

City of High Point

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



Meeting Agenda

Monday, August 17, 2015

5:30 PM

Council Chambers

City Council

*William S. Bencini, Jr., Mayor
James C. Davis, Mayor Pro Tem
Latimer B. Alexander, IV, Cynthia Y. Davis,
Jason P. Ewing, Jeffrey J. Golden,
Alyce E. Hill, Christopher Williams,
Jay W. Wagner*

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE**RECOGNITIONS AND PRESENTATIONS**

[150244](#) Recognition - Roads Scholar Status/Utility Management Certification
Members of the City's Public Services Department will be in attendance for recognition for achieving "Roads Scholars" status with the NC State University, Institute for Transportation Research and Education; and "Utility Management Certification" from The Water University and North Carolina Rural Water Association.

[150245](#) High Point Historical Society - Little Red Schoolhouse
Members of the High Point Historical Society will be present to discuss the relocation of the Little Red Schoolhouse.

PUBLIC COMMENT PERIOD

A Public Comment Period will be held on the first Monday of the regular City Council meeting schedule at 5:30 p.m. or as soon thereafter as reasonably possible following recognitions, awards and presentations. Our policy states persons may speak on any item not on the agenda.

**Persons who have signed the register to speak shall be taken in the order in which they are listed. Others who wish to speak and have not signed in will be taken after those who have registered.*

**Persons addressing City Council are asked to limit their comments to 3 minutes.*

**Citizens will be asked to come to the podium, state their name and address and the subject(s) on which they will comment.*

**If a large number of people are present to register concerns about the same subject, it is suggested that they might be acknowledged as a unified group while a designated speaker covers the various points. This helps to avoid repetition while giving an opportunity for people present with the same concerns to be recognized.*

Thanks to everyone in the audience for respecting the meeting by refraining from speaking from the audience, applauding speakers, or other actions that distract the meeting.

CONSENT AGENDA ITEMS**FINANCE COMMITTEE - Mayor Pro Tem Davis, Chair**

[150247](#) Budget Ordinance Amendment - High Point University Electric Line
Council is requested to adopt a budget ordinance in the amount of \$383,624.00 for funds received from High Point University for electric line work for the project related to the School of Health.

[150248](#) Contract - Data Gravity Storage Appliance
Council is requested to approve a contract with 5S Technologies for the lease/ purchase of two (2) data gravity storage devices and authorize the appropriate city official to execute all necessary documents.

[150249](#) Contract - Installment Financing - Date Gravity Storage Appliance

City Council is requested to approve the attached "Resolution Approving Financing Terms" for an installment financing contract with VeriStor Capital, LLC; and adopt a Budget Ordinance providing for the Financing Agreement.

150250

Purchase Equipment - Truck Mounted Sewer Cleaner

Council is requested to approve the purchase of a 2015 Freightliner truck with mounted sewer cleaner in the amount of \$195,319.40 and declare the truck being replaced as surplus and dispose through the online auction process; and authorize the appropriate city official to execute all necessary documents.

150251

Contract - Eastside WWTP - Solids Handling Improvements

Council is requested to approve a contract with Warton-Smith, Inc. for improvements at the Eastside Wastewater Treatment Plant for solids handling Equipment and authorize the appropriate city official to execute all necessary documents.

150252

Change Order - Yates Construction Co - Highway 66 Water System Improvements

Council is requested to approve final change order (deduct) documents to the Yates Construction Company contract for the Highway 66 Water System Improvements.

150253

Resolution - Application to LGC for Financing of Motorola Radio System
Council is requested to adopt the Resolution Authorizing the Filing of an application for approval of a financing agreement authorized by North Carolina General Statute 160a-20 for the Motorola Radio System upgrades.

150254

Establish Public Hearing Date - Financing of Motorola Radio System Upgrade

Council is requested to establish the date of Tuesday, September 8th , 2015 at 5:30 p.m. to receive public comments on the financing upgrades to the 800mhz radio system, including improvements to City-owned real estate, through a contract between the City of High Point and Motorola, Inc.

REGULAR AGENDA ITEMS**FINANCE COMMITTEE - Mayor Pro Tem Davis, Chair****150255**

Agreement - Fiber Technologies Networks, LLC - Attachment to Poles
Council is requested to approve a Pole Attachment Agreement with Fiber Technologies Networks, LLC to allow installation of communication equipment on City of High Point poles.

**COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE -
Council Member Golden, Chair****150275**

Ordinance Amending Title 12 - Offences - Chapter 2, Animals - Article

B. Dogs - Section 12-2-18 Tethering of Dogs Prohibited

An amendment affecting the tethering of dogs through the addition of Section 12-2-18 Tethering of Dogs Prohibited addressing the standards in which dogs may be tethered within the City of High Point.

PROSPERITY & LIVABILITY COMMITTEE - Council Member Ewing, Chair[150264](#)**Building Revitalization and Demolition Grant Guidelines**

At the Prosperity & Livability Committee meeting held July 15, 2015, the committee recommended the approval of the Building Revitalization and Demolition Grant Guidelines to encourage the return of development and investment in the urban core of High Point.

[150265](#)**Downtown Incentive Grant**

At the Prosperity & Livability Committee meeting held July 15, 2015, the committee recommended approval of the Development Incentive Grant to encourage rehabilitation of older buildings and/or promote infill growth with new commercial development in High Point's Downtown Revitalization Corridor.

PLANNING & DEVELOPMENT COMMITTEE - Council Member Wagner, Chair[150257](#)**Resolution of Intent - Street Abandonment Case 15-07**

Approval of a Resolution of Intent that establishes a public hearing date of September 21, 2015 to consider a request by the Technical Review Committee to abandon an unimproved right-of-way lying east of the intersection of Randall Street and Patrick Avenue.

[150258](#)**Resolution of Intent - Street Abandonment Case 15-08**

Approval of a Resolution of Intent that establishes a public hearing date of September 21, 2015 to consider a request by the Technical Review Committee to abandon excess right-of-way, from a former cul-de-sac, along the north and south side of Hunterwood Drive.

[150259](#)**Sidewalk Easement - City of High Point/Town of Jamestown**

Council is requested to approve the granting of a sidewalk easement between the City of High Point and the Town of Jamestown for the construction of a sidewalk from the Bicentennial Greenway eastwardly along the north side of East fork Road to tie with their existing sidewalk.

PUBLIC HEARINGS - Planning & Development[150260](#)**Ordinance - Deep River Ventures, I. LLC- Annexation Case 15-06**

A request by Deep River Ventures, I. LLC to consider a voluntary contiguous annexation of an approximate 0.74-acre parcel lying along the north side of W. Wendover Avenue, approximately 670 feet east of Penny Road. The property is addressed as 5230 W. Wendover Avenue and also known as Guilford County Tax Parcel 0170003

[150261](#)**Ordinance - Deep River Ventures, I. LLC. - Zoning Case 15-11**

A request by Deep River Ventures, I. LLC to rezone an approximately 0.74 acre parcel from the Residential Single Family-40 (RS-40) District, within Guilford County's zoning jurisdiction, to a Conditional Zoning Shopping Center (CZ-SC) District. The site is lying along the north side of W. Wendover Avenue, approximately 670 feet east of Penny Road (5230 W. Wendover Avenue). Approval of this request is contingent upon City Council approval of a voluntary annexation petition.

[150262](#)

Ordinance - James Edward Potts - Zoning Case 15-12

A request by James Edward Potts to rezone an approximately 0.4 acre parcel from the Residential Single Family-12 (RS-12) District to the Limited Office (LO) District. The site is lying along the west side of Eastchester Drive approximately 265 feet south of E. Hartley Drive (809 Eastchester Drive).

[150263](#)

Ordinance - Ray & Sallie Edwards Real Estate, LLC and MMG Properties, LLC - Zoning Case 15-13

A request by Ray & Sallie Edwards Real Estate, LLC and MMG Properties, LLC to rezone an approximately 5.6 acre parcel from a Conditional Use General Office-Moderate Intensity (CU GO-M) District to a Conditional Zoning General Office-Moderate Intensity (CZ GO-M) District. The site is lying on the west side of Eastchester Drive, across from its intersection with White Farm Lane (2017, 2019, 2021 & 2023 Eastchester Drive).

GENERAL BUSINESS AGENDA

[150266](#)

Resolution - Guilford Workforce Development

Consideration of adoption of Resolution with Guilford Workforce Development, authorizing the execution of the Guilford Workforce Development Consortium Agreement between the City of Greensboro, City of High Point and Guilford County.

[150267](#)

Appointment/Reappointment- Guilford/City Insurance Advisory Committee

Council is requested to confirm the appointment of Lynwood Roach to the Guilford/City Insurance Advisory Committee with appointment effective immediately and expiring December 21, 2016 and reappoint Rudy Hinnant effective immediately and term expiring December 21, 2017.

[150268](#)

Appointments/Reappointments - Board of Adjustment

Council is requested to confirm the following Board of Adjustment appointments: 1) the appointment of Deborah Davis as a full member; 2) the reappointment of Andre White as an alternate member; 3) the appointment of Matt Witmeyer as a full member; and 4) the appointment of Dr. Nho Bui as an alternate member.

[150272](#)

Reappointment - Planning & Zoning Commission - Ed Squires

Council is requested to confirm the reappointment of Ed Squires to the Planning and Zoning Commission. Reappointment to be effective

immediately and will expire July 1, 2018.

[150273](#)

Reappointments - Parks & Recreation Commission

Council is requested to confirm the reappointments of Gary Ollis (Ward 5) and Brian Petty (Ward 6) to the Parks & Recreation Commission.

Reappointments are effective immediately and will expire July 1, 2018.

[150269](#)

Approval of the Minutes of Previous City Council Meetings

Community Development & Housing Committee Meeting - July 14th @ 10:00 a.m.

Prosperity & Livability Committee Meeting - July 15th @ 9:00 a.m.

Finance Committee Meeting - July 16th @ 3:00 p.m.

Regular Meeting of City Council - July 20th @ 5:30 p.m.

[150270](#)

Boards and Commissions - Vacancy Report

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

ADJOURNMENT



ITRE

Institute for Transportation Research and Education
North Carolina State University

February 19, 2014

David Lackey
City of High Point
211 South Hamilton Street
High Point, NC 27261

RE: Letter of Notification of Roads Scholar Status

Dear Mr. Lackey:

Congratulations! You have successfully completed the basic education program requirements for becoming a North Carolina Roads Scholar.

As you know, the Roads Scholar Program is a professional development opportunity offered by the North Carolina Local Technical Assistance Program at ITRE. The purpose of the program is to recognize local government personnel who have significantly increased their knowledge of road maintenance procedures and improved their technical and managerial skills. By successfully completing 7 of the 14 Roads Scholar courses offered through the center, you have earned this professional distinction for yourself and for the City of High Point.

As an activity of the NC LTAP, the Roads Scholar Program is funded by a grant from the Federal Highway Administration, U.S. Department of Transportation, through the Local Technical Assistance Program. This program is one of many Roads Scholar initiatives implemented by other technology transfer centers nationwide.

Thank you for your participation in this program, and congratulations once again on becoming a North Carolina Roads Scholar.

Sincerely,

Mr. James B. Martin, P.E.
Program Director, North Carolina Technology Transfer Center

c: Nagui Roupail, Director, ITRE
Linda Collier, Assistant LTAP Director, ITRE
The Honorable Bernita Sims, Mayor, City of High Point
Richard McMillan, Public Services Assistant Director, City of High Point
Derrick Boone, Storm Water Manager, City of High Point

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UNC Chapel Hill

UNC Charlotte

Duke University



Institute for Transportation Research and Education
North Carolina State University

December 2, 2014

Chris Lewis
City of High Point
211 South Hamilton Street
High Point, NC 27261

RE: Letter of Notification of Roads Scholar Status

Dear Mr. Lewis:

Congratulations! You have successfully completed the basic education program requirements for becoming a North Carolina Roads Scholar.

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Program Director, North Carolina Technology Transfer Center

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The Honorable William Bencini, Mayor, City of High Point
Robby Stone, Assistant Director of Public Services, City of High Point
Derrick Boone, Street Maintenance Manager, City of High Point

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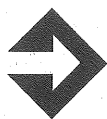
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North Carolina State University

February 19, 2014

Scott Gray
City of High Point
211 South Hamilton Street
High Point, NC 27261

RE: Letter of Notification of Roads Scholar Status

Dear Mr. Gray:

Congratulations! You have successfully completed the basic education program requirements for becoming a North Carolina Roads Scholar.

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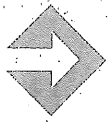
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Richard McMillan, Assistant Director of Public Services, City of High Point
Derrick Boone, Storm Water Manager, City of High Point



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Institute for Transportation Research and Education
North Carolina State University

December 2, 2014

Randy Stevens
Street Maintenance Crew Chief
City of High Point
211 South Hamilton Street
High Point, NC 27261

RE: Letter of Notification of Roads Scholar Status

Dear Mr. Stevens:

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Program Director, North Carolina Technology Transfer Center

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The Honorable Jim Davis, Mayor, City of High Point
Robby Stone, Assistant Director of Public Services, City of High Point
Derrick Boone, Street Maintenance Manager, City of High Point
Carlton Nelson, Supervisor, City of High Point

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ITRE

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North Carolina State University

October 23, 2014

Tim Dees
City of High Point
211 South Hamilton Street
High Point, NC 27261

RE: Letter of Notification of Roads Scholar Status

Dear Mr. Dees:

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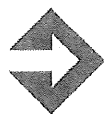
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ITRE

Institute for Transportation Research and Education
North Carolina State University

October 22, 2014

Ronald Taylor
City of High Point
211 South Hamilton Street
High Point, NC 27261

RE: Letter of Notification of Roads Scholar Status

Dear Mr. Taylor:

Congratulations! You have successfully completed the basic education program requirements for becoming a North Carolina Roads Scholar.

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Program Director, North Carolina Technology Transfer Center

- c: Nagui Roupail, Director, ITRE
Linda Collier, Assistant LTAP Director, ITRE
The Honorable William Bencini, Mayor, City of High Point
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Derrick Boone, Street Maintenance Manager, City of High Point

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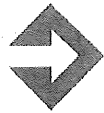
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NC State University

UNC Chapel Hill

UNC Charlotte

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North Carolina State University

October 23, 2014

Brian Baer
City of High Point
211 South Hamilton Street
High Point, NC 27261

RE: Letter of Notification of Roads Scholar Status

Dear Mr. Baer:

Congratulations! You have successfully completed the basic education program requirements for becoming a North Carolina Roads Scholar.

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Program Director, North Carolina Technology Transfer Center

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CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Case 15-13

(Ray & Sallie Edwards Real Estate, LLC and MMG Properties, LLC)

From: Lee Burnette, Planning & Development
Director

Meeting Date: August 17, 2015

Public Hearing: Yes

Advertising Date: August 5 & 12, 2015

Advertised By: Planning & Development

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

PURPOSE:

A request by Ray & Sallie Edwards Real Estate, LLC and MMG Properties, LLC to rezone approximately 5.6-acres from a Conditional Use General Office-Moderate Intensity (CU GO-M) District to a Conditional Zoning General Office-Moderate Intensity (CZ GO-M) District. The site is lying west of the intersection of Eastchester Drive and White Farm Lane (2017, 2019, 2021 & 2023 Eastchester Drive).

BACKGROUND:

Staff report and the Planning & Zoning Commission's recommendation is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. On July 28, 2015, a public hearing was held before the Planning and Zoning Commission regarding-Zoning Case 15-13. The Planning & Zoning Commission recommended approval of Zoning Case 15-13 by a vote of 7-0.
- B. Staff recommends **approval** of Zoning Case 15-13 as outlined in the attached staff report.

PLANNING AND ZONING COMMISSION RECOMMENDATION

**Ray & Sallie Edwards Real Estate, LLC and
MMG Properties, LLC**

Zoning Case 15-13

At its July 28, 2015 public hearing, the Planning and Zoning Commission reviewed a request to rezone approximately 5.6 acres from a Conditional Use General Office-Moderate Intensity (CU GO-M) District to a Conditional Zoning General Office-Moderate Intensity (CZ GO-M) District. All members of the Commission were present, except for Mr. Andrew Putnam. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

The applicant, Mr. Chris Edwards, manager of MMG Properties LLC, 2019 Eastchester Drive, High Point, spoke in favor of the request. Mr. Edwards stated that rezoning the property to the requested CZ GO-M District would allow a second access point, which will provide tenants and visitors better access to the medical park.

No one spoke in opposition of the request.

The Planning & Zoning Commission recommended approval of Zoning Case 15-13, as recommended by staff, by a vote of 7-0.

