted 8/5/2013
Ordinance Book Volume XVIII, Page 33**

130212 Utility Relocation Agreement - NCDOT - Skeet Club Road Widening Project

Council is requested to authorize the City Manager to execute a Utility Relocation Agreement with the North Carolina Department of Transportation (NCDOT) for the relocation of electric utilities in connection with the Skeet Club Road widening project.

Attachments: [NCDOT Utility Relocation Agreement - Skeet Club Road](#)

Garey Edwards, Director of Electric Utilities, reported this is a standard agreement that outlines the responsibilities for the city as well as the state for this project. He noted Council recently approved a similar agreement for the water and sewer for this project. The agreement protects the city's rights after the road is done.

Approved the Utility Relocation Agreement with the North Carolina Department of Transportation (NCDOT) for the relocation of electric utilities in connection with the Skeet Club Road widening project.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Davis, that this Utility Relocation Agreement be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

130213 Resolution - Guilford County Multi-Agency DWI Task Force

Council is requested to adopt a Local Government Resolution authorizing the City Manager to file an application contract with the Governor's Highway Safety Program to continue the High Point Police Department's contract with the Guilford County Multi-Agency DWI Task Force for FY 2013-2014.

Attachments: [Resolution - Governors Highway Safety Program](#)
[signed Resolution - Governor's Highway Safety Program](#)

Adopted a Local Government Resolution authorizing the City Manager to file an application contract with the Governor's Highway Safety Program to continue the High Point Police Department's contract with the Guilford County Multi-Agency DWI Task Force for FY 2013-2014.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Mendenhall, that this Resolution be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

**Resolution No. 1325/13-48
Introduced 8/5/2013; Adopted 8/5/2013
Resolution Book, Volume XVIII, Page 48**

130214 Amendment to Interlocal Agreement - City of High Point/Forsyth County - Property Tax Collection

Council is requested to approve an amendment to the Interlocal Agreement between Forsyth County and the City of High Point for property tax collection services by the Forsyth County Tax Administration for areas of High Point located in Forsyth County.

Attachments: [Amendment - Forsyth County Tax Collection - Interlocal Agreement](#)
[Forsyth County Interlocal Agmt - Signed](#)

Approved an amendment to the Interlocal Agreement between Forsyth County and the City of High Point for the purposes of property tax collection services.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this Amendment to the Interlocal Agreement between the City of High Point and Forsyth County be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

Closed Session- Economic Development

At 5:25 p.m. Mayor Pro Tem Moore moved to suspend the rules and enter into closed session for the purpose of a report from staff regarding a proposed economic development project. Council Member Mendenhall made a second to the motion which carried unanimously.

Upon reconvening into open session at 5:40 p.m., Mayor Sims announced that Council did consider a proposed economic development project in closed session, but no decision was made by Council and no action was taken at this time.

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT**130215 Appointment - Parks and Recreation Commission - Jim Bronnert**

Council is requested to confirm the appointment of Jim Bronnert to the Parks and Recreation Commission as the Ward 4 (Wagner) appointment. Appointment will be effective immediately and will expire July 1, 2015.

Attachments: [BRONNERT Jim 2013](#)

At the recommendation of Council Member Jay Wagner, Council approved the appointment of Jim Bronnert to the Parks & Recreation Commission.

A motion was made by Council Member Wagner, seconded by Council Member Golden, that this appointment be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

120229 Boards and Commissions - Vacancies

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

Attachments: [term expirations 2013](#)

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

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS**130216 Approval of the following Minutes**

Finance Committee Meeting held Monday, July 15th @ 4:00 p.m.

High Point City Council Regular Meeting held Monday, July 15th @ 4:45/5:30 p.m

Attachments: [July 15 2013 Finance Committee](#)
 [July 15 2013 High Point City Council](#)

Approved the preceding minutes as submitted.

A motion was made by Council Member Mendenhall, seconded by Council Member Wagner, that these minutes be approved as submitted. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

Miscellaneous**NATIONAL NIGHT OUT**

Council thanked staff for their assistance in compiling the list for the National Night Out which included 30 opportunities to attend and participate in the planned festivities.

CRITS BIKE RACE

Mayor Pro Tem Moore also thanked staff for their assistance in making the National Criterion Races such a huge success and shared that the National Criterion will return to

High Point the last weekend in July of 2014. Council Member Wagner echoed this and mentioned they did get a report at the City Project meeting from Jeff Morgan, who is on the board for that event, and he shared that their attendance numbers indicated they had over 10,000 people (this far exceeded the 8,000 anticipated).

PUBLIC COMMENT PERIOD - 5:15 P.M.

Kilby Hotel

***Myra Williams**, who resides at 2700 Cottage Place, Greensboro, addressed Council regarding the Kilby Hotel. She shared that she, along with her mother, is the Fifth generation of ownership of the Kilby Hotel and she was challenged the integrity of Council. Several supporters of the Kilby Hotel were present in the audience and she asked them to stand. Ms. Williams proceeded by sharing a brief history of the Kilby Hotel. She noted in its glorious days, the hotel was the heartbeat of the African-American community and to Washington Drive and the entire community was built around the hotel. She informed Council that saving the Kilby Hotel is extremely important to the historical district of Washington Drive and asked Council not to contribute to them losing a huge part of the African-American history in High Point. She shared their future plans for the Kilby which include having store front businesses on the first floor, small office suites on the second floor and affordable apartments on the third floor. She asked Council what they could help them with in going forward with their plans for the building.*

Council Member Smothers asked how much money the family is planning to put into the building. Ms. Williams replied that they presently do not have any money to put into it, but have applied for historical tax credits as well as for their 501(c)3 non-profit status. They have been looking for investors, but don't have any at this point. Council Member Davis asked Ms. Williams what her family has done to secure the building to keep it from falling in. Ms. Williams explained they have not done anything, but they do have a structural engineers report that states the structure is sound. Council Member Golden asked if they have an estimate on what it would cost to shore up the building while anticipating the remodeling. Ms. Williams noted estimates they have received for shoring and gutting the building reflect a maximum number of \$300,000 and a minimum of \$175,000. Mayor Sims asked Ms. Williams if she could share a timeline with Council for the building as it exists now. Ms. Williams noted the city staff has ordered a repair to demolish and within 90 days they have to see some progress. She explained their issue is coming up with the funding for shoring up the building--that is why she is asking the city to assist them in saving the Kilby Hotel. Council Member Smothers pointed out the roof has already collapsed on the building and questioned why the building would need to be shored up if they were told that it is a very stable building. Ms. Williams explained she was told the way the building is built, when they start the gutting process the building would not explode, but would implode.

Council Member Davis asked Ms. Williams how long she and her family have been trying to raise the funds to shore up the building. Ms. Williams noted they have been trying to raise the funds since January, but they recently met with the city and were told that they would be receiving the letter giving them 90 days to repair or demolish--but she has not yet received the letter. Mayor Sims asked how much it would cost them to rehab the building the way they envision it to be and Ms. Williams noted \$2.83 million. Council Member Davis asked Ms. Williams what assurances she could give Council that they would be able to raise the

additional \$2.5-\$2.8 million to do the renovations if they get enough money to shore up and gut the building. Ms. Williams reiterated that they have applied for their 501(c)3 status and they are in the process of applying for some grants.

Mayor Sims told Ms. Williams that she has Council between a rock and a hard place and although she has been very supportive of the Kilby Hotel and the process, the issue revolves around public safety and what is in the best interest of the individuals who traverse the street. She pointed out there could be potential consequences to Council if they ignore the fact that the building is not safe and it has the potential to impact others who traverse the streets and the sidewalks in that area. She stated that she personally would like to see the Kilby Hotel rehabbed because it was part of the initial discussions of the Core City and Washington Street Plan because they talked about it being an anchor building that would bring to the vitality and the renovation/rehabilitation of the whole community. But there are not many options on the table at this point because the city is looking at a very fiscally conservative budget with no extra money. The Mayor welcomed any recommendations from Ms. Williams and her family as to what the city can possibly do to make it happen. Mayor Pro Tem Moore concurred with Mayor Sims and noted there are many people/organizations that have come to the city asking for funding while the private sector continues to struggle also. He shared that unfortunately there are many buildings in many cities that hold sentimental and historical value, all struggling for funding.

Council Member Mendenhall commended Ms. Williams for taking the steps to file for non-profit status since this could open up the possibility of private foundation grants and even grants from the public sector which would be helpful to them. She noted this is a fairly large amount of money for a Council that has also struggled on how to make ends meet as they went through the budget process. Council Member Davis reiterated his support for things happening on Washington Drive and agreed that the significance of the Kilby was very important to High Point, but safety is the number one issue for him and pointed out the building is in danger of falling and possibly hurting someone. He stated he was not in the position to offer up taxpayer money when the city has no ownership or stake in the property. Council Member Smothers thanked Ms. Williams for alerting Council and noted that when they do get the notice, it will put this issue back before the City Council.

Ms. Williams noted she was told in the past that funds might be available for revitalization on Washington Drive. Council Member Smothers explained after the Washington Street plan was done, there was a private investor/developer that did meet with Ms. Williams' uncle when he was still part owner along with her mother and made some offer toward renovation of the building at that time. Ms. Williams noted that she was not aware that this took place. Mayor Sims mentioned there has been some input on the part of the city mainly for infrastructure where the city has gone in and done some work in various communities/neighborhoods, but it was never purported that the city had a pot of money that the neighborhoods would be able to tap into or be able to lend from or even use as grants to help or assist with revitalization efforts.

Randy McCaslin, Assistant City Manager, gave a brief update and reported over the last two weeks that Planning and Inspections has met with five or six different property owners--most were commercial. Staff is trying to put the property owners on notice that the Chief Building Inspector has evaluated each of the properties and they are structurally unsound and in

danger of collapse. He noted they should be receiving a letter from the city sometime this week that will start a 90-day process that will give them an opportunity to make some repairs and shore up the building within that 90-day period. At the end of the 90-day period, another evaluation will be done of the building immediately and then following that, it will be brought back to the City Council for a determination as to whether to demolish the property or not. Council Member Golden asked if staff has seen the letter Ms. Williams referred to that says the building is structurally safe. Mr. McCaslin explained that he has not personally seen it, but the Inspections department has evaluated it and it says the building can be shored up and made structurally safe.

Andretti Barnes, 1311 E. Commerce, pleaded with Council to partner with the family so they can get the process rolling and preserve the building because it does bring a lot of history to High Point. He noted the building brings a lot of enjoyment to the black community as well as to other people in the community and shows strength and togetherness. He felt everyone working collectively could make this happen.

Beverly Bard, 2205 Delaine Point in High Point, addressed Council. She expressed concerns regarding some recent legislation that is being considered in the NC Legislature (i.e. gun issue; energy/pollution; public education; reducing early voting and same day registration). She appealed to the City Council to help citizens deal with the NC Legislature changes that have come to pass.

ADJOURNMENT

At 6:20 p.m. upon motion duly made and seconded, the meeting was adjourned to Thursday, August 8, 2013 at 9:00 a.m.

Respectfully Submitted,

Bernita Sims, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk

Fleet Services Department

Gary L. Smith
DIRECTOR



DATE: August 13, 2013
TO: Randy McCaslin, Assistant City Manager
FROM: Gary L. Smith, Director of Fleet Services *Gary L. Smith*
SUBJECT: Agenda Item – Wheel Loader at Ingleside Compost Facility

I respectfully request that the following be included for consideration on the next Council Agenda:

Acceptance of the quote submitted by James River Equipment Company for a new 2013 John Deere 624K Wheel Loader per the current North Carolina State Contract #760H at a cost of \$177,653.60

The Ingleside compost facility is currently using a 2001 John Deere 624H with over 10,717 hours. The maintenance costs on the existing loader have steadily increased over the past year and extensive repairs are needed now. The new loader is the same as their existing loader, so operator training will be minimal. Having reliable and proper sized equipment is a crucial component to operating this facility. John Deere has a service facility through James River Equipment in Greensboro and nine others in North Carolina.

This request also includes declaring the 2001 John Deere 624H wheel loader as surplus property and directing staff to dispose of said equipment through the online auction process.

Funding for this equipment will come from the vehicle replacement account.

pc: Cindy Duncan-Smith, Executive Assistant
pc: Jeff Moore, Finance Director
pc: Michelle Kiefer, Purchasing



**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Fleet Services**

COUNCIL AGENDA DATE: **August 19, 2013**

BID NO.: **NC State Contract** CONTRACT NO.: **760H** DATE OPENED:

DESCRIPTION:
One John Deere 624K Wheel loader at a price of \$177,653.60

PURPOSE:
This loader will replace a 2001 John Deere 624H with over 10,717 operating hours.

COMMENTS:
State contract pricing

RECOMMEND AWARD TO: **James River Equipment Company** AMOUNT: **\$177,653.60**

JUSTIFICATION:
These trucks are used year round for street maintenance and snow removal.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
501271	532401			\$177,653.60
TOTAL BUDGETED AMOUNT				

DEPARTMENT HEAD: **Gary Smith** Digitally signed by Gary Smith
DN: cn=Gary Smith, o=City of High Point Fleet Services,
ou=Fleet Services, email=gary.smith@highpointnc.gov, c=US
Date: 2013.08.14 08:50:22 -0400 DATE: **Aug 14, 2013**

**The Purchasing Division concurs with recommendation submitted by the and recommends
award to the lowest responsible, responsive bidder in the amount of \$ **177,653.60**.**

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: 2013.08.15 09:35:35 -0400 DATE: **Aug 15, 2013**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR: DATE:

CITY MANAGER: **Strib Boynton** Digitally signed by Strib Boynton
DN: cn=Strib Boynton, o=Administration, ou=City of High Point,
email=cindy.smith@highpointnc.gov, c=US
Date: 2013.08.15 10:24:47 -0400 DATE: **Aug 15, 2013**

Fleet Services Department

Gary L. Smith
DIRECTOR



City of High Point, P.O. 230, 3524 Triangle Lake Road, High Point, NC 27260 USA
Phone: 336.883.3598 Fax: 336.883.6699

Fleet Services Department

Gary L. Smith
DIRECTOR



DATE: August 13, 2013
TO: Randy McCaslin, Assistant City Manager
FROM: Gary L. Smith, Director of Fleet Services
SUBJECT: Agenda Item – Dump Trucks

Gary L. Smith

I respectfully request that the following be included for consideration on the next Council Agenda:

Acceptance of the quote submitted by Piedmont Truck Center for two (2) Ford F750 Dump Trucks at a price of \$115,552 each per North Carolina State Contract (070G). Both trucks will be used by the Streets Division and will be equipped with snow plows and salt spreaders.

These trucks will replace two existing dump trucks with snow removal equipment that are fifteen years old and have over 100,000 miles. Both trucks have a lot of rust and metal fatigue due to the exposure to salt over the years. These trucks are used year round for street maintenance and snow removal and see more wear and tear than an average vehicle does throughout the years. The new trucks will provide better service capability, improved fuel economy, and cleaner emissions.

Funding for this equipment will come from the vehicle replacement account.

pc: Cindy Duncan-Smith, Executive Assistant
pc: Jeff Moore, Finance Director
pc: Michelle Keifer, Purchasing



**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Fleet Services**

COUNCIL AGENDA DATE: **August 19, 2013**

BID NO.: **NC State Contract** CONTRACT NO.: **070G** DATE OPENED:

DESCRIPTION:
Two (2) Ford F750 Dump Trucks at a price of \$115,552 each

PURPOSE:
These trucks will replace two existing dump trucks with snow removal equipment that are fifteen years old and have over 100,000 miles.

COMMENTS:
State contract pricing

RECOMMEND AWARD TO: **Piedmont Truck Center** AMOUNT: **\$231,104**

JUSTIFICATION:
These trucks are used year round for street maintenance and snow removal.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
501271	532401			\$231,104
TOTAL BUDGETED AMOUNT				

DEPARTMENT HEAD: **Gary Smith** Digitally signed by Gary Smith
DN: cn=Gary Smith, o=City of High Point Fleet Services,
ou=Fleet Services, email=gary.smith@highpointnc.gov, c=US
Date: 2013.08.14 08:50:22 -0400 DATE: **Aug 14, 2013**

The Purchasing Division concurs with recommendation submitted by the and recommends award to the lowest responsible, responsive bidder in the amount of \$ **231,104.00.**

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: 2013.08.15 09:54:48 -0400 DATE: **Aug 15, 2013**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR: DATE:

CITY MANAGER: **Strib Boynton** Digitally signed by Strib Boynton
DN: cn=Strib Boynton, o=Administration, ou=City of High Point,
email=cindy.smith@highpointnc.gov, c=US
Date: 2013.08.15 10:23:56 -0400 DATE: **Aug 15, 2013**

Fleet Services Department

Gary L. Smith
DIRECTOR



City of High Point, P.O. 230, 3524 Triangle Lake Road, High Point, NC 27260 USA
Phone: 336.883.3598 Fax: 336.883.6699

Publish four (4) consecutive weeks: August 23 & 30, 2013 and September 6 & 13, 2013

RESOLUTION OF INTENT TO CONSIDER
STREET ABANDONMENTS
(Case # SA13-12)

WHEREAS, the City Council has been petitioned to abandon the following right-of-way:
An unimproved right-of-way lying approximately 300 feet west of Francis Street, running
in an north to south direction, between Model Farm Road and Jay Place.

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,
September 16, 2013, at 5:30 p.m. as the date for said public hearing before the Council of
the City of High Point, in the Council Chambers of the Municipal Building in High Point,
on the abandonment case.

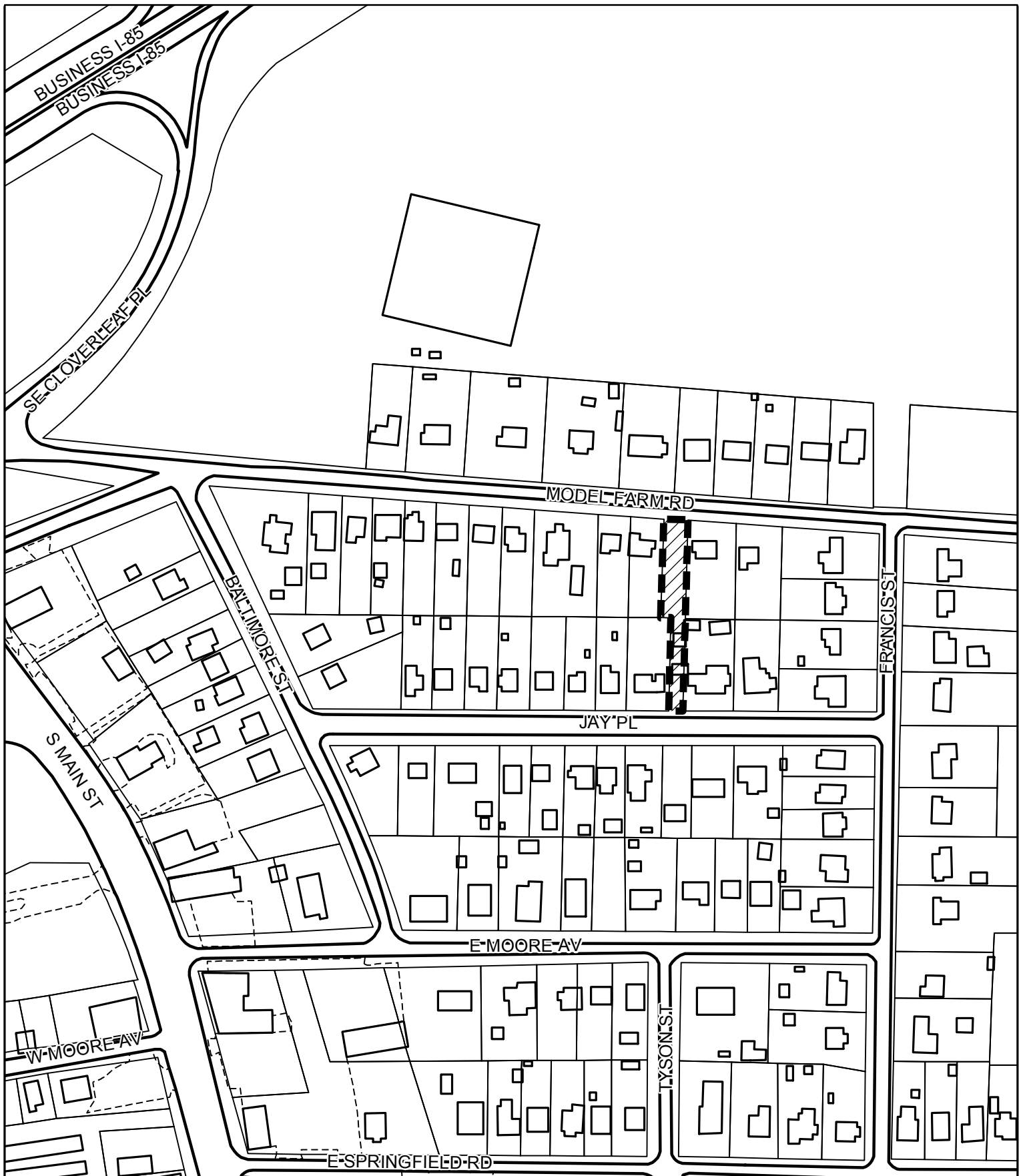
Persons wishing to be heard either for or against the said right-of-way abandonment are
asked to be present for the hearing. The meeting facilities of the City of High Point are
accessible to people with disabilities. If you need a special accommodation, call (336)
883-3298 or TDD# (336) 883-8517.

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) 883-3544 or FAX (336) 883-3056.

By Order of the City Council
This the 19th day of August, 2013.

Lisa B. Vierling, City Clerk

Petition Submitted By: City of High Point



STREET ABANDONMENT REQUEST SA13-12

Applicant: City of High Point

Area: 0.21 acres



Location of requested street abandonment



Previously abandoned right-of-ways

**Department of Planning
and Development**

City of High Point

Date: August 12, 2013



Scale: 1"=200'

y:/ba-pz/2013/pz/sa13-12.mxd

PLANNING AND ZONING COMMISSION RECOMMENDATION

On July 23, 2013, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except for Mrs. Martha Shepherd and Mr. Ed Spivey.

Phoenix Academy Foundation

Zoning Case 13-07

A request by the Phoenix Academy Foundation to rezone approximately 46.2 acres from an Agricultural (AG) District and Conditional Use Public & Institutional (CU-PI) District to a Conditional Zoning Agricultural (CZ-AG) District. The site is lying along the west side of Walpole Road, approximately 850 feet south of Clinard Farms Road.

Mr. Herbert Shannon presented Zoning Case 13-07 and recommended approval as outlined in the staff report.

Speaking on behalf of the request was the applicant's representative, Mr. Barry Kitley, Project Development Officer at Samet Corporation, 309 Gallimore Dairy Road, Greensboro. He provided an overview of the request and address questions from the commission.

Mrs. Davis questioned if the proposed CZ-AG District would permit a recreational camp/summer camp use with overnight stay. Mr. Shannon noted that specific use is permitted subject to obtaining Special Use Permit approval from City Council.

The Planning & Zoning Commission recommended approval of Zoning Case 13-07 by a vote of 7-0.

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

**STAFF REPORT
ZONING CASE 13-07
July 23, 2013**

Request	
Applicant: Phoenix Academy Foundation	Owner: High Point Bank and Trust Company
Zoning Proposal: To rezone approximately 46.2 acres.	From: AG Agricultural District CU-PI Conditional Use Public & Institutional District
	To: CZ-AG Conditional Zoning Agricultural District

Site Information	
Location:	Lying along the west side of Walpole Road, approximately 850 feet south of Clinard Farms Road.
Tax Parcel Numbers:	Guilford County Tax Parcels 0215209, 0215208 and 0215207
Site Acreage:	Approximately 46.2 acres
Current Land Use:	Undeveloped
Physical Characteristics:	The site has a gentle to moderate sloping terrain and is moderately wooded. A pond and perennial stream (running from east to the southwest) are located along the northern portion of the site.
Water and Sewer Proximity:	An 8-inch City water line and an 8-inch City sewer line are lying approximately 1,250 feet south of the zoning site, at the northern terminus of White Beard Road, within the Lilliefield Subdivision.
General Drainage and Watershed:	The site drains in a general southwesterly direction and development is subject to the Oak Hollow Lake Watershed Critical Area (WCA) requirements of the watershed regulations. Development with an impervious surface area that is 24% or more of the site requires engineered stormwater measures.
Overlay District(s):	Airport Overlay Zone 2 and Oak Hollow Lake Watershed Critical Area (WCA) - Tier 4

Adjacent Property Zoning and Current Land Use			
North:	AG	Agricultural District (<i>Guilford County</i>)	Single family dwellings
South:	AG	Agricultural District (<i>Guilford County</i>)	Single family dwelling and undeveloped parcel
East:	AG RS-40	Agricultural District (<i>Guilford County</i>) Residential Single Family-40 District (<i>Guilford County</i>)	Single family dwellings
West:	AG	Agricultural District (<i>Guilford County</i>)	Single family dwelling and undeveloped parcel

Relevant Land Use Policies and Related Zoning History	
Land Use Plan Map Classification:	The site has a Restricted Industrial land use designation. This classification is intended to accommodate office, warehouse, research & development, distribution, and light manufacturing or assembly uses on larger sites in unified developments.
Land Use Plan Goals, Objectives & Policies:	The following objective of the Land Use Plan is relevant to this request: Obj. #2. Protect and preserve environmentally sensitive locations including designated open space and watershed critical areas from inappropriate development.
Relevant Area Plan(s):	Not applicable
Community Growth Vision Statement	Not relevant
Zoning History:	<u>Zoning Case 04-16</u> – Rezoning of an approximately 20.5-acre portion of the current site to CU-PI for a school. This request also included an additional 25.7 acres to be rezoned CU-CP but this part of the request was eventually withdrawn and zoned to AG.

Transportation Information			
Adjacent Streets:	Name		Approx. Frontage
	Walpole Road		600 ft.
Vehicular Access:	Access will be from Walpole Road.		
Traffic Counts: (Average Daily Trips)	Walpole Road		ADT is less than 1000 trips per day.
Estimated Trip Generation:	Using the development data provided by the applicant, the total ADT for this site is estimated at less than 50 trips in a peak hour.		
Traffic Impact Analysis:	Required		Comment
	☐ Yes	☒ No X	
Pedestrian Access:	Not applicable		

School District Comment
Not applicable to this zoning case.

Details of Proposal
The applicant is requesting to rezone this site from its current AG and CU-PI Districts to a CZ-AG District in order to use the property for an agricultural use. The applicant, Phoenix Academy Foundation, initially sought and was granted zoning approval in 2004 to develop their school at this location. However, due to the cost associated with road improvements and the extension of water and sewer lines, the school use was abandon for this site. Phoenix Academy is now proposing to purchase the property and lease it out to Horsepower Therapeutic Learning Center, a non-profit organization that provides physical, emotional and recreational therapy for children and adults with disabilities with the use of horses.

Phoenix Academy recently obtained zoning approval (Special Use Permit) to develop their new school facility on a 42-acre site approximately $\frac{3}{4}$ of a mile to the southeast at the intersection of Clinard Farms Road and Barrow Road. Their plan includes an equestrian riding ring as a part of the school, horses boarded on the zoning site will be transported to the school site for their equestrian program.

The property is within Tier 2 of the Airport Overlay and in a watershed critical area, thus residential uses and more intensive AG District uses are prohibited. The applicant has offered conditions to further reduce the allowable AG District uses to ensure development of the site will not negatively impact adjacent property owners. Finally they have offered conditions pertaining to the boarding of horses that barns or stables be setback a minimum of 100 feet from any adjacent residentially zoned property and that unpaved areas of the site be maintained in a manner which prevents dust from adversely impacting adjacent properties.

Staff Analysis

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 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:

Even though the designated land use for the site is Restricted Industrial, the conditional zoning request is consistent with the purposes, goals, objectives and policies of the comprehensive plan. The proposed CZ-AG District and allowable uses, as restricted by the conditional zoning ordinance, are low-intensity and in keeping with existing uses in the area. As such, it is a land use that does not prevent other types of uses, in the restricted industrial category.

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> Surrounding properties are under Guilford County's zoning jurisdiction and zoned AG and RS-40. The requested CZ-AG District permits less intensive uses than the current CU-PI District and as conditioned allowable uses will be compatible with the rural character of the area.

<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> As conditioned, allowable AG District uses are low intensity in nature. Staff has not identified any adverse impact with the allowance of AG zoning on the site as conditioned.
<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 Development Ordinance addresses stream buffer standards and restricts higher intensity uses due to the site location within a watershed critical area.
<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> Staff has not identified any adverse impacts to City utility services or other levels of service concerns with the allowance of AG zoning on the site.
<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> To ensure activities associated with the boarding of horses do not negatively impact adjacent property owners the applicant has offered conditions that barns or stables associated with this use be setback a minimum of 100 feet from any adjacent residentially zoned property.

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:

Over the past 10 years the character of the area to the south of the zoning site has been gradually changing from rural agricultural to a more urbanized area with the development of the Lilliefield and Ashton Oaks residential developments. However, there have no significant changes in the immediate area surrounding the zoning site.

Development Patterns:

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

Staff Comments:

As previously addressed, the request is consistent with the purposes, goals, objectives and policies of the comprehensive plan. The minimum 5-acre lot size of the AG District and low intensity nature of allowable AG District uses will be compatible with surrounding uses in the area.

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 is reasonable and in the public interest because: 1) The requested CZ-AG District does not conflict with goals and objectives of the City's Land Use Plan; 2) Conditions offered by the applicant will ensure any development of the site will be compatible with the surrounding area; and 3) Development criteria of the ordinance in regards to Airport Overlay District, Watershed Critical Area Overlay and lot size requirements of the AG District all further ensure any development on the site will be in harmony with the area.

Recommendation

Staff Recommends Approval:

The Planning & Development Department recommends approval of the request to rezone this 46.2 acre site to the CZ-AG District. As conditioned, the requested CZ-AG District will be compatible with the surrounding area and in conformance with adopted plans.