Upon making its recommendation, the Planning & Zoning Commission stated that its approval of Zoning Case 15-13 would be consistent with the City's adopted plans. Additionally, the Commission concurred with the staff report and found its approval recommendation reasonable and in the public interest because: 1) The request is consistent with the Land Use Plan; 2) Conditions offered by the applicant will ensure development will be compatible with the surrounding areas; and 3) The realignment of Deep River Road has shifted much of the side street traffic impacts away from the zoning site to a signalized intersection ¼ mile to the south. Vehicular trips at the now White Farm Lane intersection have been reduced by 80% and the allowance of a second access point to the site, opposite White Farm Lane, will not create a significant traffic safety issue.

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

**STAFF REPORT
ZONING CASE 15-13
July 28, 2015**

Request	
Applicant: Ray & Sallie Edwards Real Estate, LLC and MMG Properties, LLC	Owners: Ray & Sallie Edwards Real Estate, LLC and MMG Properties, LLC
Zoning Proposal: To rezone a 5.6-acre parcel	From: CU GO-M Conditional Use General Office-Moderate Intensity District
	To: CZ GO-M Conditional Zoning General Office-Moderate Intensity District

Site Information	
Location:	Lying on the west side of Eastchester Drive, across from its intersection with White Farm Lane (2017, 2019, 2021 & 2023 Eastchester Drive)
Tax Parcel Numbers:	Guilford County Tax Parcels 0220353, 0220354, 0220355 and 0195763
Site Acreage:	Approximately 5.6 acres
Current Land Use:	Office and personal service uses, and one undeveloped parcel.
Physical Characteristics:	The site has a moderate to severely sloping terrain. There is an existing stormwater control pond upon the western portion of the site and an intermittent stream runs along the western boundary of the site.
Water and Sewer Proximity:	Both a 16-inch City water line and an 8-inch City sanitary sewer line lie adjacent to the site along Eastchester Drive.
General Drainage and Watershed:	The site drains in a general westerly direction and development is subject to the Oak Hollow Lake Watershed Critical Area (WCA) requirements. Engineered storm water treatment measures are required for non-residential or multifamily development with a total impervious surface area greater than 24% of the site.
Overlay Districts:	Eastchester Scenic Corridor Overlay District Oak Hollow Lake Watershed Critical Area; Tiers 2 & 3

Adjacent Property Zoning and Current Land Use			
North:	RS-12	Residential Single-Family-12 District	Single family dwellings
South:	RS-12	Residential Single-Family-12 District	Undeveloped parcel
East:	RS-12	Residential Single-Family-12 District	Single family dwelling and antique retail store (across Eastchester Drive)
	CU RS-12	Conditional Use Residential Single-Family-12 District	
West:	RS-12	Residential Single-Family-12 District	Single family dwellings and undeveloped parcel
	CU RS-12	Conditional Use Residential Single-Family-12 District	

Relevant Land Use Policies and Related Zoning History	
Land Use Plan Map Classification:	The site has an Office land use classification, which is intended for professional, personal and business service uses.
Land Use Plan Goals, Objectives & Policies:	The following objective of the Land Use Plan is relevant to this request: Obj. #11. Enhance the aesthetic appearance of High Point by preserving the scenic quality of its major gateway streets and travel corridors and by providing appropriate landscaped buffers and transitional uses between low and high-intensity land uses.
Relevant Area Plan(s):	Eastchester Drive Corridor Plan – Phase II The plan recommends the majority of the area fronting Eastchester Drive between Lassiter Drive and Penny Road be designated for office development, with commercial clusters located at major intersections including at Eastchester Drive and Wendover Avenue/Skeet Club Road. The plan also recommends adopting appearance guidelines to maintain a high aesthetic quality along the corridor, and makes several transportation-related recommendations, such as limiting access points on Eastchester Drive, for example, by requiring properties on corner lots to take access only from the side street.
Community Growth Vision Statement	This request is not in conflict with the Community Growth Vision Statement's goals and objectives nor does it promote those goals and objectives.
Zoning History:	1. During the past twenty years, several parcels along both sides of this segment of the Eastchester Corridor have been rezoned to allow for Office uses. These requests have consisted of Conditional Use Limited Office (CU-LO), Conditional Use General Office-Moderate Intensity (CU GO-M) and Conditional Zoning General Office-Moderate Intensity (CZ GO-M) Districts. 2. This site obtained its current CU GO-M District zoning in 2005 with the intent of it being developed as a three-building office park. Between 2006 and 2007, two buildings were constructed, and in 2007 the property owner obtained zoning approval to add a 1.6-acre parcel to this development and expanded the overall master plan to four office buildings. A third building was completed in 2013 and the applicant is in the planning phase to construct the final structure.

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	Eastchester Drive	Major Thoroughfare	795 ft.
Vehicular Access:	Eastchester Drive		
Traffic Counts: (Average Daily Trips)	Eastchester Drive	43,000 (NCDOT 2013 counts)	
	White Farm Lane	3,300 (NCDOT 2011 counts)	
Estimated Trip Generation:	No information		
Traffic Impact Analysis:	Required		Comment
	<u>Yes</u>	<u>No</u> X	None

Pedestrian Access:	Development of the site is subject to the sidewalk requirements of the Development Ordinance.
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School District Comment

Not applicable to this zoning case.

Details of Proposal

The current zoning conditions restrict the site to one point of access to Eastchester Drive. The property owner has expressed concerns from having vehicles backing up into the parking lot when exiting the site during peak traffic times and desires to amend the zoning conditions to allow an additional access point to Eastchester Drive.

Conditional Use zoning was replaced with Conditional Zoning in 2011, and as of January 1, 2014, amendments to previous conditional use permits (CUP's) are no longer permitted. In order to add a second access point to Eastchester Drive a new conditional zoning application for a CZ-GO-M District has been submitted. This access would be located opposite White Farm Lane. The applicant has submitted a conditional zoning ordinance with this new request and all pertinent zoning conditions from the previously adopted 2005 CUP have been included except that a second access points to Eastchester Drive would be permitted.

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 Development Ordinance, and shall give consideration to the following in the review and discussion of any Conditional Zoning application. Based on the applicant's submittal and proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these ordinance considerations.

Consistency with Adopted Plans:

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

Staff Comments:

- ❖ The requested CZ GO-M District is consistent with the site's office land use designation.
- ❖ The zoning site is subject to the higher standards of the Eastchester Scenic Corridor Overlay District, which includes signage, landscaping and architectural design standards beyond those conditions offered by the applicant. In addition, the applicant has offered higher landscaping standards where the site abuts existing residential uses. These corridor standards and conditions offered by the applicant will ensure development will be in harmony with the surrounding area.

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> This and all of the review factors were previously reviewed with the original zoning case in 2005 and with the amendment to add additional land area in 2007. The applicant has included in their conditional zoning ordinance all of the previously adopted zoning conditions pertaining to allowable uses, development standards, landscaping and lighting. This will ensure the final phase of development on the site will be compatible with the surrounding uses.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.;
	<u>Staff Comments:</u> The realignment of Deep River Road to the south at a signalized intersection reduced traffic impacts at the intersection of Eastchester Drive and White Farm Lane. The allowance of an additional driveway access point, opposite White Farm Lane, should not significantly impact the safety of the motoring public.
<u>Factor #3</u>	Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;
	<u>Staff Comments:</u> The zoning site was previously cleared and graded, under the standards of the city's environmental regulations, to accommodate four office buildings.
<u>Factor #4</u>	Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire; and;
	<u>Staff Comments:</u> The site is currently served by City of High Point utilities and municipal services. This request will have no adverse impacts on municipal services.
<u>Factor #5</u>	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties.
	<u>Staff Comments:</u> As conditioned by the applicant's conditional zoning ordinance, staff has found no evidence that the requested CZ GO-H District will negatively effect the use and enjoyment of adjacent properties.

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:

In 2005, when the site was rezoned to allow office uses, the adjacent road network and its impact on the property were different. What is now White Farm Lane was the northern segment of

Deep River Road and all vehicular trips from the Deep River Road corridor entered onto Eastchester Drive directly opposite the zoning site. Due to the number of trips; the intersections configuration; and safety concerns from traffic back-ups at the intersection during peak travel times, the original zoning approval restricted the location and number of access points to this site.

In early 2011, Deep River Road was realigned to intersect with Eastchester Drive approximately 1,400 feet (0.27 miles) to the south, and a new traffic signal was installed. This realignment directed traffic impacts from the Deep River Road corridor south of the zoning site to this new signalized intersection. Prior to this realignment, the 2004 traffic counts noted 3,397 trips entering & exiting Eastchester Drive from White Farm Lane (former Deep River Road). The 2012 traffic counts, taken after the road realignment, indicated 672 trips entering & exiting Eastchester Drive from this intersection. The corresponding realignment of Deep River Road and drop in traffic volume at this intersection supports reconsideration of the allowance of an additional driveway access point to 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:

The requested CZ GO-M District is consistent with the surrounding zoning and development pattern established for this segment of Eastchester Drive by the Land Use Map and the Eastchester Scenic Corridor Plan.

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 Land Use Plan; 2) Conditions offered by the applicant will ensure development will be compatible with the surrounding areas; and 3) The realignment of Deep River Road has shifted much of the side street traffic impacts away from the zoning site to a signalized intersection ¼ mile to the south. Vehicular trips at the now White Farm Lane intersection have been reduced by 80% and the allowance of a second access point to the site, opposite White Farm Lane, will not create a significant traffic safety issue.

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 ensure development of the zoning site will be compatible with adjacent uses. The Planning & Development Department recommends approval of the request to rezone this site to a CZ GO-M District.

Required Action

Planning and Zoning Commission:

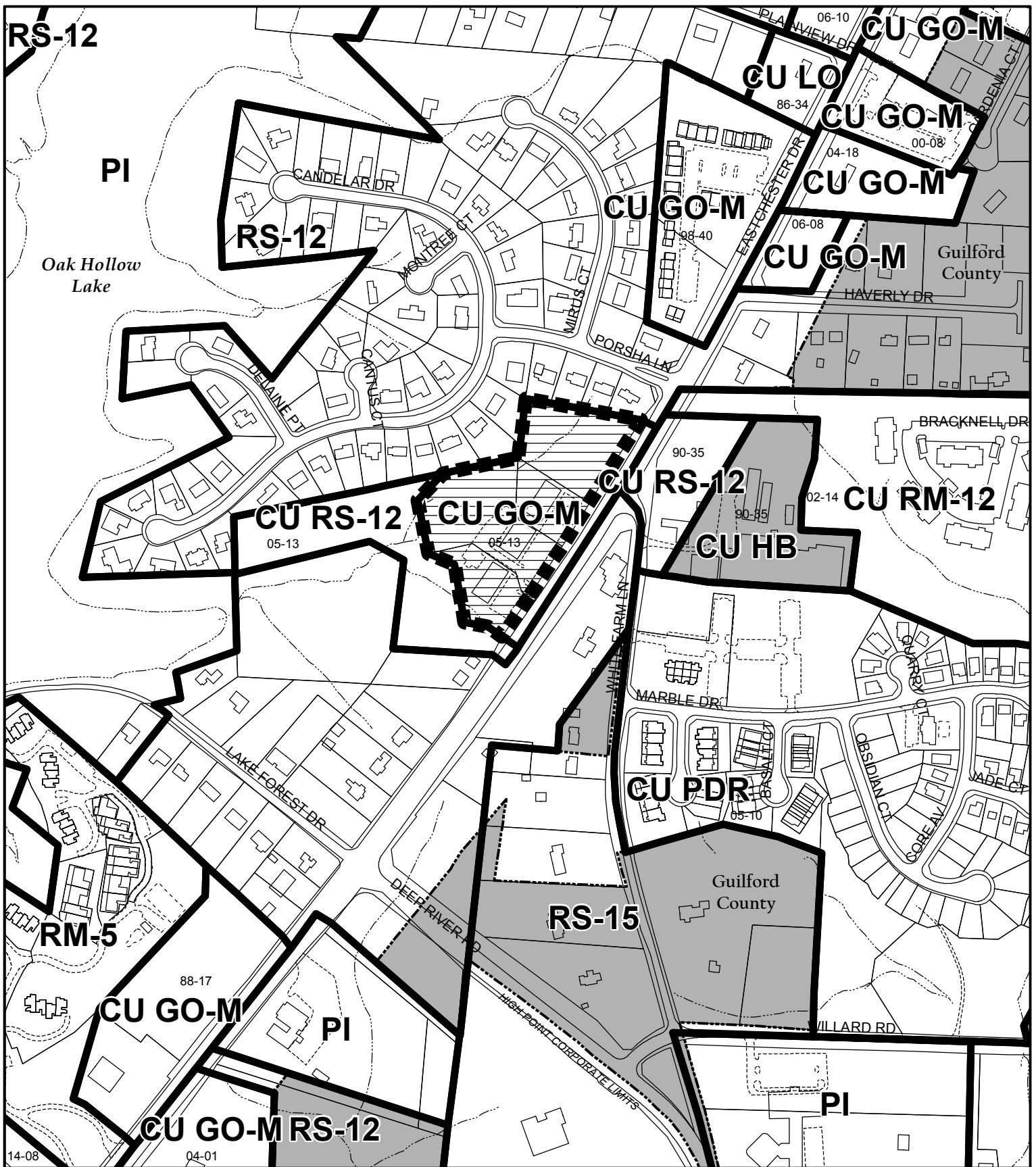
The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting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

City Council:

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

Report Preparation

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



ZONING CASE 15-13

From: Conditional Use General Office-Moderate
To: Conditional Zoning General Office-Moderate

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

**Planning & Development
 Department**

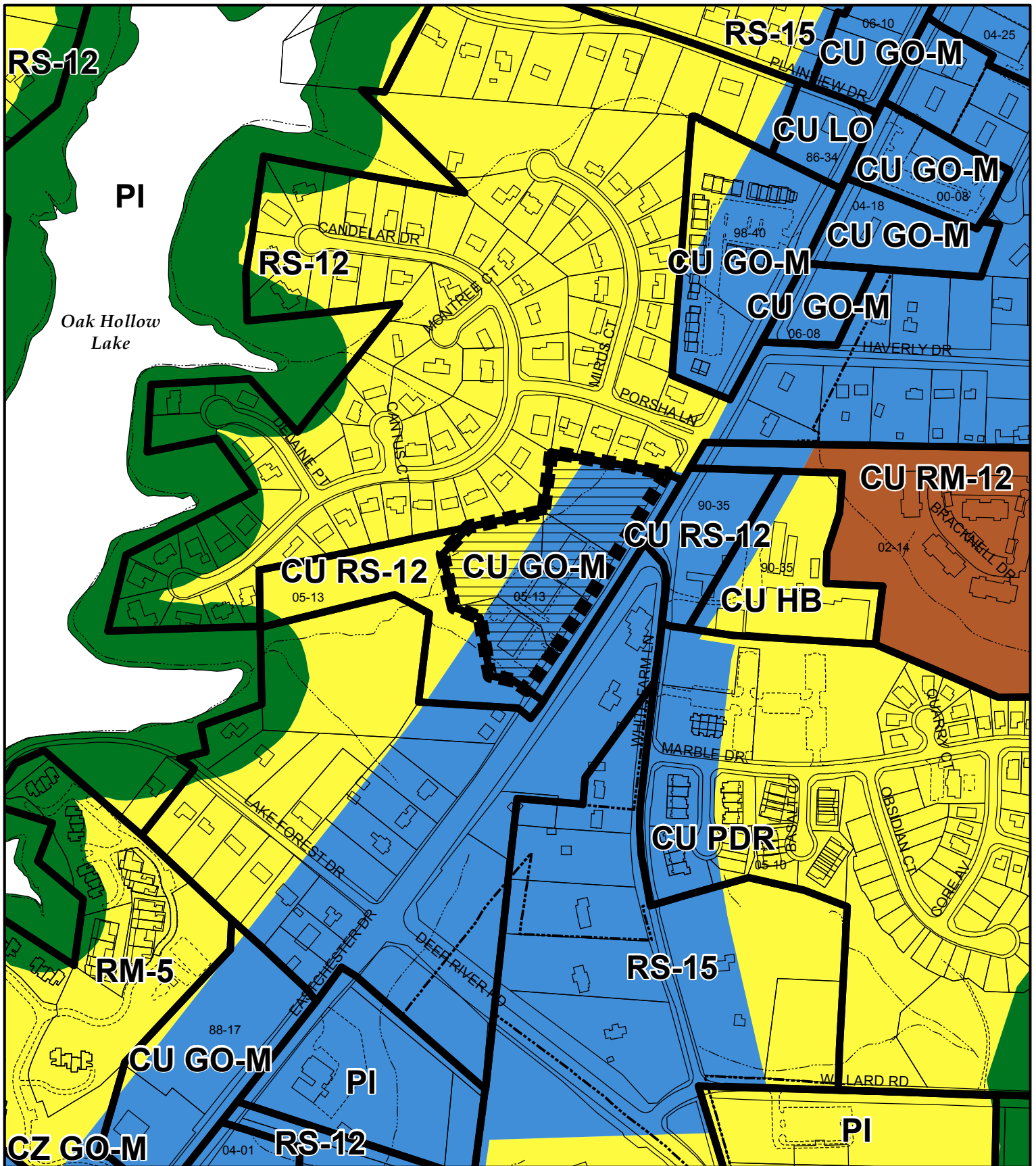
City of High Point

Date: July 10, 2015



Scale: 1"=400'