Required Action

Planning and Zoning Commission:

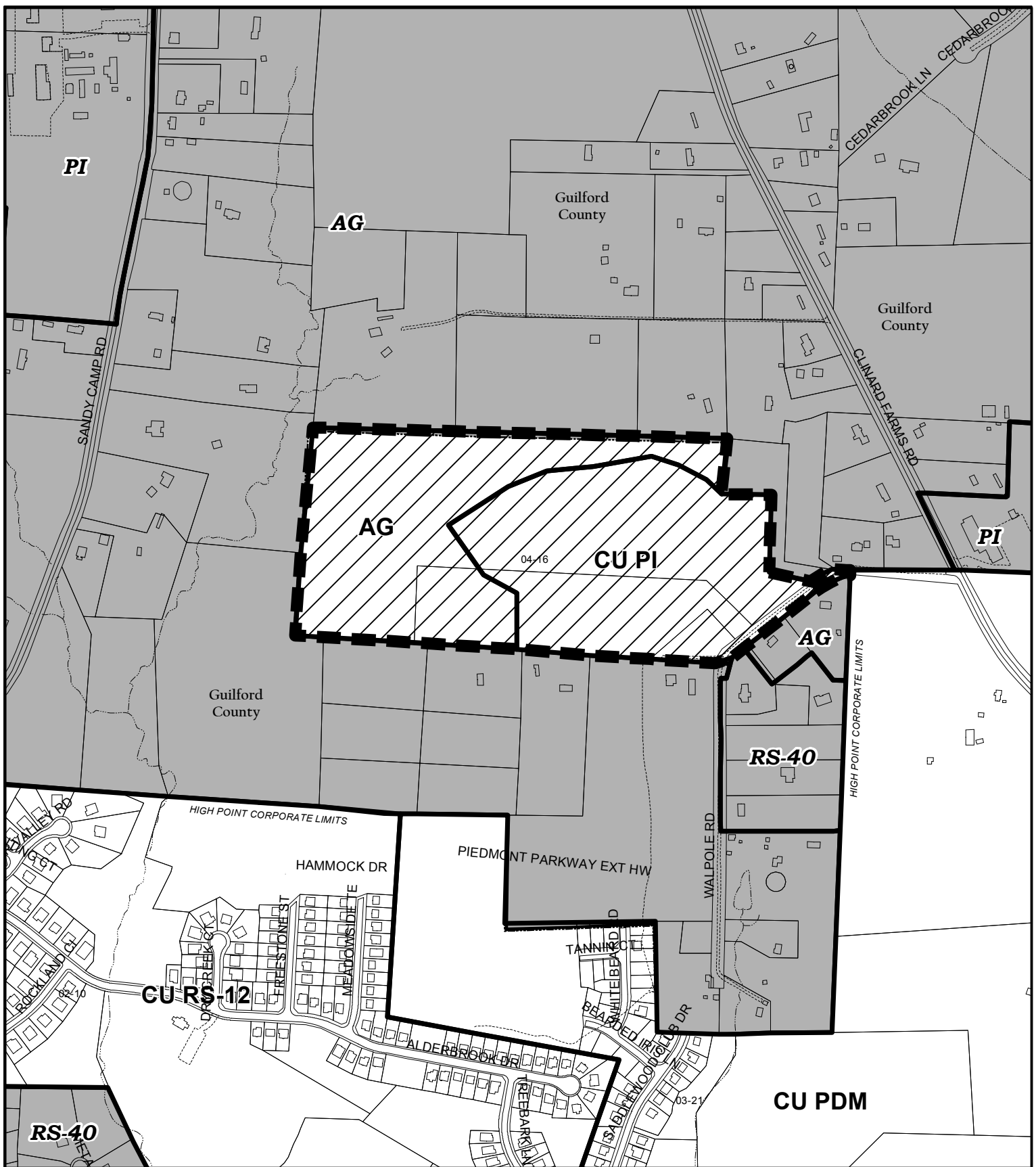
Upon making its recommendation, the NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting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

City Council:

Upon rendering its decision in this case, the NC General Statutes require that the High Point 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. 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 reviewed by Robert Robbins AICP, Development Services Administrator and Lee Burnette AICP, Director.



ZONING CASE 13-07

From: Agricultural and Conditional Use Public Institutional
To: Conditional Zoning Agricultural

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

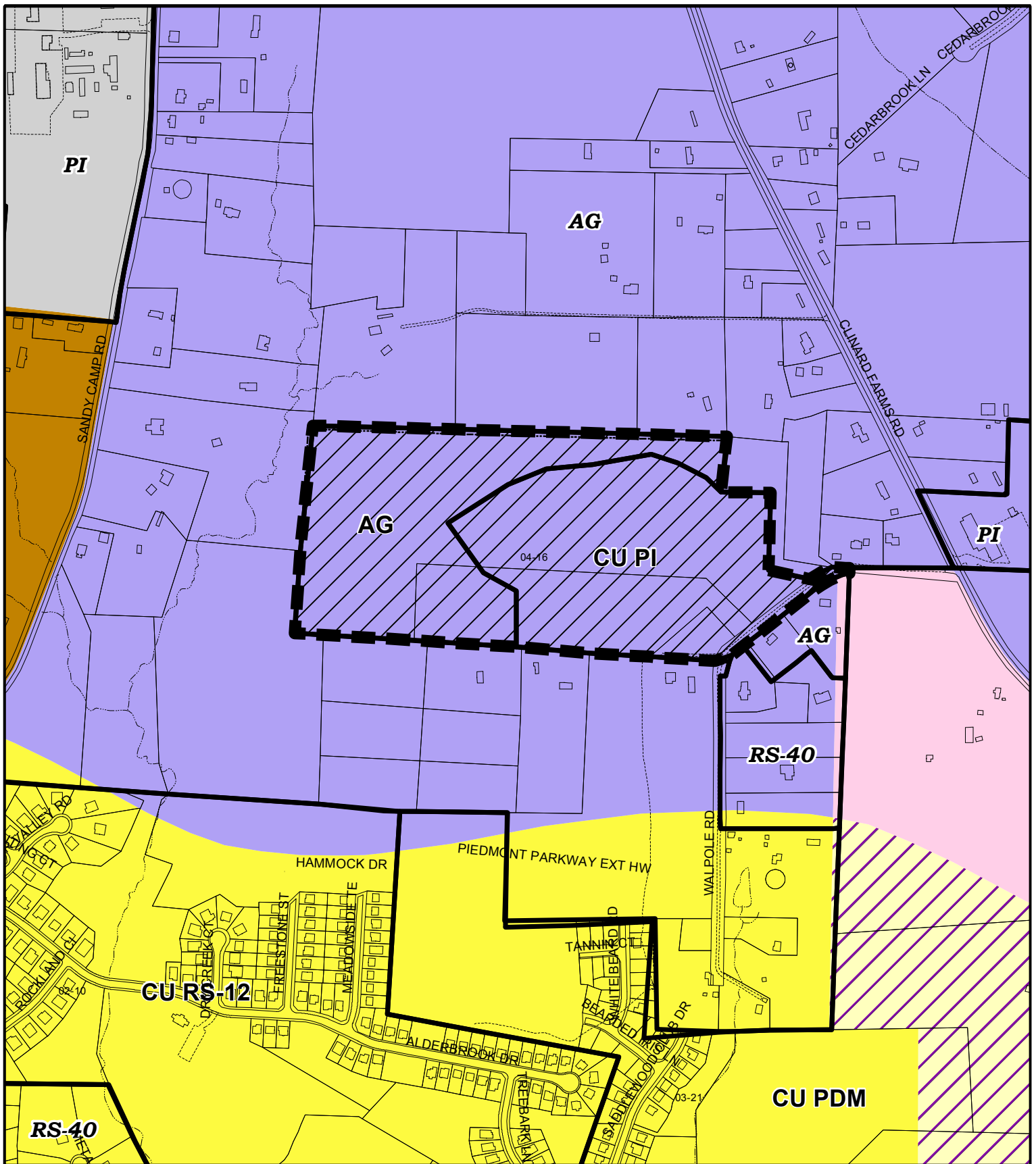
Planning & Development
Department

City of High Point

Date: July 5, 2013



Scale: 1"=600'
y:/ba-pz/2013/pz/z13-07.mxd



ZONING CASE 13-07 **Land Use Plan**

- | | |
|---|--|
|  Mixed Use Development |  Local/Convenience Commercial |
|  Low-Density Residential |  Restricted Industrial |
|  Medium-Density Residential | |

**Planning & Development
 Department**

City of High Point

Date: July 19, 2013



Scale: 1"=600'

y:/ba-pz/2013/pz/z13-07clu.mxd

ZONING CASE 13-07

Topography

Subject Property Boundary - - - - -

**Planning & Development
Department**

City of High Point

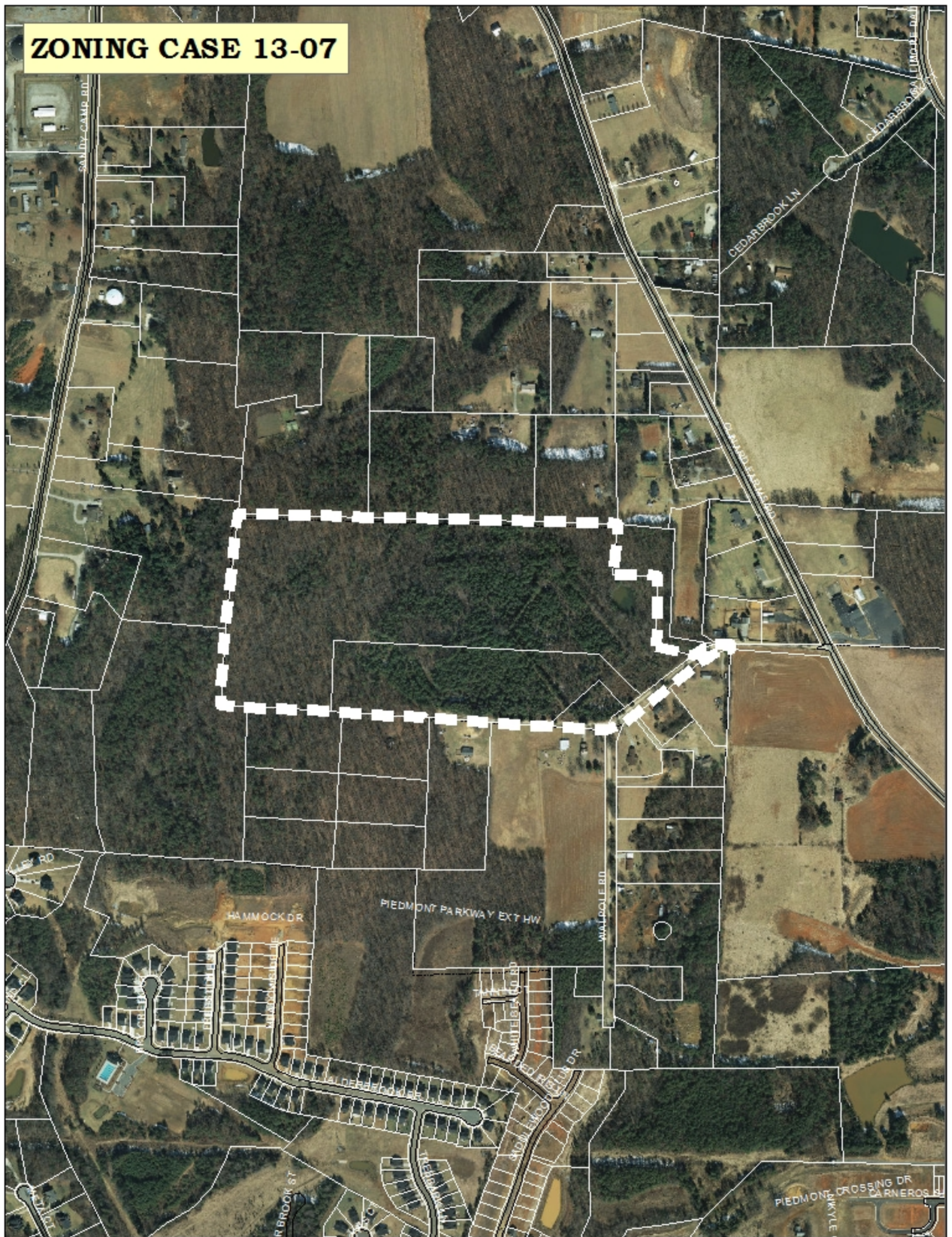
Date: July 12, 2013



Scale: 1'=600'

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ZONING CASE 13-07



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 July 23, 2013 and before the City Council of the City of High Point on August 19, 2013 regarding **Zoning Case 13-07** 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 _____, for the Planning and Zoning Commission public hearing and on _____, 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 _____ 2013.

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: **Conditional Zoning Agricultural (CZ-AG) District**. The property is approximately 46.2 acres lying along the west side of Walpole Road, approximately 850 feet south of the intersection of Clinard Farms Road. The property is also known as Guilford County Tax Parcels 0215209, 0215208 and 0215207.

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:

Any of the land uses allowed in the Agricultural (AG) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the AG District and the specific conditions listed herein

A. Prohibited Uses: The following uses, enumerated in Table 4-5-1, Permitted Use Schedule of the Development Ordinance, shall be prohibited:

1. RECREATIONAL USES
 - a. Amusement or Water Parks, Fairgrounds
 - b. Go-cart Raceways
 - c. Golf Driving Ranges
2. BUSINESS, PROFESSIONAL, & PERSONAL SERVICES
 - a. Motion Picture Theaters, Outdoor
3. TRANSPORTATION, WAREHOUSING AND UTILITIES
 - a. Airports or Air Transportation Facilities
 - b. Demolition Debris Landfills, Major
 - c. Demolition Debris Landfills, Minor
 - d. Recycling Processing Centers
4. MANUFACTURING AND INDUSTRIAL USES
 - a. Asphalt Plants
 - b. Mining and Quarrying
 - c. Salvage Yards, Auto Parts
 - d. Salvage Yards, Scrap Processing
 - e. Sawmill or Planing Mills

Part II. CONDITIONS:

- A. Development Standards:
 1. Setback: There shall be a minimum one hundred (100) foot distance between any livestock manure storage areas, barns, or stables and any adjacent residentially zoned property.
 2. Dust: All unpaved areas on-site shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.
- B. Lot Combination: All of the zoning site shall be combined to form one lot. No new land development or subdivision shall be permitted upon this tract until the lot combination is completed.
- C. Transportation Conditions (Vehicle Access):

The property owner shall dedicate a minimum of thirty (30) feet of right-of-way from the existing centerline of Walpole Road.

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 _____, 2013.

Lisa B. Vierling, City Clerk



July 2, 2013

To: Lee Burnette, Director of Planning and Development
From: Mark McDonald, P.E., Transportation Director 
Subject: **Rezoning Case #13-07, Phoenix Academy Foundation.** The site is lying along the west side of Walpole Road, approximately 850 feet south of the intersection of Clinard Farms Road.

My staff and I have reviewed the rezoning request and have the following comments:

A traffic impact analysis was not required for this development. To require a traffic study the proposed development must be expected to produce at least one hundred and fifty (150) trips in the AM or PM peak hour. In order to mitigate the development's impact on the surrounding roadway network the following improvements will be required:

Right-of-Way:

- The property owner shall dedicate a minimum of thirty (30) feet of right-of-way from the existing centerline of Walpole Road.

If you have any questions or would like to further discuss this case, please advise.

Citizens Information Meeting Report City of High Point Zoning Case 13-07

Submitted by:
Samet Corporation
Brian Hall



Citizen Information Meeting Report

June 27, 2013

6:00-7:00 PM

Meeting Time and Place –

June 27, 2013 6pm-7pm
Phoenix Academy
4020 Meeting Way
High Point, NC 27265

Attending the Meeting – **Neighbors**

Art Yow
Rita McHone
Bobby McHone
Tim Long
Debbie Long

Ronald Alston
Walter Alston
William Farrington
Ralph Felial

Presenters

Brian Hall – Samet Corporation
Kim Norcross – Phoenix Academy
Jan Clifford - Horsepower

The handwritten sign in sheet is attached to this report and is labeled Attachment 1

Notification Letter

A letter was mailed on Monday June 17, 2013 to all parties owning property within 300 ft of the proposed rezoning site as specified by the City of High Point Planning Department. The list of the property owners, provided by the Planning Department, to which all notices were mailed is labeled as Attachment 2 of this report. A copy of the notification letter sent on June 17, 2013 is labeled as Attachment 3 of this report.

Meeting Handouts

At the Community Information Meeting, each attendee was provided a handout by the Presenters. Each attendee was provided with a copy of the City's Conditional Use District Zoning Citizen Information Meetings Statement, as provided by the City of High Point's Planning Department. Displayed at the meeting were multiple conceptual site layouts of the property being considered for rezoning.

Presentation

Brian Hall began the meeting by introducing himself as a representative of Samet Corporation. Brian asked that all questions be held until the end of the presentation. Brian walked through the written development proposal explaining the planned development as it relates to each one of the following topics:

- The Property's Current Condition
 - Current Ownership
 - Current Zoning Condition – Agriculture and CU PI
 - What activities and uses the current zoning regulations for the property would allow
- Access
 - Walpole Road
- Approved uses for the special use permit, allowing a riding stable and associated uses for Horsepower's operation of the facility and how that looks on a daily basis.
 - Number of Horses planned to be kept on the property
 - Number of Students per day who plan to visit the facility for riding

Brian Hall then made the following point:

- The conceptual plans presented at the meeting are conceptual and still a work in progress. The Site plan has been provided to the City of High Point for their comments and review through their Technical Review Committee.

Jan Clifford was introduced and provided a simple overview of Horsepower, their mission and planned operation for the property.

Kim Norcross was introduced and provided a simple overview of Phoenix Academy, their plans for expansion and their vision for the school moving forward.

Questions Raised by the Attendees with responses provided by Brian Hall, Jan Clifford and Kim Norcross where appropriate:

- Will buffers/existing trees throughout the property and along the border be cut down?
 - Jan Clifford explained that we do plan to leave trees along the border and around the existing creek on the property, with her desire to get the fence as close to the property line as possible to maximize the pasture area for the horses. We will not be clear cutting the property. Jan and Brian explained that they will investigate providing a buffer around the property.
- Are any improvements to Walpole Road planned?
 - Brian Hall explained that the City of High Point is not requiring an improvement to Walpole Road based upon the limited amount of traffic generated by the new use.
- How will neighbors use Walpole road and continue to get to their house?
 - Brian Hall explained that the City of High Point will require us to dedicate any right of way that isn't already dedicated. Walpole Road will remain as is and all neighbors will have the same access to their property that they have now. Brian Hall said he would confirm the dedication of right of way along Walpole.
- Will the public be able/invited to use the horse facility?
 - Jan Clifford explained that the facility is planned for utilization of Horsepower's current clientele, disabled children.

Attachment 1

Name

Phone

Email Address

[illegible]

Attachment 2

ALSTON, WALTER A
4532 WALPOLE RD
HIGH POINT NC 27265

CANTARA, DAVID ; CANTARA, PAMELA
4553 WALPOLE RD
HIGH POINT NC 27265

EASTIN, JOHN D ; EASTIN, PATRICIA C
8003 CLINARD FARMS RD
HIGH POINT NC 27265

FARRINGTON, VERNON TRENT
5825 CARDINAL WAY
GREENSBORO NC 27410

FARRINGTON, WILLIAM J ; FARRINGTON,
LORI J
2008 HUNTERWOODS DR
HIGH POINT NC 27265

FORREST, PATRICIA L ; LONGERBONE,
SUSAN W
4536 WALPOLE RD
HIGH POINT NC 27265

FOSKEY, JOHN E ; FOSKEY, MATTIE S
3227 EDENWOOD DR
GREENSBORO NC 27406

FPF HIGH POINT LLC
3842 W 16TH AVE
HIALEAH FL 33012

FREEMAN LIVING TRUST ; COCKRELL, ANN
FREEMAN TR
8005 CLINARD FARMS RD
HIGH POINT NC 27265

GREENE HILL FARMS LLC
200 MILL CREEK DR
FUQUAY VARINA NC 27526

HARVEY, JAMES DAVID
4530 WALPOLE RD
HIGH POINT NC 27265

HIGH POINT BANK & TRUST CO
300 N MAIN ST
HIGH POINT NC 27260

LARRY E RAYLE SR & SANDRA M RAYLE
REVOCABLE LIVING TRUST ; RAYLE,
LARRY E SR TRUSTEE ; RAYLE, SANDRA M
TRUSTEE
4704 SANDY CAMP RD
HIGH POINT NC 27265

LONG, TIMOTHY WAYNE ; LONG, DEBRA JO
4533 WALPOLE RD
HIGH POINT NC 27265

LOWE, FLOYD W ; LOWE, SARA T
134 PRESTON LANE
MOUNT AIRY NC 27030

MCHONE, BOBBY LEE ; MCHONE, RITA C
8017 CLINARD FARMS ROAD
HIGH POINT NC 27265

MILLS, DONALD R ; MILLS, ANNETTE R
4646 SANDY CAMP RD
HIGH POINT NC 27265

PILCHER, J DALE ; PILCHER, CYNTHIA S
1506 SKEET CLUB RD
HIGH POINT NC 27265

QUEEN, MARK E ; QUEEN, KAYE F
8007 CLINARD FARMS RD
HIGH POINT NC 27265

RAYLE, LARRY EUGENE JR ; RAYLE,
MICHELLE V
4650 SANDY CAMP RD
HIGH POINT NC 27265

SHULTZ, CINDY LLOYD
8015 CLINARD FARMS RD # A
HIGH POINT NC 27265

YANG, CHENG
1018 BLAZINGWOOD DR
GREENSBORO NC 27406

YOW, ARTHUR E
4544 WALPOLE RD
HIGH POINT NC 27265

Attachment 3

June 14, 2013

Property Owner

Applicants for a rezoning in the City of High Point are required to notify owners of property within 300 feet of the proposed zoning site and conduct a citizen information meeting. At this meeting, the applicant shall submit to all citizens a written description of their development proposal and a statement, provided by the Planning and Development Department outlining the purpose of the citizen information meeting and the zoning process. The purpose of the citizen information meeting is to allow the applicant the opportunity to inform citizens about their zoning proposal and provide citizens the opportunity to ask questions and find out more about the proposal prior to the public hearings.

Zoning Site: 47+/- Acres, Walpole Road, High Point, NC**Current Zoning:** Conditional Use Public Institutional, Agriculture**Proposed Zoning:** Agriculture – Conditional Use allowing riding stables**Site Description:** Approximately 47 acres currently wooded southwest of Clinard Farms Road and north of Walpole Road**Development Proposal:** Site shall be zoned Agriculture with a Conditional Use to allow the property to be used by Phoenix Academy Foundation for equestrian riding stables, operated by Horsepower. Site shall be accessed from Walpole Road.**Citizen's Information Meeting:** Thursday June 27, 2013 6:00-7:00pm

Phoenix Academy
4020 Meeting Way
High Point, NC 27265

If you have any questions prior to the citizen's information meeting, please feel free to contact me.

Thank you,



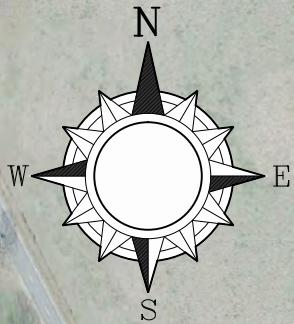
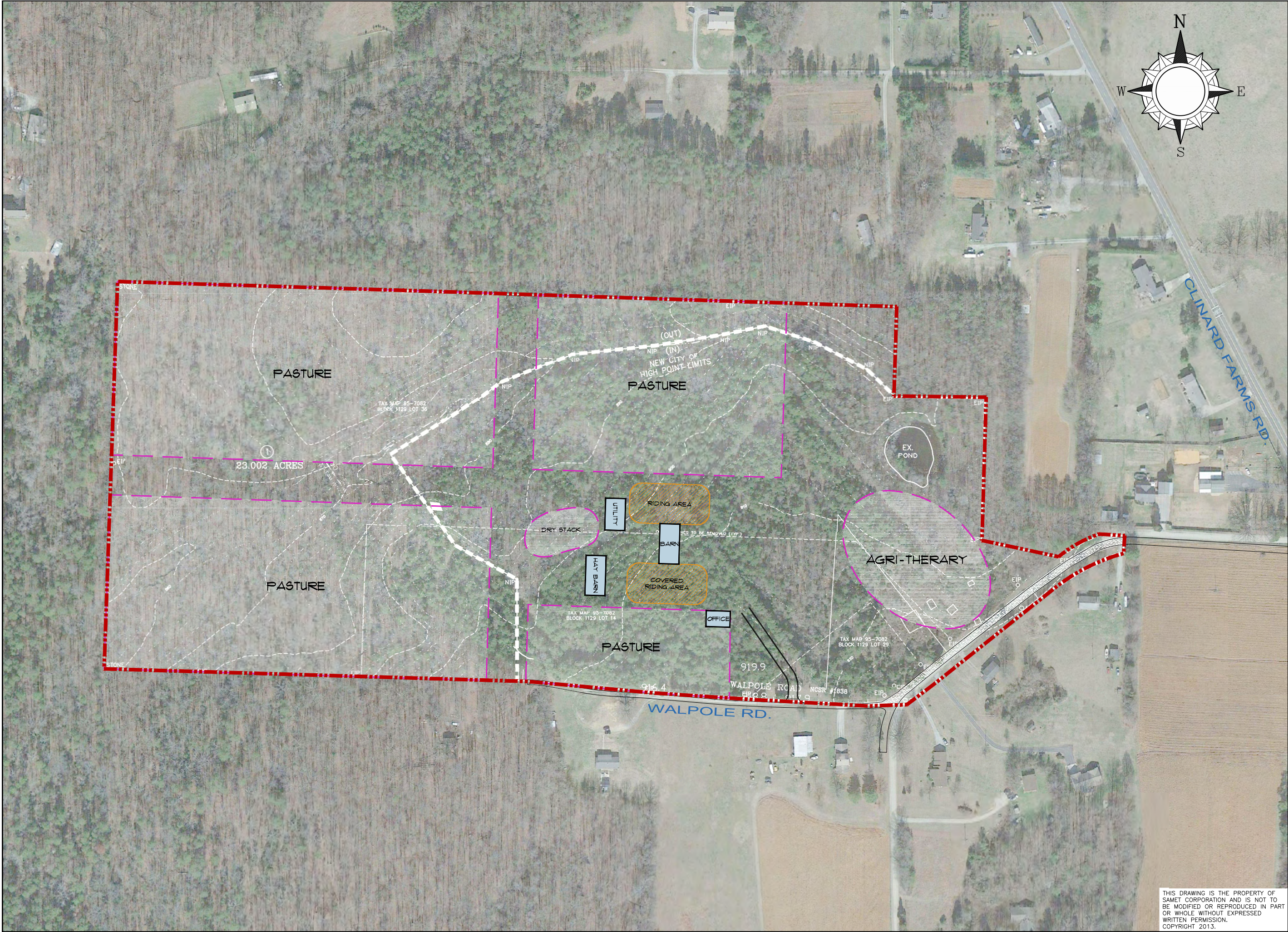
Brian Hall
336-544-2643
bhall@sametcorp.com

309 Gallimore Dairy Road
Suite 102
Greensboro, NC 27409

PO Box 8050
Greensboro, NC 27419
(336) 544-2600

1315 East Boulevard
Suite 250
Charlotte, NC 28203
(704) 697-2125

www.sametcorp.com



SAMET CORPORATION

P.O. Box 8050
Greensboro, NC 27419
(336) 544-2600

FAX:
(336) 544-2638

PRELIMINARY SKETCH PLAN
HORSEPOWER

HIGH POINT, NORTH CAROLINA

REVISIONS	BY

DRAWN BY: CB
CHECKED BY: BH
DATE: JUNE 6, 2013
SCALE: 1:100
JOB NUMBER: 10-026
SHEET NUMBER:

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**HIGH POINT CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS, HIGH POINT MUNICIPAL BUILDING
AUGUST 5, 2013 – 4:45 P.M.**

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE

Upon call of the roll, the following Council Members were present. Mayor Pro Tem Moore offered the invocation; the Pledge of Allegiance followed.

Mayor Bernita Sims, Mayor Pro Tem Britt Moore (At-Large), Council Member Rebecca Smothers (At-Large, Council Member Jeffrey Golden (Ward 1), Council Member Judy Mendenhall (Ward 3), Council Member Jay Wagner (Ward 4), Council Member James Davis (Ward 5), and Council Member Jason Ewing (Ward 6)

Council Member Foster Douglas (Ward 2) was absent.

Special Acknowledgements

Congratulations to Fire Chief Tommy Reid

City Manager Strib Boynton introduced Tommy Reid, the recently appointed Fire Chief. Chief Reid has been a part of the High Point Fire Department for 32 years. Mayor Sims congratulated Chief Reid on his promotion.

Mayor Sims then recognized scouts from Boy Scout Troop #55 who were attending the meeting working on their Citizenship in the Community and Communications badge: Austin Young, Parker Young, Neil Brown and Andy Wehr.

REGULAR MEETING ITEMS

FINANCE COMMITTEE - Mayor Pro Tem Moore, Chair
Committee Members: Wagner, Davis and Sims

(all were present)

130206 Contract - Bid No. 04 - Oak Hollow Substation Modifications

Approval of contract awarding Bid No. 04 for the purchase of electric materials necessary for modifications to the Oak Hollow Substation. Purchasing and the Electric Department recommends that contract be awarded to Peak Substation Services in the amount of \$219,800.00 which is the lowest responsible and responsive bidder meeting specifications.

Attachments: [Bid No. 04 - Oak Hollow Substation Modifications](#)

Garey Edwards, Director of Electric Utilities, explained this contract would be for steel to tie into the Oak Hollow Substation. Chairman Moore asked if there were any questions or comments. There being none, Council approved contract with Peak Substation Services for modifications to the Oak Hollow Substation in the amount of \$219,800.00 which is the lowest responsible and responsive bidder meeting specifications.

Approved contract with Peak Substation Services for modifications to the Oak Hollow Substation in the amount of \$219,800.00.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Smothers, that this Contract be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

130207 Contract - Bid No. 07 - Metalclad Switchgear

Approval of contract awarding Bid No. 07 for the purchase of two metalclad switchgear lineups for the Eastchester and Deep River substations. Purchasing and the Electric Department recommends that contract be awarded to Schneider Electric USA in the amount of \$697,891.00 which is the lowest responsible and responsive bidder meeting specifications.

Attachments: [Bid No. 07 - Metalclad Switchgear](#)

Garey Edwards, Director of Electric Utilities, reported this is to replace some outdated switchgear at the Eastchester and Deep River substations. The funds have been approved and are in the capital budget. He pointed out outdated switchgears are a safety hazard and mentioned one failed catastrophically on Eastchester about a year ago.

Approved contract with Schneider Electric USA in the amount of \$697,891.00 which is the lowest responsible and responsive bidder meeting specifications.

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

130208 Budget Ordinance Amendment - Front Loader Refuse Collection Truck

Adoption of a budget ordinance amending the 2013-2014 Budget Ordinance to appropriate funds in the amount of \$213,599.00 for a front loader refuse collection truck.

Attachments: [Budget Ordinance Amendment - Front Loader Refuse Collection Truck](#)

Note: This matter was discussed with 130209 Contract Bid No. 08- Front End Loader Cab/Chassis. Please refer to this matter for specific comments on this matter.

Referred this matter to the Finance Committee for additional information.

A motion was made by Council Member Davis, seconded by Council Member Wagner, that this Ordinance be referred to the Finance Committee. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

130209 Contract - Bid No. 08 - Front End Loader Cab/Chassis

Approval of contract awarding Bid No. 08 for the purchase of a new 2014 Peterbuilt 320 cab and chassis. Purchasing and the Fleet Services Division recommends that contract be awarded to Piedmont Peterbilt, LLC in the amount of \$126,333.00; and combined with the purchase of a New Way Mammoth 40 yard heavy duty front loading body in the amount of \$87,266.00 makes the total cost of the complete unit \$213,599.00.

Attachments: [Bid No. 08 - Front Loader Truck](#)

Richard McMillan, Assistant Director of Public Services, explained this is a replacement truck for the frontloader currently being used to pick up recycling dumpsters. The plan is to move forward with this truck purchase and have the city assume responsibility for offering this service with considerable cost savings than what the city is currently paying Republic to pick up multi-family garbage. Staff reported a projected savings to be in excess of \$100,000 a year and noted the city can exit out of the current contract with Republic with a 60-day notice. Council Member Davis questioned the timing of this and thought staff was going to do a presentation before Council which would include a projected savings. Council Member Wagner stated he, too, was a little hesitant to move forward with the purchase at this time because there were other companies who have expressed an interest in making presentations before Council on how the city handles waste and this has not yet happened. Council Member Smothers noted her issue is related to the overall Enterprise Fund realizing that staff would have to have some lead time to order equipment of this caliber.