G:\Planning\Secure\ba-pz/
 2015\pz\z15-13.mxd



ZONING CASE 15-13

Lnad Use Plan

 Low-Density Residential	 Office
 Medium-Density Residential	 Recreation/Open Space

Planning & Development
Department

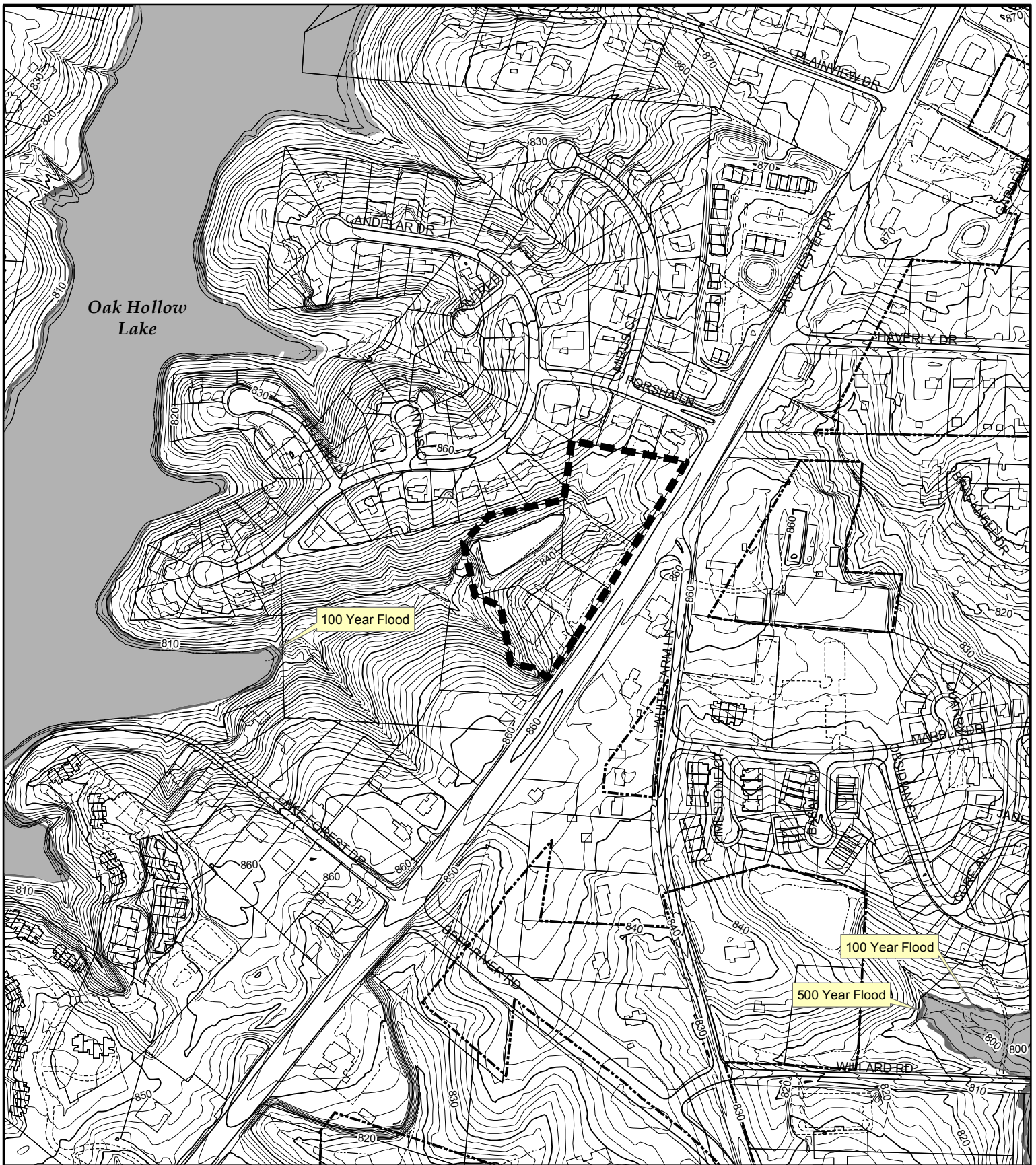
City of High Point

Date: July 28, 2015



Scale: 1"=400'

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2015\pz\z15-13clu.mxd



ZONING CASE 15-13

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: July 28, 2015



Scale: 1"=400'

G:\Planning\Secure\ba-pz/
2015\pz\z15-13topo.mxd

An aerial photograph of a residential neighborhood with a white dashed line highlighting a specific parcel. The parcel is located between Lake Forest Dr and Deep River Rd, and between White Farm Ln and Porsha Ln. The map shows various streets including Oak Hollow Lake, Canoe Ln, Montrose Ct, Mirus Ct, Porsha Ln, Lake Forest Dr, Eastchester Dr, Deep River Rd, White Farm Ln, Willard Rd, Sunset Hollow Ct, and others. The highlighted parcel appears to be a mix of wooded land and some structures.



July 21, 2015

To: Lee Burnette, Director of Planning and Development
From: Mark McDonald, P.E., Transportation Director 
Subject: **Zoning Case #15-13**, Ray & Sallie Edwards Real Estate. Property located on the west of the intersection of Eastchester Drive and White Farm Road.

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

The original Traffic Impact Analysis was performed in 2005, when the site was rezoned to allow office uses. At that time, White Farm Road was the northern segment of Deep River Road, with approximately 3,400 trips entering and exiting Eastchester Drive per the 2004 traffic count. Due to the number of trips, intersection configuration and safety concerns, the rezoning limited the property to one point of vehicular access with limitations on the location.

In early 2011, Deep River Road was realigned to intersect with Eastchester Drive approximately 1,400 feet to the south. The old intersection became what is now White Farm Road with approximately 700 trips entering and exiting Eastchester Drive per the 2012 traffic count.

It does not appear that one point of access can adequately serve the site under this rezoning. With the realignment of Deep River Road and the drop in volumes at White Farm Road (formerly Deep River Road), a second point of access may be allowed and be aligned with White Farm Road.

The North Carolina Department of Transportation has approved the addition and location of this driveway.

The City of High Point Transportation Director and North Carolina Department of Transportation shall approve all construction and improvements.

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

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 28, 2015 and before the City Council of the City of High Point on August 17, 2015 regarding **Zoning Case 15-13** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings were published in the High Point Enterprise on July 19, 2015, for the Planning and Zoning Commission public hearing and on August 5, 2015 and August 12, 2015, 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 17, 2015**.

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 General Office – Moderate Intensity (CZ GO-M) District**. The property is approximately 5.6 acres lying west of the intersection of Eastchester Drive and White Farm Lane (2017, 2019, 2021 & 2023 Eastchester Drive). The property is also known as Guilford County Tax Parcel 0195763, 0220353, 0220354 and 0220355.

SECTION 2

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

Part I. **USES:**

- A. **Permitted Uses:** Any of the land uses allowed in the General Office-Moderate Intensity (GO-M) District shall be permitted, subject to the development and dimensional requirements of the Development Ordinance and the specific conditions of this Permit.
- B. **Prohibited Uses:**
 - 1. All residential land uses shall be prohibited.
 - 2. Accessory buildings and parking related to a GO-M District use shall only be permitted within 300 feet of the front property line (i.e. Eastchester Drive right-of-way). This condition shall be based upon the current lot and right-of-

way configuration as of July 18, 2005. Any future right-of-way dedication shall not permit extension of this 300-foot boundary.

C. CONDITIONS:

A. Development and Dimensional Requirements.

1. The rezoning site is located within the Eastchester Scenic Corridor Overlay District. In addition to complying with all applicable requirements of the Overlay District, the development shall comply with Section 9-4-4(c)(4)f. of the Development Ordinance, which requires development to retain a residential character, nature and appearance.
2. The above notwithstanding, building height shall be limited to two stories.

B. Landscaping:

1. All existing vegetation along the northern, western and southern property lines shall remain and shall be supplemented where necessary to meet the Type B Planting Yard requirements of the Development Ordinance
2. In addition to meeting the parking lot landscaping requirements of the Development Ordinance, all parking lots on the rezoning site shall be designed so that any parking space is not more than fifty (50) feet from a tree.

C. Exterior Lighting: All freestanding exterior lighting shall be directed inward, away from residentially zoned or used property.

D. Transportation Conditions.

1. Right-of-way Dedication: Twelve (12) feet of right-of-way shall be dedicated for the construction of a turn lane on Eastchester Drive, if required by the Development Ordinance.
2. Vehicular Access.
 - a. The property shall be allowed to have two points of vehicular access to Eastchester Drive and shall comply with the City of High Point Driveway Ordinance. One access point shall be located approximately 770 feet south of the intersection of Porsha Lane and Eastchester Drive. The second access point shall be located approximately 385 feet south of the intersection of Porsha Lane and Eastchester Drive and aligned with White Farm Lane. The Director of Transportation shall approve the exact location and design of the access point.
 - b. Access easements shall be provided between the zoning site and Guilford County Tax Parcel 0195764 (Tract 2 of CUP Case 05-13). In the event an alternative access is obtained to Guilford County Tax Parcel 0195764 from Candelar Drive, the above noted access easement between shall be eliminated and there shall be no access to Guilford County Tax parcel 0195764 from Eastchester Drive.

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 that are 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.

17th day of **August, 2015.**

Lisa B. Vierling, City Clerk

BORUM, WADE AND ASSOCIATES, P.A.

ENGINEERS - PLANNERS - SURVEYORS

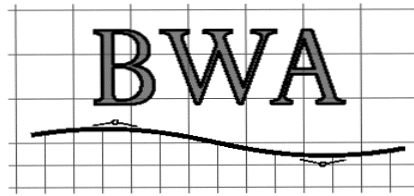
621 EUGENE COURT SUITE 100

GREENSBORO, N.C. 27401

MAILING ADDRESS:

P.O. BOX 21882

GREENSBORO, N.C. 27420



Citizens Information Meeting Report Case 15-13 CU-GO-M to CZ-GO-M

Submitted by Borum, Wade and Associates, PA
On behalf of Ray and Sallie Edwards Real
Estate, LLC and
MMG Properties, LLC

BORUM, WADE AND ASSOCIATES, P.A.

ENGINEERS - PLANNERS - SURVEYORS

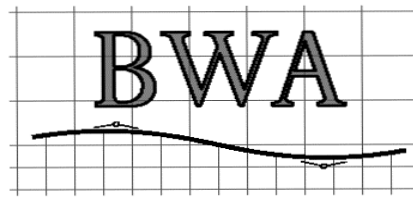
621 EUGENE COURT SUITE 100

GREENSBORO, N.C. 27401

MAILING ADDRESS:

P.O. BOX 21882

GREENSBORO, N.C. 27420



July 14, 2015

To: Planning and Development Office, City of High Point
From: Mike Otto, Borum, Wade and Associates, P.A.

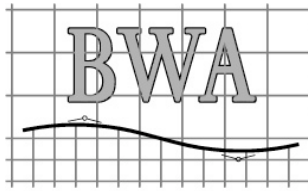
Re: Citizen's Information Drop-In Meeting Report
MMG Business Park – 2017-2023 Eastchester Drive
Rezoning Case 15-13

Ray and Sallie Edwards Real Estate, LLC and MMG Properties, LLC conducted a Citizen Informational Drop-in Meeting in support of their application rezoning request on July 13, 2015 at 5:30pm to 7:00 pm at the Cleaner World Corporate office conference room. Letters were mailed to 33 citizens on July 1, 2015 informing them of the meeting. 1 person attended the meeting.

A full size map depicting the planned improvements was on display. Chris Edwards and Susan Edwards represented the property owners. I (Mike Otto of Borum, Wade and Associates) also attended.

Helen Mae Allred, the only citizen to attend, asked why the owners wanted to add an access to Eastchester Drive to/from their site and it was explained that the owner's tenants are requesting the additional point of access to alleviate congestion at certain times of day.

Copies of the notification letter, list of persons notified and a development sketch that was on the back of the letter are attached.



Engineers
Planners
Surveyors

Borum, Wade and Associates, P.A.

July 1, 2015

RE: Proposed Re-zoning – MMG Business Park - 2017 – 2023 Eastchester Drive

You may have recently received a notice from the City of High Point indicating that a nearby property is being considered for re-zoning. Ray & Sallie Edwards Real Estate, LLC and MMG Properties, LLC have made an application to the City of High Point for re-zoning of the property at 2017 – 2023 Eastchester Drive. A public hearing for the zoning property is scheduled to be held before the City of High Point Planning & Zoning Commission on July 28, 2015. The Planning & Zoning Commission meets at 6:00 PM in the City of High Point City Council Chambers on the third floor of the Municipal Building, 211 South Hamilton Street, downtown High Point.

In order to provide more information about the request, we have scheduled a community drop-in meeting at the Cleaner World Corporate office, 2019 Eastchester Drive, High Point, NC 27265 from 5:30 to 7:00 PM on July 13, 2015. The meeting will be held in the basement conference room. Please park at the rear of the building and enter through basement entrance. I will be available along with a representative of the property Owners to answer questions and to discuss concerns you may have about this application.

MMG Business Park is located at 2017 – 2023 Eastchester Drive and consists of 4 office buildings and parking (3 of the 4 buildings have been constructed as of the date of this letter). Ray & Sallie Edwards Real Estate, LLC and MMG Properties, LLC wish to construct a second point of access to the site adjacent to White Farm Lane. The requested zoning is “Conditional Zoning – General Office – Moderate Intensity – CZ-GO-M” The property is currently zoned “Conditional Use – General Office-Moderate Intensity – CU-GO-M”. The original conditional use zoning had a condition that stipulated that the property would have one access point to Eastchester Drive. The property owner has acquired an additional tract of land and now has enough street frontage to allow 2 access points. The purpose of this rezoning is to revise the condition allowing one access point to allowing two points of access. All other conditions of the original zoning remain the same and there is no change in proposed use of the property. On the back of this letter is a Sketch Plan of the proposed new access point for your review. Please note that this is not a Final Site Plan and is subject to revision as it progresses through the plan approval process for permitting.

If you have any comments or questions, please plan to attend the community meeting on July 13, 2015, or call my office at 336-275-0471 X 119

Very Truly Yours,
Borum, Wade and Associates, P.A.

Mike Otto

ALLRED, HELEN MAE
1912 CANDELAR DR
HIGH POINT NC 27265

BARBRY, JAMES FERMAN
2114 EASTCHESTER DR
HIGH POINT NC 27265

BFDK & E LLC
PO BOX 84
HIGH POINT NC 27261

BOYD, DONALD H ; BOYD, MARGIE C
2009 CANDELAR DR
HIGH POINT NC 27265

CAROL BAY CORP
2606 BRANCHWOOD DR
GREENSBORO NC 27408

COPPER MILL VILLAGE APARTMENTS LLC
PO BOX 9846
GREENSBORO NC 27429

DEMASE, FRANK R ; NUTTER, KYLE
2404 CYPRESS CT
HIGH POINT NC 27265

DESAI, JAYANT M ; DESAI, USHA J
2008 CANDELAR DR
HIGH POINT NC 27265

DEVANE, PATRICK ANDREW ; DEVANE, SARA
2004 CANDELAR DR
HIGH POINT NC 27265

ESCHENBURG, R DOUGLAS ; ESCHENBURG,
VIRGINIA L
2013 CANDELAR DR
HIGH POINT NC 27265

FOUSHEE, PRISCILLA
2205 PORSHA LN
HIGH POINT NC 27265

GALGOCI, LEONARD R ; GALGOCI, ELIZABETH R
2201 PORSHA LN
HIGH POINT NC 27265

GREENWOOD AND CHARLES INC
1451-A TRADEMARK BV
WINSTON SALEM NC 27127

HAMPTON FAMILY TRUST A ; HAMPTON, RUTH M
TR
6419 MONTROSE ST
ALEXANDRIA VA 22312

HASSAPELIS, KIKI P
1101 GATEHOUSE RD
HIGH POINT NC 27262

JAY T PROPERTIES LLC
2019 EASTCHESTER DR
HIGH POINT NC 27265

KAVANAGH JOHN COMPANY
PO BOX 9415
GREENSBORO NC 27429

KNUCKLES, DENEEN R
2006 CANDELAR DR
HIGH POINT NC 27265

MARTIN, ALPHONSO SR ; MARTIN, MARY F
1204 BILTMORE AVE
HIGH POINT NC 27260

MOONEY, CLAUDE WILLIAM ; MOONEY, HAZEL B
2101 CANDELAR DR
HIGH POINT NC 27265

MORRIS, RAYMOND PHILIP ; MORRIS, KAREN K
2207 PORSHA LN
HIGH POINT NC 27265

MOSS, CLARENCE WASHINGTON ; MOSS, DALE W
2010 CANDELAR DR
HIGH POINT NC 27265

NELSON, ROBERT MELVIN ; NELSON, JOYCE R
2132 DEEP RIVER RD
HIGH POINT NC 27265

PORTEE, DENNIS E ; PORTEE, ARLETHA P
2203 PORSHA LN
HIGH POINT NC 27265

RAY AND SALLIE EDWARDS REAL ESTATE LLC
2019 EASTCHESTER DR
HIGH POINT NC 27265

RJ HOLMES FAMILY LLC
641 NOVA AVE
HIGH POINT NC 27265

RORIE, TAMMY NETTLES
2012 CANDELAR DR
HIGH POINT NC 27265

SHARPLESS, ALFRED D ; SHARPLESS, MARILYN R
2002 CANDELAR DR
HIGH POINT NC 27265

SPKA LLC
PO BOX 5027
HIGH POINT NC 27262

STACHES, ROBERT ; STACHES, GRETA L
2206 PORSHA LN
HIGH POINT NC 27265

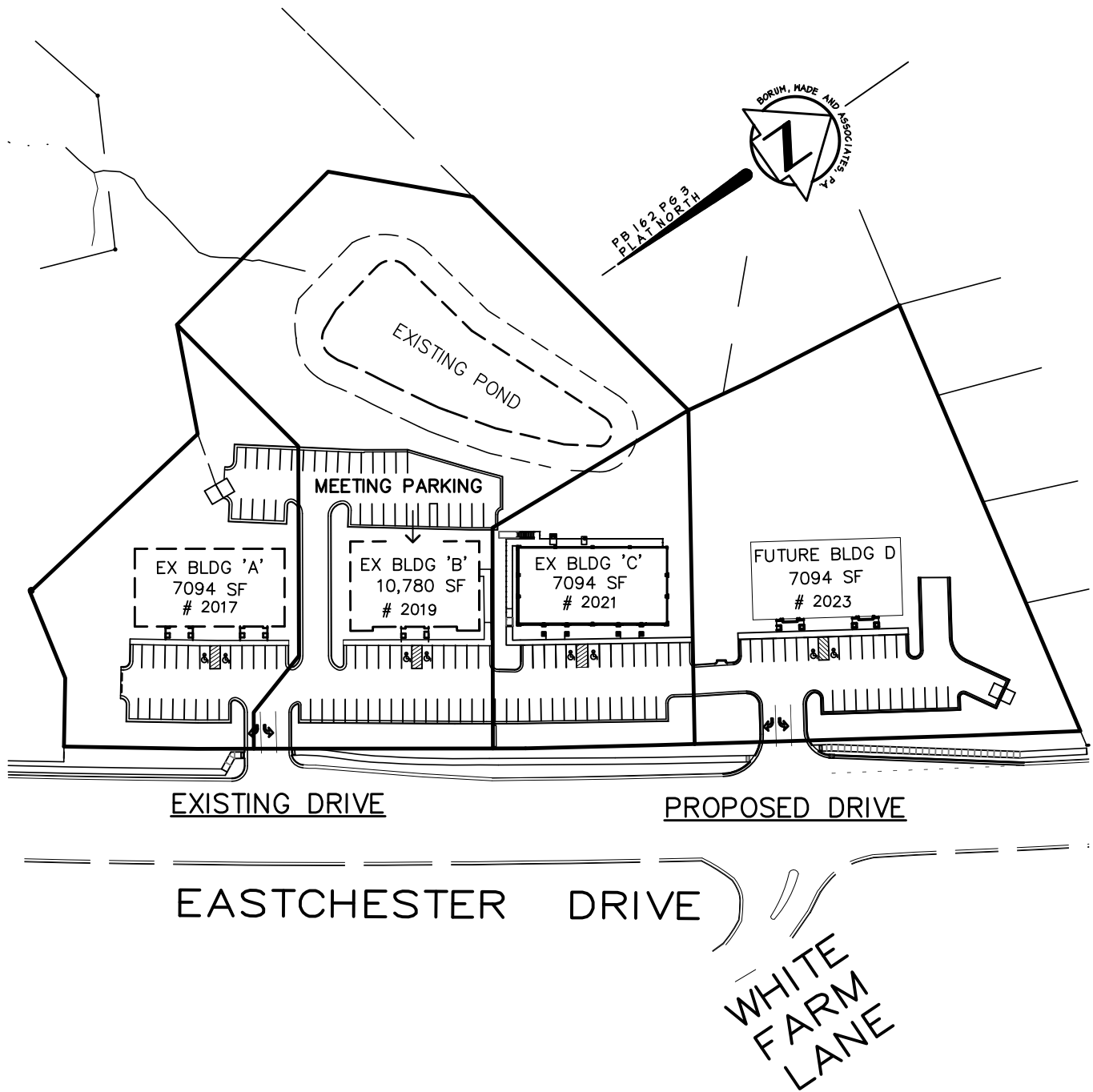
STANLEY, GRAY S
2100 CANDELAR DR
HIGH POINT NC 27265

TAYLOR, CHERYL C
2112 EASTCHESTER DR
HIGH POINT NC 27265

UNDERWOOD, MICHAEL R ; UNDERWOOD,
BRENDA C
2000 CANDELAR DR
HIGH POINT NC 27265

VILLALBA, FABIAN M ; EGAS, EMMA PATRICIA
2007 CANDELAR DR
HIGH POINT NC 27265

WILSON, MARILYN
2014 CANDELAR DR
HIGH POINT NC 27265



MMG BUSINESS PARK
2017 - 2023 EASTCHESTER DRIVE



Engineers
Planners
Surveyors

Borum, Wade and Associates, P.A.

621 Eugene Court, Suite 100, Greensboro, NC 27401-2711
Phone: 336-275-0471 Fax: 336-275-3719

SCALE: 1" = 120' DATE: JUNE 30, 2015

EXHIBIT

High Point, North Carolina

Submit Date: Jul 21, 2015

Application for Appointment to Boards and Commissions

Status: submitted

Profile

All appointments to City boards and commissions are made by the Mayor and City Council and are not limited to those persons who fill out applications.

Dr. Nho

First Name

Bui

Last Name

dr.nho.bui@gmail.com

Email Address

6129

Street Address

6129 Birkdale Drive

Suite or Apt

High Point

City

NC

State

27265

Postal Code

Within High Point Corporate Limits

Please select your residency status.

Mobile: (336) 491-3437

Primary Phone

Alternate Phone

Employer

Which Boards would you like to apply for?

Board of Adjustment, Board of Alcoholic Control, Citizens Advisory Council, Economic Development Corporation, Firefighter's Relief Fund Board, Human Relations Commission, Theatre Advisory Commission

Ward 4

Ward you reside in?

Interests & Experiences

Please tell us about yourself and why you want to serve.

Please list any work, volunteer, and/or educational experience that you would like us to consider in the review of your application.

Business Management Dear sir/Madam: As a versatile and results-oriented professional, I offer a successful

track record as an Sr. Administrative Manager. I am highly qualified and have exceptional oral and written communication skills as well as interpersonal skills to interact with people on all professional levels. I have earned a solid reputation for my ability to rapidly adapt to new technology. I feel that with my expertise as an Sr. Administrative Manager and my ability to provide effective and reliable solutions in a timely manner, I will be a great asset to your company. As an accomplished Sr. Administrative Manager, I can provide excellent leadership and training to others. I am a dedicated and hardworking professional with superior organizational and management skills in pursuit of excellence. The accompanying résumé will provide further details of my responsibilities, skills, and accomplishments. I am available for immediate interview for the right opportunity. Sincerely, Dr. Nho Thi Bui 336.491.3437 Attachment: Résumé

[Nho_Bui_Resume-2.pdf](#)

Upload a Resume

Have you participated in Leadership High Point?

☐ Yes ☒ No

If yes, please list the year in which you participated in Leadership High Point:

Female

Gender

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

Dr. Nho Thi Bui

6129 Birkdale Drive
High Point, NC 27265
Cell: 336-491-3437
nhothibui@yahoo.com

Business Management

Qualified and experienced from Senior Administrative Manager with exemplary track record of success in diverse and varied industries.

Qualifications Summary

- Strong interpersonal skills and the ability to work effectively with a wide range of persons of varying backgrounds.
- Can read, write and speak in English and Vietnamese fluently.
- Ability to use a computer for word processing and basic spreadsheets.
- Expert in handling a variety of critical guest needs.
- Recognized expert in reading, interpreting, and applying technical data; and reviewing and evaluating operational and procedural systems.
- Excellent experience in providing leadership and training, directing daily activities of large teams in order to excel and achieve mission objectives.

Core Competencies

- Planning Management
- Data Entry
- Property Accountability
- Inventory
- Critical Problem-Solver
- Supply Management
- Information/Data
- Travel Support
- Quality Assurance/Control
- Employee Management
- Project Management
- Delivery Tracking
- Oral/Written Communication
- Audits/Assessments
- Technical Documentation
- Information Technology
- Record Keeping
- Performance Monitoring
- Time & Workflow Management
- Facility Management
- Personnel Deployment

Experience

Executive Manager, Fantasy Nails, High Point, NC

January 2003 – current

- Greeted and welcomed members in a courteous, professional and timely manner, providing prompt, accurate and efficient member transactions.
- Strong focus on providing business strategy and operations advisory leadership to joint venture and license partners.
- Led resolution of business and contractual disputes between company and license partners.
- Management of Treasury, capital, IT, asset protection and legal functions.
- Led and motivated the store team to increase sales and ensure efficiency.
- Managed the store's stock levels – Made key decisions about stock level and stock control.
- Analyzed sales figures – Utilized IT to record sales figures for data analysis and forward forecasts. Analyzed and interpreted trends to facilitate planning.
- Forecast volume of future sales to maximize profits.
- Screens telephone calls, visitors, and incoming correspondences.
- Confirmed, encoded and distributed invoices for payment.

Manager Care Contractor, Syndicated Office System, New Orleans, LA

February 1999 – December 2002

- Maintained and updated regional managed care clients relationship.
- Overseen and to ensured achievement of contractual deliverables and service levels.
- Developed Managed Care positioning and strategic execution in the Divisions.
- Educated customer and up sold products and maximized business volume from new accounts.
- Monitored communications with payers in the area.
- Stored, adapted and distributed information within the office.
- Supported senior associate with full secretarial and administrative duties.
- Planned secretarial work flows and offered leadership to the Secretarial/Administrative team.
- Opened, sorted, and distributed incoming correspondence, including faxes and email.
- Performed general office duties such as ordering supplies, maintaining records management systems, and performing basic bookkeeping work.
- Screened telephone calls, visitors, and incoming correspondences.
- Performed a variety of administrative and executive support tasks that are highly confidential and sensitive.
- Performed day-to-day administrative tasks such as maintaining information files and processing paperwork.

Education

**Canterbury University, Doctor of Science
in Business Management**

Grand Canyon University, Master of Business Administration

High Point university, Bachelors Degree of Science

References Available Upon Request

CITY OF HIGH POINT

AGENDA ITEM



Title: Appointment/Reappointment – Guilford /City Insurance Advisory Committee

From: Lisa Vierling, City Clerk

Meeting Date: August 17, 2015

Public Hearing: N/A

**Advertising Date /
Advertised By:**

Attachments: Bio Sheet – Lynwood Roach

PURPOSE:

To appoint Lynwood Roach to the Guilford/City Insurance Advisory Committee to fill the unexpired term of Skip Queen (deceased) and the reappointment of Rudy Hinnatt.

BACKGROUND:

Mayor Bencini is requesting that Lynwood Roach be appointed to the Guilford/City Insurance Advisory Committee with the term effective immediately and will expire December 21, 2016 and the reappointment of Rudy Hinnant effective immediately and expiring December 21, 2017.

BUDGET IMPACT:

N/A

RECOMMENDATION / ACTION REQUESTED:

Council is requested to confirm the appointment of Lynwood Roach to the Guilford/City Insurance Advisory Committee effective immediately and expiring December 21, 2016 and the reappointment of Rudy Hinnant to be effective immediately and expiring December 21, 2017.

High Point, North Carolina

Submit Date: Jul 23, 2015

Application for Appointment to Boards and Commissions

Status: submitted

Profile

All appointments to City boards and commissions are made by the Mayor and City Council and are not limited to those persons who fill out applications.

Lynnwood

First Name

Roach

Last Name

lynnwood.roach@gmail.com

Email Address

1906 San Fernando Drive

Street Address

Suite or Apt

High Point

City

NC

State

27265

Postal Code

Within High Point Corporate Limits

Please select your residency status.

Home: (336) 870-4530

Primary Phone

Alternate Phone

Self Employed

Employer

Which Boards would you like to apply for?

Guilford County/City Insurance Advisory Committee

6

Ward you reside in?

Interests & Experiences

Please tell us about yourself and why you want to serve.

Please list any work, volunteer, and/or educational experience that you would like us to consider in the review of your application.

[Lynnwood_Roach_Resume_2015.pdf](#)

Upload a Resume

Have you participated in Leadership High Point?

☐ Yes ☒ No

If yes, please list the year in which you participated
in Leadership High Point:

Male

Gender

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

LYNNWOOD (Lynn) M. ROACH

Greensboro/Winston Salem, NC AREA

Cell: 336-870-4530

Email: lynnwood.roach@gmail.com

Linked In: www.linkedin.com/pub/lynnwood-lynn-roach/79/5ab/bb9

SUMMARY

Successful **manager** with experience in **analyzing and assimilating information, marketing and product development and customer relations**. Proven track record of productivity and profitability in progressively responsible positions. Efficient supervisor, planner, organizer, and manager of time, projects, and professional peers. Developed, negotiated and executed multi line commercial insurance products in the specialty niche mid market segments.

Core Competencies:	Team Player	Problem Solver	Sense of Humor
	Accepts Feedback	Confident	Imaginative
	Even Tempered	Constructive	Good Listener
	Trustworthy	Conscientious	Thorough

Experience

CONSULTANT, High Point, NC

2013 – present

Safety and Loss Prevention Consultant -

- Business to Business consultant to Insurance Retail Agencies and Wholesale MGAs
- Consultant in Safety and Loss Prevention for Mid Market companies
- Guest columnist for National Safety Magazine

5STAR SPECIALTY PROGRAMS a DIV of CRC, High Point, NC

2005 - 2013

Vice President Program Manager – (Multi Line Binding Authority Product Lines of Auto, GL, IM and Property)

- Branch Manager
- Hired and trained underwriting staff
- Created underwriting guidelines, applications and procedure manuals
- Designed and implemented two national niche programs
- Recruited retail agents and monitored profitability (over 500 agencies)
- Guest Speaker at industry conventions
- Active player and coach underwriting new and renewal business in multi state territory
- Developed marketing strategies and customer service standards
- Conducted Internal Audits

iSurety Special Risk Inc., High Point, NC

2004 - 2005

President/Owner - (Multi Line Brokerage and Specialty Products)

- Created a General Agency from startup to compliment the iSurety North Carolina Work Comp fund
- Negotiated brokerage contracts for work comp, general liability and excess coverages
- Designed binding authority multi state multi line programs
- Worked with intermediaries and carriers to negotiate brokerage and binding authority contracts

AEON Insurance Group, Inc., High Point, NC

1997 - 2004

Vice President of Underwriting - (Multi Line Insurance Products focused on Mid Market Accounts)

- Recipient of the AEON Million Dollar Revenue Award
- Lead company growth from 5 to 25 employees and \$500,000 in premium to \$35 million in premium
- Generated revenues in excess of \$3 million annually
- Directed underwriting, marketing and policy issuance
- Hired, trained and managed a staff of 25
- Directed east and west coast underwriting offices in High Point, NC and Sacramento, CA
- Maintained carrier relations, monitored profitability and adherence to underwriting guidelines

K & K Specialties Insurance Group Inc., Greensboro, NC

1990 - 1997

Underwriting Manager – (Multi Line Insurance Products focused on Commercial Auto)

- Worked with a national trade association to design and implement multi line insurance product for the membership.
- Designed insurance products and safety guidelines
- Marketed the program at national trade conventions
- Recruited agencies to represent the product
- Hired and trained staff

USA Ins. Co. & Transportation Insurance Specialist Inc., Melbourne FL,

1988 - 1990

Insurance Company Underwriter and Lloyd's Broker - (Insurance Carrier Multi Line Products and Brokerage Multi type risk and longhaul trucking.)