Pat Pate, Assistant City Manager, noted that right now the city has a front end loader in its fleet that needs to be replaced, so part of the issue is with the existing service with picking up recyclables. So as part of that issue, staff recommends moving forward with the lease purchase to buy this vehicle which would allow continued operations. He also explained that there will be some additional significant discussions on the MRF operation, which is separate from the collection activities, but from a discussion standpoint, it could be combined. He pointed out that collection would still need to be done no matter what the city does with the MRF project and right now staff still needs it to continue the operations with the existing truck. He informed Council that should the decision be made for the city to take over the contract for the existing apartment pick-ups, then this truck would allow it, explaining that the existing truck would not due to its age and condition. The purchase of the new truck would basically allow the city to continue with the current operations because it affords the opportunity for expansion. He explained the existing truck is in bad condition, so staff thought it would be prudent to move forward with purchasing the front end loader truck since this would also give Council the opportunity for other options/decisions in the future.

Council Member Davis questioned the budget ordinance amendment and the purchase of this truck since this was not a line item in the budget that was just adopted. Mr. Pate explained staff felt it would be prudent as this would allow an expansion of service and could be done as a lease purchase. He pointed out this was laid out as an option in the budget discussions and the decision was made to come back with a broader package of information on the variety of things that could be done. Mr. Pate noted that the city would realize enough savings to pay for the debt service rather easily. Council Member Mendenhall asked about a time frame for the presentation/discussions on the proposed Enterprise Fund. City Manager Strib Boynton explained that staff plans to review the MRF as well as wastewater and other capital items on Thursday morning at 9:00 a.m. Mr. Pate further explained the meeting would be basically to talk about some of the on-going capital projects and noted the Enterprise Fund discussion would ultimately take place as part of the budget discussions for next year. He noted that preliminary discussions would still be necessary to give staff direction in looking for either establishing or not establishing the sanitation as an enterprise

fund. Council Mendenhall asked if cancellation of the contract would come from the City Council. Mr. Pate stated he was uncertain as to if cancellation of the contract with Republic would require Council approval or if staff could cancel it, but assured Council that the managers would want to make sure Council is informed before anything is done.

Due to the questions from Council regarding this purchase and the uncertainty as to the cancellation of the contract, Council Member Davis recommended both the budget ordinance amendment for the front loader refuse collection truck and the contract for the purchase of the front end loader cab/chassis be referred to the Finance Committee to allow time to get some additional information. Council Member Smothers asked if it would be possible for staff to have the additional information ready for discussion when Council meets on Thursday morning. Mr. Pate felt staff could be ready as far as the answer regarding the contract on Thursday. Council Member Mendenhall questioned the order of the agenda items and asked why the budget ordinance amendment was on the agenda before the actual truck purchase. Mr. Pate explained that Council could not approve the purchase of the truck without first having the funds available for the purchase.

Referred this matter to the Finance Committee for additional information.

A motion was made by Council Member Davis, seconded by Council Member Wagner, that this matter was referred to the Finance Committee. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

130210**Contract - Bid HGAC - Two Pierce Fire Engine/Pumper Trucks**

Approval of award of contract through HGAC for the purchase of two (2) Pierce fire engine/pumper trucks. Purchasing and the Fire Department recommends that contract be awarded to Atlantic Emergency Solutions Inc., in the amount of \$962,434.00, which is the lowest responsible, responsive bidder meeting specifications.

Attachments: [Contract - Purchase of Fire Trucks](#)

Fire Chief Tommy Reid explained these two truck purchases, if approved, would replace Engines 1 and 9 which were purchased in 1998 (15 years old) and would go into reserve status to replace a 1989 and a 1986 truck. He shared that it is more than just replacing the trucks because of the mileage, but the older trucks lack much needed safety features. The new trucks have rollover protection, airbags, protection for the occupants of the cab, etc..... Council Member Ewing asked if this purchase follows the replacement schedule that was discussed during the budget reviews. City Manager Strib Boynton noted this is a lease purchase and confirmed two pumpers were included as part of the replacement schedule in this year's budget. Council Member Davis asked for assurances that these trucks were not selected because of all the "bells and whistles." Chief Reid explained these trucks are middle of the line trucks and would be on the frontline for a minimum of 15 years and contain the safety features which is the most important aspect.

Approved contract with Atlantic Emergency Solutions, Inc. in the amount of \$962,434.00, which is the lowest responsible, responsive bidder meeting specifications.

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

130211 Budget Ordinance Amendment - Ralph Lauren Electrical Infrastructure Project

Adoption of an ordinance amending the 2013-2014 Budget Ordinance to appropriate funds in the amount of \$600,000.00 for the Ralph Lauren Electrical Infrastructure Project approved by the High Point City Council July 15, 2013.

Attachments: [Budget Ordinance Amendment - Ralph Lauren Generator](#)

Adopted ordinance amending the 2013-2014 Budget Ordinance to appropriate

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Ewing, that this Budget Ordinance Amendment be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

**Ordinance No. 7001/13-33
Introduced 8/5/2013; Adopted 8/5/2013
Ordinance Book Volume XVIII, Page 33**

130212 Utility Relocation Agreement - NCDOT - Skeet Club Road Widening Project

Council is requested to authorize the City Manager to execute a Utility Relocation Agreement with the North Carolina Department of Transportation (NCDOT) for the relocation of electric utilities in connection with the Skeet Club Road widening project.

Attachments: [NCDOT Utility Relocation Agreement - Skeet Club Road](#)

Garey Edwards, Director of Electric Utilities, reported this is a standard agreement that outlines the responsibilities for the city as well as the state for this project. He noted Council recently approved a similar agreement for the water and sewer for this project. The agreement protects the city's rights after the road is done.

Approved the Utility Relocation Agreement with the North Carolina Department of Transportation (NCDOT) for the relocation of electric utilities in connection with the Skeet Club Road widening project.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Davis, that this Utility Relocation Agreement be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

130213 Resolution - Guilford County Multi-Agency DWI Task Force

Council is requested to adopt a Local Government Resolution authorizing the City Manager to file an application contract with the Governor's Highway Safety Program to continue the High Point Police Department's contract with the Guilford County Multi-Agency DWI Task Force for FY 2013-2014.

Attachments: [Resolution - Governors Highway Safety Program](#)
[signed Resolution - Governor's Highway Safety Program](#)

Adopted a Local Government Resolution authorizing the City Manager to file an application contract with the Governor's Highway Safety Program to continue the High Point Police Department's contract with the Guilford County Multi-Agency DWI Task Force for FY 2013-2014.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Mendenhall, that this Resolution be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

**Resolution No. 1325/13-48
Introduced 8/5/2013; Adopted 8/5/2013
Resolution Book, Volume XVIII, Page 48**

130214 Amendment to Interlocal Agreement - City of High Point/Forsyth County - Property Tax Collection

Council is requested to approve an amendment to the Interlocal Agreement between Forsyth County and the City of High Point for property tax collection services by the Forsyth County Tax Administration for areas of High Point located in Forsyth County.

Attachments: [Amendment - Forsyth County Tax Collection - Interlocal Agreement](#)
[Forsyth County Interlocal Agmt - Signed](#)

Approved an amendment to the Interlocal Agreement between Forsyth County and the City of High Point for the purposes of property tax collection services.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this Amendment to the Interlocal Agreement between the City of High Point and Forsyth County be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

Closed Session- Economic Development

At 5:25 p.m. Mayor Pro Tem Moore moved to suspend the rules and enter into closed session for the purpose of a report from staff regarding a proposed economic development project. Council Member Mendenhall made a second to the motion which carried unanimously.

Upon reconvening into open session at 5:40 p.m., Mayor Sims announced that Council did consider a proposed economic development project in closed session, but no decision was made by Council and no action was taken at this time.

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT**130215 Appointment - Parks and Recreation Commission - Jim Bronnert**

Council is requested to confirm the appointment of Jim Bronnert to the Parks and Recreation Commission as the Ward 4 (Wagner) appointment. Appointment will be effective immediately and will expire July 1, 2015.

Attachments: [BRONNERT Jim 2013](#)

At the recommendation of Council Member Jay Wagner, Council approved the appointment of Jim Bronnert to the Parks & Recreation Commission.

A motion was made by Council Member Wagner, seconded by Council Member Golden, that this appointment be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

120229 Boards and Commissions - Vacancies

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

Attachments: [term expirations 2013](#)

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

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS**130216 Approval of the following Minutes**

Finance Committee Meeting held Monday, July 15th @ 4:00 p.m.

High Point City Council Regular Meeting held Monday, July 15th @ 4:45/5:30 p.m

Attachments: [July 15 2013 Finance Committee](#)
 [July 15 2013 High Point City Council](#)

Approved the preceding minutes as submitted.

A motion was made by Council Member Mendenhall, seconded by Council Member Wagner, that these minutes be approved as submitted. The motion PASSED by an 8-0 unanimous vote. [Council Member Douglas was absent]

Miscellaneous**NATIONAL NIGHT OUT**

Council thanked staff for their assistance in compiling the list for the National Night Out which included 30 opportunities to attend and participate in the planned festivities.

CRITS BIKE RACE

Mayor Pro Tem Moore also thanked staff for their assistance in making the National Criterion Races such a huge success and shared that the National Criterion will return to

High Point the last weekend in July of 2014. Council Member Wagner echoed this and mentioned they did get a report at the City Project meeting from Jeff Morgan, who is on the board for that event, and he shared that their attendance numbers indicated they had over 10,000 people (this far exceeded the 8,000 anticipated).

PUBLIC COMMENT PERIOD - 5:15 P.M.

Kilby Hotel

***Myra Williams**, who resides at 2700 Cottage Place, Greensboro, addressed Council regarding the Kilby Hotel. She shared that she, along with her mother, is the Fifth generation of ownership of the Kilby Hotel and she was challenged the integrity of Council. Several supporters of the Kilby Hotel were present in the audience and she asked them to stand. Ms. Williams proceeded by sharing a brief history of the Kilby Hotel. She noted in its glorious days, the hotel was the heartbeat of the African-American community and to Washington Drive and the entire community was built around the hotel. She informed Council that saving the Kilby Hotel is extremely important to the historical district of Washington Drive and asked Council not to contribute to them losing a huge part of the African-American history in High Point. She shared their future plans for the Kilby which include having store front businesses on the first floor, small office suites on the second floor and affordable apartments on the third floor. She asked Council what they could help them with in going forward with their plans for the building.*

Council Member Smothers asked how much money the family is planning to put into the building. Ms. Williams replied that they presently do not have any money to put into it, but have applied for historical tax credits as well as for their 501(c)3 non-profit status. They have been looking for investors, but don't have any at this point. Council Member Davis asked Ms. Williams what her family has done to secure the building to keep it from falling in. Ms. Williams explained they have not done anything, but they do have a structural engineers report that states the structure is sound. Council Member Golden asked if they have an estimate on what it would cost to shore up the building while anticipating the remodeling. Ms. Williams noted estimates they have received for shoring and gutting the building reflect a maximum number of \$300,000 and a minimum of \$175,000. Mayor Sims asked Ms. Williams if she could share a timeline with Council for the building as it exists now. Ms. Williams noted the city staff has ordered a repair to demolish and within 90 days they have to see some progress. She explained their issue is coming up with the funding for shoring up the building--that is why she is asking the city to assist them in saving the Kilby Hotel. Council Member Smothers pointed out the roof has already collapsed on the building and questioned why the building would need to be shored up if they were told that it is a very stable building. Ms. Williams explained she was told the way the building is built, when they start the gutting process the building would not explode, but would implode.

Council Member Davis asked Ms. Williams how long she and her family have been trying to raise the funds to shore up the building. Ms. Williams noted they have been trying to raise the funds since January, but they recently met with the city and were told that they would be receiving the letter giving them 90 days to repair or demolish--but she has not yet received the letter. Mayor Sims asked how much it would cost them to rehab the building the way they envision it to be and Ms. Williams noted \$2.83 million. Council Member Davis asked Ms. Williams what assurances she could give Council that they would be able to raise the

additional \$2.5-\$2.8 million to do the renovations if they get enough money to shore up and gut the building. Ms. Williams reiterated that they have applied for their 501(c)3 status and they are in the process of applying for some grants.

Mayor Sims told Ms. Williams that she has Council between a rock and a hard place and although she has been very supportive of the Kilby Hotel and the process, the issue revolves around public safety and what is in the best interest of the individuals who traverse the street. She pointed out there could be potential consequences to Council if they ignore the fact that the building is not safe and it has the potential to impact others who traverse the streets and the sidewalks in that area. She stated that she personally would like to see the Kilby Hotel rehabbed because it was part of the initial discussions of the Core City and Washington Street Plan because they talked about it being an anchor building that would bring to the vitality and the renovation/rehabilitation of the whole community. But there are not many options on the table at this point because the city is looking at a very fiscally conservative budget with no extra money. The Mayor welcomed any recommendations from Ms. Williams and her family as to what the city can possibly do to make it happen. Mayor Pro Tem Moore concurred with Mayor Sims and noted there are many people/organizations that have come to the city asking for funding while the private sector continues to struggle also. He shared that unfortunately there are many buildings in many cities that hold sentimental and historical value, all struggling for funding.

Council Member Mendenhall commended Ms. Williams for taking the steps to file for non-profit status since this could open up the possibility of private foundation grants and even grants from the public sector which would be helpful to them. She noted this is a fairly large amount of money for a Council that has also struggled on how to make ends meet as they went through the budget process. Council Member Davis reiterated his support for things happening on Washington Drive and agreed that the significance of the Kilby was very important to High Point, but safety is the number one issue for him and pointed out the building is in danger of falling and possibly hurting someone. He stated he was not in the position to offer up taxpayer money when the city has no ownership or stake in the property. Council Member Smothers thanked Ms. Williams for alerting Council and noted that when they do get the notice, it will put this issue back before the City Council.

Ms. Williams noted she was told in the past that funds might be available for revitalization on Washington Drive. Council Member Smothers explained after the Washington Street plan was done, there was a private investor/developer that did meet with Ms. Williams' uncle when he was still part owner along with her mother and made some offer toward renovation of the building at that time. Ms. Williams noted that she was not aware that this took place. Mayor Sims mentioned there has been some input on the part of the city mainly for infrastructure where the city has gone in and done some work in various communities/neighborhoods, but it was never purported that the city had a pot of money that the neighborhoods would be able to tap into or be able to lend from or even use as grants to help or assist with revitalization efforts.

Randy McCaslin, Assistant City Manager, gave a brief update and reported over the last two weeks that Planning and Inspections has met with five or six different property owners--most were commercial. Staff is trying to put the property owners on notice that the Chief Building Inspector has evaluated each of the properties and they are structurally unsound and in

danger of collapse. He noted they should be receiving a letter from the city sometime this week that will start a 90-day process that will give them an opportunity to make some repairs and shore up the building within that 90-day period. At the end of the 90-day period, another evaluation will be done of the building immediately and then following that, it will be brought back to the City Council for a determination as to whether to demolish the property or not. Council Member Golden asked if staff has seen the letter Ms. Williams referred to that says the building is structurally safe. Mr. McCaslin explained that he has not personally seen it, but the Inspections department has evaluated it and it says the building can be shored up and made structurally safe.

Andretti Barnes, 1311 E. Commerce, pleaded with Council to partner with the family so they can get the process rolling and preserve the building because it does bring a lot of history to High Point. He noted the building brings a lot of enjoyment to the black community as well as to other people in the community and shows strength and togetherness. He felt everyone working collectively could make this happen.

Beverly Bard, 2205 Delaine Point in High Point, addressed Council. She expressed concerns regarding some recent legislation that is being considered in the NC Legislature (i.e. gun issue; energy/pollution; public education; reducing early voting and same day registration). She appealed to the City Council to help citizens deal with the NC Legislature changes that have come to pass.

ADJOURNMENT

At 6:20 p.m. upon motion duly made and seconded, the meeting was adjourned to Thursday, August 8, 2013 at 9:00 a.m.

Respectfully Submitted,

Bernita Sims, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk

**ADJOURNED SESSION
AUGUST 8, 2013 – 9:00 A.M
THIRD FLOOR CONFERENCE ROOM**

MINUTES

PRESENT:

Mayor Sims, Council Members Davis, Ewing, Golden, Mendenhall, Moore, and Smothers

ABSENT:

Council Members Wagner and Douglas

STAFF PRESENT:

Strib Boynton, City Manager
Pat Pate, Assistant City Manager
Randy McCaslin, Assistant City Manager
Eric Olmedo, Budget Office
Jeff Moore, Director of Finance

Chris Thompson, Director of Public Services
Terry Houk, Assistant Director of Public Serv.
Lisa Vierling, City Clerk
Dawn Sparks, Deputy City Clerk

OTHERS PRESENT:

Bob Rella, HDR Engineering, Inc. of the Carolinas

MEDIA PRESENT:

Pat Kimbrough, *High Point Enterprise*

OVERVIEW OF MAJOR WATER SEWER BOND PROJECTS

Westside Phase III Project

Chris Thompson stated that they are waiting on authorization for construction of the project. Drawings and specs have been submitted to the State for final review. The State has promised to get them back to us within thirty days. The City's consultant will then respond to any comments they have within the following thirty days. It is hoped to have the project scheduled and advertised November 1, 2013, bids on November 13, and bring recommendation to Council the first week of December and then do a notice to proceed with construction starting in February of 2014. The duration of that project is 36 months. There will be a second project within that contract for the stream restoration for Rich Fork Creek. The total estimated cost for the project is \$33 million. This project consists of the expansion of the plant increasing from 6.2 to 8.2 million gallons and ultimately up to 10 million gallons on the stream restoration results.

The only obstacles anticipated is when they obtain easements for the stream restoration.

Solids Handling Improvements – Incinerator Project

In working with the consultant they have decided to get the way project moving is through procurement contracts. The incinerator is a part of that project. They are trying to get all the parts together up front so they can determine upfront how everything is going to fit together. The costs of the incinerator procurement are anticipated to be \$5.7 million. Advertising for bids will be in September 2013. The delivery of all the equipment to the site is in November 2014, so there is a lag time. The centrifuge procurement estimated costs are \$1 million. It is to be advertised in February of 2014. The cake pumps and silo procurement is about \$1.23 million and to be advertised in February 2014. Final design will start in January. They will advertise to bid the project in July 2014 and then will issue a Notice to Proceed in October of 2014. A completion date of March 2016 is anticipated, with a total cost of \$16 million.

Council Member Davis asked why the costs are \$16 million, he recollected talking earlier in the year about it being \$8 million. Mr. Thompson stated that \$8 million is for the contractor, the materials will cost about \$8 million in addition to that.

Council Member Moore asked what the intent behind the two projects were. Mr. Thompson stated that the Westside project is for preparation of future growth. The plant is now at 6.2, and they have already upgraded the front end of the plant and the back end of the plant, and are looking at a 20 year plan, with the idea to go ahead and get the plant up to 10 million gallons per day. Council Member Smothers stated the expansion is one thing, but they are also under order of consent to upgrade the plan, so it had to bring the plant up to a different standard by the state. Chris Thompson explained when all this started around in the late 90s, they were having a lot of issues with the plant. That is when the Special Order By Consent came into being. It was in early in 2000 and they started doing all the things to comply. All timelines were met for that and have since been released from the Order. Terry Houk stated that currently there is a concern of high load plus more concern to staff is that they are over-allocated on load coming to the plant. It is hard to stay in compliance when that much load is coming in. What triggered the SOC initially was Westside because had several mechanical failures and the plant flooded. Because of all those issues the plant went onto the EPA's significant noncompliance list.

Pat Pate stated that both the expansion and the incinerator require upgrades to meet the federal standards. There are penalties if they do not meet the standards.

Chris Thompson explained that they looked at four different options regarding the incinerator. They looked into contract options, land filling it, looked at a dryer bed, and looked at upgrading the incinerator. Since an incinerator is already in place they found the best option would be the upgrade of the incinerator. If they had to spend more than 50% for upgrading then they would be looking at other options.

Council Member Smothers noted that the city was paying over \$200,000 a year in fines at times because it was discharging. Strib Boynton stated that in looking at the history of waste water treatment, the City has invested a lot with the new Eastside plant, the

Deep River Outfall line, and now the Westside plant and all the collection lines into it. This upgrade will be the final big piece of the entire plan. There will always be costs for upgrades going forward.

Council Member Davis asked what the additional \$6 million is for. Mr. Boynton stated that they will be having a water storage tank and some distribution lines that need upgraded.

Council Member Davis asked how they will pay for this if they issue \$55 million in bonds. Pat Pate stated that these are all built into the rate calculations.

Mayor Sims asked what the downside of going with an outside contractor was. Mr. Thompson stated there was not cost savings to it. Terry Houk stated that the closest two options were the landfill and incineration.

130208 Budget Ordinance Amendment – Front Loader Refuse Collection Truck

Adoption of a budget ordinance amending the 2013-2014 Budget Ordinance to appropriate funds in the amount of \$213,599.00 for a front loader.

130209 Contract – Bid No. .08 – Front End Loader Cab/Chassis

Approval of contract awarding Bid NO. 08 for the purchase of a new 2014 Peterbuilt 320 cap and chassis. Purchasing and the Fleet Services Division recommends that contract be awarded to Piedmont Peterbuilt, LLC in the amount of \$126,333.00; and combined with the purchase of a New Way Mammoth 40 yard heavy duty front loading body in the amount of \$87,266.00.

(Note: These items were continued from the August 5, 2013 City Council Meeting to receive further information and discussion at today's meeting. The discussion for these two items was jointly held.)

Strib Boynton stated that in May Council discussed the purchase of the garbage truck. The savings are to be about \$140,000 a year by buying the truck and picking up garbage from apartments and townhomes versus contracting out.

Council Member Smothers stated she had raised the question about it as they talked during the budget process, and some of it relates back to the enterprise fund issues. Mayor Smothers stated that she understood after speaking to Mr. Pate that the \$5 fee was covering all residential users and the city's previous commitment to treat apartments as residential customers. Council Member Smothers stated some apartments handle collection differently and if the City should give these a different option.

Chris Thompson stated that if they allow apartments to do their own, they would have to have some type of written documentation that they had chosen to do that. Pat Pate stated there is discussion that there are a few apartments out there that have elected to have a type of container that the city would not be able to pick up, and those people are paying for someone else to come and pick up their containers.

Pat Pate stated the savings based on the front end loader are based upon just the contract the City has right now to pick up the apartment complexes. Based on that number versus what it would cost to hire a position for the truck and put that route out there is the \$137,000 in savings.

Pat Pate said currently they are using an old truck that can pick up the recyclables from the fire stations that operates about half a day. This truck is used only on a limited basis. If they buy a new truck, we have the ability to actually use it on a full time basis. The pickup service for the apartment complexes will be a once a week service.

Mayor Sims asked if this same truck also proposed to be used if they do the business recycling if they decide to. Mr. Thompson said this would be something they would have to look at as the program grows. Mr. Thompson felt they could initiate that. The business recycling truck is proposed to be a separate truck.

Council Member Davis asked if the employee who runs the truck a half a day now will be given the opportunity to run this truck. Mr. Thompson stated he would not know.

Council Member Moore asked how this translates to the private persons in respect to savings. That service is already being provided, we are just contracting it. If we get this truck the city will do it, and that is where the savings are.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall to adopt a Budget Ordinance Amendment amending the 2013-2014 Budget Ordinance to appropriate funds in the amount of \$213,599.00 for a front loader refuse collection truck, and approval of a contract awarding the purchase of a new 2014 Peterbuilt 320 cab and chassis to Piedmont Peterbuilt, LLC in the amount of \$126,333.00 and combined with purchase of a New Way Mammoth 40 yard heavy duty front loading body in the amount of \$87,266.00. The motion passed unanimously.

Council Member Moore requested that after a year of running the truck that they come back with the justified savings.

Material Recovery Facility (MRF) Project Update

Strib Boynton advised that when they looked into the costs of private collection versus what the costs would be for the city to do the collection the numbers show a savings in the range of \$360,000 if the city continues with the collection of recyclables and well as upgrading the MRF.

Background:

Strib Boynton advised that about 15 years ago the city got into the business of benchmarking and a bid to goal process where they looked at what the costs were in other communities to provide basic services as well as what the private sector required to provide services.

Bob Rella with HDR was present to provide Council with a presentation on the operation of the MRF.

In August of 2011 the City solicited proposals for competitive selection to perform a study on the City's MRF. They were teamed with a company called RRT Construction and Design out of Long Island, New York. They are a firm that specializes in recycling, the design of MRF facilities and the operation of MRF facilities. At that time they proposed to break down the work into four scopes. They did a Condition and Operations Assessment, they evaluated facility upgrade possibilities, they put together a Cost Benefit Analysis, and then they looked at the Furniture Market specifically and how it can improve service through the MRF facility.

After all the technical memorandums were reviewed with city staff, they authorized HDR to prepare a scope of services to move forward on the engineering and design in March of 2013. That work was broken down into three basic scopes: replacing existing balers, demolition of existing processing lines, and installation of new processing line. They were able to go out with an invitation to bid for both the baler and the processor. Final documents for review on the construction documents were issued in July.

The proforma is based on a debt service of a \$4.85 million investment (\$3.5 million for equipment and \$1.35 million for building renovations and upgrades). The material sales number is based on the ACRs and the materials sold as far as the debt service of \$4.85 million over 10 years at 0% interest. There is positive net revenue with the replacement and upgrade of the facility. The biggest impact is related to staffing. The current staffing at the facility is 26 permanent positions and on an average of 12 to 16 temporary positions during the peak periods (Furniture Markets). When they retrofit the facility they will only require 19 permanent staff and no temporary staff to operate the system. The upgrade gives the city the flexibility of looking at the commercial market and soliciting to other municipalities to bring their materials in and maybe at a higher tip fee.

Strib Boynton explained that this is something the City has been planning for several years and has been setting money aside for the project, and if Council should decide that we do not do it and contract those services out it would involve about ten to eleven months to go through a process of obtaining bids. Council Member Smothers stated that the recycling program has shown enormous growth and felt a lot of that could be attributed to public education and staff programs. Pat Pate stated in looking at the performa it does not include the capacity the MRF has to take recycling from other places, and so with time they hope more of that will come in from other communities.

Council Member Ewing asked if the City decides to privatize the facility how quickly would the City get rid of its assets, and could it be possible to hold those during the first year of the contract goes in case they need to come back to it. Chris Thompson advised that he did not feel they would be able to resell the property due to the land use restrictions on the property and it neighbors with the Seaboard Project and the old Riverdale Landfill. Strib Boynton stated that if Council decides it does not want to improve the MRF and contract it out, there are a number of people out there that have an interest in it, but there will be costs involved for the City of hauling the materials to wherever the facility is, or paying them to haul it to their facility.

Mr. Rella presented the advantages and disadvantages to privatizing the MRF. Privatizing will result in the city losing control of its facility. The market risks of entering into a private relationship with a firm will not result in getting the full benefit as it would when the City owned and operated its own MRF.

Mayor Sims stated when they first started talking about ramping up the whole recycling business in general, she felt that as a council they made a commitment to expanding what they were currently doing and felt that if the system is not broke we shouldn't try to fix it. Mayor Sims stated at this point she likes the fact that it does give the city control of the facility and there are no guarantees with outside vendors.

Chris Thompson stated that with the new footprint they will be able to keep on line at the MRF running during the upgrade.

Chris Thompson advised that Public Services has reduced 48 positions over the last decade and never had to layoff any employees. They have been able to find positions through vacancies in other divisions in another department.

Council Member Smothers stated that the marketplace has changed and they are seeing more and more promotion of recycled materials used in manufacturing new products. Council Member Smothers felt for many years there was the big problem with recycling, because they could collect it but there was not a market for it.

Council Member Ewing asked if there were economic development opportunities to identify small companies that are using recycled products that they might be able to attract and work out an arrangement that they could by their materials directly from the

MRF versus going through a middleman. Strib Boynton stated that he felt those opportunities were there.

Pat Pate reminded Council that the Furniture Market is a very unique component of recycling that they have in High Point that other communities do not have. The city picks up approximately 300 tons of cardboard per market.

Council Member Mendenhall made a motion, seconded by Council Member Smothers to authorize staff to proceed with the equipment purchase for the MRF and the upgrade and remodeling of the facility. Motion passed unanimously.

(Note: Council Member Moore excused himself from the meeting before the vote, and was advised by the City Attorney that his vote will be counted as a yes if there is a vote taken, and Council Member Moore stated he understood that.)

Boards & Commissions

Council Member Davis stated he sent an email to Council Members about the Parks & Recreation Commission having three members (Marshall Newsome, Hazel Rorie, and Ed Price) he would like to see reappointment of. Council Member Davis stated that he had a response from Council Member Moore that he would like to reappoint Mark Walsh to the Planning & Zoning Commission.

A motion was made by Council Member Smothers, seconded Council by Member Mendenhall to suspend the rules to make the reappointments to both the Parks & Recreation Commission and the Planning & Zoning Commission. Motion passed unanimously.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall for the reappointment of Mark Walsh to the Planning & Zoning Commission. Motion passed unanimously.

Mayor Sims stated that these were individual appointments and Council Member Davis could not make them. JoAnne Carlyle advised council that at least one of these individuals on the Parks & Recreation Board has been on there for the maximum amount of time. Randy McCaslin stated that Mark Walsh who was just appointed to the Planning Board has served for the maximum amount of times, the Development Ordinance states than an individual can serve no longer than two consecutive terms. Mr. McCaslin stated that if they wish to change that ordinance they can do so. Mr. McCaslin stated that reappointing Mr. Walsh violates council's policy. Council Member Smothers stated that they have violated that policy before in a general way.

Mark Walsh is Council Member Moore's assigned appointment.

Council Member Davis stated that Marshall Newsome expressed his willingness to serve on the Parks & Recreation Commission.

Mayor Sims made a motion, seconded by Council Member Davis to make the appointment of Marshall Newsome to the Park & Recreation Commission in the at large seat. Motion passed unanimously.

ADJOURNMENT

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

Respectfully Submitted,

Dawn J. Sparks, CMC
Deputy City Clerk

**COMPREHENSIVE PLANNING COMMITTEE
(COMMITTEE OF THE WHOLE)
AUGUST 5, 2013 – 3:30 P.M.
CITY MANAGER’S CONFERENCE ROOM**

MINUTES

PRESENT:

Committee Chair Smothers, Mayor Sims, Council Members Davis, Golden, Moore, Mendenhall and Wagner

ABSENT:

Council Members Douglas and Ewing

STAFF PRESENT:

Strib Boynton, City Manager; Pat Pate, Assistant City Manager; Randy McCaslin, Assistant City Manager; Jeron Hollis, Public Information; Lee Burnette, Director of Planning; Ed Brown, CD Project Director; Heidi Galanti, Senior Planner; Bob Robbins, Development Administrator; JoAnne Carlyle, City Attorney, Lisa Vierling, City Clerk; Dawn Sparks, Deputy City Clerk

OTHERS PRESENT:

Judy Stalder - TREBEC

MEDIA PRESENT:

Pat Kimbrough, *High Point Enterprise*

Strib Boynton introduced Caleb Ashley. Caleb is the son of Bruce Ashley an attorney with Smith Moore. Caleb is shadowing different departments within the City during the summer.

ZONING AND LAND USE DECISION-MAKING PROCESS

Background

Lee Burnette advised that the City is currently in the process of updating and revising the Development Ordinance, which includes zoning as well as all the environmental regulations. The first module meeting is scheduled for the 27th of August. The Advisory Committee has already reviewed the first module and they have made their comments. The first module deals with zoning’s subdivision process and the entire range of applications that developers and citizens may submit in order to get development approval. One of the issues that came up during the Advisory Committee discussion was if the City Council was going to delegate any approval authority to the Planning and Zoning Commission or to some other board or commission. In response to that inquiry

it was decided that issue should be debated and discussed by the City Council because Council is the one who should make those decisions. This issue has been discussed and debated several times in the past as well as recently.