- Brokered Accounts with Lloyd's of London brokers
- Underwrote accounts on behalf of United Southern Assurance Ins. Co.
- Maintained agency relationships via outstanding customer service

Education and Professional Development

- Bachelor of Science in Business Administration – Mars Hill University – Mars Hill, NC
- Continuing Education includes –
 - CPCU parts 1, 3 & 4
 - General Insurance 21,22,23
 - Various industry specific CE classes via AAMGA and State Universities covering
 - ◆ Loss prevention
 - ◆ Flood coverage and beach plans
 - ◆ Marketing and budget setting
 - ◆ Profitability in Underwriting
- Past President of the North Carolina Surplus Lines Association
- Current Board Member of the North Carolina Surplus Lines Board
- North Carolina Property & Casualty Licensee
- North Carolina Excess & Surplus Lines Licensee
- Working knowledge of:
 - Federal Motor Carrier Regulations and filing procedures
 - ISO policy Forms and Rates
 - Department of Insurance filings
 - Microsoft Office (Including Word and Excel)
 - Multiple insurance carrier rating and processing systems
- Continuing Education Educator – Topic - Safety and Loss Prevention
- Guest columnist for national safety magazine

Community Leadership

- Currently serving on the Forest Hills Presbyterian Church Endowment Board
- Boy Scout Leader
- Volunteer for Mobile Meals, and Habitat for Humanities

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 28, 2015 and before the City Council of the City of High Point on August 17, 2015 regarding **Zoning Case 15-12** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings were published in the High Point Enterprise on July 19, 2015, for the Planning and Zoning Commission public hearing and on August 5, 2015 and August 12, 2015, 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 17, 2015**.

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

SECTION 1

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: A **Limited Office (LO) District**. The property is approximately 0.4 acres and lying along the west side of Eastchester Drive approximately 265 feet south of E. Hartley Drive (809 Eastchester Drive). The property is also known as Guilford County Tax Parcel 0199677.

SECTION 2

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.

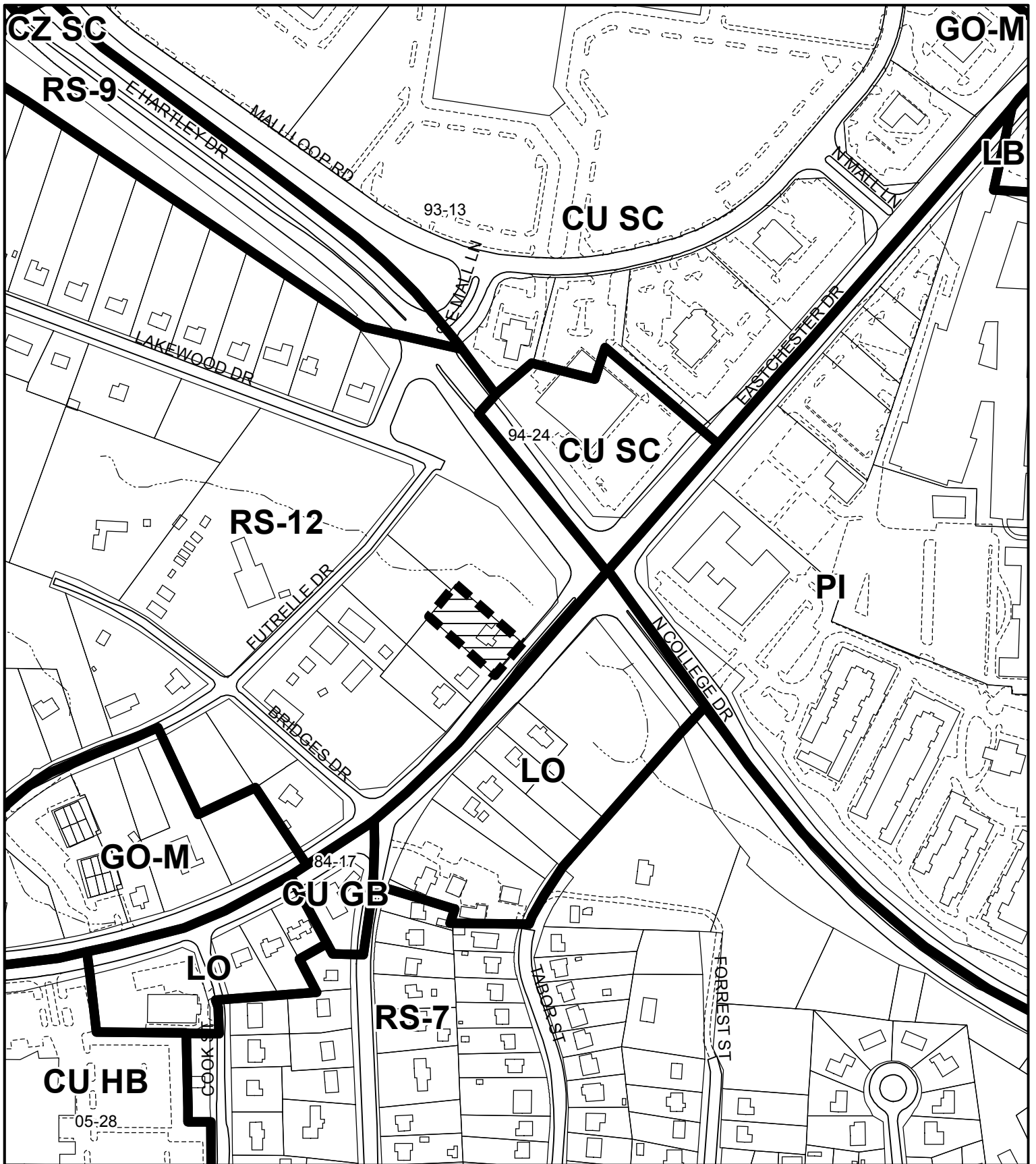
SECTION 3

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

SECTION 4.

This ordinance shall become effective upon the date of adoption.
17th day of August, 2015

Lisa B. Vierling, City Clerk



ZONING CASE 15-12

From: Residential Single Family-12
To: Limited Office

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

**Planning & Development
 Department**

City of High Point

Date: July 10, 2015



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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 28, 2015 and before the City Council of the City of High Point on August 17, 2015 regarding **Zoning Case 15-13** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings were published in the High Point Enterprise on July 19, 2015, for the Planning and Zoning Commission public hearing and on August 5, 2015 and August 12, 2015, 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 17, 2015**.

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 General Office – Moderate Intensity (CZ GO-M) District**. The property is approximately 5.6 acres lying west of the intersection of Eastchester Drive and White Farm Lane (2017, 2019, 2021 & 2023 Eastchester Drive). The property is also known as Guilford County Tax Parcel 0195763, 0220353, 0220354 and 0220355.

SECTION 2

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

Part I. USES:

- A. **Permitted Uses:** Any of the land uses allowed in the General Office-Moderate Intensity (GO-M) District shall be permitted, subject to the development and dimensional requirements of the Development Ordinance and the specific conditions of this Permit.
- B. **Prohibited Uses:**
 - 1. All residential land uses shall be prohibited.
 - 2. Accessory buildings and parking related to a GO-M District use shall only be permitted within 300 feet of the front property line (i.e. Eastchester Drive right-of-way). This condition shall be based upon the current lot and right-of-

way configuration as of July 18, 2005. Any future right-of-way dedication shall not permit extension of this 300-foot boundary.

C. CONDITIONS:

A. Development and Dimensional Requirements.

1. The rezoning site is located within the Eastchester Scenic Corridor Overlay District. In addition to complying with all applicable requirements of the Overlay District, the development shall comply with Section 9-4-4(c)(4)f. of the Development Ordinance, which requires development to retain a residential character, nature and appearance.
2. The above notwithstanding, building height shall be limited to two stories.

B. Landscaping:

1. All existing vegetation along the northern, western and southern property lines shall remain and shall be supplemented where necessary to meet the Type B Planting Yard requirements of the Development Ordinance
2. In addition to meeting the parking lot landscaping requirements of the Development Ordinance, all parking lots on the rezoning site shall be designed so that any parking space is not more than fifty (50) feet from a tree.

C. Exterior Lighting: All freestanding exterior lighting shall be directed inward, away from residentially zoned or used property.

D. Transportation Conditions.

1. Right-of-way Dedication: Twelve (12) feet of right-of-way shall be dedicated for the construction of a turn lane on Eastchester Drive, if required by the Development Ordinance.
2. Vehicular Access.
 - a. The property shall be allowed to have two points of vehicular access to Eastchester Drive and shall comply with the City of High Point Driveway Ordinance. One access point shall be located approximately 770 feet south of the intersection of Porsha Lane and Eastchester Drive. The second access point shall be located approximately 385 feet south of the intersection of Porsha Lane and Eastchester Drive and aligned with White Farm Lane. The Director of Transportation shall approve the exact location and design of the access point.
 - b. Access easements shall be provided between the zoning site and Guilford County Tax Parcel 0195764 (Tract 2 of CUP Case 05-13). In the event an alternative access is obtained to Guilford County Tax Parcel 0195764 from Candelar Drive, the above noted access easement between shall be eliminated and there shall be no access to Guilford County Tax parcel 0195764 from Eastchester Drive.

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 that are 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

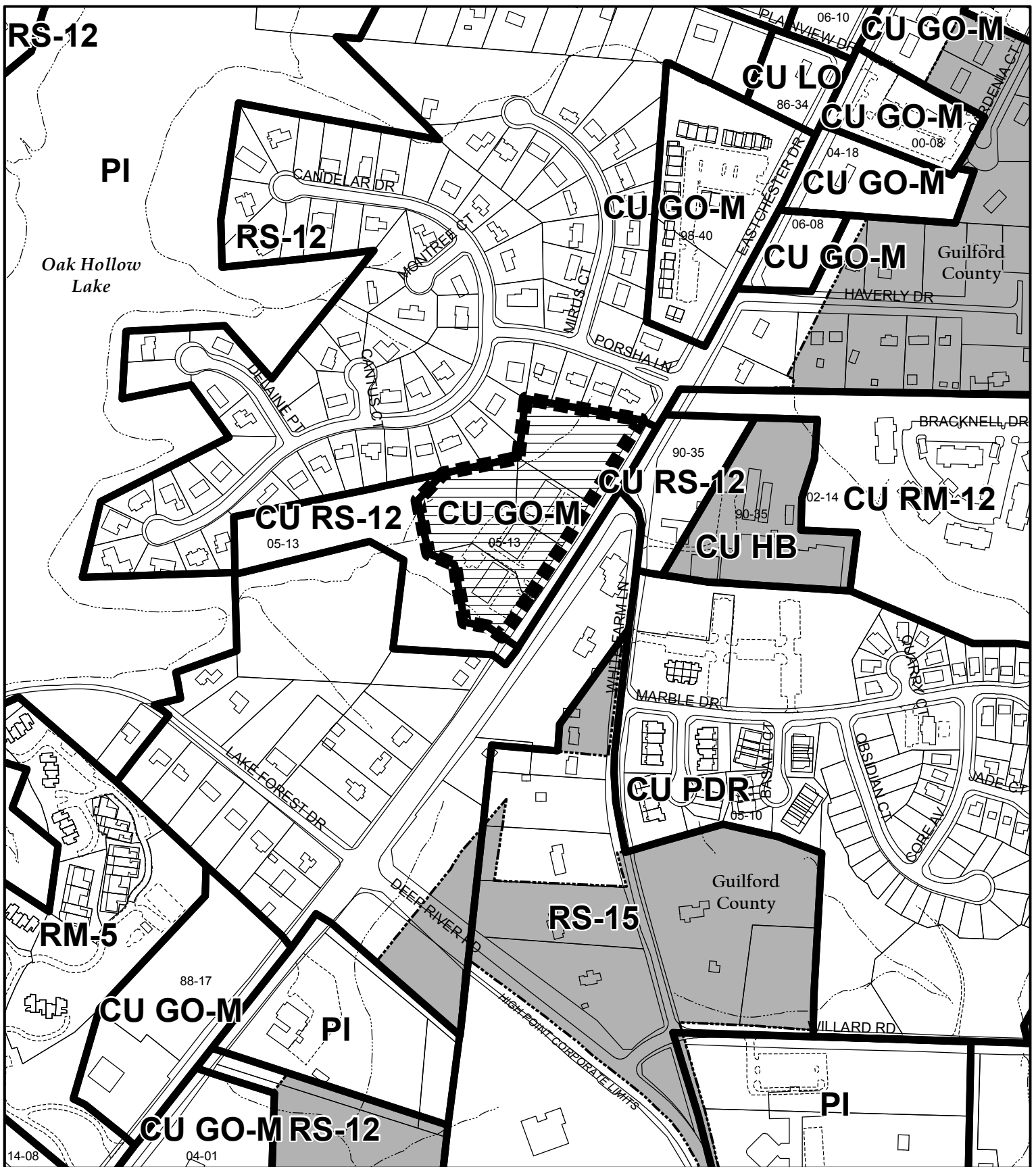
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6.

This ordinance shall become effective upon the date of adoption.

17th day of **August, 2015.**

Lisa B. Vierling, City Clerk



ZONING CASE 15-13

From: Conditional Use General Office-Moderate
To: Conditional Zoning General Office-Moderate

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

**Planning & Development
 Department**

City of High Point

Date: July 10, 2015



Scale: 1"=400'

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CITY OF HIGH POINT

AGENDA ITEM



Title: Ordinance Amending Title 12-2-18 of the High Point City Code

From: Brent L. Cole, Assistant City Attorney

Meeting Date: August 17, 2015

Attachments: Ordinance Amending Section 12-2-18 of the High Point City Code

PURPOSE:

A text amendment to the High Point City Code to add Section 12-2-18 regarding the regulations for tethering of dogs within the City.

BACKGROUND:

The issue of dog tethering within the City of High Point was originally presented to the Community Housing and Neighborhood Development Committee. Staff was directed at the July 20th City Council meeting to prepare language for Council's consideration regarding the prohibition of dog tethering within the City.

BUDGET IMPACT: N/A

RECOMMENDATION / ACTION REQUESTED:

The City Manager's Office and the High Point Police Department have proposed the addition of Section 12-2-18 to the High Point City Code to address the issue of dog tethering. The High Point Police Department will present further information regarding a phasing in of the enforcement of this ordinance over the next eighteen (18) months with organized training and enforcement plans for the residents of the City. Major Larry Casterline of the High Point Police Department has been in discussions with community groups in partnering in this training and will be available to answer questions regarding this structure and application of this ordinance.

**ORDINANCE AMENDING TITLE 12 – OFFENSES – CHAPTER 2. ANIMALS –
ARTICLE B. DOGS – SECTION 12-2-18 TETHERING OF DOGS PROHIBITED.**

An amendment affecting the tethering of dogs through the addition of Section 12-2-18 *Tethering of Dogs Prohibited* addressing the standards in which dogs may be tethered within the City of High Point.

SECTION 1.

Section 12-2-18 is hereby amended with the addition of the following language:

Tethering of Dogs Prohibited

It shall be unlawful for any person to restrain a dog using a chain, wire or other type of tethering device in a manner prohibited by this subsection.

- (a) No person shall tether, fasten, chain, tie, or restrain a dog, or cause such restraining of a dog, to a tree, fence, post, dog house, or other stationary object. During periods of tethering that are lawful under this subsection, any tethering device used shall be at least ten (10) feet in length and attached in such a manner as to prevent strangulation or other injury to the dog or entanglement with objects.**
- (b) No person shall tether, fasten, chain, tie, or restrain a dog, or cause such restraining of a dog, to a cable trolley system that allows movement of the restraining device. During periods of tethering that are lawful under this subsection, the length of the cable along which the tethering device can move must be at least ten (10) feet, and the tethering device must be of such length that the dog is able to move ten (10) feet away from the cable perpendicularly and attached in such a manner as to prevent strangulation or other injury to the dog and entanglement with objects. During periods of lawful tethering under this subsection, tethers must be made of rope, twine, cord, or similar material with a swivel on one end or must be made of a chain that is at least ten (10) feet in length with swivels on both ends and which does not exceed ten (10) percent of the dogs body weight. All collars or harnesses used for the purpose of the lawful tethering of a dog must be made of nylon or leather.**
- (c) No person shall tether a dog with a chain or wire or other device to, or cause such attachment to, any collar other than a buckle type collar or body harness.**
- (d) No person shall tether with a chain or a wire or other device to, or cause such attachment to, a head harness, choke-type collar or pronged collar to a dog.**
- (e) No person shall tether with a chain, wire, or other device to a dog where the weight of the tethering device and the collar combined exceeds ten (10) percent of the dog's body weight.**

- (f) No person shall tether with a chain, wire, or other device, a dog in such a manner that does not allow the dog access to adequate food, water and shelter.
- (g) No person shall tether a sick, diseased, and/or injured dog, or puppy (a dog that is one year of age or younger).
- (h) Notwithstanding the provisions of this subsection, a person may, subject to the following provisions, and subject to the requirement that any stationary tethering device used shall be at least ten (10) feet in length, and subject to the requirements for any cable trolley system used where the length of the cable along which the tethering device can move must be at least ten (10) feet, and the tethering device must be of such length that the dog is able to move ten (10) feet away from the cable perpendicularly, may:
- (1) Tether and restrain a dog while actively engaging in:
- (i) usage of the dog in shepherding or herding livestock, or
- (ii) use of the dog in the business of cultivating agricultural products, if the restraining is reasonably necessary for the safety of the dog, or
- (iii) use of the dog in lawful hunting activities if the restraint is reasonably necessary for the safety of the dog, or
- (iv) use of the dog at a dog training or performance events, including but not limited to, the field trials and obedience trials where tethering does not occur for a period exceeding seven (7) consecutive days, or
- (v) camping or other recreational activities where tethering is required by the camping or recreational area where the dog is located.
- (2) Tether and restrain a dog during any lawful activity where a tethered dog is in visual range of its owner or keeper, and the owner or keeper is located outside with the dog. After taking possession of a dog that appears to be a stray dog and after having advised animal control authorities of the capture of the dog, tether and restrain the dog in accordance with the provisions of this subsection for a period not to exceed seven (7) days as the person having taken possession of the dog is seeking the identity of the dog.
- (3) Tether while walking a dog with a handheld leash.

SECTION 2.

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 3.

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

SECTION 4.

This ordinance shall become effective upon adoption.

[illegible]

Jeffrey A. Moore, being duly sworn, says that he is
the _____ Financial Services Director _____ of the _____ City _____ of _____ High Point _____
in the State of North Carolina; and that the foregoing statement is true and was made and
subscribed by him.


Finance Officer

Sworn to and subscribed before me on
the day of the date of said statement

Maria A. Smith
(Notary Public)

MARIA A. SMITH
NOTARY PUBLIC
RANDOLPH COUNTY, NC

My commission expires the 26th day of November, 2016.

STATE OF NORTH CAROLINA)
)
COUNTY OF Guilford) SS.:

I, the undersigned _____ City Clerk _____ of the _____ City _____
of _____ High Point _____ in the State of North Carolina, DO HEREBY CERTIFY that the
foregoing statement and accompanying affidavit were filed in my office on the _____ 18th _____ day of
_____ March _____, 20 16.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, this
18th day of March, 2016.



Lisa D. Vukobratovic
Clerk

STATE OF NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

*State and Local Government Finance Division
and the Local Government Commission
325 North Salisbury Street, Raleigh, North Carolina 27603-1385*

STATEMENT OF DEBT

For City of High Point, North Carolina

To be filed with the application. The debt described below should not include debt incurred or to be incurred in anticipation of the collection of taxes or other revenues or in anticipation of the sale of bonds other than funding or refunding bonds. The debt described below should not include revenue bonds or special obligation bonds.

A. Gross Debt

1. Outstanding debt evidenced by bonds:

<u>Purpose</u>	<u>Amount</u>	
Water	46,797,263	
Sanitary Sewer	123,498,202	
Electric	-	
Gas	-	
Other	74,584,535	\$ <u>244,880,000</u>

2. The proposed financing, and bonds authorized by orders introduced but not yet adopted:

<u>Date Introduced</u>	<u>Purpose</u>	<u>Amount</u>	
8/17/15	Public Safety Facilities	3,600,000	\$ <u>3,600,000</u>

3. Unissued bonds authorized by adopted orders:

<u>Date Introduced</u>	<u>Purpose</u>	<u>Amount</u>	
			\$ _____

4. Outstanding debt not evidenced by bonds (lease-purchase agreements):

<u>Date Incurred</u>	<u>Purpose</u>	<u>Amount</u>	
12/22/09	Workforce Development Bldg	800,000	
4/25/12	Computer Storage Equipment	43,366	
6/19/12	Fire Trucks	353,009	
12/19/13	Fire Trucks	835,609	
4/15/15	Computer Storage Equipment	370,499	
6/15/15	Fleet Equipment	1,274,386	
9/15/15	Computer Storage Equipment	132,687	\$ <u>3,736,511</u>

Total Gross Debt (Sum of 1, 2, 3 and 4) \$ 252,216,511

B. Deductions

1. Funding and refunding bonds authorized by orders introduced but not yet adopted \$ _____
 2. Funding and refunding bonds authorized but not issued ... \$ _____
 3. Amount held in sinking funds or otherwise for the payment of gross debt other than debt incurred for water, gas, electric light or power purposes or sanitary sewer purposes (to the extent deductible under Section 159-55[b] of the Local Government Bond Act), or two or more of these purposes \$ 15,089,682
 4. Bonded debt included in gross debt and incurred or to be incurred for water, gas or electric light or power purposes, or any two or more of these purposes. \$ 46,797,263
 5. Bonded debt included in gross debt and incurred or to be incurred for sanitary sewer system purposes (to the extent deductible under Section 159-55[b] of The Local Government Bond Act). \$ 123,498,202
 6. Uncollected special assessments levied for local improvements for which gross debt (that is not otherwise deducted) was or is to be incurred, to the extent it will be applied, when collected, to the payment of such gross debt. \$ _____
 7. Estimate of special assessments to be levied for local improvements for which any part of gross debt (that is not otherwise deducted) was or is to be incurred, to the extent that the special assessments when collected, will be applied to the payment of any part of gross debt..... \$ _____
- Total Deductions (Sum of 1 through 7) \$ 185,385,147
- C. Net Debt being the difference between Total Gross Debt (A) and Total Deductions (B). \$ 66,831,364
- D. Assessed Value of property subject to taxation being the value from which the assessed value was last fixed for taxation as revealed by the County tax records and certified by the County Tax Supervisor. \$ 8,325,445,416
- E. Percentage that Net Debt bears to the assessed value of property subject to taxation ($C \div D$). 0.80%

I certify the above is correct to the best of my knowledge.	Finance Officer's Signature 	Date March 17, 2016
---	--	------------------------

CITY OF HIGH POINT

AGENDA ITEM

**Title: Establish Public Hearing for Proposed Financing of Motorola Radio System Upgrade****From:** Jeffrey A. Moore, Financial Services Director**Meeting Date:** August 17, 2015**Public Hearing:** N/A**Advertising Date** N/A**Advertised By:** N/A**Attachments:** Notice of Public Hearing

PURPOSE:

In accordance with State law, the City Council must conduct a public hearing to receive comments with regards to City Council's consideration of an installment financing contract to pay for the Motorola Communications System Upgrade over the next 10 years.

BACKGROUND:

The issuance of any debt obligation (bonds, notes, financing agreements, and leases) of the City requires the authorization of the City Council. The issuance of an installment financing contract (also sometimes known as a capital or financing lease) is authorized by G.S. 160A-20.

Due to the amount and length of proposed financing period, the statute requires approval of the Local Government Commission. As required for that body's approval, a public hearing on the proposed financing must be conducted by the City Council.

BUDGET IMPACT:

N/A

RECOMMENDATION / ACTION REQUESTED:

The Financial Services Department recommends that the City Council establish a public hearing on Tuesday September 8, 2015 at 5:30pm pursuant to NC General Statute 160A-20 for the consideration of financing upgrades to the 800mhz radio system, including improvements to City-owned real estate, through a contract between the City of High Point and Motorola, Inc.

NOTICE OF PUBLIC HEARING

The High Point City Council will hold a public hearing on Tuesday, September 8, 2015 at 5:30 p.m. in the Council Chambers, High Point Municipal Building, 211 S. Hamilton Street pursuant to NC General Statute 160A-20 for the consideration of financing upgrades to the 800mhz radio system, including improvements to City-owned real estate, through a contract, including improvements to City-owned real estate, through a contract between the City of High Point and Motorola, Inc.

To be published once on Thursday September 10, 2015

CITY OF HIGH POINT

AGENDA ITEM



Title: Yates Construction Company
Highway 66 Water System Improvements

From: Terry Houk – Public Services Director
Carol McDowell – Asst. Public Services Director

Meeting Date: August 17, 2015

Public Hearing: N/A

Advertising Date: N/A

Advertised By: N/A

Attachments: Attachment A – Final Change Order Documents

PURPOSE:

The City budgeted for extension of the water system in conjunction with the construction of the Ralph Lauren Facility on Highway 66. Contract 58-062514 was issued for the water line system improvements. This deduct change order is needed to finalize the contract documents.

BACKGROUND:

The construction of the water system improvements was completed ahead of schedule. The contract was a unit price contract based on estimated quantities. After completion of the work, some of the estimates were high and the City is due back a credit. Where estimated quantities were low the contractor is due additional funds. After review of the under amounts and the over amounts, there is an overall credit back to the City for the contract. The deduct (credit) change order will finalize the contract price to close out the project and unencumber the funds.

BUDGET IMPACT:

Funds for this project are in the following account: 421779-533701-421131026305-40201

RECOMMENDATION / ACTION REQUESTED:

The Public Services Department requests the City Council approve the deduct change order for \$396,834.67 and authorize the appropriate city official to execute all necessary documents.



TRANSMITTAL

Date: July 14, 2015

To: Terry Houk
Director Public Services
City of High Point
Post Office Box 230
High Point, North Carolina 27261

Re: City of High Point, North Carolina
Highway 66 Water System Improvements,
Contract 2
CHP Bid No. 58-062514 / WS-0263
DMP Project No. 120139 (EF)

We are sending you attached the following items:

- | | | |
|--|---|---|
| ☐ Shop Drawings | ☐ Samples | ☐ Copy of Letter |
| ☐ Prints | ☐ Specifications | ☒ Other |
| ☐ Plans | ☐ Disk | ☐ Change Order |

# Copies	Drawing #	Description	Disposition
6		Final Adjusting Change Order	To Be Executed

Remarks: Please have the proper City official sign all six (6) copies of the Final Adjusting Change Order, then retain two (2) copies for your records and return the remaining four (4) copies to our office for further processing.

By: Robert Davis/kh

Robert Davis, Construction Administrations Manager

RD/kh

c: Tyler Berrier, PE, City of High Point (enc)
File (2 enc)

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JUL 13 2015

City of High Point, North Carolina
Highway 66 Water System Improvements - Contract 2
CHP Bid No. 58-062514, WS-0263
DMP Project No. 120139
Final Adjusting Change Order

RECEIVED
JUL 09 2015
YATES CONSTRUCTION

Description		Proposed Quantity	Unit	Actual Quantity	Unit Price	Total Contract Amount	Actual Totals From Contractor's Estimate	Amount Under Total Contract Amount	Amount Over Total Contract Amount
BASE BID									
GENERAL									
1	Mobilization	1	LS	1.00	\$61,700.00	\$61,700.00	\$61,700.00	\$0.00	\$0.00
2	12" DIP	9,920	LF	9,994.00	\$40.00	\$399,800.00	\$399,760.00	\$0.00	\$2,960.00
3	6" DIP	60	LF	60.00	\$26.07	\$1,564.20	\$1,564.20	\$0.00	\$0.00
4	12" RJ DIP	690	LF	249.00	\$58.87	\$40,620.30	\$14,658.63	(\$25,961.67)	\$0.00
5	12" Gate Valve & Box	8	EA	8.00	\$2,000.00	\$16,000.00	\$16,000.00	\$0.00	\$0.00
6	6" Gate Valve & Box	6	EA	7.00	\$1,000.00	\$6,000.00	\$7,000.00	\$0.00	\$1,000.00
7	DIP Fittings	8,000	LB	7,805.00	\$3.50	\$28,000.00	\$27,317.50	(\$682.50)	\$0.00
8	24" Steel Encasement B&J - In Soil	784	LF	639.00	\$229.00	\$179,336.00	\$146,331.00	(\$33,205.00)	\$0.00
9	24" Steel Encasement B&J - Not In Soil	784	LF	105.00	\$450.00	\$352,800.00	\$47,250.00	(\$305,550.00)	\$0.00
10	12" RJ DIP in Encasement	784	LF	744.00	\$58.87	\$46,154.08	\$43,799.28	(\$2,354.80)	\$0.00
11	6" 3-Way FH 4 1/2"	6	EA	7.00	\$1,600.00	\$9,600.00	\$11,200.00	\$0.00	\$1,600.00
12	3" ARV in Manhole	1	EA	1.00	\$3,200.00	\$3,200.00	\$3,200.00	\$0.00	\$0.00
13	Select Backfill Borrow Material	850	CY	550.00	\$25.00	\$21,250.00	\$13,750.00	(\$7,500.00)	\$0.00
14	Trench Stabilization Stone	550	TN	337.96	\$25.00	\$13,750.00	\$8,449.00	(\$5,301.00)	\$0.00
15	CABC Driveway Stone	600	TN	368.99	\$25.00	\$15,000.00	\$9,224.75	(\$5,775.25)	\$0.00
16	R&R Paved Driveway	215	LF	328.00	\$110.00	\$23,650.00	\$36,080.00	\$0.00	\$12,430.00
17	R&R Concrete Driveway	50	LF	130.00	\$110.00	\$5,500.00	\$14,300.00	\$0.00	\$8,800.00
18	R&R Concrete C&G	80	LF	25.00	\$30.00	\$2,400.00	\$750.00	(\$1,650.00)	\$0.00
19	Temporary Silt Fence	8,300	LF	4,780.00	\$2.50	\$20,750.00	\$11,950.00	(\$8,800.00)	\$0.00
20	Temp Stone Outlet	7	EA	1.00	\$175.00	\$1,225.00	\$175.00	(\$1,050.00)	\$0.00
21	RR Pipe Inlet Protection	30	EA	29.00	\$150.00	\$4,500.00	\$4,350.00	(\$150.00)	\$0.00
22	RR Pipe Outlet Protection	30	EA	28.00	\$150.00	\$4,500.00	\$4,200.00	(\$300.00)	\$0.00
23	Temp Rock Check Dam	2	EA	4.00	\$200.00	\$400.00	\$800.00	\$0.00	\$400.00
24	Temp Construction Entrance	2	EA	2.00	\$2,500.00	\$5,000.00	\$5,000.00	\$0.00	\$0.00
25	CL R/R w/Stone & Filter Fabric	750	SY	40.00	\$45.00	\$33,750.00	\$1,800.00	(\$31,950.00)	\$0.00
26	Excelsior Matting	900	SY	3,382.22	\$2.50	\$2,250.00	\$8,455.55	\$0.00	\$6,205.55
Totals:						\$1,295,899.58	\$899,064.91	(\$3430,230.22)	\$33,395.55

City of High Point, North Carolina
Highway 66 Water System Improvements - Contract 2
CHP Bid No. 58-062514, WS-0263
DMP Project No. 120139
Final Adjusting Change Order

Description	Proposed Quantity	Unit	Actual Quantity	Unit Price	Total Contract Amount	Actual Totals From Contractor's Estimate	Amount Under Total Contract Amount	Amount Over Total Contract Amount
CHANGE ORDERS								
1 Install 12" DIP waterline via HDD From Station 89+50 to Station 91+50	1	LS	1.00	\$42,000.00	\$42,000.00	\$42,000.00	\$0.00	\$0.00
2 Poured a concrete block to restrain th eexisting 12" inline valve where starting the new 12" water main.	1	LS	1.00	\$2,500.00	\$2,500.00	\$2,500.00	\$0.00	\$0.00
3 Project Incentive	1	LS	1.00	\$30,000.00	\$30,000.00	\$30,000.00	\$0.00	\$0.00
4 Repair Damaged Fire Hydrant	1	LS	1.00	\$412.74	\$412.74	\$412.74	\$0.00	\$0.00
			Subtotal, Change Orders		\$74,912.74	\$74,912.74	\$0.00	\$0.00

Total Adjusted Contract Amount (Base + C.O.)	Actual Totals From Contractor's Estimate	Amount Under Total Adjusted Contract Amount	Amount Over Total Adjusted Contract Amount
TOTALS \$1,370,812.32	\$973,977.65	-\$430,230.22	\$33,395.55

Recommended: Davis-Martin-Powell & Associates, Inc. (Engineer)	By: Robert D. Davis	Date: 7-14-15
Accepted: Yates Construction Company, Inc. (Contractor)	By: [Signature]	Date: 7-7-15
Accepted: City of High Point, North Carolina (Owner)	By:	Date:

CITY OF HIGH POINT

AGENDA ITEM



Title: Budget Amendment for HPU Electric Line

From: Eric Olmedo, Budget Manager

Public Hearing: N/A

Attachments: Budget ordinance

Meeting Date: August 17, 2015

Advertising Date: N/A

Advertised By: N/A

PURPOSE:

A budget amendment is needed to recognize revenue and appropriate expenditures related to funds received from High Point University for the relocation of a primary electric line related to the School of Health project.

BACKGROUND:

The High Point Electric Department has received funds in the amount of \$383,624.14 for the relocation of underground electric lines associated with the School of Health project.

BUDGET IMPACT:

High Point University is reimbursing 100% of the estimated expenses.