If City Council wishes to make any changes as far as delegation authority it can be incorporated into the Development Ordinance rewrite. That decision can be made now, or at any time through a text amendment ordinance process changing the procedural aspects of the Development Ordinance. As far as delegating authority of the Planning & Zoning Committee to make street abandonment decisions or zoning decisions it will require a change in legislation obtained from the General Assembly.

Discussion

Council Member Smothers stated that in the Additional Options & Requirements section of the ordinance where it states several public hearing options exist and as a third option the Council can hold the only public hearing and the Planning & Zoning Commission holds a public meeting to make recommendations, and asked how that was different in what they are doing now. Mr. Burnette stated within these options there are always pros and cons. Currently the Planning & Zoning Commission advertises and holds "public hearings", and the Commission obtains comments from the public hearing. Some jurisdictions hold a "public meeting" and the Planning & Zoning Commission is under no obligation to advertise it as a public hearing. Mr. Burnette felt it was better for the Commission to hold public hearings that are advertised.

Council Member Davis noted that it looks as if the Planning & Zoning Commission and the Advisory Commission share the same authority, but in practice they are doing something totally different from each other. Mr. Burnette stated that this is the typical model for most of the larger jurisdictions. Council Member Davis asked if this should be defined further since this is the way the City operates. Lee Burnette stated there is no further defining needed unless Council wants to change how they do this.

Council Member Mendenhall stated that as defined by state law the City Council, Planning & Zoning Commission, and Board of Adjustment could be handled by anyone of those three bodies should the council make the recommendation to make it happen. Mr. Burnette stated that it is within Council's authority under current law and if there is a change in legislation other things could be possible.

JoAnne Carlyle noted for clarification purposes, the reason that it is set out that the Council, Planning & Zoning Board, and Board of Adjustment have different options in authority is the language in the statutes states that a City may adopt ordinances that do different processes, and it gives the Council the option of making those choices and how to set those up. The decisions of the Planning & Zoning Commission versus the Board of Adjustment are really straight forward in the General Statutes.

Council Member Davis asked if this is something that Council needs to change now. Mr. Burnette stated that historically this issue has come up several times, primarily because Guilford County and the City of Greensboro have delegated similar authority to

their Planning & Zoning Commission to make certain types of decisions. Past councils have decided not to pursue that. Council Member Smothers stated there is nothing more important as to how a city is shaped then the zoning decisions on properties and she felt that they should not defer approval authority to non-elected people to make those decisions. Council Member Mendenhall stated she agreed with Council Member Smothers. Council Member Davis felt that street abandonments could be taken away from Council and given to Planning & Zoning Commission. JoAnne Carlyle felt doing this would be an uphill battle with the legislature. Ms. Carlyle stated that when you talk about giving away property interest and taxpayer's money in property it could be hard to move that decision making authority to Planning & Zoning. Council Member Wagner stated that another option would be that Planning & Zoning would not hear street abandonment cases and they would come directly to Council, which will make the process more efficient.

Strib Boynton stated that as they try to speed up the process of issuing permits there are some things that Council can actually deal with to help the department with efficiency.

Council Member Smothers felt the change they made some years ago about coordinating the advertising public hearings with Council and Planning & Zoning Commission at the same time helped shorten the process. Lee Burnette stated that right now it is approximately a two week timeframe between the Planning & Zoning Commission and City Council.

Council Member Wagner distributed information regarding planning boards to Council Members.

Judy Stalder clarified that Guilford County and the City of Greensboro planning boards make the decision only if the decision is a unanimous decision and it is not appealed within two weeks, so anything that is not a unanimous decision automatically goes to Council and the Board of Commissioners. The reason they did this was to relieve the Council from so many public hearings.

Lee Burnette stated that the process currently is about as efficient as it could be given the legal notification requirements, which the only way to change that would be some kind of legislative change. Mr. Burnette stated that when they looked at their time frame of the process several years ago from the time of application to the time it comes before city council they found they were effectively very competitive time wise to most jurisdictions in comparable size with High Point.

Council Member Smothers stated she realized that High Point has not had as much development in the past couple years, but felt sure that anyone the Mayor would be willing to assist that person by calling a special meeting for anyone who had a project they wanted to move along faster. Strib Boynton stated that they have done this several times over the years to move things quickly.

Council Member Wagner asked if there has been any discussion about possibly trying to create a very streamlined and simplified legislative process for certain forms of development in the new UDO. Lee Burnette stated that there is a "preferred development option" which is more of the administrative approval process which the staff has just started having discussion about with the thought that there could be some type of administrative fast tracking.

Council Member Wagner stated that there has been some thought on the UDO Committee about what could be done to streamline the process and those options. Council Member Smothers suggested that what needs to be reinforced is the street abandonment process and their willingness to undertake that and also to encourage them to look at holding special meetings to assist a developers.

Council Member Mendenhall asked if the Board of Adjustment could handle the right of way encroachments. Lee Burnette stated that they have talked about right of way encroachments, and those that are above ground could be the process by the Council, and those that are below ground could be processed administratively and TRC. Mr. Burnette stated in the rewrite process they have codified a lot of the unwritten procedures, such as easement reconveyance and right of way encroachments.

Council Member Moore asked how the technology piece of the process is coming along. Mr. Burnette stated that the hardware is in place and the software is in place and ready to be configured. Currently the departments involved have been working the consultant to in essence write a document that says how we want to work. It will implement a variety of streamlining measures because they will be able to simultaneously in many cases to review things. This document has not been completed yet, and when it is it will be turned over to the consultant for them to configure the system and then testing before it goes live to the public. They still are looking at a June 30, 2014 date for that. The intent that anything that is a walk in service will be online.

CONSTRUCTION PLAN REVIEW PROCESS

Changes Made Last Year

- Lee Burnett stated the Planning Department converted a building inspector position that was vacated into a full time plan reviewer. That person is primarily dedicated to reviewing residential plans, with the intent to speed up the residential planning process.
- They insure now that all permit submittals are entered into the system on the same day.
- A master plan review process was established for residential construction, where if a builder wants to reuse a plan they have an option if the previous plan was adopted they can go straight towards permit off of.

- They revised the residential plan standards for better guidelines and better submittals.
- Five day benchmarks were established of a five business day review cycle for residential construction and twenty business days for review of commercial construction.
- Business license submittals that come into the office through customer service is reviewed twice a day.
- They established a customer inquiry protocol to handle the cold calls, which would allow the plan reviewers to have blocks of time that they could conduct plan reviews.

Activity in 2013

The Department has seen a significant increase in construction activity. This does not mean all new construction but includes additions of any kind. In July the department has seen a total of 127 plan submittals, which is the largest they have had in a number of years for a single month.

The Planning Department had a vacancy with one of the commercial plan reviewers and that position was vacated from March until August. They had to redirect staff resources over time to assist in the commercial plan review process, which did impact some of the commercial plans as well as some of the residential plans.

Benchmarking data from the School of Government shows that High Point was severely impacted from the loss of the position in the months of March, April and May which caused residential plan reviews to drop significantly in terms of the five-day benchmark. They have been averaging the first seven months of 2013 about seven business days turnaround time in the residential permitting process and just under five days in terms of the actual plan review of the staff.

There were about 40 plans that did not meet the five day benchmark out of 210 that were submitted.

All but 3% of the commercial reviews met the benchmarks. They have been averaging about 14 days for total permit time.

Strib Boynton asked what it would take to get the department's time down from the five days on residential permits to three days and commercial down to 10-15 days. Mr. Burnette stated that they would need another plan reviewer and another permit specialist.

Council Member Davis stated that as a builder, he felt that they did not need a residential plan reviewer at all, and asked when a master residential plan already in the system, why should that building have to go through plan review. Council Member

Davis felt that this should not need a plan review. There is also a window inspection that is not required in the code book and it delays the frame inspection, which slows up the process. Council Member Davis felt that there are some issues like these that if they changed it could speed up the process. Lee Burnette stated that most jurisdictions do residential plan review and find a benefit from it. The permitting of building additions would require some more staff resources to be able to do that, not just because of the residential component but also the building set back and that type of information. They also have a lot of environmental issues with building addition permits, and it does require review. Council Member Davis felt if someone comes in with all their paperwork that it should be very easy to do. Lee Burnette stated that the permit specialist they have added will not only be taking permits, but they will be taking subdivision plans, erosion control plans and getting them put into the system.

Lee Burnette stated they have done a lot to apply consistency with the inspectors, and felt they have to have a good organization in place where they have a good consistency in plan review and the inspection process together.

Strib Boynton stated that right now the goal is to get the commercial permitting process down to 10-15 days and find out what that will require. The department has just recently added another plan reviewer on staff, and they would like to see how this will improve the process. Mayor Sims stated that she appreciates the fact that they want to see where they will be with the additional staff member, but at the same time requested that they come back in thirty days with their recommendations on what it will take to decrease the permitting process.

ADJOURNMENT

The meeting adjourned at 4:40 p.m. on a motion duly made and seconded.

Respectfully Submitted,

Dawn J. Sparks, CMC
Deputy City Clerk

Council Member Smothers,
Committee Chair

**ADJOURNED SESSION
AUGUST 8, 2013 – 9:00 A.M
THIRD FLOOR CONFERENCE ROOM**

MINUTES

PRESENT:

Mayor Sims, Council Members Davis, Ewing, Golden, Mendenhall, Moore, and Smothers

ABSENT:

Council Members Wagner and Douglas

STAFF PRESENT:

Strib Boynton, City Manager
Pat Pate, Assistant City Manager
Randy McCaslin, Assistant City Manager
Eric Olmedo, Budget Office
Jeff Moore, Director of Finance

Chris Thompson, Director of Public Services
Terry Houk, Assistant Director of Public Serv.
Lisa Vierling, City Clerk
Dawn Sparks, Deputy City Clerk

OTHERS PRESENT:

Bob Rella, HDR Engineering, Inc. of the Carolinas

MEDIA PRESENT:

Pat Kimbrough, *High Point Enterprise*

OVERVIEW OF MAJOR WATER SEWER BOND PROJECTS

Westside Phase III Project

Chris Thompson stated that they are waiting on authorization for construction of the project. Drawings and specs have been submitted to the State for final review. The State has promised to get them back to us within thirty days. The City's consultant will then respond to any comments they have within the following thirty days. It is hoped to have the project scheduled and advertised November 1, 2013, bids on November 13, and bring recommendation to Council the first week of December and then do a notice to proceed with construction starting in February of 2014. The duration of that project is 36 months. There will be a second project within that contract for the stream restoration for Rich Fork Creek. The total estimated cost for the project is \$33 million. This project consists of the expansion of the plant increasing from 6.2 to 8.2 million gallons and ultimately up to 10 million gallons on the stream restoration results.

The only obstacles anticipated is when they obtain easements for the stream restoration.

Solids Handling Improvements – Incinerator Project

In working with the consultant they have decided to get the way project moving is through procurement contracts. The incinerator is a part of that project. They are trying to get all the parts together up front so they can determine upfront how everything is going to fit together. The costs of the incinerator procurement are anticipated to be \$5.7 million. Advertising for bids will be in September 2013. The delivery of all the equipment to the site is in November 2014, so there is a lag time. The centrifuge procurement estimated costs are \$1 million. It is to be advertised in February of 2014. The cake pumps and silo procurement is about \$1.23 million and to be advertised in February 2014. Final design will start in January. They will advertise to bid the project in July 2014 and then will issue a Notice to Proceed in October of 2014. A completion date of March 2016 is anticipated, with a total cost of \$16 million.

Council Member Davis asked why the costs are \$16 million, he recollected talking earlier in the year about it being \$8 million. Mr. Thompson stated that \$8 million is for the contractor, the materials will cost about \$8 million in addition to that.

Council Member Moore asked what the intent behind the two projects were. Mr. Thompson stated that the Westside project is for preparation of future growth. The plant is now at 6.2, and they have already upgraded the front end of the plant and the back end of the plant, and are looking at a 20 year plan, with the idea to go ahead and get the plant up to 10 million gallons per day. Council Member Smothers stated the expansion is one thing, but they are also under order of consent to upgrade the plan, so it had to bring the plant up to a different standard by the state. Chris Thompson explained when all this started around in the late 90s, they were having a lot of issues with the plant. That is when the Special Order By Consent came into being. It was in early in 2000 and they started doing all the things to comply. All timelines were met for that and have since been released from the Order. Terry Houk stated that currently there is a concern of high load plus more concern to staff is that they are over-allocated on load coming to the plant. It is hard to stay in compliance when that much load is coming in. What triggered the SOC initially was Westside because had several mechanical failures and the plant flooded. Because of all those issues the plant went onto the EPA's significant noncompliance list.

Pat Pate stated that both the expansion and the incinerator require upgrades to meet the federal standards. There are penalties if they do not meet the standards.

Chris Thompson explained that they looked at four different options regarding the incinerator. They looked into contract options, land filling it, looked at a dryer bed, and looked at upgrading the incinerator. Since an incinerator is already in place they found the best option would be the upgrade of the incinerator. If they had to spend more than 50% for upgrading then they would be looking at other options.

Council Member Smothers noted that the city was paying over \$200,000 a year in fines at times because it was discharging. Strib Boynton stated that in looking at the history of waste water treatment, the City has invested a lot with the new Eastside plant, the

Deep River Outfall line, and now the Westside plant and all the collection lines into it. This upgrade will be the final big piece of the entire plan. There will always be costs for upgrades going forward.

Council Member Davis asked what the additional \$6 million is for. Mr. Boynton stated that they will be having a water storage tank and some distribution lines that need upgraded.

Council Member Davis asked how they will pay for this if they issue \$55 million in bonds. Pat Pate stated that these are all built into the rate calculations.

Mayor Sims asked what the downside of going with an outside contractor was. Mr. Thompson stated there was not cost savings to it. Terry Houk stated that the closest two options were the landfill and incineration.

130208 Budget Ordinance Amendment – Front Loader Refuse Collection Truck

Adoption of a budget ordinance amending the 2013-2014 Budget Ordinance to appropriate funds in the amount of \$213,599.00 for a front loader.

130209 Contract – Bid No. .08 – Front End Loader Cab/Chassis

Approval of contract awarding Bid NO. 08 for the purchase of a new 2014 Peterbuilt 320 cap and chassis. Purchasing and the Fleet Services Division recommends that contract be awarded to Piedmont Peterbuilt, LLC in the amount of \$126,333.00; and combined with the purchase of a New Way Mammoth 40 yard heavy duty front loading body in the amount of \$87,266.00.

(Note: These items were continued from the August 5, 2013 City Council Meeting to receive further information and discussion at today's meeting. The discussion for these two items was jointly held.)

Strib Boynton stated that in May Council discussed the purchase of the garbage truck. The savings are to be about \$140,000 a year by buying the truck and picking up garbage from apartments and townhomes versus contracting out.

Council Member Smothers stated she had raised the question about it as they talked during the budget process, and some of it relates back to the enterprise fund issues. Mayor Smothers stated that she understood after speaking to Mr. Pate that the \$5 fee was covering all residential users and the city's previous commitment to treat apartments as residential customers. Council Member Smothers stated some apartments handle collection differently and if the City should give these a different option.

Chris Thompson stated that if they allow apartments to do their own, they would have to have some type of written documentation that they had chosen to do that. Pat Pate stated there is discussion that there are a few apartments out there that have elected to have a type of container that the city would not be able to pick up, and those people are paying for someone else to come and pick up their containers.

Pat Pate stated the savings based on the front end loader are based upon just the contract the City has right now to pick up the apartment complexes. Based on that number versus what it would cost to hire a position for the truck and put that route out there is the \$137,000 in savings.

Pat Pate said currently they are using an old truck that can pick up the recyclables from the fire stations that operates about half a day. This truck is used only on a limited basis. If they buy a new truck, we have the ability to actually use it on a full time basis. The pickup service for the apartment complexes will be a once a week service.

Mayor Sims asked if this same truck also proposed to be used if they do the business recycling if they decide to. Mr. Thompson said this would be something they would have to look at as the program grows. Mr. Thompson felt they could initiate that. The business recycling truck is proposed to be a separate truck.

Council Member Davis asked if the employee who runs the truck a half a day now will be given the opportunity to run this truck. Mr. Thompson stated he would not know.

Council Member Moore asked how this translates to the private persons in respect to savings. That service is already being provided, we are just contracting it. If we get this truck the city will do it, and that is where the savings are.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall to adopt a Budget Ordinance Amendment amending the 2013-2014 Budget Ordinance to appropriate funds in the amount of \$213,599.00 for a front loader refuse collection truck, and approval of a contract awarding the purchase of a new 2014 Peterbuilt 320 cab and chassis to Piedmont Peterbuilt, LLC in the amount of \$126,333.00 and combined with purchase of a New Way Mammoth 40 yard heavy duty front loading body in the amount of \$87,266.00. The motion passed unanimously.

Council Member Moore requested that after a year of running the truck that they come back with the justified savings.

Material Recovery Facility (MRF) Project Update

Strib Boynton advised that when they looked into the costs of private collection versus what the costs would be for the city to do the collection the numbers show a savings in the range of \$360,000 if the city continues with the collection of recyclables and well as upgrading the MRF.

Background:

Strib Boynton advised that about 15 years ago the city got into the business of benchmarking and a bid to goal process where they looked at what the costs were in other communities to provide basic services as well as what the private sector required to provide services.

Bob Rella with HDR was present to provide Council with a presentation on the operation of the MRF.

In August of 2011 the City solicited proposals for competitive selection to perform a study on the City's MRF. They were teamed with a company called RRT Construction and Design out of Long Island, New York. They are a firm that specializes in recycling, the design of MRF facilities and the operation of MRF facilities. At that time they proposed to break down the work into four scopes. They did a Condition and Operations Assessment, they evaluated facility upgrade possibilities, they put together a Cost Benefit Analysis, and then they looked at the Furniture Market specifically and how it can improve service through the MRF facility.

After all the technical memorandums were reviewed with city staff, they authorized HDR to prepare a scope of services to move forward on the engineering and design in March of 2013. That work was broken down into three basic scopes: replacing existing balers, demolition of existing processing lines, and installation of new processing line. They were able to go out with an invitation to bid for both the baler and the processor. Final documents for review on the construction documents were issued in July.

The proforma is based on a debt service of a \$4.85 million investment (\$3.5 million for equipment and \$1.35 million for building renovations and upgrades). The material sales number is based on the ACRs and the materials sold as far as the debt service of \$4.85 million over 10 years at 0% interest. There is positive net revenue with the replacement and upgrade of the facility. The biggest impact is related to staffing. The current staffing at the facility is 26 permanent positions and on an average of 12 to 16 temporary positions during the peak periods (Furniture Markets). When they retrofit the facility they will only require 19 permanent staff and no temporary staff to operate the system. The upgrade gives the city the flexibility of looking at the commercial market and soliciting to other municipalities to bring their materials in and maybe at a higher tip fee.

Strib Boynton explained that this is something the City has been planning for several years and has been setting money aside for the project, and if Council should decide that we do not do it and contract those services out it would involve about ten to eleven months to go through a process of obtaining bids. Council Member Smothers stated that the recycling program has shown enormous growth and felt a lot of that could be attributed to public education and staff programs. Pat Pate stated in looking at the performa it does not include the capacity the MRF has to take recycling from other places, and so with time they hope more of that will come in from other communities.

Council Member Ewing asked if the City decides to privatize the facility how quickly would the City get rid of its assets, and could it be possible to hold those during the first year of the contract goes in case they need to come back to it. Chris Thompson advised that he did not feel they would be able to resell the property due to the land use restrictions on the property and it neighbors with the Seaboard Project and the old Riverdale Landfill. Strib Boynton stated that if Council decides it does not want to improve the MRF and contract it out, there are a number of people out there that have an interest in it, but there will be costs involved for the City of hauling the materials to wherever the facility is, or paying them to haul it to their facility.

Mr. Rella presented the advantages and disadvantages to privatizing the MRF. Privatizing will result in the city losing control of its facility. The market risks of entering into a private relationship with a firm will not result in getting the full benefit as it would when the City owned and operated its own MRF.

Mayor Sims stated when they first started talking about ramping up the whole recycling business in general, she felt that as a council they made a commitment to expanding what they were currently doing and felt that if the system is not broke we shouldn't try to fix it. Mayor Sims stated at this point she likes the fact that it does give the city control of the facility and there are no guarantees with outside vendors.

Chris Thompson stated that with the new footprint they will be able to keep on line at the MRF running during the upgrade.

Chris Thompson advised that Public Services has reduced 48 positions over the last decade and never had to layoff any employees. They have been able to find positions through vacancies in other divisions in another department.

Council Member Smothers stated that the marketplace has changed and they are seeing more and more promotion of recycled materials used in manufacturing new products. Council Member Smothers felt for many years there was the big problem with recycling, because they could collect it but there was not a market for it.

Council Member Ewing asked if there were economic development opportunities to identify small companies that are using recycled products that they might be able to attract and work out an arrangement that they could by their materials directly from the

MRF versus going through a middleman. Strib Boynton stated that he felt those opportunities were there.

Pat Pate reminded Council that the Furniture Market is a very unique component of recycling that they have in High Point that other communities do not have. The city picks up approximately 300 tons of cardboard per market.

Council Member Mendenhall made a motion, seconded by Council Member Smothers to authorize staff to proceed with the equipment purchase for the MRF and the upgrade and remodeling of the facility. Motion passed unanimously.

(Note: Council Member Moore excused himself from the meeting before the vote, and was advised by the City Attorney that his vote will be counted as a yes if there is a vote taken, and Council Member Moore stated he understood that.)

Boards & Commissions

Council Member Davis stated he sent an email to Council Members about the Parks & Recreation Commission having three members (Marshall Newsome, Hazel Rorie, and Ed Price) he would like to see reappointment of. Council Member Davis stated that he had a response from Council Member Moore that he would like to reappoint Mark Walsh to the Planning & Zoning Commission.

A motion was made by Council Member Smothers, seconded Council by Member Mendenhall to suspend the rules to make the reappointments to both the Parks & Recreation Commission and the Planning & Zoning Commission. Motion passed unanimously.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall for the reappointment of Mark Walsh to the Planning & Zoning Commission. Motion passed unanimously.

Mayor Sims stated that these were individual appointments and Council Member Davis could not make them. JoAnne Carlyle advised council that at least one of these individuals on the Parks & Recreation Board has been on there for the maximum amount of time. Randy McCaslin stated that Mark Walsh who was just appointed to the Planning Board has served for the maximum amount of times, the Development Ordinance states than an individual can serve no longer than two consecutive terms. Mr. McCaslin stated that if they wish to change that ordinance they can do so. Mr. McCaslin stated that reappointing Mr. Walsh violates council's policy. Council Member Smothers stated that they have violated that policy before in a general way.

Mark Walsh is Council Member Moore's assigned appointment.

Council Member Davis stated that Marshall Newsome expressed his willingness to serve on the Parks & Recreation Commission.

Mayor Sims made a motion, seconded by Council Member Davis to make the appointment of Marshall Newsome to the Park & Recreation Commission in the at large seat. Motion passed unanimously.

ADJOURNMENT

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

Respectfully Submitted,

Dawn J. Sparks, CMC
Deputy City Clerk

**HIGH POINT CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS, HIGH POINT MUNICIPAL BUILDING
AUGUST 19, 2013 – 4:45/5:30 P.M.**

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE

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

Mayor Bernita Sims, Mayor Pro Tem Britt Moore (At-Large), Council Member Rebecca Smothers (At-Large), Council Member Jeffrey Golden (Ward 1), Council Member Foster Douglas (Ward 2), Council Member Judy Mendenhall (Ward 3), Council Member Jay Wagner (Ward 4), Council Member James Davis (Ward 5), and Council Member Jason Ewing (Ward 6)

REGULAR MEETING ITEMS

FINANCE COMMITTEE - Mayor Pro Tem Moore, Chair

Members: Wagner, Davis and Sims

(all were present)

130217 Budget Ordinance Amendment - Planning and Development Inspections Staff

Adoption of an ordinance amending the 2013-2014 Budget Ordinance to appropriate funds in the amount of \$88,000.00 for additional Planning and Development Inspections Staff.

Attachments: [Budget Ordinance Amendment - Additional Inspections Staff](#)

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting. The Committee recommended this matter be referred back to the Finance Committee for further discussion.

Referred to the Finance Committee.

A motion was made by Council Member Mendenhall, seconded by Council Member Smothers, that this Ordinance be referred to the Finance Committee for further discussion. The motion PASSED by a 9-0 unanimous vote.

130218 Purchase of Equipment - Ford F750 Dump Trucks

Council is requested to authorize staff to purchase two (2) Ford F750 Dump Trucks from Piedmont Truck Center in the amount of \$115,552 each for a total contract price of \$231,104.00. These vehicles will be used by the Streets Division and will be equipped with snow plows and salt spreaders.

Attachments: [Dump Truck-Snow \(8-19-13\)](#)

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

Approved the purchase of two (2) Ford F750 Dump Trucks from Piedmont Truck Center in the amount of \$115,552 each for a total contract price of \$231,104.00.

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

130219 Purchase of Equipment - John Deere 624K Wheel Loader

Council is requested to authorize staff to purchase a 2013 John Deere 624H Wheel Loader from James River Equipment Company in the amount of \$177,653.60. This equipment will be used at the Ingleside Compost Facility.

Attachments: [Wheel Loader-Ingleside \(8-19-13\)](#)

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

Approved the purchase of a 2013 John Deere 624H Wheel Loader from James River Equipment Company in the amount of \$177,653.60.

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

130230 Review of Health Insurance Coverage for City Council Members

At the request of Council Member Mendenhall, Council is being asked to review the current council-established policy regarding health insurance coverage and costs associated with the same.

Council Member Mendenhall commented on the health insurance issue for elected officials and expressed concerns that the taxpayers are being asked to pick up a portion for elected officials, who in her opinion, are considered part-time. In light of some of the recent budgetary concerns expressed, she felt this was one of the policies that Council should review and determine if Council feels it wise to continue.

Referred this matter to the Finance Committee for further discussion.

A motion was made by Council Member Mendenhall, seconded by Council Member Wagner, that this matter be referred to the Finance Committee for further discussion. The motion PASSED by a 9-0 unanimous vote.

COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers, Chair

130220 Resolution of Intent - Street Abandonment Case 13-11

Approval of a Resolution of Intent that establishes a public hearing date of September 16, 2013 at 5:30 p.m. to consider a request by High Point University to abandon all of the southern terminus of Meadowbrook Boulevard lying west of N. College Drive and north of Boundary Avenue.

Attachments: [ROI SA13-11](#)

Adopted a Resolution of Intent establishing a public hearing date of September 16, 2013 at 5:30 p.m. to receive public comment on a request by High Point University to abandon all of the southern terminus of Meadowbrook Boulevard lying west of N. College Drive and north of Boundary Avenue.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this Resolution of Intent be adopted. The motion PASSED by a 9-0 unanimous vote.

**Resolution No. 1325/13-48
Introduced 8/19/2013; Adopted 8/19/2013
Resolution Book, Volume XVIII, Page 48**

130221

Resolution of Intent - Street Abandonment Case 13-12

Approval of a Resolution of Intent that establishes a public hearing date of September 16, 2013 at 5:30 p.m. to consider a request by the Technical Review Committee to abandon an unimproved right-of-way lying approximately 300 feet west of Francis Street, running in an north to south direction, between Model Farm Road and Jay Place.

Attachments: [ROI SA13-12](#)

Adopted a Resolution of Intent establishing a public hearing date of September 16, 2013 at 5:30 p.m. as the date and time to receive public comment regarding a request by the Technical Review Committee to abandon an unimproved right-of-way lying approximately 300 feet west of Francis Street, running in a north to south direction, between Model Farm Road and Jay Place.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this Resolution of Intent be adopted. The motion PASSED by a 9-0 unanimous vote.

**Resolution No. 1326/13-49
Introduced 8/19/2013; Adopted 8/19/2013
Resolution Book, Volume XVIII, Page 49**

130222

Resolution of Intent - Street Abandonment Case 13-13

Approval of a Resolution of Intent that establishes a public hearing date of September 16, 2013 at 5:30 p.m. to consider a request by the Technical Review Committee to abandon an unimproved right-of-way, lying south of the intersection of Meridian Avenue and Oaklawn Street.

Attachments: [ROI SA13-13](#)

Adopted a Resolution of Intent establishing the date of September 16, 2013 at 5:30 p.m. as the date and time to receive public comment regarding a request by the Technical Review Committee to abandon an unimproved right-of-way, lying south of the intersection of Meridian Avenue and Oaklawn Street.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this Resolution of Intent be adopted. The motion PASSED by a 9-0 unanimous vote.

**Resolution No. 1327/13-50
Introduced 8/19/2013; Adopted 8/19/2013
Resolution Book, Volume XVIII, Page 50**

Statement by Council Member Foster Douglas

_____ Transcript of Statement by Council Member Douglas _____

Note: A copy of Council Member Douglas' statement as well as handouts distributed will be entered in Exhibit Book, Volume X, Page 70 as a permanent part of these proceedings.

Council Member Douglas: *I have a statement that I'm going to read from, plus I have some copies of some different items that I want to pass out as well. A lot has been said over the last two or three weeks and what appeared to me that one has taken the time to ask what is really going on. It was in my opinion, clear to me what was happening. And that was the attempt to divert attention and questions away from, to me, what was obvious. On August 6th, we learned from the Enterprise as they published an article, of our manager using taxpayer's dollars to pay for the Mayor's sister to fly to Boston. I would ask the manager...is there a policy that gives him permission to use taxpayer city funds to loan to council members. I would ask how many trips from council members families have we paid for in the past, for what cost to the taxpayers, and was all those funds reimbursed to the city. You consider yourself a loan officer using city funds? I also have a handout here that will...as you can see from this handout, it says it is apparent by the manager's August 8th email that there is no policy in place which gives the manager the authority to make such loans to council members and one can easily conclude that this loan is a perk, gift and a benefit that can be used to serve his own agenda. It is in my opinion, safe to conclude that without a policy in place to give the city manager permission to use the city funds for the purpose of paying for fares for city council member's spouses or family members, he has clearly acted of his own authority and I feel is the misappropriating of city funds. Each different occasion, the city manager has made this decision are separate instances, I feel, of misappropriating of these city funds. On March the 12th I emailed the city manager and I asked him for information--copies of all the past council members, present city council members that was or are on the city health plan. He replied and sent me the information in an attachment. I started to review this information. The first thing I noticed was the various council members that was and are still accepting city health insurance coverage, which is individual or family coverage. This spreadsheet also showed that each council member was paying and how much the taxpayers are paying for them. It caught my attention for a number of reasons. One was that the amounts being paid by the city did not add up. And if I may point out to your attention on page 3 of that handout, the city manager sent out an email of September 13th of 2010 responding to then a question of a candidate for city council inquiring about city council members on the city health plan. The manager responded saying it was voted on by city council and passed in 2006. Let's look at employee #11578 Mr. Whitley, start date 4/1/06, stop date 3/31/07. If you add that line across it equals \$711-a difference of \$596.86 from what the 2006 email sent out by the manager showed which was \$1,307.86. I feel that unless the manager has an explanation for the difference in funds, on its face it appears to be fuzzy math. Where is the remainder of these funds that was indicated in 2006? Must I remind everyone that this is information the manager provided. I did not create these documents. Which leads to an even bigger question that would be if this health plan was voted on and approved by the city manager in 2006 to add city council members to the health plan, then why is it showing Mr.*

Whitley being on the health plan, start date 4/1/05? My previous colleagues said the city council voted this approval to assist an ill colleague who could not afford medical insurance. In light of this discovery, it would appear it was passed to make it legal for Mr. Whitley who was already on city coverage. I also find it strange that Mr. Whitley was chair of the Finance Committee during the time of his early health coverage and also when the manager's contract was amended from six month's severance pay to one year's severance pay. One then could suspect of being in clear violation of ethics hinging on possible criminal activity. Now I will ask my colleagues that with this information that you have before you...there is a fiduciary responsibility to seek the truth no matter where it may lead you. Or you may fall short or wanting to know what the truth is if no action is taken. Now when we talk about how much colleagues have cost taxpayers since they've joined this health insurance plan. According to the numbers that was handed out in the '06 email from the manager, it has cost the taxpayers \$207,355.65. I, myself, chose not to be on this health plan and in return saved the city to date \$56,935.59. Over the course of my term on city council which would equal to the amount that The Shakespeare Festival wants forgiveness for their utility bill which is \$57,897.75. And I would also conclude with council that the information that was sent out about me being....going to Boston is false because I never went on the Boston trip. I never registered for the trip. I never even asked to go. So how could this show me having gone to Boston or even....well for the most part registering for a Boston trip which I have never taken?