RECOMMENDATION / ACTION REQUESTED:

The Budget Department recommends and asks the Council to approve the budget amendment.

“AN ORDINANCE AMENDING THE 2015-2016 BUDGET ORDINANCE
OF THE CITY OF HIGH POINT, NORTH CAROLINA
FOR THE HIGH POINT UNIVERSITY SCHOOL OF HEALTH ELECTRIC PROJECT

Be it ordained by the City Council of the City of High Point, North Carolina, as follows:

Section 1. The City of High Point Electric Department has received funds from High Point University for a project related to the School of Health.

Section 2. In order to recognize these funds, the 2015-2016 Budget Ordinance of the City of High Point, should be amended as follows:

- | | | |
|-----|--|------------|
| (A) | That the Electric Fund revenues be amended as follows: | |
| | Developer Contribution revenue | \$383,624 |
| (B) | That the Electric Fund expenditures be amended as follows: | |
| | Electric Capital Project | \$ 383,624 |

Section 3. That all ordinances, or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. That this ordinance shall be effective from and after its passage."

Adopted August 17, 2015

Little Red Schoolhouse Preservation Proposal:

Request: \$95,750 for phase one of the relocation and refurbishment of the Little Red Schoolhouse on the High Point Museum campus as called for in the Museum's Master Plan.

Rationale:

- The Little Red Schoolhouse, which is owned by and under the care of the City of High Point, is in a precarious position in its current location, because it is too far away to be staffed by current Museum personnel.
- It has already been subject to vandalism—most notably the stolen HVAC system.
- In the past year and a half the roof, walls, and porch of Little Red Schoolhouse have further deteriorated, including a growing hole in porch floorboards.
- The Historical Society has already invested approximately \$8,000 in design and planning fees for this project.
- Further, the HPHS board has voted to raise the projected \$93,500 to complete phase two of this project, which covers the full restoration of the building once it has been relocated to the Museum campus per the Master Plan. The Historical Society has already reached 10% of this fundraising goal.
- Historical Society has always been a good partner with the city since its founding in 1966. Private Citizens raised the \$287,000 for the original museum building and gave it to the city. For the 1998-2000 expansion, the Historical Society matched with private dollars the city's \$1 million funding for construction. The Historical Society is grateful for the city's continued support over the years, which has

allowed the Museum to grow to what it is today.

- The Historical Society and Hayden Harman Foundation paid the \$70,000 for the cost of the Heritage Point/Museum Master Plan, all private money, which was developed under the auspices of the city with input from city personnel, Historical Society members, a Hayden Harman Foundation representative, and some neighborhood and community representatives.
- Little Red Schoolhouse is a huge part of High Point's civic memory. It housed first grade classes for 30 years (1930-1961), and its architecture is distinctive and iconic. It was designed by High Pointer and noted architect Louis Voorhees.
- It was the home to High Point's first Museum in the early 1960s before the Haley House was restored and the Lexington Avenue campus was developed.
- The Little Red Schoolhouse was designated a Guilford County Historic Landmark in 1988. At their June meeting, the Guilford Historic Preservation Commission approved a Certificate of Appropriateness to move and restore the Little Red Schoolhouse on the Museum campus.
- Once moved to the Museum campus, staff can open it on a regular basis and conduct programming, including the "A is for Artifact" early childhood program developed by the Junior League a few years ago.
- High Point has lost two historic structures on Washington Street in the past year. We do not want the same fate to befall the Little Red Schoolhouse, so the Historical Society has committed to raising roughly half the funds needed to protect the city's investment in this valuable asset.
- *Time is of the essence, as we are concerned about "Little Red" going thru another winter in its current location & in its current condition. Thank you!*

CITY OF HIGH POINT

AGENDA ITEM



Title: Annexation Case 15-06 (Deep River Ventures, I. LLC)

From: Lee Burnette, Planning & Development
Director

Meeting Date: August 17, 2015

Public Hearing: Yes

Advertising Date: July 24, 2015

Advertised By: Planning & Development

Attachments: A. Staff Report
B. Map
C. Annexation Ordinance of Adoption

PURPOSE:

A request by Deep River Ventures, I. LLC for a voluntary contiguous annexation of an approximate 0.74 acres parcel lying along the north side of W. Wendover Avenue, approximately 670 feet east of Penny Road.

BACKGROUND:

Staff report and recommendation is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends **approval** of Annexation Case 15-06.

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

**STAFF REPORT
ANNEXATION CASE 15-06
August 17, 2015**

Request	
Applicant: Deep River Ventures, I. LLC	Owner: Deep River Ventures, I. LLC
Proposal: Voluntary contiguous annexation of a 0.74 acre parcel	Effective Date: Upon adoption
	Associated Zoning Case: Zoning Case 15-11

Site Information	
Location:	Lying along the north side of W. Wendover Avenue, approximately 670 feet east of Penny Road (5230 W. Wendover Avenue)
Tax Parcel Numbers:	Guilford County Tax Parcel 0170003
Site Acreage:	Approximately 0.74 acres
Current Land Use:	Undeveloped
Current Fire District:	The property is within the Deep River Fire District. Per contract with Guilford County, the property is currently served by the City of High Point Fire Department.
Proposed Development:	The applicant is proposing to combine the annexation site with the abutting parcel to the north and developing one or two commercial structures.
Proposed Unit Type, Number and Average Value:	The applicant estimates commercial development, consisting of one or two structures, will have an estimated value of \$1,331,000.
Proposed Build-out Schedule:	Approximately 12 to 18 months
Proposed City of High Point Council Ward:	The proposed annexation site abuts Ward 6 to the north, east and west. If approved, the annexation area will be part of Ward 6.
Physical Characteristics:	The site is relatively flat and has no noteworthy features.
Water and Sewer Proximity:	A 16-inch City water line lies adjacent to the site along W. Wendover Avenue. Additionally, a 6-inch private water line and an 8-inch private sewer line lay to the north along Brian Jordan Place.
General Drainage and Watershed:	The site drains in a northerly direction and development is subject to the City Lake General Watershed Area requirements. Engineered storm water treatment measures are required for non-residential and multi-family development with a total impervious surface area greater than 24% of the site.
Overlay District(s):	Eastchester Scenic Corridor Overlay District City Lake General Watershed Area

Adjacent Property Zoning and Current Land Use			
North:	CU-SC	Conditional Use Shopping Center District	Undeveloped parcel
South:	RS-40	Residential Single Family-40 District (Guilford County)	Veterinary hospital (lying across W. Wendover Avenue)
East:	CU-SC	Conditional Use Shopping Center District	Commercial/Retail Use
West:	CU-SC	Conditional Use Shopping Center District	Commercial/Retail Use

Transportation Information			
Adjacent Streets:	Name		Approx. Frontage
	W. Wendover Avenue		230 ft.
Vehicular Access:	Brian Jordan Place (private drive)		

City Department Comment Summary

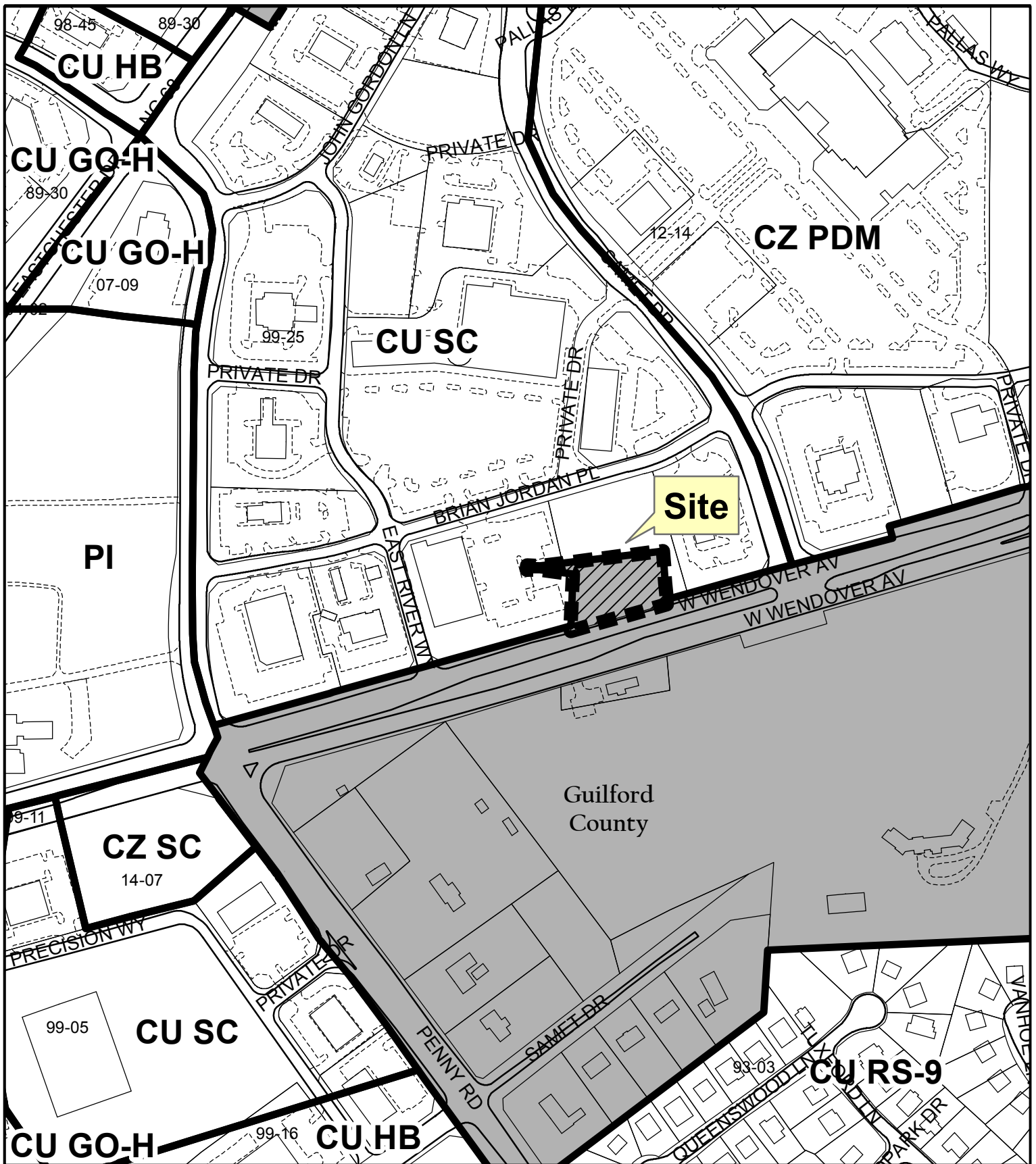
Comments were not requested for this proposed annexation due to the fact the site is surrounded on three sides by the City's corporate limits. Annexation petitions for uses within close proximity to existing service areas do not cause the need for individual department comment.

Details of Proposal

The applicant is proposing to incorporate this 0.74-acre parcel into the abutting Shoppes of Deep River Commercial development and develop it with similar commercial uses. They are requesting annexation in order to have access to City utilities. This annexation petition represents a logical progression of the City's annexation policy for this area as the property is surrounded by the City's corporate limits, 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 ANX15-06

Applicant: Deep River Joint Ventures LLC
Area: 0.74 acres (approximate)

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

**Planning & Development
Department**

City of High Point

Date: May 11, 2015



Scale: 1"=300'

G:/Planning/Secure/ba-pz/
2015/pz/anx15-06.mxd

Return to: JoAnne Caryle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Ordinance No. xxxx / 15-xx

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE
CITY OF HIGH POINT, NORTH CAROLINA

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

WHEREAS, a public hearing on this annexation was held at the Municipal Building at 5:30p.m. on the 17th day of August, 2015; 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 17, 2015.

ANNEXATION DESCRIPTION

Applicant: Deep River Ventures, I. LLC - **Annexation Case 15-06**

Lying along the north side of W. Wendover Avenue, approximately 670 feet east of Penny Road, consisting of Guilford County Tax Parcel 0170003. Being the property of Hal W. Lamb, III,

described in Deed Book 7102 Page 1138 of the Guilford County Registry, more particularly described as follows:

BEGINNING at a point in the northern line of this property, the common corner of this property with the property of Thaxton Richardson, et al, as described in Deed Book 6889, Page 863, and as shown as Lot 3E of Plat Book 163 Page 60, and the property of West Wendover Associates, LLC, as described in Deed Book 4993, Page 1559, and as shown as Lot 3F of Plat Book 163 Page 60; THENCE, with the West Wendover Associates, LLC, N82°36'57"E, 230.28 feet to an EIP; THENCE, continuing with West Wendover Associates, LLC, S04°10'40"E, 100.05 feet to a point on the northern right of way of West Wendover Avenue as shown on Plat Book 163 Page 60; THENCE, with the right of way of West Wendover Avenue, S04°10'40"E, 12.23 feet to a point; THENCE, with the northern right of way of West Wendover Avenue, S74°18'16"W, 229.04 feet to an existing iron pipe; THENCE, with the right of way of West Wendover Avenue, N01°53'33"E, 12.57 feet to an existing iron pipe, a corner with Richardson in the northern right of way line of West Wendover Avenue as shown on Plat Book 163 Page 60; THENCE, continuing with Richardson, N01°53'33"E, 106.54 feet to an existing iron pipe; THENCE, with Richardson the following five (5) calls: 1) N83°21'43"W, 76.78 feet to an existing iron pipe; 2) N89°15'41"W, 29.98 feet to an existing iron pipe; 3) N01°28'42"E, 9.17 feet to an existing iron pipe; 4) S89°11'46"E, 30.10 feet to an existing iron pipe and 5) N82°34'36"E, 56.40 feet to an existing iron pipe, the Place and Point of Beginning, having an area of 29,484 square feet.

SECTION 2. Upon and after **August 17, 2015** the above described territory 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-58.10.

SECTION 3. The Mayor of the City of High Point shall cause to be recorded in the Office of the Register of Deeds of 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 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Guilford County Board of Elections, as required by G.S. 163-288.1.

Adopted by City Council,
this the **17th** day of **August, 2015**.
Lisa B. Vierling, City Clerk



1859 East Lexington Avenue
High Point, NC 27262
336-885-1859

Our mission

The High Point Historical Society collects, preserves and showcases the history of greater High Point to foster a shared appreciation of our community reflected in the stories, events and traditions of our past.

August 10, 2015

Dear City Council Members:

Enclosed are supporting documents for our proposal regarding the preservation and relocation of the Little Red Schoolhouse. In 2012 the High Point Museum completed its Master Plan, which was approved by Council. This plan calls for moving the Little Red Schoolhouse to the Museum Campus. In December of 2013, the Historical Society made an unsuccessful 2/3 bond request to City Council for the full phase one of the Museum's Master Plan, which included the relocation of the Little Red Schoolhouse and a parking lot addition.

Since that time, the Little Red Schoolhouse has deteriorated further, and the Historical Society has felt a great urgency about the state of this historic building. Consequently our board voted last summer to spend approximately \$8,000 of our funds towards planning and design fees related to restoring and moving the city owned Little Red Schoolhouse to the Museum campus.

The building is a Guilford County Historic Landmark and requires a Certificate of Appropriateness from the Guilford County Historic Preservation Commission to be moved and/or refurbished in any way. This Certificate was recently approved at their June meeting.

All that remains is to secure funding to complete the project. Because this building is so iconic and significant to High Point, we want to get things underway before it is too late. We began raising funds in a soft campaign this spring, but we did not want to begin in earnest until the Certificate of Appropriateness had been approved. We are concerned that we will not be able to raise all the funds necessary to complete phase one (the relocation and stabilization of the building) before the winter, and we are not sure the building can make it through another winter storm in its current state. Therefore we are asking City Council to approve the \$95,750 needed to move and stabilize the building. The Historical Society will continue its efforts to raise the additional \$93,500 needed for phase two (the restoration of the building).

The Historical Society entered into a similar agreement with the city during the 1998-2000 expansion of the museum building. We successfully matched the city's \$1 million contribution then, and we are confident we will be just as successful at this much smaller matching campaign.

We are grateful for the City's past investment in our community's history and are looking forward to partnering with the City once again on this important project.

Sincerely,

Fred Jones, President

Our Board of Trustees: Fred Jones, President; Donna Kaiser, President-Elect; Yvonne Bostic-Short, Vice President; Brandon Hedrick, Treasurer; Paul Ringel, Secretary; Bill Phillips, Immediate Past President; Jim Armstrong, Ericka Best-Hunt, Dorothy Darr, Randall Johnson, Gene Kester, Jerry Kyle, Nicholas Ruden, Pat Plaxico, Ramsey Qubein

The High Point Historical Society is a 501(c)3 non-profit organization. Contributions are tax deductible to the extent allowed by law.

Financial information about this organization and a copy of its license are available from the State Solicitation Licensing Branch at 919-807-2214. The license is not an endorsement by the State.