Now it is....like I said earlier, it is incumbent of us as city council members. We all have a fiduciary responsibility to the press, I mean to our constituents, our taxpayers who we should have our allegiance to. Not once have I gone to the press or any other time to talk about anything other than city business. I do not feel that it was incumbent of my colleagues to run to the press when they really don't even know what the full story is or neither did they take the time to ask. So Madam Mayor, I would like to make a motion, but I would not like to make it at this time.

Mayor Sims: *Is that it Councilman Douglas?*

Council Member Douglas: *Yes Madam Mayor that is it for now.*

Mayor Sims: *Are there any comments, questions by any members of Council regarding the presentation by Councilman Douglas?*

Mayor Pro Tem Moore: *I don't have any questions at this time. It's a lot of information that he obviously took time to put together, but I will tell my colleague, Mr. Douglas, as far as running to the press....I'll speak for myself. I didn't run to the press, they ran to me. That's all I've got to say at this time.*

Council Member Mendenhall: *I did not either...approach the press. I was approached.*

Council Member Golden: *Neither did I approach the press, but I will ask a couple of questions since Councilman Douglas has intentions on making a motion at some time regarding this information. I would like some clarity on.....or maybe it was just oversight or a typo or whatever...on how we registered him for an event that he didn't go to. And also if staff can look into how someone was receiving health benefits prior to when they were available to Council. Just to clarify that before we discuss it.*

City Manager Strib Boynton: *Let me answer that. In terms of the trip to Boston. I don't believe he went to Boston. He asked to go and we registered him to go, but even the record that he passed out did not say he went, it just said he registered for it. His travel expenses that year were for a trip to Washington, D.C. So that should clarify that. In terms of when Mr. Whitley got his group health insurance I have no idea. Everybody else is down here for April of '06 and why it says April of '05 I*

have no idea. We can certainly get that for you and research that if you'd like us to, but I don't remember. That was 6-7 years ago and I don't remember, but we'll get that information for you.

Council Member Douglas: *So you're saying that you don't know how he got on that health plan? Is that what you're saying? This is an email that came directly from you.*

City Manager Strib Boynton: *Yeah, it's a form-not a form that I prepared. I believe somebody asked for....you asked for who was on city health insurance and that is the form that came back. And maybe that's an error on him for April '05. I don't know Mr. Douglas, but we will certainly find out what happened there. I don't know, but I know that the Council did approve council members having insurance and we didn't do it on our own.*

Council Member Douglas: *Well, can you explain the numbers? The numbers don't add up either. I mean according to this email that you sent out in '10, family coverage...the monthly total on family coverage was \$1,307.*

City Manager Strib Boynton: *We'd have to look at that and we'd be happy to do that for the Council.*

Mayor Sims: *Any other questions, comments?*

Council Member Smothers: *I think for some of the public, who may be somewhat confused about travel arrangements. Normally the city staff does book registration at whatever venue is being...wherever it is you're going and also will arrange travel. That is done to try to insure that you get the best rate that you can get depending on when that council person is going to go. In the past, it's been my understanding some people have asked for cash advances-not this Council, but in the past. And that money had to be accounted for when the person returned. Everybody is not fully capable of funding everything and I think that there has been at least the part of....at least one situation in which accommodations were made for someone who did not have the income to make the trip, but they were legitimate costs associated with it. At any rate, there has never been to my knowledge any intent to pay for anything with tax dollars that was not allowable. And you elect us, so you decide who is trustworthy and who is honest by your vote. Our performance may differ.*

Mayor Sims: *Any other comments?*

Council Member Mendenhall: *The only comment I would make, Madam Mayor, does relate to the health insurance issue. I don't know who is covered if anyone is on this particular Council, but I do think in today's world with the economy that we're all facing...for the taxpayers to pick up a portion of health coverage for elected officials who are part-time-we could argue part-time-but who are supposedly part-time is probably not the best use of taxpayer dollars. I have no ill-will against anybody who may have opted to do that because certainly the policy is in place that it's available. But perhaps in light of some of the budgetary concerns that we had, that's a policy among others that this Council needs to take a look at just to see if that's something this Council thinks it wise to continue. Certainly not something staff is doing on their own. It is a council-established policy. So perhaps, Madam Mayor and Mr. Mayor Pro Tem, this is something that the Finance Committee also might want to take a look at about what it might actually cost per elected official because there is a cost. The elected official pays a part, but there is a cost and perhaps that's something that we want to consider changing that policy.*

Council Member Wagner: *Is that a motion to refer it to the Finance Committee?*

Council Member Mendenhall: *Yes, I'll do that.*

Council Member Wagner: *Okay, if it is, I'll second that.*

Mayor Sims: I have a motion and a second to refer to the Finance Committee a review of the health insurance as it relates to council members and have a discussion regarding whether this is a policy we want to have moving forward. Is there any additional discussion regarding this particular motion? [none] Seeing none, all those in favor, signify by saying Aye.

Sims, Moore, Smothers, Golden, Douglas, Mendenhall, Wagner, Davis, and Ewing: Aye.

Note: *For the referral of the review regarding health insurance for elected officials, please see Matter #130230.*

Mayor Sims: Is there any additional discussion, or conversation regarding anything that has been said in the last few minutes? [none] I think we can move forward with staff's report on the Comprehensive Planning Committee, so I'll refer to Council Member Smothers.

[end of transcript]

PUBLIC HEARINGS - 5:30 P.M.

COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers, Chair

130223 Ordinance - Annexation 13-03 - Larry E. Holbrook and Ursula A. Holbrook

A request by Larry E. Holbrook and Ursula A. Holbrook to consider a voluntary contiguous annexation of a five (5) acre parcel located along the east side of Deep River Road, approximately 215 feet south of Sunset Hollow Drive (2034 Deep River Road).

Attachments: [Annex Ordinance 13-03 - Holbrook](#)

The public hearing for this matter was duly held as advertised on Monday, August 19, 2013 at 5:30 p.m.

Herb Shannon 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 a voluntary contiguous annexation of this property in order to obtain access to city utilities.

Following the presentation of the staff report, Chairwoman Smothers opened the public hearing and asked if there were any comments regarding this matter. There being no one present to offer any comments, the public hearing was declared closed.

Adopted Ordinance providing for the annexation of this property, which is to be effective upon adoption.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this Ordinance be adopted. The motion PASSED by a 9-0 unanimous vote.

Ordinance No. 7002/13-34
Introduced 8/19/2013; Adopted 8/19/2013
Ordinance Book, Volume XVIII, Page 34

130224 Ordinance - Rezoning Case 13-06 - U-Haul of Central North Carolina

A request by U-Haul of Central North Carolina to rezone approximately 0.97 acres from the Residential Single Family-7 (RS-7) District to a Conditional Zoning Highway Business (CZ-HB) District. The site is lying south of Newell Street and west of Clark Place.

Attachments: [Rezoning Case 13-06 - U-Haul of Central NC](#)
 [Adopted CZ Ordinance Z13-06 \(08-19-13\)](#)

*The public hearing for this matter and related matter **130225 Street Abandonment 13-10-U-Haul of Central North Carolina** was held as duly advertised on Monday, August 19, 2013 at 5:30 p.m.*

Herb Shannon of Planning & Development provided an overview of the staff report for both the Rezoning Case 13-06 as well as Street Abandonment 13-10. [although the staff report for both matters were provided simultaneously, separate action was taken on both matters]. The staff report is hereby attached in Legistar as a permanent part of these proceedings.

Chairwoman Smothers asked if the ingress/egress issue would be put in a condition because she felt it needs to be clear in the record that it is not bound by anything in connection with the city. Mr. Shannon explained that the ingress/egress easement would be recorded and the easement would run with the land, not with the property ownership. Mayor Sims asked the applicant about the location currently being used by employee parking and if they plan on changing the configuration of the property due it being tight. Jason Grider, Marketing Company President, explained that they are currently parking in front of storage rooms scattered throughout the property and it would not really change the ingress or egress out of the property.

At this time, Chairwoman Smothers opened the public hearing and asked if there was anyone present who would like to speak for or against the rezoning portion of the request or the street abandonment. There being no comments, the public hearing was closed.

Adopted Ordinance providing for the rezoning of this property from the Residential Single Family-7 (RS-7) District to a Conditional Zoning Highway Business (CA-HB) District based on consistency with the City's adopted plans and adoption of the statements contained in the Staff Analysis section of the staff report. Additionally, the City Council finds this action to be reasonable and in the public interest.

A motion was made by Council Member Smothers, seconded by Council Member Ewing, that Rezoning Case 13-06 be approved. The motion PASSED by a 9-0 unanimous vote.

Ordinance No. 7003/13-35
Introduced 8/19/2013; Adopted 8/19/2013
Ordinance Book, Volume XVIII, Page 35

130225 Resolution - Street Abandonment 13-10 - U-Haul of Central North Carolina

A request by U-Haul of Central North Carolina to abandon the southern 228 feet of Clark Place, a partially improved 40-foot wide right-of-way lying south of Newell Street.

Attachments: [Street Abandonment SA13-10 - U-Haul of Central NC](#)
 [SA 13-10 Recorded copy](#)

*The joint public hearing for this matter and related matter **130224 Rezoning Case 13-06-UHaul of Central North Carolina** was held as duly advertised on Monday, August 19, 2013 at 5:30 p.m.*

*Note: For specific comments made at the public hearing regarding this street abandonment request, please refer to **130224 Rezoning Case 13-06**.*

Herb Shannon of Planning & Development provided an overview of the staff report for Street Abandonment 13-10 which is hereby attached in Legistar as a permanent part of these proceedings.

Adopted a Resolution abandoning the southern 228 feet of Clark Place, a partially improved 40-foot wide right-of-way lying south of Newell Street based on the abandonment of the public's interest and conveyance of the right-of-way to the abutting property owners, as provided by state statutes, is found not to be contrary to the public's interest and is found not to deprive owners in the vicinity of the right-of-way reasonable means of ingress and egress to their property.

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

Resolution No. 1328/13-51
Introduced 8/19/2013; Adopted 8/19/2013
Resolution Book, Volume XVIII, Page 51

130226 Ordinance - Rezoning Case 13-07 - Phoenix Academy Foundation

A request by the Phoenix Academy Foundation to rezone approximately 46.2 acres from an Agricultural (AG) District and Conditional Use Public & Institutional (CU-PI) District to a Conditional Zoning Agricultural (CZ-AG) District. The site is lying along the west side of Walpole Road, approximately 850 feet south of Clinard Farms Road.

Attachments: [Rezoning Case 13-07 - Phoenix Academy Foundation](#)
 [Adopted CZ Ordinance Z13-07 \(08-19-13\)](#)

The public hearing for this matter was held as duly advertised on Monday, August 19, 2013 at 5:30 p.m.

Herb Shannon of Planning & Development presented the staff report which is hereby attached in Legistar as a permanent part of these proceedings.

Following the presentation of the staff report, Chairwoman Smothers opened the public hearing and asked if there was anyone present who would like to speak regarding this rezoning request.

Jan Clifford, who resides at 223 Windy Oak in Reidsville and Director of Horse Power, spoke in favor of the request. She explained Horsepower would be partnering with Phoenix Academy on the site. They plan to use part of the property for an Agritherapy course in conjunction with the school to educate the students on the importance of growing crops and the process it takes to grow crops that would be eco-friendly with the environment. Part of the property will house horse stables and will be broken up into pastures for the horses. Horsepower anticipates having 14-16 horses on this property and their plans are to leave as many trees for a border and shade areas. There is also a stream running throughout the property that they plan to utilize with riding trails and walking trails for kids and people in wheel chairs. Ms. Clifford explained they would be traveling to and from this site once or twice a week with horses.

Elaine Lowe, a resident at 4531 Walpole Road across the street, shared that she also owns three horses. She expressed concerns about Walpole Road being inadequate to accommodate two horse trailers utilizing the road at the same time. She and her husband also expressed concerns about them using their semi-private driveway that adjoins the property. Mr. Lowe questioned how a request for a facility of this size could be approved without requiring any improvements to Walpole Road. Mrs. Lowe mentioned she thought when Faith Properties purchased the original lot, the Council was going to require Walpole Road to be paved if the property was sold.

At this time, Chairwoman Smothers asked the Transportation Department to comment. Matt Carpenter of the Transportation Department, pointed out Walpole Road is a gravel, road maintained by the North Carolina Department of Transportation and the High Point Transportation Department did not feel it to be justifiable to require Horsepower to make improvements to the road given the fact their use is unintensified and there would be minimal traffic associated with it. He noted the right-of-way for most of Walpole Road is about 60 feet.

An indepth discussion followed regarding the location of the driveway for the site, use of existing driveways, location for any new driveway cuts to access the property, access to Walpole Road, etc.... Mr. Carpenter explained Walpole Road is to the south and it would be either a private driveway or some sort of private access easement between those properties, but the city would have no say as to how that works out--it would be between those property owners. Chairwoman Smothers asked if the applicant would not have to bring in a site plan for review and if it would be determined where the driveway cut would be. Mr. Carpenter replied that this was correct, and reiterated an agreement would be needed between the adjacent property owners as to how they would get access.

At this time, Chairwoman Smothers asked the representative for the applicant to comment regarding the access issue. Mr. Brian Hall with Samet Corporation, 309 Gallimore Dairy Road, Greensboro, informed Council that the applicant has agreed, as part of the conditions,

to dedicate approximately 30 feet from the centerline to achieve a 60-foot wide right-of-way and access to the property would be from Walpole Road. Chairwoman Smothers asked Mr. Hall to address the neighbors' concerns regarding access off the driveway they currently use. Mr. Hall stated from his understanding from the deeded rights-of-way, all property owners (including the applicant) have the same access to Walpole Road. At this time it was determined that the map on display had Walpole Road labeled incorrectly. Mr. Hall pointed out any proposed driveway would have to go through the typical driveway permitting process.

Council Member Golden asked how many property owners they sent letters to responded negatively to their request. He explained they did have this conversation during their neighborhood meeting and since that time they offered to reach out to DOT jointly with the other property owners as a group. He reported the biggest concern he took away from the neighborhood meeting was that the residents want to ensure that they had access and they would not cut off their road or somehow prevent future access specifically to the houses to the south of the property and to the west. They assured the property owners that they would do everything to make sure Walpole Road remains there for its in perpetuity and they would be dedicating right-of-way to ensure that. He reiterated that Walpole Road is a state-maintained road and they want to try to encourage the state to do what they will to help. He made assurances that they would only access the property from Walpole Road as it is a public right-of-way and would not be accessing it from a private driveway.

Tim Long, a resident at 4533 Walpole Road, also expressed concerns about their use of the drive for access and stated he was worried about the safety of his eight grandkids.

A discussion followed regarding the paving of Walpole Road. The adjacent property owners felt the road should be paved. Council reiterated that Walpole Road is a state-maintained road and noted again that the City of High Point has no control over it. Mrs. Lowe brought up again that they were told in the past that it would be paved if the Faith Properties was resold. Mr. Shannon clarified that when this property was initially annexed and rezoned in 2004, they were proposing a school with 2,500 students and this triggered a Traffic Impact Analysis (TIA) and under the TIA a school with 2,000 students would trigger road improvements and require it to be paved. He pointed out this project fell through.

Mayor Sims asked if there was a way to protect the property owners regarding the private drive once the rezoning is approved to make sure that the driveway access only comes off Walpole Road. City Attorney JoAnne Carlyle explained this would be strictly between the property owners and the City Council has no authority or control in the matter. At this time, Lee Burnette, Director of Planning & Development, informed Council that they could add a condition that access would only be directly from Walpole Road, but this would have to be accepted by the applicant. On behalf of the applicant, Mr. Hall agreed to that condition; however, Chairwoman Smothers pointed out there is a requirement that added conditions have to be in writing. Mr. Burnette added that High Point Bank and Trust Company, as the owner of the property, would have to accept to accept any conditions added because they initially filed for the application. He reiterated that the applicant will still be required to bring in a site plan as part of the building permit process and driveway permit approval will be reviewed by transportation. He pointed out Council's role at tonight's meeting has to do

with approval of the rezoning application although right-of-way dedication and access offered is part of the rezoning process.

Council further discussed the concerns expressed by the property owners and the city's inability to appease those concerns due to it being a property rights issue between the property owners.

Chairwoman Smothers closed the public hearing and entertained a motion.

Adopted Ordinance approving Rezoning Case 13-07 providing for the rezoning of this property from an Agricultural (AG) District and Conditional Use Public & Institutional (CU-PI) District to a Conditional Zoning Agricultural (CZ-AG) District based on consistency with the City's adopted plans. Additionally, the City Council finds this action to be reasonable and in the public interest by adopting the statements in the Staff Analysis section of the staff report.

A motion was made by Council Member Mendenhall, seconded by Council Member Davis, that Rezoning Case 13-07 be approved. The motion PASSED by a 7-0 vote as follows:

Aye (7): Mayor Pro Tem Moore, Council Member Davis, Council Member Douglas, Council Member Ewing, Council Member Golden, Council Member Mendenhall, and Council Member Wagner

Nay (2): Mayor Sims, and Council Member Smothers

Ordinance No. 7004/13-36

Introduced 8/19/2013; Adopted 8/19/2013

Ordinance Book, Volume XVIII, Page 36

130227 Ordinance - Text Amendment 13-05 - 321 Eastchester, LLC (Van York Chevrolet)

A request by 321 Eastchester, LLC to amend Table 5-16-3 (*Specifications for Accessory Attached Signs Requiring a Permit*) of the sign regulations and Table 4-4-1 (*Eastchester Scenic Corridor Overlay District Landscaping and Signage Regulations*) of the Development Ordinance to establish wall sign standards for multiple franchise business under single ownership.

Attachments: [Text Amendment 13-05 - Van York Chevrolet - Eastchester](#)

The public hearing for this matter was held as duly advertised on Monday, August 19, 2013 at 5:30 p.m.

Bob Robbins of Planning and Development provided an overview of the staff report which is hereby attached in Legistar as a permanent part of these proceedings.

Following the presentation of the staff report, Chairwoman Smothers opened the floor for public comment.

Gilbert Gates, who has offices located at 300 N. Main Street, and attorney representing the applicant, spoke in favor of the request. He explained when the text amendment was first

proposed, it was much more limited because staff felt it would solve a larger problem than the specific problem being addressed. He noted this is why the text amendment now applies to multiple franchises operated out of one building and pointed out there are already regulations in place that would apply to completely separate, tenanted premises. He shared an illustration of the type of signage that would be permitted by this ordinance and pointed out the applicant's dealership has multiple franchises all operating out of one building.

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

Adopted Ordinance amending Table 5-16-3 (Specifications for Accessory Attached Signs Requiring a Permit) of the sign regulations and Table 4-4-1 (Eastchester Scenic Corridor Overlay District Landscaping and Signage Regulations) of the Development Ordinance to establish wall sign standards for multiple franchise business under single ownership based on consistency with the City's adopted plans. Additionally, the City Council finds this action to be reasonable and in the public interest because: 1) It helps a small group of businesses that are disadvantaged by the limitations of the current sign regulations, and is therefore more business friendly; and 2) Limited application will prevent large scale change and preserve long-standing sign regulations for the vast majority of businesses.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this Ordinance be adopted. The motion PASSED by a 9-0 unanimous vote.

**Ordinance No. 7005/13-37
Introduced 8/19/2013; Adopted 8/19/2013
Ordinance Book, Volume XVIII, Page 37**

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT

130228 Theatre Study Committee Report

Per assignment by City Council at the July 15th, 2013 meeting to Jim Davis, Judy Mendenhall and Becky Smothers to submit a report for appointment and scope of study of the Theatre Complex.

Attachments: [Theatre Study Committee](#)

Council Member Davis explained on July 15th, the City Council approved a motion to direct Council Members Smothers, Mendenhall and Davis to submit a report to Council on today's date that would recommend an outline of a study for the Theatre Complex. The outline was to identify a general scope of study, a timeline for completion and a list of committee members. He informed Council that they have completed the assignment and distributed handouts for Council's review which included a project outline, a couple of surveys, roster of committee members, etc.... [the handouts will be attached in Legistar as a permanent part of these proceedings].

He noted the committee members were recommended based on individuals/citizens with diverse backgrounds in hopes they would bring a different perspective. Council Member

Mendenhall noted they also included a representative from the Theatre Advisory Committee, Friends of the Theatre, a former member of the Arts Council Board and Theatre Arts Galleries (TAG) with staff acting as ex-officio members. She mentioned that their first meeting would probably be held at the Theatre to give those on the committee an opportunity to tour the entire facility. Council Member Davis added that although these three Council Members agreed to serve as liaisons on the committee, any Council Member could attend the meeting.

Council Member Smothers, Mendenhall and Davis complimented and expressed appreciation to the staff that helped put the information together. Council Member Smothers asked if the committee would be subject to the open meetings law and City Attorney JoAnne Carlyle replied this is correct. Assistant City Manager Pat Pate pointed out the general user survey would also be placed on the city's website using the survey monkey format, plus paper copies of the survey would be available to take to the various community meetings. Council Member Smothers suggested that market passes be given to those sitting on the committee because she felt it to be important for them to see what actually happens in the building/facility during the Furniture Market.

Mayor Sims thanked Council Member Smothers, Mendenhall and Davis for serving and giving of their time in putting all of this together.

Approved the report/project outline with a completion date of December 1, 2013 and approved the appointment of the committee members as submitted.

A motion was made by Council Member Davis, seconded by Council Member Smothers, to approve the report/project outline with a completion date of December 1, 2013 and approved the appointment of the committee members as submitted. The motion PASSED by a 9-0 unanimous vote.

120229

Boards and Commissions - Vacancies

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

Attachments: [Vacancy Report 2013](#)

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

Council Reports/Comments

MEETING REMINDER

Council Member Smothers reminded Council that the Comprehensive Planning Committee would meet on Tuesday, August 20, 2013 at 4:00 p.m. to hear a presentation by Fairway Outdoor Advertising.

High Point Housing Authority Male & Female Enrichment Program

Mayor Sims mentioned that a group of young people from the High Point Housing Authority Male & Female Enrichment Program recently visited the Council Chambers and sat as City Council members. She shared that the issue at hand before them was saggy pants and whether or not to adopt an ordinance against saggy pants. The students, acting as the City

Council, voted against adopting the ordinance. The group also toured other facilities in the City Hall as well as the Communications 9-1-1 Call Center.

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

130229 Approval of the following Minutes

- Compressive Planning Committee meeting held Monday, August 5th @ 3:30 pm.
- High Point City Council Regular Meeting held Monday, August 5th @ 4:45/5:30 p.m.
- Adjourned Session of City Council held Thursday, August 8th @ 9:00 a.m.

Council Member Smothers pointed out there is one correction to the August 8, 2013 Adjourned Session minutes involving her title (one place in the minutes referred to her as Mayor, and it should be Council Member).

Approved the preceding minutes as presented with the correction as noted to the August 8, 2013 Adjourned Session minutes.

A motion was made by Council Member Mendenhall, seconded by Mayor Pro Tem Moore, that minutes be approved as submitted with the correction as noted to the August 8, 2013 Adjourned Session Minutes. The motion PASSED by a 9-0 unanimous vote.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 6:30 p.m. upon motion duly made by Council Member Wagner and second by Council Member Mendenhall. The motion carried by a 9-0 unanimous vote.

Respectfully Submitted,

Bernita Sims, Mayor

Attest:

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 July 23, 2013 and before the City Council of the City of High Point on August 19, 2013 regarding **Zoning Case 13-07** 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 July 14, 2013, for the Planning and Zoning Commission public hearing and on August 7, 2013 and August 14, 2013, 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 August 19, 2013.

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: **Conditional Zoning Agricultural (CZ-AG) District**. The property is approximately 46.2 acres lying along the west side of Walpole Road, approximately 850 feet south of the intersection of Clinard Farms Road. The property is also known as Guilford County Tax Parcels 0215209, 0215208 and 0215207.

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:

Any of the land uses allowed in the Agricultural (AG) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the AG District and the specific conditions listed herein

A. **Prohibited Uses:** The following uses, enumerated in Table 4-5-1, Permitted Use Schedule of the Development Ordinance, shall be prohibited:

1. RECREATIONAL USES

- a. Amusement or Water Parks, Fairgrounds
- b. Go-cart Raceways
- c. Golf Driving Ranges

2. BUSINESS, PROFESSIONAL, & PERSONAL SERVICES
 - a. Motion Picture Theaters, Outdoor
3. TRANSPORTATION, WAREHOUSING AND UTILITIES
 - a. Airports or Air Transportation Facilities
 - b. Demolition Debris Landfills, Major
 - c. Demolition Debris Landfills, Minor
 - d. Recycling Processing Centers
4. MANUFACTURING AND INDUSTRIAL USES
 - a. Asphalt Plants
 - b. Mining and Quarrying
 - c. Salvage Yards, Auto Parts
 - d. Salvage Yards, Scrap Processing
 - e. Sawmill or Planing Mills

Part II. CONDITIONS:

- A. Development Standards:
 1. Setback: There shall be a minimum one hundred (100) foot distance between any livestock manure storage areas, barns, or stables and any adjacent residentially zoned property.
 2. Dust: All unpaved areas on-site shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.
- B. Lot Combination: All of the zoning site shall be combined to form one lot. No new land development or subdivision shall be permitted upon this tract until the lot combination is completed.
- C. Transportation Conditions (Vehicle Access):

The property owner shall dedicate a minimum of thirty (30) feet of right-of-way from the existing centerline of Walpole Road.

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.

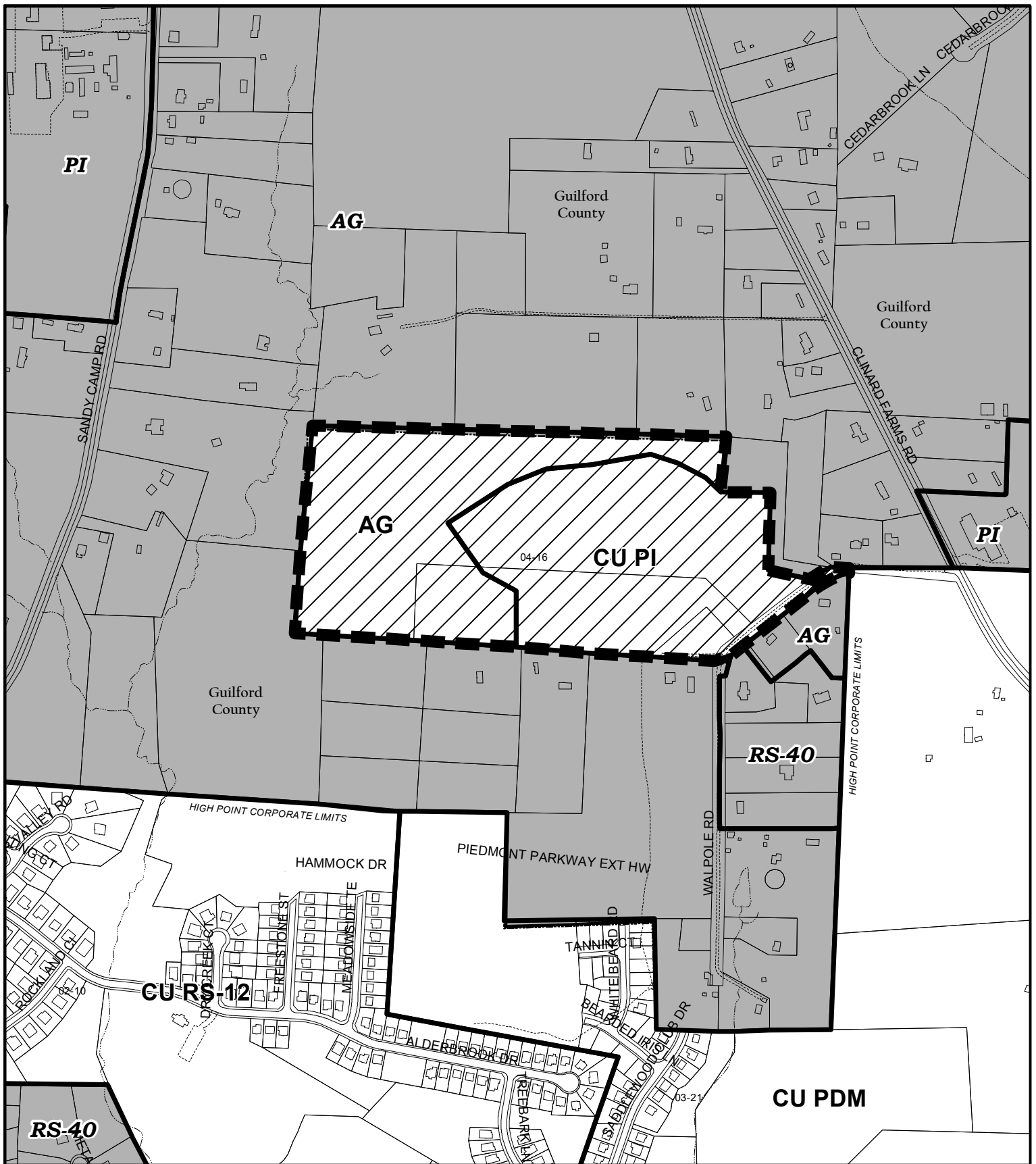
SECTION 5

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.
19th day of August, 2013.

Lisa B. Vierling, City Clerk



ZONING CASE 13-07

From: Agricultural and Conditional Use Public Institutional
To: Conditional Zoning Agricultural

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

Planning & Development
Department

City of High Point

Date: July 5, 2013



Scale: 1"=600'
y/ba-pz/2013/pz/z13-07.mxd

**COMPREHENSIVE PLANNING COMMITTEE
(COMMITTEE OF THE WHOLE)
AUGUST 5, 2013 – 3:30 P.M.
CITY MANAGER’S CONFERENCE ROOM**

MINUTES

PRESENT:

Committee Chair Smothers, Mayor Sims, Council Members Davis, Golden, Moore, Mendenhall and Wagner

ABSENT:

Council Members Douglas and Ewing

STAFF PRESENT:

Strib Boynton, City Manager; Pat Pate, Assistant City Manager; Randy McCaslin, Assistant City Manager; Jeron Hollis, Public Information; Lee Burnette, Director of Planning; Ed Brown, CD Project Director; Heidi Galanti, Senior Planner; Bob Robbins, Development Administrator; JoAnne Carlyle, City Attorney, Lisa Vierling, City Clerk; Dawn Sparks, Deputy City Clerk

OTHERS PRESENT:

Judy Stalder - TREBEC

MEDIA PRESENT:

Pat Kimbrough, *High Point Enterprise*

Strib Boynton introduced Caleb Ashley. Caleb is the son of Bruce Ashley an attorney with Smith Moore. Caleb is shadowing different departments within the City during the summer.

ZONING AND LAND USE DECISION-MAKING PROCESS

Background

Lee Burnette advised that the City is currently in the process of updating and revising the Development Ordinance, which includes zoning as well as all the environmental regulations. The first module meeting is scheduled for the 27th of August. The Advisory Committee has already reviewed the first module and they have made their comments. The first module deals with zoning’s subdivision process and the entire range of applications that developers and citizens may submit in order to get development approval. One of the issues that came up during the Advisory Committee discussion was if the City Council was going to delegate any approval authority to the Planning and Zoning Commission or to some other board or commission. In response to that inquiry

it was decided that issue should be debated and discussed by the City Council because Council is the one who should make those decisions. This issue has been discussed and debated several times in the past as well as recently.

If City Council wishes to make any changes as far as delegation authority it can be incorporated into the Development Ordinance rewrite. That decision can be made now, or at any time through a text amendment ordinance process changing the procedural aspects of the Development Ordinance. As far as delegating authority of the Planning & Zoning Committee to make street abandonment decisions or zoning decisions it will require a change in legislation obtained from the General Assembly.

Discussion

Council Member Smothers stated that in the Additional Options & Requirements section of the ordinance where it states several public hearing options exist and as a third option the Council can hold the only public hearing and the Planning & Zoning Commission holds a public meeting to make recommendations, and asked how that was different in what they are doing now. Mr. Burnette stated within these options there are always pros and cons. Currently the Planning & Zoning Commission advertises and holds "public hearings", and the Commission obtains comments from the public hearing. Some jurisdictions hold a "public meeting" and the Planning & Zoning Commission is under no obligation to advertise it as a public hearing. Mr. Burnette felt it was better for the Commission to hold public hearings that are advertised.

Council Member Davis noted that it looks as if the Planning & Zoning Commission and the Advisory Commission share the same authority, but in practice they are doing something totally different from each other. Mr. Burnette stated that this is the typical model for most of the larger jurisdictions. Council Member Davis asked if this should be defined further since this is the way the City operates. Lee Burnette stated there is no further defining needed unless Council wants to change how they do this.

Council Member Mendenhall stated that as defined by state law the City Council, Planning & Zoning Commission, and Board of Adjustment could be handled by anyone of those three bodies should the council make the recommendation to make it happen. Mr. Burnette stated that it is within Council's authority under current law and if there is a change in legislation other things could be possible.

JoAnne Carlyle noted for clarification purposes, the reason that it is set out that the Council, Planning & Zoning Board, and Board of Adjustment have different options in authority is the language in the statutes states that a City may adopt ordinances that do different processes, and it gives the Council the option of making those choices and how to set those up. The decisions of the Planning & Zoning Commission versus the Board of Adjustment are really straight forward in the General Statutes.

Council Member Davis asked if this is something that Council needs to change now. Mr. Burnette stated that historically this issue has come up several times, primarily because Guilford County and the City of Greensboro have delegated similar authority to

their Planning & Zoning Commission to make certain types of decisions. Past councils have decided not to pursue that. Council Member Smothers stated there is nothing more important as to how a city is shaped then the zoning decisions on properties and she felt that they should not defer approval authority to non-elected people to make those decisions. Council Member Mendenhall stated she agreed with Council Member Smothers. Council Member Davis felt that street abandonments could be taken away from Council and given to Planning & Zoning Commission. JoAnne Carlyle felt doing this would be an uphill battle with the legislature. Ms. Carlyle stated that when you talk about giving away property interest and taxpayer's money in property it could be hard to move that decision making authority to Planning & Zoning. Council Member Wagner stated that another option would be that Planning & Zoning would not hear street abandonment cases and they would come directly to Council, which will make the process more efficient.

Strib Boynton stated that as they try to speed up the process of issuing permits there are some things that Council can actually deal with to help the department with efficiency.

Council Member Smothers felt the change they made some years ago about coordinating the advertising public hearings with Council and Planning & Zoning Commission at the same time helped shorten the process. Lee Burnette stated that right now it is approximately a two week timeframe between the Planning & Zoning Commission and City Council.

Council Member Wagner distributed information regarding planning boards to Council Members.

Judy Stalder clarified that Guilford County and the City of Greensboro planning boards make the decision only if the decision is a unanimous decision and it is not appealed within two weeks, so anything that is not a unanimous decision automatically goes to Council and the Board of Commissioners. The reason they did this was to relieve the Council from so many public hearings.

Lee Burnette stated that the process currently is about as efficient as it could be given the legal notification requirements, which the only way to change that would be some kind of legislative change. Mr. Burnette stated that when they looked at their time frame of the process several years ago from the time of application to the time it comes before city council they found they were effectively very competitive time wise to most jurisdictions in comparable size with High Point.

Council Member Smothers stated she realized that High Point has not had as much development in the past couple years, but felt sure that anyone the Mayor would be willing to assist that person by calling a special meeting for anyone who had a project they wanted to move along faster. Strib Boynton stated that they have done this several times over the years to move things quickly.

Council Member Wagner asked if there has been any discussion about possibly trying to create a very streamlined and simplified legislative process for certain forms of development in the new UDO. Lee Burnette stated that there is a "preferred development option" which is more of the administrative approval process which the staff has just started having discussion about with the thought that there could be some type of administrative fast tracking.

Council Member Wagner stated that there has been some thought on the UDO Committee about what could be done to streamline the process and those options. Council Member Smothers suggested that what needs to be reinforced is the street abandonment process and their willingness to undertake that and also to encourage them to look at holding special meetings to assist a developers.

Council Member Mendenhall asked if the Board of Adjustment could handle the right of way encroachments. Lee Burnette stated that they have talked about right of way encroachments, and those that are above ground could be the process by the Council, and those that are below ground could be processed administratively and TRC. Mr. Burnette stated in the rewrite process they have codified a lot of the unwritten procedures, such as easement reconveyance and right of way encroachments.

Council Member Moore asked how the technology piece of the process is coming along. Mr. Burnette stated that the hardware is in place and the software is in place and ready to be configured. Currently the departments involved have been working the consultant to in essence write a document that says how we want to work. It will implement a variety of streamlining measures because they will be able to simultaneously in many cases to review things. This document has not been completed yet, and when it is it will be turned over to the consultant for them to configure the system and then testing before it goes live to the public. They still are looking at a June 30, 2014 date for that. The intent that anything that is a walk in service will be online.

CONSTRUCTION PLAN REVIEW PROCESS

Changes Made Last Year

- Lee Burnett stated the Planning Department converted a building inspector position that was vacated into a full time plan reviewer. That person is primarily dedicated to reviewing residential plans, with the intent to speed up the residential planning process.
- They insure now that all permit submittals are entered into the system on the same day.
- A master plan review process was established for residential construction, where if a builder wants to reuse a plan they have an option if the previous plan was adopted they can go straight towards permit off of.

- They revised the residential plan standards for better guidelines and better submittals.
- Five day benchmarks were established of a five business day review cycle for residential construction and twenty business days for review of commercial construction.
- Business license submittals that come into the office through customer service is reviewed twice a day.
- They established a customer inquiry protocol to handle the cold calls, which would allow the plan reviewers to have blocks of time that they could conduct plan reviews.

Activity in 2013

The Department has seen a significant increase in construction activity. This does not mean all new construction but includes additions of any kind. In July the department has seen a total of 127 plan submittals, which is the largest they have had in a number of years for a single month.

The Planning Department had a vacancy with one of the commercial plan reviewers and that position was vacated from March until August. They had to redirect staff resources over time to assist in the commercial plan review process, which did impact some of the commercial plans as well as some of the residential plans.

Benchmarking data from the School of Government shows that High Point was severely impacted from the loss of the position in the months of March, April and May which caused residential plan reviews to drop significantly in terms of the five-day benchmark. They have been averaging the first seven months of 2013 about seven business days turnaround time in the residential permitting process and just under five days in terms of the actual plan review of the staff.

There were about 40 plans that did not meet the five day benchmark out of 210 that were submitted.

All but 3% of the commercial reviews met the benchmarks. They have been averaging about 14 days for total permit time.

Strib Boynton asked what it would take to get the department's time down from the five days on residential permits to three days and commercial down to 10-15 days. Mr. Burnette stated that they would need another plan reviewer and another permit specialist.

Council Member Davis stated that as a builder, he felt that they did not need a residential plan reviewer at all, and asked when a master residential plan already in the system, why should that building have to go through plan review. Council Member

Davis felt that this should not need a plan review. There is also a window inspection that is not required in the code book and it delays the frame inspection, which slows up the process. Council Member Davis felt that there are some issues like these that if they changed it could speed up the process. Lee Burnette stated that most jurisdictions do residential plan review and find a benefit from it. The permitting of building additions would require some more staff resources to be able to do that, not just because of the residential component but also the building set back and that type of information. They also have a lot of environmental issues with building addition permits, and it does require review. Council Member Davis felt if someone comes in with all their paperwork that it should be very easy to do. Lee Burnette stated that the permit specialist they have added will not only be taking permits, but they will be taking subdivision plans, erosion control plans and getting them put into the system.

Lee Burnette stated they have done a lot to apply consistency with the inspectors, and felt they have to have a good organization in place where they have a good consistency in plan review and the inspection process together.

Strib Boynton stated that right now the goal is to get the commercial permitting process down to 10-15 days and find out what that will require. The department has just recently added another plan reviewer on staff, and they would like to see how this will improve the process. Mayor Sims stated that she appreciates the fact that they want to see where they will be with the additional staff member, but at the same time requested that they come back in thirty days with their recommendations on what it will take to decrease the permitting process.

ADJOURNMENT

The meeting adjourned at 4:40 p.m. on a motion duly made and seconded.

Respectfully Submitted,

Dawn J. Sparks, CMC
Deputy City Clerk

Council Member Smothers,
Committee Chair

PLANNING AND ZONING COMMISSION RECOMMENDATION

On July 23, 2013, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except for Mrs. Martha Shepherd and Mr. Ed Spivey.

U-Haul of Central North Carolina

Street Abandonment Case 13-10

A request by U-Haul of Central North Carolina to abandon the southern 228 feet of Clark Place, a partially improved 40-foot wide right-of-way lying south of Newell Street.

Mr. Herbert Shannon presented Street Abandonment Case 13-10 and recommended approval as outlined in the staff report.

No one spoke on behalf or in opposition to this request. The applicant, Mr. Jason Grider, Marketing Company President, U-Haul of Central North Carolina was in attendance to address any questions from the Commission.

Also addressing the Commission was Ms. Dusty Donaldson, 905 Old Winston Road, High Point. She expressed concerns with the speed and amount of truck traffic along Old Winston Road since it was widened. She requested the Commission restrict truck access along Old Winston Road. Mr. Burnette noted that the Planning & Zoning Commission does not have the authority to regulate vehicles that may use a public right-of-way and that she could make that request to the City Council.

Mrs. Davis questioned how the ingress/egress easement to the abutting property owner would be established. Mr. Burnette noted that the associated zoning case has a condition pertaining to lot combination and the ingress/egress easement can be established as a part of the lot combination map.

The Planning & Zoning Commission recommended approval of Street Abandonment Case 13-10 by a vote of 7-0. Member Davis requested that when this item is presented to City Council that her concerns on abutting property owner's access be noted to Council.

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

**STAFF REPORT
STREET ABANDONMENT CASE 13-10
July 23, 2013**

Request	
Applicant: U-Haul of Central North Carolina	Proposal: To abandon the southern 228 feet of Clark Place, a partially improved 40-foot wide right-of-way lying south of Newell Street.

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
Clark Place	Local Street	40-foot wide right-of-way; partially improved with a 20-foot wide ribbon paved street
Newell Street	Local Street	40-foot wide right-of-way; 24-foot wide ribbon paved street

Adjacent Property Zoning and Current Land Use		
North	Residential Single-Family-7 (RS-7) District	Northern segment of the Clark Place right-of-way
East	Residential Single-Family-7 (RS-7) District	Single-family dwelling
South	Conditional Use Highway Business (CU-HB) District Highway Business (HB) District	Hotel
West	Residential Single-Family-9 (RS-9) District	Undeveloped

Analysis

The applicant, U-Haul of Central North Carolina, has submitted a request to abandon the southern 228 feet of the Clark Place right-of-way (ROW). This segment of Clark Place is only partially improved and is not maintained by the City of High Point. The Clark Place ROW was platted as part of the Rankin-Teague-Welch Lands subdivision in 1927 and it is shown on this plat extending from Old Winston Road (formerly known as High Point – Winston Salem Highway) to the southeast, through land that is now developed with commercial retail uses, to N. Main Street. The former southeastern extension of this ROW was abandoned as a part of the development of the commercial uses that currently front along N. Main Street.

If this request is approved, the property contained within the ROW will revert to the adjacent property owners with the land division along the street centerline. The applicant owns the three parcels lying to the west of this ROW and has submitted a corresponding zoning application (Zoning Case 13-03) to rezone these parcels to a Conditional Zoning Highway Business (CZ-HB) District so they can be added to the abutting U-Haul commercial use fronting along N. Main Street. The intent is to use the 20 feet that would be gained from this ROW abandonment to provide for a higher standard planting yard (wider landscape area) to buffer the proposed commercial use from the adjacent residential development.

The property owner lying west of this ROW (915 Newell Street) has frontage along both Clark Place and Newell Street, thus abandonment of the southern portion of Clark Street will not deprive this property owner of reasonable access to their property. This property owner uses the partially improved portion of the Clark Place to access the rear of this parcel. Since this southern portion of Clark Place is not maintained by the City, it serves as a private driveway to access the rear of this parcel. U-Haul of Central North Carolina has offered to provide the property owner at 915 Newell Street with an ingress/egress easement so he can continue to use the paved area to access the rear of the parcel.

Early notices to obtain input from abutting property owners were mailed out June 28, 2013. In addition, regular notice for the public hearing which included a July 11, 2013 notice mailed to abutting property owners, public notice in newspapers and signs posted at the ROW to be abandoned was also performed.

Findings & Recommendations

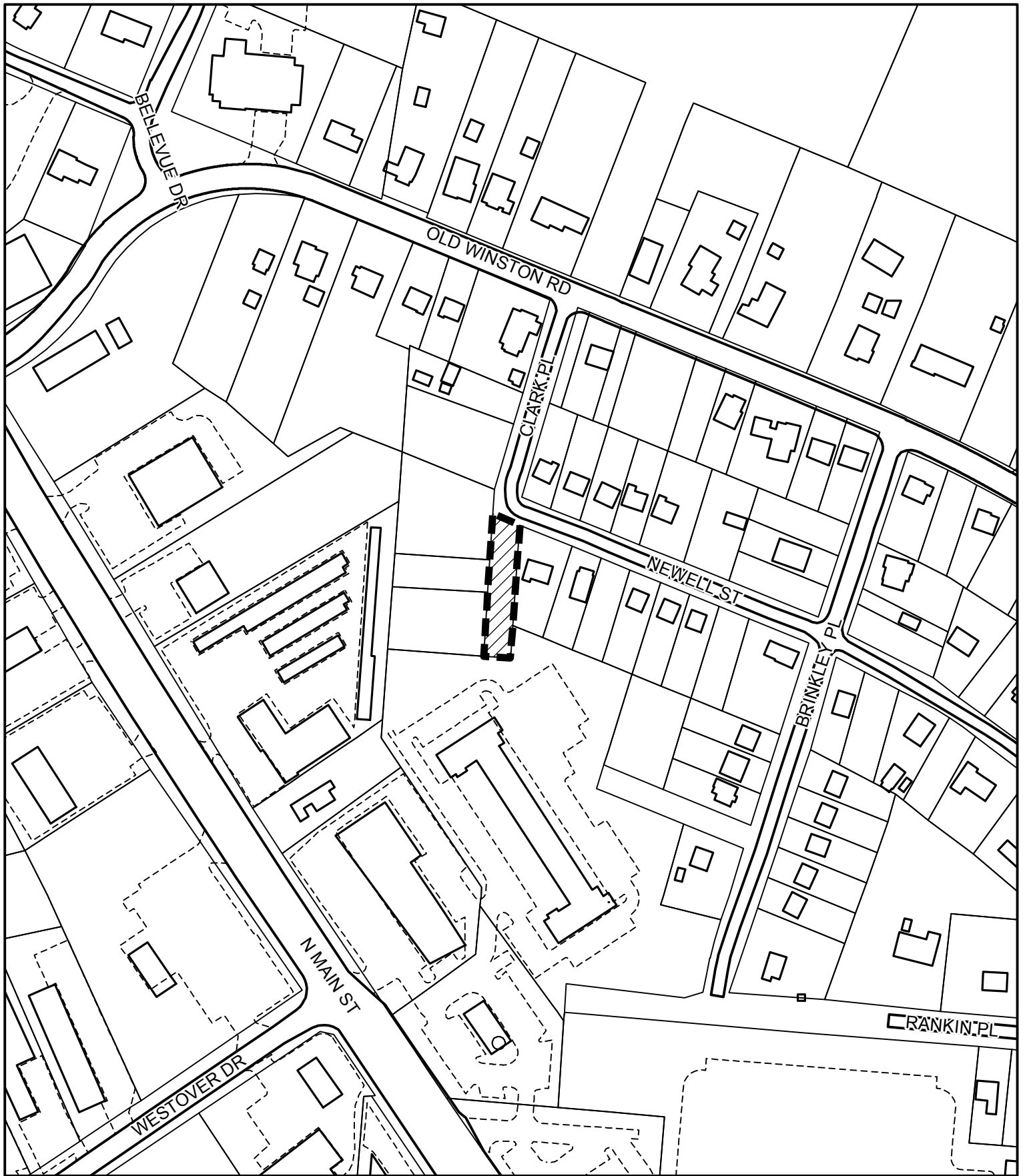
The Technical Review Committee (TRC) reviewed this request on June 26, 2013 and identified no concerns related to the abandonment of that portion of the Clark Place right-of-way lying south of Newell Street. There are no public utility lines in this ROW, thus no utility easements need to be retained.

This abandonment of the public's interest and conveyance of the right-of-way to the abutting property owners, as provided by state statutes, is found not to be contrary to the public's interest and is found not to deprive owners in the vicinity of the right-of-way reasonable means of ingress and egress to their property.

The Planning and Development Department recommends approval of the requested street right-of-way abandonment.

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 SA13-10

Applicant: U-Haul of Central North Carolina (Jason Grider)
Area: 0.212 acre



Location of street abandonment



Previously abandoned right-of-ways

Department of Planning
and Development

City of High Point

Date: July 5, 2013



Scale: 1"=200'

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Attachments: Photographs (July 2013) and Aerial (February, 2010)
Looking south at the intersection of Clark Place and Newell Street



STREET ABANDONMENT REQUEST SA13-10



Theatre Study Committee

Beth Koonce – Chair

Marshall Newsome – Vice Chair

Jim Armstrong

Tom Blunt

Holly Davis

Joanna Easter

Jackie Haizlip

George Harris

David Horne

Jeff Horney

Pamela Palmer

Lisa Poplin

Ed Terry

David Willett

Theatre Study Committee

Committee Charge:

Review the operations, facilities and program impacts of the High Point Theatre and provide strategic recommendations for the on-going budget and capital needs necessary to provide the desired program outcomes for the Citizens of High Point.

Key Questions:

What outcomes (programming and financial) are desired for this facility?

How does this facility compare to similar facilities?

What are the budget implications for achieving the desired outcomes for this facility?

Committee Meetings

Committee meeting will begin after Labor Day with the intent of completing the study and providing strategic recommendations by December 1st.

Data to be Gathered by Staff

Staff will provide the following data to the Theatre Study Committee:

1. Historical revenue by source and expense data.
2. Review of similar facilities, including operating arrangements and financial/tax support.
3. Artists' fees and attendance figures for programs sponsored by the City.
4. List of events booked for the auditorium proper, galleries and Mendenhall Station.
5. Theatre rental fee schedule
6. Total sales for the concession stand vs. cost of goods for sale
7. Provide overview of operations for the various rentals (use of theatre staff by rental users, box office staff, technical staff, marketing staff, etc...
8. Copy of contractual arrangement with IHFC building.
9. Copy of Engineering assessment or Theatre Study done in the past.



CITY OF HIGH POINT THEATRE SURVEY

Live Theatre Attendance

Have you visited the High Point Theatre in the past twelve months?

☐ Yes ☐ No

If yes, what programs have you attended?

Have you visited another performing arts venue in the area in the past twelve months?

☐ Yes ☐ No

If yes, please indicate which venue:

- ☐ Carolina Theatre – Greensboro
☐ Triad Stage
☐ War Memorial Auditorium
☐ Stevens Center
☐ Durham Performing Arts Center
☐ Carolina Theatre – Durham

Other: _____

Programming

Please check all the events that you would like to see offered at the High Point Theatre:

- | | |
|---|---|
| ☐ Shakespeare | ☐ Symphony |
| ☐ Dramatic Plays | ☐ Chamber Music |
| ☐ Comedy Plays | ☐ Opera |
| ☐ Children's Theatre | ☐ Big Band |
| ☐ Variety Shows | ☐ Cabaret |
| ☐ Ballet | ☐ Jazz |
| ☐ Modern Dance | ☐ Broadway Musical |
| ☐ Art Exhibits | ☐ Gospel/Spiritual |
| ☐ Films | ☐ Bluegrass/Folk |
| ☐ Travelogue Films | ☐ Country/Western |
| ☐ Classic Rock & Roll | |
| ☐ Tribute Shows (Elvis, Beatles, etc...) | |

Other: _____

Advertising

Have you seen or heard about the High Point Theatre and its programs? Please check all that apply:

- | | |
|-----------------------------------|--|
| ☐ Marquee | ☐ Direct Mail |
| ☐ Poster | ☐ Radio |
| ☐ Website | ☐ Television |
| ☐ Facebook | ☐ Newspaper |
| ☐ Twitter | ☐ Word of Mouth |
| ☐ Other: | _____ |

Demographic Information

Your Zip Code: _____

- *Age Group *Gender
☐ 21 & Under ☐ Male
☐ 22 to 55 ☐ Female
☐ 56 & Over

*Ethnic Background _____

*Volunteering this information is optional.

Please take a few minutes to complete this survey. Your input is valued and appreciated.

You may return this survey to:

*City of High Point
Budget Department
P.O. Box 230
High Point, NC 27261*

You may also complete this survey online at:

<https://www.surveymonkey.com/s/HighPointTheatreSurvey>

2013 High Point Theatre Client Survey

Please take a few minutes to complete this survey. This survey is designed to gather input from user of the Theatre Complex for use by a Council appointed study committee. Your input is an important part of the City's on-going effort to identify and respond to resident priorities. If you have questions please call _____ at 336-883-3293.

1. How often do you use the High Point Theatre?

- ☐ (1) Less than once a year ☐ (3) Three or four times a year ☐ (5) Over seven days a year
☐ (2) Once or twice a year ☐ (4) Five or six times a year ☐ (6) Don't Know

2. Approximately how many years have you used the Theatre? _____ Years

3. How do you use the Theatre? ☐ (1) Commercial ☐ (2) Non-Profit ☐ (3) Government

3b. If you rent Theatre space how does the value for the price compare with other venues?

- ☐ (1) Significantly Better Value ☐ (4) Somewhat Less Value
☐ (2) Somewhat Better Value ☐ (5) Significantly Less Value
☐ (3) About the Same Value ☐ (6) Don't Know

4. How does your usage of the Theatre compare to three years ago?

- ☐ (1) Significantly More ☐ (3) About the Same ☐ (5) Significantly Less
☐ (2) Somewhat More ☐ (4) Somewhat Less ☐ (6) Don't Know

5. How easy is it to secure a date for your events?

- ☐ (1) Very Easy ☐ (3) Not Easy or Difficult ☐ (5) Very Difficult
☐ (2) Somewhat Easy ☐ (4) Somewhat Difficult ☐ (6) Don't Know

5b. Was the date of your event your desired or first choice? ☐ (1) Yes ☐ (2) No

6. SATISFACTION WITH THEATRE FACILITIES. Please rate your overall satisfaction with the various parts of the Theatre facilities that you have used on a scale of 1 to 5 where 5 means "very satisfied" and 1 means, "very dissatisfied." Select "Don't Know" if you do not use that listed area.

How Satisfied Are You With:		Very Satisfied	Satisfied	Neutral	Dissatisfied	Very Dissatisfied	Don't Know
A.	Performance Theatre	5	4	3	2	1	9
B.	Theatre Lighting	5	4	3	2	1	9
C.	Theatre Sound	5	4	3	2	1	9
D.	Theatre Stage including curtains	5	4	3	2	1	9
E.	Green Room/Dressing Areas	5	4	3	2	1	9
F.	Gallery Spaces	5	4	3	2	1	9
G.	Main Level Lobby	5	4	3	2	1	9
H.	Upper Level Lobby	5	4	3	2	1	9
I.	Meeting Rooms	5	4	3	2	1	9
J.	Box Office	5	4	3	2	1	9
K.	Outside Street/Terminal Area	5	4	3	2	1	9
L.	15 Minute Parking Area for Box Office	5	4	3	2	1	9
M.	Parking for Events	5	4	3	2	1	9
N.	Areas for Advertising upcoming events	5	4	3	2	1	9
O.	Overall appearance of Theatre Facility	5	4	3	2	1	9

7. Which THREE of the Theatre Facilities listed above do you think should receive the most emphasis from City leaders over the next two years? [Write in the letters below using the letters from the list in Question #1 above].

1st. _____ 2nd. _____ 3rd. _____

8. a. What Theatre facility asset is most beneficial to your event(s)?

b. What Theatre facility enhancement would be most beneficial to your event(s)?

c. What alternative venues to the Theatre do you use or consider for your event(s)?

d. Which space to do use most frequently (i.e. Theatre, Main Gallery, Gallery B, Lobby, Kaleidoscope Gallery, Mendenhall Terminal)?

9. **OVERALL PERCEPTION OF THEATRE SERVICES.** Several items that may influence your perception of the High Point Theatre are listed below. Please rate your satisfaction with each item on a scale of 1 to 5 where 5 means "excellent" and 1 means "poor."

How would you rate the City of High Point:		Excellent	Good	Neutral	Below Average	Poor	Don't Know
A.	Event Booking	5	4	3	2	1	9
B.	Technical Services	5	4	3	2	1	9
C.	Box Office	5	4	3	2	1	9
D.	Advertising	5	4	3	2	1	9
E.	Front of House (Hospitality, Ticket Scanners and Ushers)	5	4	3	2	1	9
F.	Concessions (Products)	5	4	3	2	1	9
G.	Variety of events	5	4	3	2	1	9
H.	Overall quality of events	5	4	3	2	1	9
I.	Overall management of the facility	5	4	3	2	1	9

10 a. What Theatre operational activity is most beneficial to your event(s)?

b. What Theatre operational enhancement would be most beneficial to your event(s)?

11. **THEATRE COMMUNICATION.** For each of the following, please rate your satisfaction with each item on a scale of 1 to 5 where 5 means "very satisfied" and 1 means "very dissatisfied."

How Satisfied Are You With:		Very Satisfied	Satisfied	Neutral	Dissatisfied	Very Dissatisfied	Don't Know
A.	Theatre efforts to keep you informed about upcoming events	5	4	3	2	1	9
B.	Box Office Services	5	4	3	2	1	9
C.	On-line Ticketing	5	4	3	2	1	9
D.	Quality of the Theatre Web site	5	4	3	2	1	9
E.	Social Media	5	4	3	2	1	9

12. **CUSTOMER SERVICE:** Have you contacted the Theatre during the past year?
 ____ (1) Yes [answer Q12a through f)] ____ (2) No [go to Q13]

12a-f. Only if you have contacted the Theatre during the past year: Using a 5-point scale where 5 means "Always" and 1 means "Never," please rate your satisfaction with City employees (not elected officials) on the following behaviors:

Customer Service Characteristics:		Always	Usually	Some times	Seldom	Never	Don't Know
A.	They were courteous and polite	5	4	3	2	1	9
B.	They gave prompt, accurate, and complete answers to questions	5	4	3	2	1	9
C.	They did what they said they would do in a timely manner	5	4	3	2	1	9
D.	They helped you resolve your issue to your satisfaction	5	4	3	2	1	9
E.	It was easy to contact the person you needed	5	4	3	2	1	9
F.	Services were provided at a time that was accommodating to your schedule	5	4	3	2	1	9

13. **THEATRE IMPORTANCE:** Please rate your opinion of the importance of the Theatre to the following issues on a scale of 1 to 5, where 5 means "Very Important" and 1 means "Very Unimportant":

How important is the Theatre to the following in the City of High Point:		Very Important	Important	Neutral	Unimportant	Very Unimportant	Don't Know
A.	An active "Downtown or Core City"	5	4	3	2	1	9
B.	Providing a venue for community events	5	4	3	2	1	9
C.	Providing a venue for ticketed shows and performances	5	4	3	2	1	9
D.	Providing a venue for City co-sponsored events like MLK Day or the National Bike Criterium	5	4	3	2	1	9
E.	Providing Gallery Space for the Theatre Art Galleries (TAG)	5	4	3	2	1	9
F.	Providing a venue for the Shakespeare Festival	5	4	3	2	1	9
G.	Providing a venue for local arts programming	5	4	3	2	1	9
H.	As an asset to the community	5	4	3	2	1	9
I.	As an asset managed by the City	5	4	3	2	1	9

14. **OTHER COMMENTS:** Please provide additional comments relevant to the survey or answer the following, "I would use the _____ (part of the Theatre Complex) more if _____".

This concludes the survey. Thank you for your time!

Please Return Your Completed Survey in the Enclosed Postage Paid Envelope Addressed to:
 Theatre Survey, City of High Point, PO Box 215, High Point, NC 27261

**FINANCE COMMITTEE
AUGUST 19, 2013 – 4:00 P.M
CITY MANAGER’S CONFERENCE ROOM**

MINUTES

PRESENT:

Chairman Moore, Council Members Wagner, Davis, and Sims

OTHERS PRESENT:

Council Members Douglas, Ewing, Golden, and Mendenhall

STAFF PRESENT:

Strib Boynton, City Manager; Pat Pate, Assistant City Manager; Randy McCaslin, Assistant City Manager; Jeron Hollis, Public Information; Chris Thompson, Director of Public Services; Garey Smith, Director of Fleet Services; Loren Hill, Director of Economic Development, JoAnne Carlyle, City Attorney; Lisa Vierling, City Clerk, Dawn Sparks, Deputy City Clerk

MEDIA PRESENT:

Pat Kimbrough, *High Point Enterprise*
News 2 crew

OTHERS PRESENT:

Cynthia Davis, Planning & Zoning Commission

Economic Development Presentation – Marketing Document

Loren Hill advised that a few years ago Greensboro requested High Point join in on a marketing document together. Mr. Hill presented the updated marketing document. This year it was High Point’s turn to lead the effort. Mr. Hill advised this was a work in progress and if there are any suggestions for next year’s document to let him know.

Finance Items

130217 Budget Ordinance Amendment – Planning and Development Inspections Staff

Adoption of an ordinance amending the 2013-2014 Budget Ordinance to appropriate funds in the amount of \$88,000.00 for additional Planning and Development Inspections Staff.

Randy McCaslin stated that based on the direction received from the Planning Committee it is recommended that the Inspection Staff needs two additional personnel, a plan reviewer and a clerical position. Council Member Smothers stated that a new staff member had been hired and on

board for two weeks, and so it was too soon to discern the appreciable difference. Lee Burnette stated that person came here from Greensboro and has over ten years of experience. Randy McCaslin stated that they have as of last week over 100 plans in review, commercial and residential, and they have been doing commercial reviews six to seven days a week and have been taking plans home at night for review in order to stay up with the demand. Strib Boynton stated that they have thought about the concern of adding more staff too soon, but in listening to Planning he agreed that the request for these positions is needed. Randy McCaslin reminded council of the benchmarking that was done by the School of Government showing High Point way under in plan review. Strib Boynton stated it will take a few months to get these positions filled.

Council Member Davis stated he had concerns with adding the new positions. Council Member Davis stated that they have just purchased new software and then they intend to fund these positions out of hold harmless funds that they will not have next year. Council Member Davis stated that residential plan review takes too long in High Point.

Council Member Wagner stated that he has a lot of problems with this and he felt that this is a situation where there is a choice between reducing regulations that are not required by law (residential plan review is not required by law) or hiring more people to deal with the regulations that they have created.

Strib Boynton advised that most of the problems that Planning is having is on the commercial plan reviews and how those plans comply with the state energy codes, electric codes, etc. and the volume of work on the commercial side.

Mayor Sims stated that it was unacceptable for staff to be taking things home and spending an inordinate amount of time on these reviews. Mayor Smothers asked if this is a one year fix until they get the UDO. Strib Boynton stated that the UDO recommendations are about six to nine months away. Mr. Burnette stated that the UDO will be coming to Council for consideration and public hearing process in the Spring of next year.

Council Member Smothers stated that she fully supports putting effort behind the commercial review. Council Member Ewing made the suggestion they suspend residential plan review so they can focus solely on the commercial. Strib Boynton stated that they would be issuing building permits without a plan review if they did that. Council Member Wagner stated that is what they do in Winston-Salem and asked why High Point couldn't do the same thing. Council Member Davis stated that Winston actually sees the plans and they are approved conditionally.

Council Member Wagner stated that the only residential plans they should be reviewing is for someone that is not a licensed contractor or architect.

Council Member Moore asked what the will of Council on this item. Council Member Wagner stated at the very least they need more study before they jump into hiring more personnel.

Mayor Sims stated they continue to complain about the amount of time it takes to get permits and either they are going to do this or live with the complaints that they get and that suspending residential reviews is another issue which never came up in the Planning Committee.

Lee Burnette stated that they are basically looking at efficiency versus timeliness, the software will make the process more efficient but in order to get timeliness they need more people to use those resources.

Council Member Wagner felt that by hiring two additional people they are making a policy decision to continue to do residential plan review, which is something that is not required by law.

Council Member Mendenhall asked if residential plan review is not required by law why are they doing it. Mr. Burnette stated that basically residential plan review saves time and trouble in the field. Very often a contractor knows what they want to do but may not know what the code requires them to do, so they do the plan review to save them time and money to tell them upfront when they receive their permit.

Council Member Smothers felt if the council chooses to eliminate plan review then they need to insure that the inspectors that have to issue that change say it is by the direction of City Council.

Mayor Sims made a motion, seconded by Council Member Mendenhall to place this matter in Planning Committee for further discussion. Motion passed unanimously.

130218 Purchase of Equipment – Ford F750 Dump Trucks

Council is requested to authorize staff to purchase two (2) Ford F750 Dump Trucks from Piedmont Truck Center in the amount of \$115,552 each for a total contract price of \$231,104.00. These vehicles will be used by the Streets Division and will be equipped with snow plows and salt spreaders.

Garey Smith advised that the purchase of these trucks is to replace two trucks that are fifteen years old. The old vehicles will be sold as surplus.

A motion was made by Mayor Sims, seconded by Council Member Wagoner to forward this matter to Council with a favorable recommendation of approval. Motion passed unanimously.

130219 Purchase of Equipment – John Deere 624K Wheel Loader

Council is requested to authorize staff to purchase a 2013 John Deere 624H Wheel Loader from James River Equipment Company in the amount of \$177,653.60. This equipment will be used at the Ingleside Compost Facility.

Garey Edwards stated that this truck will be replacing a 2001 Truck that is used every day at the compost facility.

Council Member Moore made a motion, seconded by Mayor Smothers to forward this matter to Council with a favorable recommendation of approval. Motion passed unanimously.

OTHER ITEMS

Strib Boynton gave a report on the progress of properties for development and demolition. Mike McNair has resolved the Meredith Street Apartments with Schwarz selling the dilapidated complex to Unity Builders. The closing will occur on October 1st, and accordingly there is no need to demolish the property. The Addington Ridge Development low income tax credit has been approved. Work will begin on Addington Ridge in the next twelve months. The owners of five properties that have been discussed have been given a compliance date of October 21st to either bring these properties up to standard or demolish them. Mr. Boynton stated that most likely four of the five properties will be back on Council's agenda on November for final demolition approval.

Council Member Smothers stated that there has been general conversation about travel costs for Council, and felt the Council would do well to develop a travel policy. Council Member Mendenhall asked if they suspend all travel until they put that policy in place. Mayor Sims felt that suspending travel would be problematic because she serves on two boards and there is an expectation to be at those board meetings. Council Member Smothers suggested that they get this done in two weeks. Strib Boynton stated they would come back to Council in two weeks with a suggested policy. Council Member Mendenhall felt that the budget should be on a per council member allowance, and if that council member goes over their allowance they are responsible for those costs.

ADJOURNMENT

The meeting adjourned at 4:30 p.m. on a motion duly made and seconded.

Respectfully Submitted,

Dawn J. Sparks, CMC
Deputy City Clerk

Council Member Britt Moore

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

**STAFF REPORT
ANNEXATION CASE 13-03
August 19, 2013**

Request	
Applicant: Larry E. Holbrook and Ursula A. Holbrook	Owners: Larry E. Holbrook and Ursula A. Holbrook
Proposal: Voluntary contiguous annexation	Effective Date: Upon adoption
	Associated Zoning Case: Not applicable

Site Information	
Location:	Lying along the east side of Deep River Road, approximately 215 feet south of Sunset Hollow Drive (2034 Deep River Road).
Tax Parcel Numbers:	0193008 (Guilford County)
Site Acreage:	Approximately 5 acres
Current Land Use:	Single-family dwelling and various accessory structures
Current Fire District:	Deep River Fire District
Proposed Development:	None, there is an existing single family dwelling on the property.
Proposed Unit Type, Number and Average Value:	Not applicable
Proposed Build-out Schedule:	Not applicable
Proposed City of High Point Council Ward:	The proposed annexation site abuts Ward 6, if annexed the parcel will become a part of Ward 6.
Physical Characteristics:	The site has a moderate to severe sloping terrain. A perennial stream runs in a north to south direction through the eastern portion of the site with the steeper terrains lying along the stream corridor.
Water and Sewer Proximity:	A 16-inch City water line is lying within the Deep River Road right-of-way and an 18-inch City sewer runs along the stream corridor near the eastern boundary of the site.
General Drainage and Watershed:	The site drains in an easterly direction, development of the site will be subject to the City Lake General Watershed Area requirements of the water supply watershed regulations. Engineered stormwater treatment measures are required for non-residential or multifamily development with an impervious surface

	area greater than 24% of the site, and for single-family developments with a gross density of 2 units per acre or more.
Overlay District(s):	City Lake General Watershed Area (GWA)

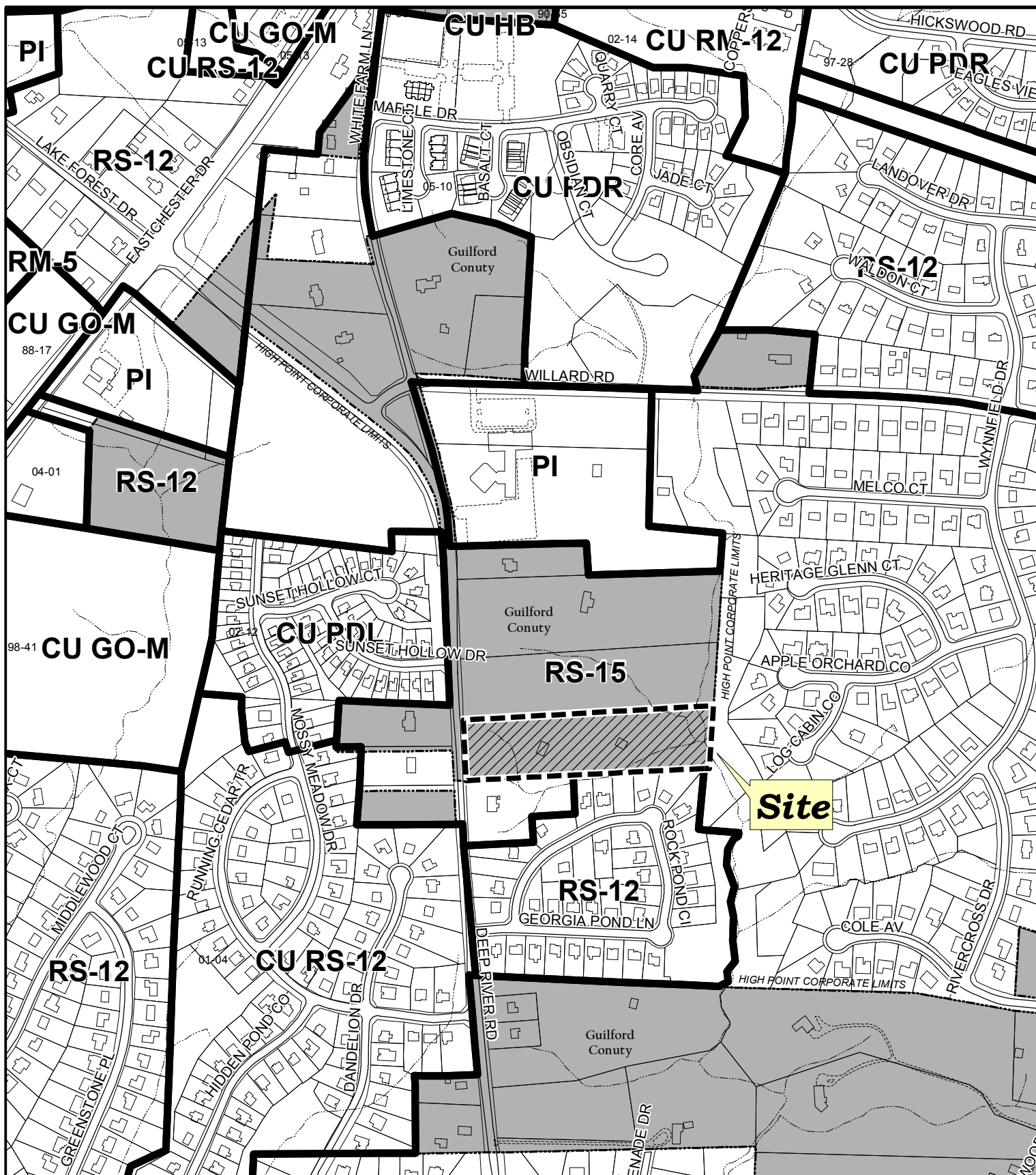
Adjacent Property Zoning and Current Land Use			
North:	RS-15	Residential Single Family-15 District (City of High Point's ETJ)	Single-family dwelling
South:	RS-15	Residential Single Family-15 District	Single-family dwellings
East:	RS-15	Residential Single Family-15 District	Undeveloped common area within the Austin Down Subdivision
West:	RS-15	Residential Single Family-15 District Residential Single Family-15 District (City of High Point's ETJ)	Single-family dwellings

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	Deep River Road	Major Thoroughfare	235 ft.
Vehicular Access:	This site will take access through the existing access point on Deep River Road.		

City Department Comment Summary
This annexation petition is in an area surrounded by the City's corporate limits and City service vehicles currently serve the surrounding area. Annexation petitions for parcels within close proximity to existing service areas do not cause the need for individual department comment. Therefore, comments were not requested for this proposed annexation.

Details of Proposal
The annexation site currently abuts the City limits to the east, south and along a portion of its western boundary. Unincorporated parcels in this general area are surrounded by the City of High Point's corporate limits and the few remaining unincorporated properties are within the City's Extraterritorial Jurisdiction (ETJ), and subject to the City's zoning and development standards. The existing RS-15 District covering the annexation site is not requested to be changed. This annexation represents a logical progression of the City's annexation policy for this area as the property is within the City's ETJ and City services and service vehicles are already present in this area. The annexation of this parcel will not negatively impact the City's ability to provide services in this area.

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



ANNEXATION REQUEST ANX13-03

Applicant: Larry E. & Ursula A. Holbrook
Area: 5 acres (approximate)

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

**Planning & Development
 Department**

City of High Point

Date: July 19, 2013



Scale: 1"=500'

y/ba-pz/2013/pz/aux13-03.mxd

Return to: JoAnne Caryle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Ordinance No. xxxx/xxxx

ANNEXATION OF CONTIGUOUS LANDS
AN ORDINANCE EXTENDING THE CITY LIMITS OF THE CITY OF HIGH POINT

WHEREAS, The City of High Point has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and,

WHEREAS, the City Clerk has investigated the sufficiency of said petition and has certified it to be valid and the City Council set a public hearing date and notice of public hearing was published; and,

WHEREAS, a public hearing on this annexation was held at the Municipal Building at 5:30 p.m. on the 19th day of August, 2013; and,

WHEREAS, the City of High Point does hereby find as a fact that said petition meets the requirements of G.S. 160A-31 as amended;

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

SECTION 1. By virtue of the authority granted by G.S. 160A-31 as amended, the following described territory is hereby annexed, and made a part of the City of High Point as of May 20, 2013.

ANNEXATION CASE 13-03 (Larry E. Holbrook and Ursula A. Holbrook)

Being all of Tract No. 3, of the property of Alfred R. Kimrey according to a Plat duly recorded in Plat Book 72, Page 359, in the Office of the Register of Deeds for Guilford Count, North Carolina, and being more fully described as follows:

Commencing at an existing 1/2" iron rod, said iron rod being the southwest corner of Trustees of First Emmanuel Baptist Church (D.B. 5479, Pg. 1639) and the northwest corner of Larry E. &

Ursula A Holbrook (D.B. 5309, Pg. 713) and being on the old eastern right-of-way of Deep River Road (SR 1538) and being the point and place of **BEGINNING**; thence from said **BEGINNING** point and along said Emmanuel Baptist Church & said Holbrook boundary lines North 86°15'20" East 2.40 feet to a new iron pipe, said new iron being the new right-of-way of said Deep River Road (SR 1538) and the new annexed line; thence along said Emmanuel Baptist Church & said Holbrook boundary lines and the new annexed line North 86°15'20" East 934.48 feet to an existing 1/2" iron pipe, said iron pipe being the southeast corner of said Emmanuel Baptist Church and the northeast corner of said Holbrook properties and being in the western boundary line of The City of High Point (D.B. 5286, Pg. 676) and being on the existing City of High Point Corporate Limits; thence leaving the said Emmanuel Baptist Church boundary and along the City of High Point Corporate Limits lines South 3°27'16" West 237.48 feet to an existing 1/2" flat iron rod, said flat iron rod being the southeast corner of said Holbrook property and being the common corners of Monique N. Hurst & Simon Y. Earle (D.B. 6374, Pg. 2804) and Fan & Yao Lee (D.B. 6227, Page 2571); thence leaving said City of High Point and Monique N. Hurst & Simon Y. Earle property and along said Fan & Yao Lee and along said City of High Point Corporate Limits South 86°14'21" West 905.44 feet to a new iron rod and being the northwest corner of Pam Sue Cochran (D.B. 5197, Pg. 1748), said iron being the new right-of-way of said Deep River Road (SR 1538); thence leaving the said Pam Sue Cochran property South 86°14'21" West 5.52 feet to a new iron rod; and along the Old Deep River Road (SR 1538) right-of-way and the said new City of High Point Corporate Limits North 2°48'47" West 235.90 feet to the point and place of **BEGINNING**.
Containing 5.00± acres or 217,799± Sq. Ft.

SECTION 2. Upon and after August 19, 2013, the foregoing property and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of High Point, and shall be entitled to the same privileges and benefits as other parts of the City of High Point. Said territory shall be subject to municipal taxes according to G.S. 160A-31.

SECTION 3. The Mayor of the City of High Point shall cause to be recorded in the Office of the Register of Deeds for Guilford County and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1, thereof, together with a duly certified copy of this ordinance.

Adopted by City Council,
this the 19th day of August, 2013
Lisa B. Vierling, City Clerk



2013057394

GUILFORD CO, NC FEE \$26.00
PRESENTED & RECORDED:

08-23-2013 11:04:33 AM

JEFF L. THIGPEN
REGISTER OF DEEDS
BY: SHEIKA WASHINGTON
ASSISTANT-HP

BK: R 7523

PG: 983-986

Return to: Joanne Carlyle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Resolution No. 1329 / 13-52

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, IN A REGULAR MEETING ASSEMBLED ON THE 19th DAY OF AUGUST, 2013 AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, HIGH POINT, NORTH CAROLINA:

4 SW
WHEREAS, The Technical Review Committee has petitioned the City Council of the City of High Point to permanently abandon (close) the southern 228 feet of Clark Place, a partially improved 40-foot wide right-of-way lying south of Newell Street, and being more fully described as follows:

Street Abandonment Case 13-10

Abandonment of all of the Clark Place (a.k.a. Clark Street) right-of-way, lying south of Newell Street as shown on a map entitled "Rankin-Teague-Welch Lands near High Point, NC" as recorded in Plat Book 6 at Page 89, in the Office of Register of Deeds for Guilford County, North Carolina. The area is more specifically described as follows: starting at the northeast corner of Guilford County Tax Parcel 0197602 (a.k.a the northeast corner of lot 230 as shown map entitled "Rankin-Teague-Welch Lands near High Point, NC" as recorded in Plat Book 6 at Page 89); thence South 22° 51'27" West 25 feet to a **POINT OF BEGINNING**; thence South 06° 01'47" West 228 feet to a point being the southeast corner of Guilford County Tax Parcels 0197600; thence North 85° 04'09" West 39.89 to the southwestern corner of Guilford County Tax parcel 0197621; thence in a northerly direction along the western property line of Guilford County Tax Parcel 0197621 to the northwestern corner of Guilford County Tax Parcel 0197621; thence in a westerly direction to the point of beginning.

WHEREAS, the petition has been duly filed with this Council in a Regular meeting assembled on the 15th day of July 2013, at 4:45 p.m. setting the 19th day of August, 2013 at 5:30 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 July 19 & 26 and August 1 & 9, 2013; and,

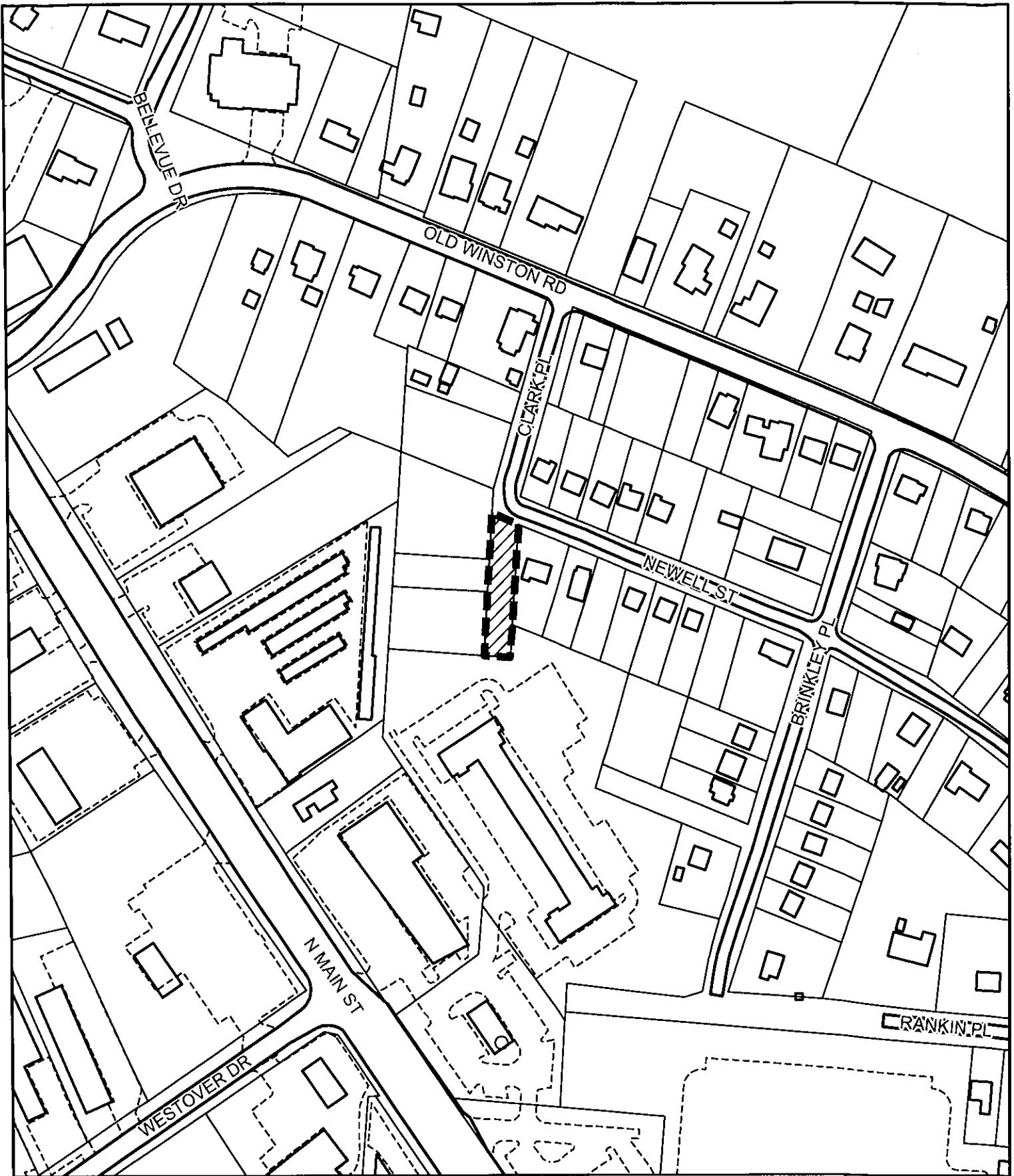
WHEREAS, the above entitled matter, pursuant to said resolution and notice was called for hearing before said Council at which time there was no objection or opposition offered on the part of any firm or corporation to abandon of all of the Clark Place (a.k.a. Clark Street) right-of-way, lying south of Newell Street as shown on a map entitled "Rankin-Teague-Welch Lands near High Point, NC" as recorded in Plat Book 6 at Page 89, in the Office of Register of Deeds for Guilford County, North Carolina.

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 all of an partially improved 40-foot wide right-of-way known as Clark Place, lying south of Newell Street; as depicted on as depicted on map entitled "Rankin-Teague-Welch Lands near High Point, NC" as recorded in Plat Book 6 at Page 89, in the Office of Register of Deeds for Guilford County, North Carolina be closed pursuant to North Carolina G.S. 160A-299; and,
2. 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 19th day of August, 2013
Lisa B. Vierling, City Clerk



STREET ABANDONMENT REQUEST SA13-10

Applicant: U-Haul of Central North Carolina (Jason Grider)

Area: 0.212 acre



Location of street abandonment



Previously abandoned right-of-ways

**Department of Planning
and Development**

City of High Point

Date: July 5, 2013



Scale: 1"=200'

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

Certification

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, do hereby certify that the foregoing is a true and accurate Resolution adopted by the City Council in official Session on August 19, 2013 and upon approval by City Council will be recorded in Book 88 of the Official Minute Books and Resolution Book XVIII of this City, under my care, custody and control. As of this date, action to adopt said Resolution has not been amended, rescinded or repealed and is in full force and effect.

WITNESS my hand and the Corporate Seal of the City of High Point, the 22nd day of August, 2013.


Lisa B. Vierling, City Clerk



ACKNOWLEDGEMENT

I, Cynthia C. Duncan-Smith, a Notary Public of said County and State, do hereby certify that Lisa B. Vierling is known to me as City Clerk of the City of High Point; that this person personally appeared before me this date; and, upon authority duly given and as an act of said City, issued and executed the foregoing Certification.

WITNESS my hand and official Notarial Seal, this 22nd day of August 2013.

CYNTHIA C. DUNCAN-SMITH
NOTARY PUBLIC
GUILFORD COUNTY, NC


Cynthia C. Duncan-Smith, Notary Public

Commission Expires: 1/18/2015

Publish four (4) consecutive weeks: August 23 & 30, 2013 and September 6 & 13, 2013

RESOLUTION OF INTENT TO CONSIDER
STREET ABANDONMENTS
(Case # SA13-13)

WHEREAS, the City Council has been petitioned to abandon the following right-of-way:
An unimproved right-of-way, lying south of the intersection of Meridian Avenue and Oaklawn Street.

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, September 16, 2013, at 5:30 p.m. as the date for said public hearing before the Council of the City of High Point, in the Council Chambers of the Municipal Building in High Point, on the abandonment case.

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) 883-3544 or FAX (336) 883-3056.

By Order of the City Council
This the 19th day of August, 2013.

Lisa B. Vierling, City Clerk

Petition Submitted By: City of High Point



STREET ABANDONMENT REQUEST SA13-13

Applicant: City of High Point
Area: 0.568 acres



Location of requested street abandonment



Previously abandoned right-of-ways

Department of Planning
and Development

City of High Point

Date: August 12, 2013



Scale: 1"=200'

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PLANNING AND ZONING COMMISSION RECOMMENDATION

On July 23, 2013, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except for Mrs. Martha Shepherd and Mr. Ed Spivey.

U-Haul of Central North Carolina

Zoning Case 13-06

A request by U-Haul of Central North Carolina to rezone approximately 0.97 acres from the Residential Single Family-7 (RS-7) District to a Conditional Zoning Highway Business (CZ-HB) District. The site is lying south of Newell Street and west of Clark Place.

Mr. Herbert Shannon presented Zoning Case 13-06 and recommended approval as outlined in the staff report.

No one spoke on behalf or in opposition to this request. The applicant, Mr. Jason Grider, Marketing Company President, U-Haul of Central North Carolina was in attendance to address any questions from the Commission.

The Planning & Zoning Commission recommended approval of Zoning Case 13-06 by a vote of 7-0.

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

**STAFF REPORT
ZONING CASE 13-06
July 23, 2013**

Request	
Applicant: U-Haul of Central North Carolina	Owner: Amerco Real Estate Company
Zoning Proposal: To rezone approximately 0.97 acres.	From: RS-7 Residential Single Family-7 District
	To: CZ-HB Conditional Zoning Highway Business District

Site Information	
Location:	The site is lying south of Newell Street and west of Clark Place.
Tax Parcel Numbers:	Guilford County Tax Parcels 0197600, 0197601 and 0197602
Site Acreage:	Approximately 0.97 acres (42,200+ square feet)
Current Land Use:	Undeveloped
Physical Characteristics:	The site is wooded with a moderately sloping terrain.
Water and Sewer Proximity:	There are City utility lines (6-inch water line and 8-inch sewer line) within Newell Street. In addition, an 8-inch sewer line, running in an east to west direction, crosses the northern portion of the zoning site.
General Drainage and Watershed:	The site drains in a general southwesterly direction towards N. Main Street and is in the Yadkin Pee-Dee (non-water supply) Watershed. Based upon the size of the site, the watershed regulations may require stormwater controls to be provided.
Overlay District(s):	None

Adjacent Property Zoning and Current Land Use			
North:	RS-7	Residential Single Family-7 District	Undeveloped
South:	HB	Highway Business District	Hotel
East:	RS-7	Residential Single Family-7 District	Single family dwelling
West:	HB	Highway Business District	Warehouse (self-storage) and retail use

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement	Not relevant.
Land Use Plan Map Classification:	The intent is for the zoning site to be added to existing commercial use fronting along N. Main Street. This segment of the N. Main Street commercial corridor has a Community/Regional Commercial designation. The Community/Regional Commercial land use

	classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers.
Land Use Plan Goals, Objectives & Policies:	The following goals and objectives of the Land Use Plan are relevant to this request: Goal #2: Encourage development that enhances and preserves established neighborhoods; Obj. #9. Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses; <u>Development Guidelines:</u> <i>Office and Commercial Developments Bordering Residential Neighborhoods.</i> The evaluation of a zoning request for property adjoining an established residential neighborhood which also fronts on a thoroughfare or collector street shall address the following: • The mass, scale & height of the proposed use and accessory uses; • The topography of the subject property and adjacent residential uses; • The effectiveness of maintaining neighborhood compatibility through the conversion of an existing residential structure to a non-residential use; • The impact on the residential neighborhood of non-local traffic generated by the proposed use; and • The sufficiency of the proposed buffering, setbacks and landscaping. The intent will be to minimize to the extent feasible, the intrusive impact of the non-residential use on the adjacent neighborhood.
Relevant Area Plan:	There are not any area plans that are applicable to this case.
Zoning History:	• <u>Zoning Case 12-07</u> – Rezoning of a 2 acre parcel at the southeast corner of N. Main Street and Old Winston Road to a CZ-GB District. • <u>Zoning Case 97-23</u> – Rezoning of a 3.5 acre parcel directly south of the current zoning site (<i>currently Crestwood Suite Hotel</i>) to a CU-GB District.

Transportation Information			
Adjacent Streets:	Name		Approx. Frontage
	Clark Place		253 ft.
Vehicular Access:	This site currently has access on N. Main St and no additional access is requested.		
Traffic Counts: (Average Daily Trips)	Clark Place		ADT is less than 500 trips per day.
Estimated Trip Generation:	Using the development data provided by the applicant, the total ADT for this site is estimated at less than 50 trips in a peak hour.		
Traffic Impact Analysis:	Required		Comment
	<u>Yes</u>	<u>No</u> X	
Pedestrian Access:	Not applicable.		

Details of Proposal

The applicant has submitted this request to rezone three parcels totaling 0.97 acres from the RS-9 District to a CZ-HB District to facilitate the expansion of an existing commercial development fronting N. Main Street. The zoning site is located behind a U-Haul self-storage facility at 2910 N. Main Street. U-Haul of Central North Carolina desires to expand its existing commercial use to include this property. A CZ-HB District zoning is being requested to match the existing commercial zoning along this segment of N. Main Street and to allow expansion of the existing self-storage facility.

The zoning site abuts RS-9 District zoned parcels and a single family dwelling. The applicant has offered the following conditions in the Conditional Zoning Ordinance to mitigate any potential negative impacts to the abutting residential property owners:

- Restrict Vehicular Access: No vehicular access shall be permitted to Clark Place or to Newell Street.
- Lot Combination: The parcels associated with this zoning application are to be combined with the existing commercial use at 2910 N. Main Street to form one lot.
- Landscaping, Buffers and Screening: The highest planting yard rate of the development ordinance (Type A Planting Yard) will be installed next to the abutting residential area. Existing trees and vegetation within 25 feet of the property are to be preserved.
- Lighting: Exterior light fixtures are to be directed inward into the site and include the use of shields to direct light and glare away from adjacent residential uses.

Staff Analysis

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 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 consistent with planning policies in that the expansion of the business is going to have access only from N. Main Street and a buffer of existing vegetation, supplemented to achieve a Type A planting yard, will be maintained to provide a transition between land uses.

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 surrounding development pattern consists of commercial uses fronting along N. Main Street and residential uses to the rear of these commercial parcels. The applicant has offered conditions that the zoning site be combined with the abutting commercial development fronting along N. Main Street and prohibits vehicular access to the abutting residential streets (Clark Place and Newell Street), which forces vehicular access to the zoning site to be from N. Main Street. These conditions reinforce the established commercial development pattern of the area and ensure development will be compatible with the surrounding area.
<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> The zoning site abuts an undeveloped residential zoned parcel to the north and an existing single family dwelling to the east. To ensure compatibility with the adjacent residential area the applicant has offered to prohibit vehicular access to Clark Place or Newell Avenue, to install a higher landscaping buffer next to abutting residential zoned parcels and require shields to direct lighting and glare away from adjacent residential uses.
<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> Staff has not identified any environmental impacts based upon the proposed district.
<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 zoning site will be added to an existing commercial development that is currently served by City of High Point utilities and 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> Based upon conditions offered by the applicant pertaining to vehicular access, landscaping and lighting, potential adverse impacts upon adjacent property owners will be mitigated.

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:

Primary changes in this area have been the widening of Old Winston Road which was completed in 2012, renovation and expansion of Wal-Mart retail use in 2009, and construction of the Crestwood Suite hotel facility in 1999. The two commercial developments both expanded commercial uses that are located adjacent to a residential neighborhood.

Development Patterns:

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

Staff Comments:

As conditioned, commercial development will be oriented toward N. Main Street which is keeping with the preferred and established development pattern along the N. Main Street commercial corridor.

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 is reasonable and in the public interest because: 1) The request is consistent with the City's Land Use Plan in that the zoning site will be added to an existing commercial use oriented towards the N. Main Street commercial corridor; 2) The requested CZ-HB District will create a commercial lot depth similar to abutting commercial zoned lots in this area and will be in harmony with existing commercial development pattern in this area; and 3) Conditions offered by the applicant to restrict vehicular access to the abutting residential subdivision and providing for higher landscaping standards next to abutting residential zoned parcels addresses objectives and development guidelines noted in the Land Use Plan to provide a transition in uses between lower residential land uses and higher intensity commercial land uses.

Recommendation

Staff Recommends Approval

As addressed in the Staff Analysis section of this report, conditions offered by the applicant address objectives of the Land Use Plan and will ensure development of the zoning site will be compatible with adjacent uses. The Planning & Development Department recommends approval of the request to rezone this 0.97 acre parcel to the CZ-HB District. As conditioned, the requested CZ-HB District will be compatible with the surrounding area and in conformance with adopted plans.

Required Action

Planning and Zoning Commission:

Upon making its recommendation, 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. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

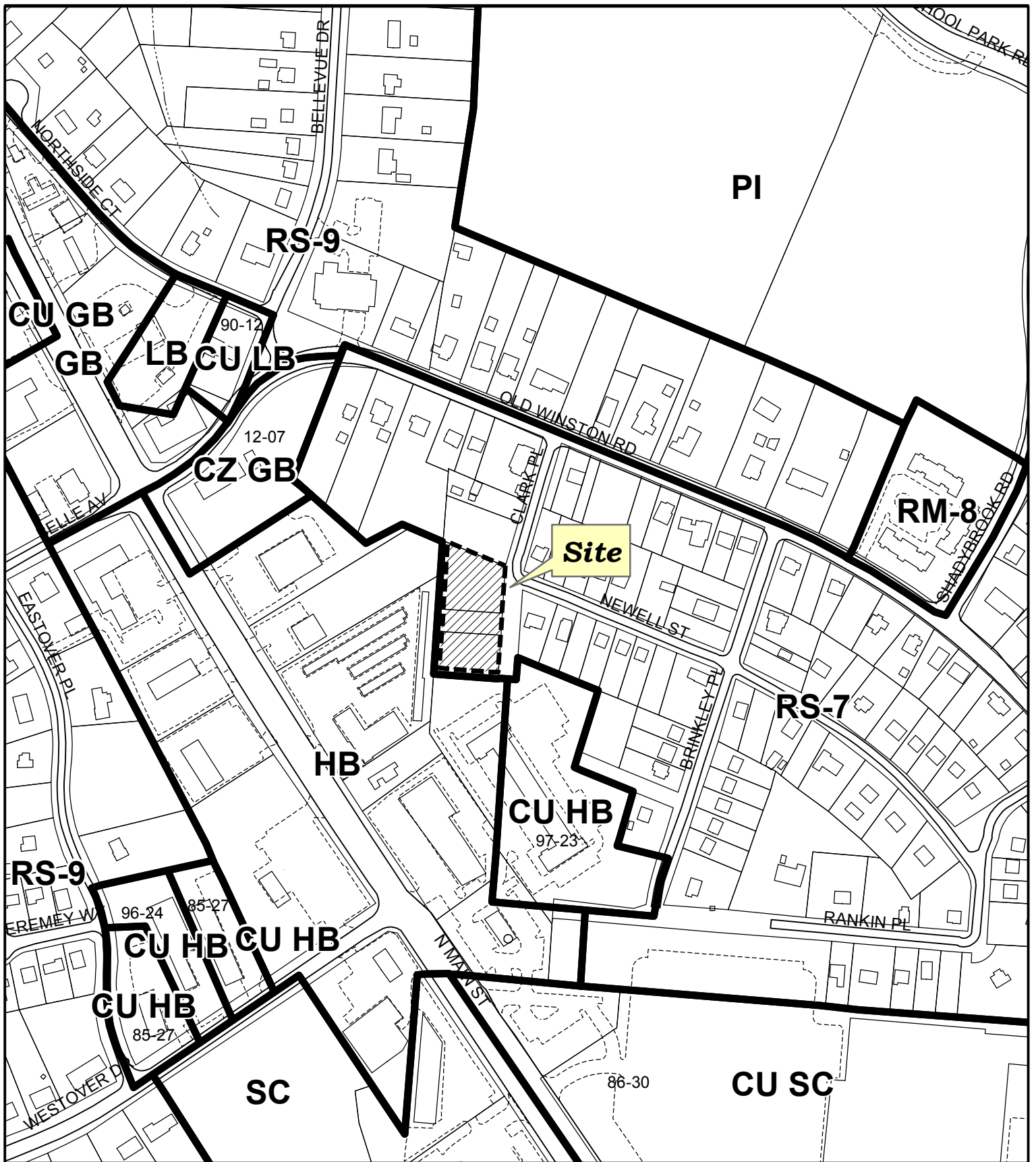
City Council:

Upon rendering its decision in this case, the NC General Statutes require that the High Point 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. 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 reviewed by Robert Robbins AICP, Development Services Administrator and Lee Burnette AICP, Director.



ZONING CASE 13-06

From: Residential Single Family-7
To: Conditional Zoning Highway Business

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

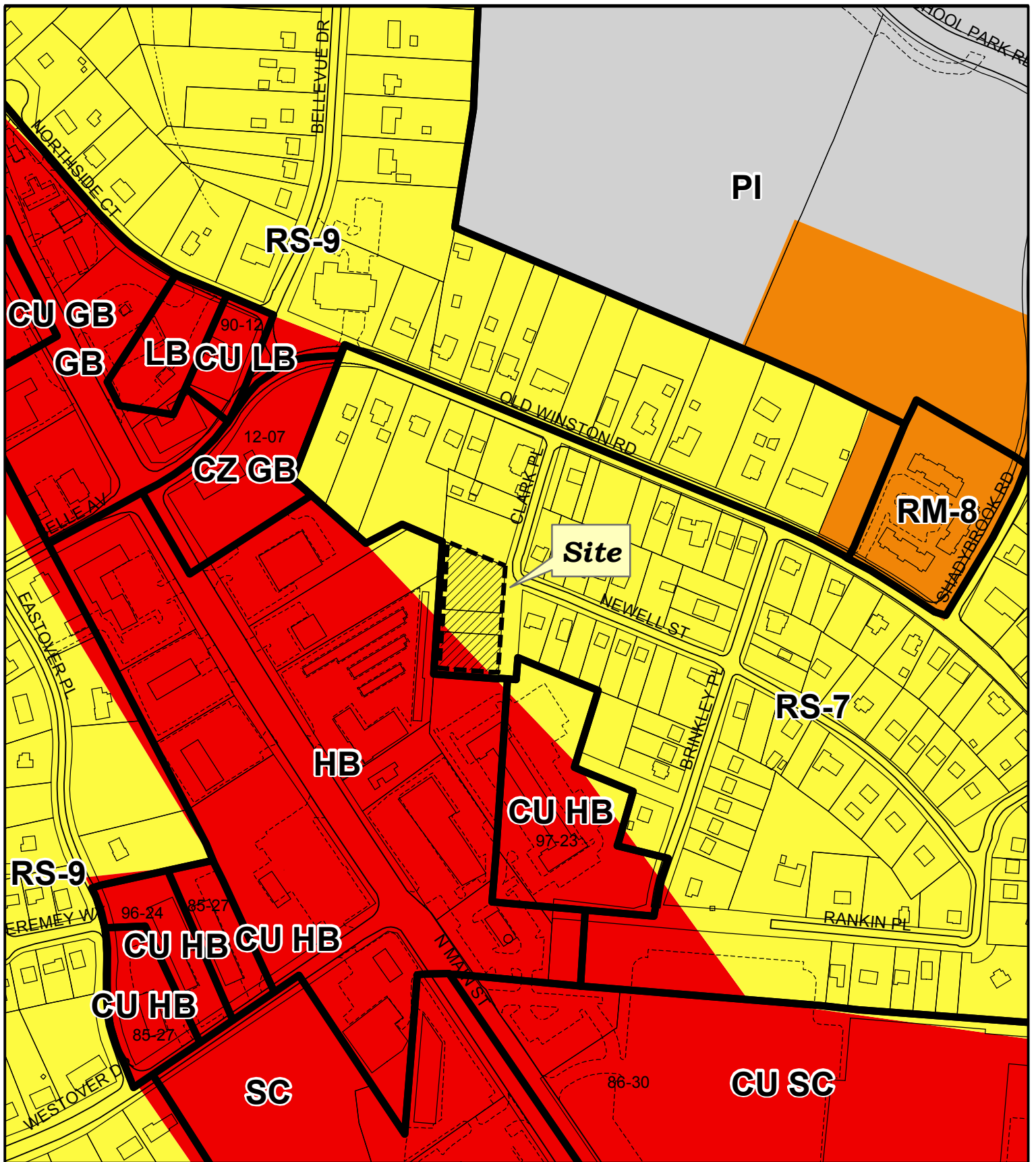
Planning & Development
Department

City of High Point

Date: July 5, 2013



Scale: 1"=300'
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ZONING CASE 13-06

Land Use Plan

- | | |
|---|---|
| Low-Density Residential | Community/Regional Commercial |
| Moderate-Density Residential | Institutional |

Planning & Development
Department

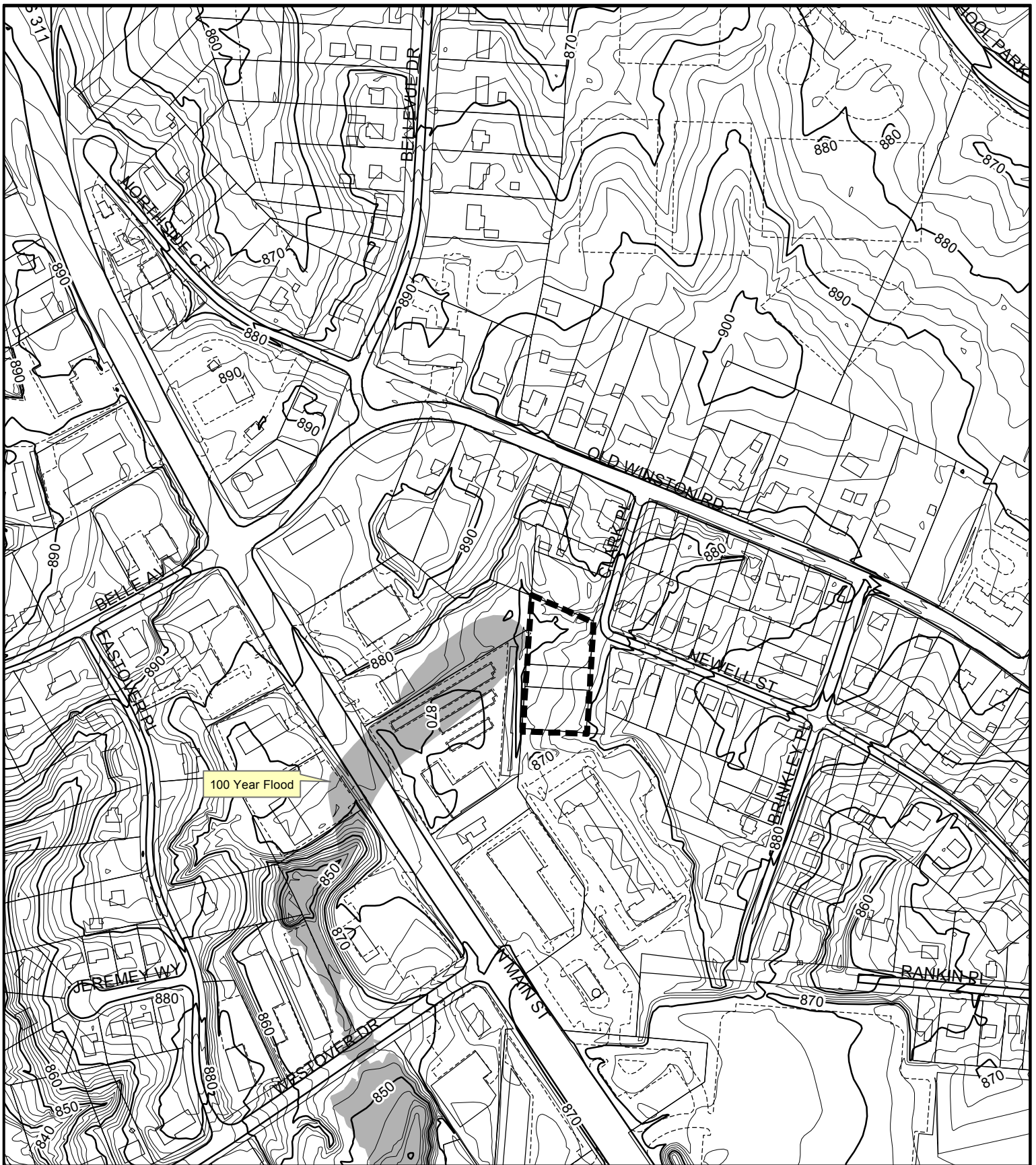
City of High Point

Date: July 19, 2013



Scale: 1"=300'

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ZONING CASE 13-06

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: July 12, 2013



Scale: 1"=300'

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ZONING CASE 13-06



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 July 23, 2013 and before the City Council of the City of High Point on August 19, 2013 regarding **Zoning Case 13-06** 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 _____, for the Planning and Zoning Commission public hearing and on _____ and _____, 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 _____ 2013.

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: **Conditional Zoning Highway Business (CZ-HB) District**. The property is approximately 0.8 acres and lying southwest of the intersection of Clark Place and Newell Street. The property is also known as Guilford County Tax Parcels 0197600, 0197601 and 0197602.

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:

Any of the land uses allowed in the Highway Business (HB) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the HB District and the specific conditions listed herein

Part II. CONDITIONS:

- A. Lot Combination: All of the zoning site (tax parcels 0197600, 0197601 and 0197602) shall be combined with tax parcel 0197347 to form one lot. No new land development or subdivision shall be permitted upon this tract until the lot combination is completed.
- B. Landscaping, Buffers and Screening: The following standards shall apply to northern and eastern boundary of the zoning site:
1. The property owner shall install a Type A Planting Yard along the northern and eastern property line of the zoning site.
 2. All existing trees and vegetation within 25 feet of the of the property line shall be preserved and supplemented, where necessary, to meet the Type A Planting Yard rate. The property owner shall be permitted to remove unhealthy vegetation and vegetation that may pose a danger to occupants of the rezoning site. The property owner shall also be permitted to prune existing vegetation within the planting yard area in order to maintain the health of the existing vegetation.
 3. Any opaque fencing associated with the above noted planting yard shall be installed on the internal side of the plating yard.
- C. Lighting: Exterior light fixtures, including those on buildings, shall be directed inward and downward into the site and include the use of shields to direct light and glare away from adjacent residential uses.
- D. Transportation Conditions (Vehicle Access): No vehicular access shall be permitted to Clark Place or to Newell Street.

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 _____, 2013.

Lisa B. Vierling, City Clerk

July 2, 2013

To: Lee Burnette, Director of Planning and Development

From: Mark McDonald, P.E., Transportation Director 

Subject: **Rezoning Case #13-06, U-Haul of Central North Carolina.** The site is lying southwest of the intersection of Clark Place and Newell Street.

My staff and I have reviewed the rezoning request and have the following comments:

A traffic impact analysis was not required for this development. To require a traffic study the proposed development must be expected to produce at least one hundred and fifty (150) trips in the AM or PM peak hour. In order to mitigate the development's impact on the surrounding roadway network the following improvements will be required:

Access:

- No vehicular access shall be permitted to Clark Place or Newell Street from the rezoning site.

If you have any questions or would like to further discuss this case, please advise.

Citizens Information Meeting Report

Zoning Case 13-06

Submitted by: Tristan Dreier, Executive Assistant
U-Haul Company of Central North
Carolina



26 June 2013

TO: Planning & Development Office, City of High Point, NC
FROM: Tristan Dreier

RE: Citizen's Information Meeting Report

U-Haul of Central North Carolina conducted a Citizen Information Meeting in regards to our application for a Conditional Zoning District request on Wednesday, June 26th at 10:00 AM in the showroom of U-Haul of High Point. Letters were mailed to 25 citizens on June 20th informing them of this meeting. 1 citizen attended this meeting, and 1 citizen called into our Marketing Company Office.

A copy of the City of High Point Conditional Zoning District Citizen Information Meeting document, a copy of U-Haul of Central North Carolina's Development Proposal, and a map outlining the proposed zoning changes were distributed to all participants. Tristan Dreier represented U-Haul of Central North Carolina.

Discussions focused on the impact on the surrounding residential area. Citizen comments included the possibility of U-Haul of Central North Carolina's interest in purchasing residential property in the area in the future.

Copies of the notification letter, list of citizens receiving the letter, and the development proposal are attached.

Moving Made Easier SM



June 20, 2013

TO: Owners of property near U-Haul of High Point

FROM: Tristan Dreier

RE: **Citizen Information Meeting, June 26, 2013**

10:00 AM, Showroom of U-Haul of High Point (2908 N Main St)

U-Haul of Central North Carolina is filing an application with the City of High Point for the rezoning (from RS-7 to CZ HB) of several tracts of property adjoining U-Haul of High Point. This would affect property along Clark Place, and the 900 block of Newell Street. These tracts of property will be accessible solely through existing U-Haul property, and will be inaccessible via Clark Place or Newell Street.

A Citizen Information Meeting will be held on June 26 at 10:00 AM in the showroom of U-Haul of High Point, for the purpose of allowing us to inform you about our development plan and rezoning proposal. We look forward to answering your questions and receiving your input.

U-Haul of Central North Carolina, 2908 N Main St, High Point, North Carolina 27265 (336) 899-7969

Moving Made Easier SM



DEVELOPMENT PROPOSAL – Parking Lot adjacent to U-Haul of High Point

U-Haul of Central North Carolina is filing an application with the City of High Point for a rezoning request for parcels of property adjacent to U-Haul of High Point. The changes requested are from RS-7 to CZ HB. The property consists of 3 lots totaling approximately 1 acre, located at the intersection of Clark Place and Newell Street. These tracts of property will be accessible solely through existing U-Haul property, and will be inaccessible via Clark Place or Newell Street.

Proposed development for the area includes a crushed stone parking area, a landscaped buffer area on the borders of Clark Place and Newell Street, and a wooden fence, surrounding the parking area.

The next meeting of Planning & Zoning with a public hearing on this proposal will take place at City Hall on July 23, 2013 at 06:00 PM.

Please contact Tristan Dreier, Executive Assistant, U-Haul of Central North Carolina at (336) 899-7969 or tristan_dreier@uhaul.com with comments or concerns.

June 26, 2013

U-Haul of Central North Carolina, 2908 N Main St, High Point, North Carolina 27265 (336) 899-7969

Moving Made Easier SM

**COMPREHENSIVE PLANNING COMMITTEE
(COMMITTEE OF THE WHOLE)
AUGUST 20, 2013 – 4:00 P.M.
CITY MANAGER’S CONFERENCE ROOM**

MINUTES

PRESENT:

Committee Chair Smothers, Council Members Ewing, Moore, and Wagner

ABSENT:

Mayor Sims, Council Members Davis, Douglas, Golden, and Mendenhall

STAFF PRESENT:

Strib Boynton, City Manager; Pat Pate, Assistant City Manager; Randy McCaslin, Assistant City Manager; Jeron Hollis, Public Information; Loren Hill, Economic Development; Lee Burnette, Director of Planning; Dawn Sparks, Deputy City Clerk

OTHERS PRESENT:

Dan O'Shea – Fairway Outdoor Advertising
Cindy Davis – Planning & Zoning Commission

Council Member Wagoner handed out some information he received from Winston-Salem regarding their building permit process.

FAIRWAY OUTDOOR ADVERTISING PRESENTATION

Strib Boynton stated Dan O'Shea has had an interest in bringing some ideas to High Point that he thinks might benefit the City.

Mr. O'Shea stated that the benefit would come from a partnership with the City of a shared vision. There are 40 billboard locations throughout the City, four of which are conforming. The inventory of High Point's billboards came from the existing ordinances that were placed years ago. Fairway has not built a billboard in High Point since 1985. Mr. O'Shea stated:

- Around 1960 the City Zoning Ordinance was amended to add the definition of billboards as “a structure not attached to a building with the bottom not less than 24” for from the ground nor more than 15 feet in height from the ground.” These boards were built in the line of sight nestled and back dropped.
- In 1976 High Point's Ordinance referred to billboards as “advertising signs” and they were only permitted in heavy industrial zones, which is the only allowable

zone even today. An advertising sign face could be up to 60 feet in horizontal length and up to 15 feet in vertical length (900 square feet). The overall height was not regulated. The ordinance contained the spacing requirement of only 100 feet between advertising signs.

Mr. O'Shea stated that in his business this is a recipe for disaster, especially in a competitive environment. In High Point Fairway has about 95% of all the outdoor advertising. All of the boards are located in the 3rd Ward stacked on top of each other, 100 feet apart in some cases. These boards were built to go after the mill workers on behalf of the tobacco companies back in the 40s – 70s. High Point has changed dramatically since that time.

Existing Signage

- In driving down 85 there is one sign on 85 that says High Point. If you pass that there is not another sign that says High Point, even as you approach 311 it tells how to get to Winston and Asheboro.
- NCDOT is the one that regulates the signage on the interstates.
- If you are not local and looking for High Point these signs are not helpful.

Mr. O'Shea felt High Point is a hidden treasure that most travelers cannot see, and with the 73 and 74 corridors, and 311 they can really develop and generate business and awareness with the use of boards.

A Citizen Survey asking how often people shop outside of High Point received responses that 71% left High Point a few times a month, 41% left High Point once a week, and 29% a left High Point a few times a week. This is from the High Point 2013 Direction Finders Survey. Mr. O'Shea stated these numbers show a lot of lost revenue for High Point.

Opportunities and Improvement

- High Point has a good diversity of zoning classifications.
- The primary arteries offer the best opportunities, because they bring folks in to spend dollars to shop
- Presently the billboard locations in High Point are limited to heavy industrial and located on top of each other.
- A Cap and Replace Ordinance could better distribute the billboards into a community regional commercial zone and create the opportunity to locate in the business activity centers, with very restrictive spacing.
- The community regional commercial zone would eliminate the clutter that is presently in the 3rd Ward.
- Targeting one of the business activity centers at Wendover Avenue and Piedmont Parkway, Guilford College Road. There is a great intersection at Piedmont Parkway that is relatively undeveloped that could include a 378 foot

digital bulletin. Every eight seconds the board could change to promote a different advertiser. I flip of these boards is reserved for the community.

- Centennial and Eastchester where there is an existing gas station is the perfect place for a board.
- Boards can be customized to go in different sections of town.
- Opportunities at Eastchester and North Main
- Downtown has many opportunities for wall boards for promotional purposes for Furniture Market.

Strib Boynton asked what the benefit to the City would be. Mr. O'Shea stated that he strongly suggests is that the City will look into their real estate that they hold and consider leasing it for the boards. There will also be permit fees involved with the billboards.

Council Member Smothers felt the wall boards in the downtown area would be perfect and it would certainly replace what some really tacky wall signs.

Council Member Moore asked if Fairway would enter into a contract with the City for the billboards. Mr. O'Shea stated that once the ordinance is in place and defines the permitted zones, Fairway will go out and work with the landowners to try and secure a lease. Once a lease is secured they then make application to the planning department for a permit. Leases for the boards vary in times, depending on the property owner. The lease is negotiated with the property owners.

Council Member Smothers stated that High Point has a very tight ordinance that has worked well, and asked if there was someway they could approach the billboards in small pieces. Council Member Ewing felt that the location at Piedmont Parkway and Wendover would be great to try out the billboard and get feedback from. Council Member Smothers felt the Business District could benefit from the wallboards. Council Member Moore felt that High Point was missing opportunity on the main arteries on the outskirts of High Point.

Mr. O'Shea stated the feedback he has been getting is how to grab the audience on the 73 and 74 corridors. Mr. O'Shea encouraged the Committee to look at the Piedmont Parkway location, where it truly is a gateway and heavily travelled, and test it.

Council Member Smothers stated that the next step would be to hear from staff for what they have looked at. There is a furniture market coming up and Council Member Smothers felt that there could be a way to gage for some of the interest might be by building owners.

Strib Boynton stated that he will be back in touch with Mr. O'Shea after they meet with Planning staff regarding billboards.

ADJOURNMENT

The meeting adjourned at 5:00 p.m. on a motion duly made and seconded.

Respectfully Submitted,

Dawn J. Sparks, CMC
Deputy City Clerk

Council Member Smothers,
Committee Chair

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 July 23, 2013 and before the City Council of the City of High Point on August 19, 2013 regarding **Zoning Case 13-06** 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 July 14, 2013, for the Planning and Zoning Commission public hearing and on August 7, 2013 and August 14, 2013, 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 August 19, 2013.

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: **Conditional Zoning Highway Business (CZ-HB) District**. The property is approximately 0.97 acres and lying southwest of the intersection of Clark Place and Newell Street. The property is also known as Guilford County Tax Parcels 0197600, 0197601 and 0197602.

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:**

Any of the land uses allowed in the Highway Business (HB) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the HB District and the specific conditions listed herein

Part II. CONDITIONS:

- A. Lot Combination: All of the zoning site (tax parcels 0197600, 0197601 and 0197602) shall be combined with tax parcel 0197347 to form one lot. No new land development or subdivision shall be permitted upon this tract until the lot combination is completed.
- B. Landscaping, Buffers and Screening: The following standards shall apply to northern and eastern boundary of the zoning site:
1. The property owner shall install a Type A Planting Yard along the northern and eastern property line of the zoning site.
 2. All existing trees and vegetation within 25 feet of the of the property line shall be preserved and supplemented, where necessary, to meet the Type A Planting Yard rate. The property owner shall be permitted to remove unhealthy vegetation and vegetation that may pose a danger to occupants of the rezoning site. The property owner shall also be permitted to prune existing vegetation within the planting yard area in order to maintain the health of the existing vegetation.
 3. Any opaque fencing associated with the above noted planting yard shall be installed on the internal side of the plating yard.
- C. Lighting: Exterior light fixtures, including those on buildings, shall be directed inward and downward into the site and include the use of shields to direct light and glare away from adjacent residential uses.
- D. Transportation Conditions (Vehicle Access): No vehicular access shall be permitted to Clark Place or to Newell Street.

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.

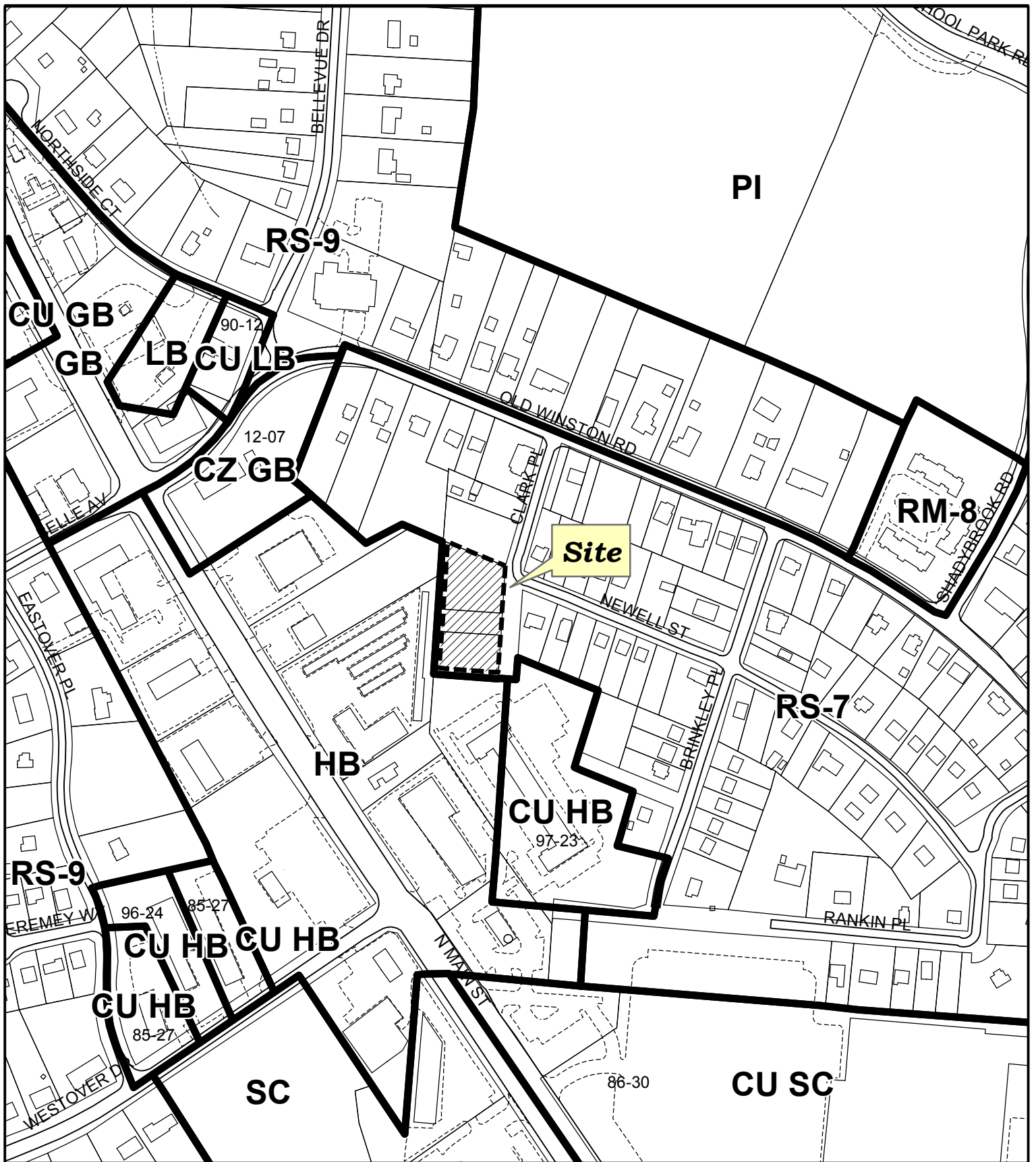
SECTION 5

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.
19th day of August, 2013.

Lisa B. Vierling, City Clerk



ZONING CASE 13-06

From: Residential Single Family-7
To: Conditional Zoning Highway Business

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

Planning & Development
Department

City of High Point

Date: July 5, 2013



Scale: 1"=300'
y/ba-pz/2013/pz/z13-06.mxd