Little Red Schoolhouse Preservation Proposal:

Request: \$95,750 for phase one of the relocation and refurbishment of the Little Red Schoolhouse on the High Point Museum campus as called for in the Museum's Master Plan.

Rationale:

- The Little Red Schoolhouse, which is owned by and under the care of the City of High Point, is in a precarious position in its current location, because it is too far away to be staffed by current Museum personnel.
- It has already been subject to vandalism—most notably the stolen HVAC system.
- In the past year and a half the roof, walls, and porch of Little Red Schoolhouse have further deteriorated, including a growing hole in porch floorboards.
- The Historical Society has already invested approximately \$8,000 in design and planning fees for this project.
- Further, the HPHS board has voted to raise the projected \$93,500 to complete phase two of this project, which covers the full restoration of the building once it has been relocated to the Museum campus per the Master Plan. The Historical Society has already reached 10% of this fundraising goal.
- Historical Society has always been a good partner with the city since its founding in 1966. Private Citizens raised the \$287,000 for the original museum building and gave it to the city. For the 1998-2000 expansion, the Historical Society matched with private dollars the city's \$1 million funding for construction. The Historical Society is grateful for the city's continued support over the years, which has allowed the Museum to grow to what it is today.
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- Little Red Schoolhouse is a huge part of High Point's civic memory. It housed first grade classes for 30 years (1930-1961), and its architecture is distinctive and iconic. It was designed by High Pointer and noted architect Louis Voorhees.
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- Once moved to the Museum campus, it will be close enough staff can open it on a regular basis and conduct programming, including the "A is for Artifact" early childhood program developed by the Junior League a few years ago.
- High Point has lost two historic structures on Washington Street in the past year. We do not want the same fate to befall the Little Red Schoolhouse, so the Historical Society has committed to raising roughly half the funds needed to protect the city's investment in this valuable asset.

High Point Museum - Little Red School House Relocation and Refurbishment
 Opinion of Probable Costs
 June 29, 2015



**MOSER
MAYER
PHOENIX**
 ASSOCIATES, PA

COMPLETE
 FACILITIES
 SOLUTIONS

Architecture

Engineering

Interior Design

Site Services

3 2 8 E a s t
 M a r k e t S t r e e t
 S u i t e 2 0 0
 G r e e n s b o r o
 N o r t h C a r o l i n a
 2 7 4 0 1

P 336.373.9800
 F 336.373.0077

Tasks	Cost
Stabilization of roof structure prior to relocation	\$4,000.00
Relocation of building by house-moving company	\$13,500.00
Site preparation including grading, tree removal, water and sewer to within 5 feet of building	\$15,000.00
New footings and foundation	\$12,500.00
Provide new accessible toilet within building	\$18,000.00
Provide new heating and air conditioning	\$15,000.00
Electrical work, reconnect existing outlets and lights, power to new toilet	\$12,500.00
Exterior refurbishment of building	
-- New roof shingles	\$13,500.00
-- Replace rotted siding/trim	\$3,000.00
-- Repaint exterior	\$17,500.00
-- Replace porch framing and flooring	\$5,000.00
-- New gutters and downspouts	\$2,000.00
Subtotal/Exterior Refurbishment	\$41,000.00
Site Improvements	
-- Stone veneer retaining wall	\$5,000.00
-- Landscape screen	\$3,000.00
-- New sidewalk	\$3,000.00
-- Curb cut at handicap parking	\$1,000.00
-- Lawn seeding/planting	\$2,000.00
Subtotal/Site Improvements	\$14,000.00
Interior Refurbishment	
Level wood floor	\$5,000.00
Interior painting	\$5,000.00
Subtotal/Interior Refurbishment	\$10,000.00
Remedial work at current location including removal of foundation, grading, lawn seeding	\$5,000.00
Subtotal	\$160,500.00
5% Design Contingency	\$8,000.00
Opinion of Probable Construction Cost	\$168,500.00

www.mmpa.com



Remaining Estimated Design Fees:

Initial Investigations, Concept Design, Receipt of Certificate of Appropriateness and Consultation	Paid-to-Date
Detailed investigation of the existing building	\$2,500.00
Preparation of foundation and roof structure design by Structural Eng.	\$3,500.00
Architectural Design Notes placed on Current Drawing	\$3,500.00
Architectural Coordination with HP Inspections, Purchasing, Etc.	\$1,500.00
PME Engineering	\$5,000.00
Construction Services Procurement	\$2,000.00
Construction Observations	\$3,000.00
Reimbursable Expenses	<u>\$1,000.00</u>
Remaining Fees for Project	\$22,000.00
Construction Costs	\$168,500.00
Estimated Remaining Design Fees	<u>\$ 22,000.00</u>
TOTAL	\$190,500.00

High Point Museum - Little Red School House Relocation and Refurbishment
Phase 1 Costs to Relocate and Stabilize Building
Opinion of Probable Costs
June 29, 2015



MOSER
MAYER
PHOENIX
ASSOCIATES, PA

Tasks	Cost
Stabilization of roof structure prior to relocation	\$4,000.00
Relocation of building by house-moving company	\$13,500.00
Site preparation including grading, tree removal, water and sewer to within 5 feet of building	\$15,000.00
New footings and foundation	\$12,500.00
Exterior refurbishment of building	
- New roof shingles	\$13,500.00
- Replace rotted siding/trim	\$3,000.00
- Repaint exterior	\$17,500.00
- Replace porch framing and flooring	\$5,000.00
- New gutters and downspouts	\$2,000.00
Subtotal/Exterior Refurbishment	\$41,000.00
Opinion of Probable Construction Cost for Phase 1	\$86,000.00

COMPLETE
ACILITIES
SOLUTIONS

Architecture

Engineering

Interior Design

Site Services

328 East
Market Street
Suite 200
Greensboro
North Carolina
27401

P 336.373.9800
F 336.373.0077

www.mmpa.com



Remaining Estimated Design Fees: For Phase 1 to Relocate and Stabilize Building

Initial Investigations, Concept Design, Receipt of Certificate of Appropriateness and Consultation	Paid-to-Date
Detailed investigation of the existing building	\$2,500.00
Preparation of foundation and roof structure design by Structural Eng.	\$3,500.00
Architectural Coordination with HP Inspections, Purchasing, Etc.	\$1,000.00
Construction Services Procurement	\$1,000.00
Construction Observations	\$1,500.00
Reimbursable Expenses	<u>\$250.00</u>
Remaining Fees for Project	\$9,750.00
Construction Costs	\$86,000.00
Estimated Remaining Design Fees	<u>\$ 9,750.00</u>
TOTAL	\$95,750.00

High Point Museum - Little Red School House Relocation and Refurbishment
Phase 2 Costs to Complete Restoration of Building and Site
Opinion of Probable Costs
June 29, 2015



**MOSER
MAYER
PHOENIX**
ASSOCIATES, PA

Tasks	Cost
Provide new accessible toilet within building	\$18,000.00
Provide new heating and air conditioning	\$15,000.00
Electrical work, reconnect existing outlets and lights, power to new toilet	\$12,500.00
Interior Refurbishment	
- Level wood floor	\$5,000.00
- Interior painting	\$5,000.00
Subtotal/Interior Refurbishment	\$10,000.00
Site Improvements	
- Stone veneer retaining wall	\$5,000.00
- Landscape screen	\$3,000.00
- New sidewalk	\$3,000.00
- Curb cut at handicap parking	\$1,000.00
- Lawn seeding/planting	\$2,000.00
Subtotal/Site Improvements	\$14,000.00
Remedial work at current location including removal of foundation, grading, lawn seeding	\$5,000.00
Subtotal	\$74,500.00
Design Contingency	\$5,000.00
Opinion of Probable Construction Cost for Phase 2	\$79,500.00

COMPLETE
ACILITIES
SOLUTIONS

Architecture

Engineering

Interior Design

Site Services

328 East
Market Street
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North Carolina
27401

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F 336.373.0077

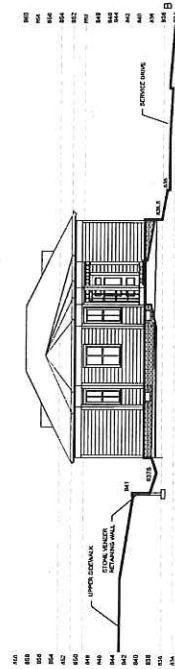
www.mmpa.com



Remaining Estimated Design Fees: For Phase 2 to Complete Restoration of Building and Site

Architectural Design Notes placed on Current Drawing	\$3,500.00
PME Engineering	\$5,000.00
Coordination with HP Inspections, Purchasing, Etc.	\$1,000.00
Construction Procurement Services	\$1,000.00
Construction Observations	\$2,500.00
Reimbursable Expenses	<u>\$750.00</u>
Remaining Fees for Project	\$13,750.00

Construction Costs	\$79,500.00
Estimated Remaining Design Fees	<u>\$13,750.00</u>
TOTAL	\$93,500.00



COMPLETE
FACILITIES
SOLUTIONS

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MAYER
PHOENIX
ASSOCIATES, P.A.

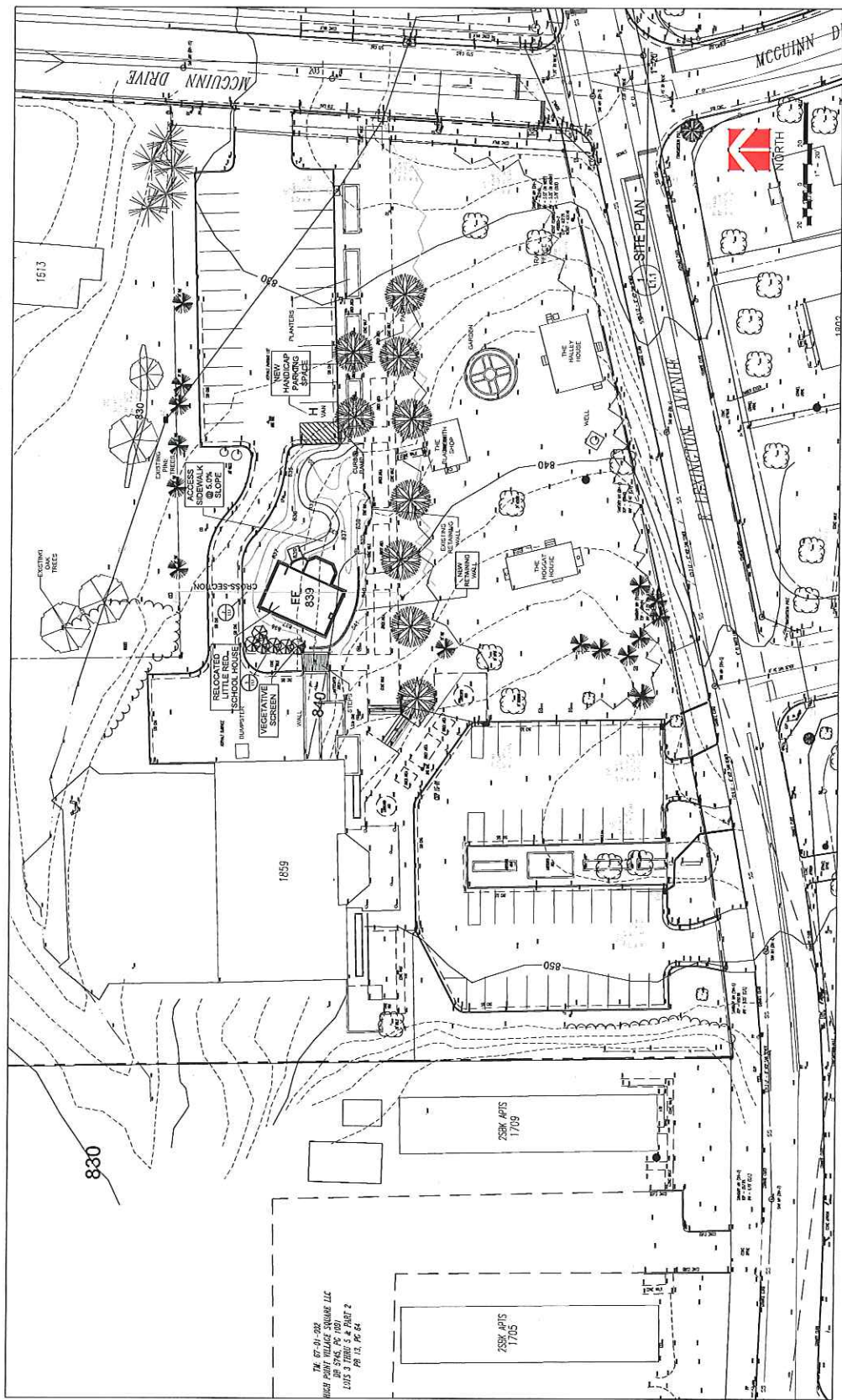


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SITE PLAN

L1.1



TM: 67-01-002
HIGH POINT VILLAGE SQUARE LLC
DB 5745, PG 1091
LOTS 3 THRU 5 & PART 2
PB 13, PG 64



Yes!

I will help preserve the
Little Red Schoolhouse.

Donor Name(s)	
Address	
City, State, Zip	
Email	
Phone	

ONE TIME GIFT

☐ Enclosed is my check # _____ for \$ _____

*(make check payable to High Point Historical Society and mail to
1859 E. Lexington Ave. High Point NC 27262)*

☐ Please charge my credit card for \$ _____

Special Recognition Levels

Teacher's Pet	\$5,000 or more
Honor Roll	\$2,000—\$4,999
Gold Stars	\$500 - \$1,999

RECURRING GIFT

☐ I pledge a total of \$ _____ to be paid over _____ months

Please ☐ charge my credit card ☐ invoice me

☐ Monthly ☐ Bi-Monthly ☐ Quarterly

Beginning _____ Final Installment _____

CREDIT CARD INFO

Card Number _____

Exp Date _____ Security Code _____

☐ Visa ☐ Master Card ☐ American Express

Signature (required) _____

My Gift is in

☐ honor of _____

☐ memory of _____

Please send an acknowledgement card to:

Name: _____

Address: _____

The High Point Historical Society is a 501(c)(3) nonprofit organization. Your contribution is tax-deductible to the extent allowed by law. Financial information about this organization and a copy of its license are available from the State Solicitation Licensing Branch at 919-807-2214. The license is not an endorsement by the State.

CITY OF HIGH POINT

AGENDA ITEM

**Title: Development Incentive Grant****From:** Wendy Fuscoe, Core City Administrator**Meeting Date:** September 8, 2015**Public Hearing:** No**Advertising Date /** N/A**Advertised By:****Attachments:** Development Incentive Grant Guidelines
Map

PURPOSE:

This grant is intended to encourage rehabilitation of older buildings and/or promote infill growth and new commercial development in High Point's Downtown Corridor (see attached map).

BACKGROUND:

Last winter, Councilman Ewing and Wagner requested that staff look at the creation of incentives for the Downtown District (see attached map). The Development Incentive grant was discussed at the Feb. 4 2015 Prosperity and Livability Committee, with a favorable recommendation to City Council once a few changes were made to the guidelines. On June 18, 2015, City Council approved the establishment of a Municipal Service District for this Downtown District which will give the City the authority to implement financial incentives in this district. The Prosperity and Livability Committee discussed the revised guidelines again at their July 15, 2015 meeting and recommended consideration by City Council with a favorable recommendation. The proposed incentives are proposed to encourage commercial activity and building rehabilitation in the downtown corridor area.

BUDGET IMPACT:

The Development Incentive Grant would have no budget impact.

RECOMMENDATION / ACTION REQUESTED:

Council is requested to adopt these guidelines and implement the Development Incentive Grant Program for the Downtown Corridor.



Development Incentive Grant

The purpose of the Development Incentive Grant is to encourage rehabilitation of older buildings and/or promote infill growth with new commercial development in High Point's Downtown Municipal Service District ("Downtown MSD" see attached map).

Guidelines

The incentive will be in the form of a grant and the High Point Development Incentive Grant will be based on the following formula:

- a. Appraised tax value of site and/or building is determined before any construction begins by the Guilford County Tax office.
- b. Appraised tax value of site and/or building is determined after construction is completed upon the issuance of a Certificate of Occupancy by the Guilford County Tax office.
- c. Grant amount is the difference between the pre-construction city tax value and the post construction city tax value as determined by the Guilford County Tax Office.
- d. Owner pays full amount of newly assessed tax value of property.
- e. The City of High Point provides grant incentive to property owner based on payment of City of High Point property tax.
- f. Five (5) concurrent tax years is the applicable time period for grant incentives.
- g. Grant disbursements will be as follows: Year 1 – 100%; Year 2 – 80%; Year 3 – 60%; Year 4 – 40%; Year 5 – 20%.
- h. On the 6th year, property owner will pay full amount of appraised tax value of the property without grant.

Example: Unimproved 4,577 sf building on .21 acres - \$167,700 tax value
 $.664/\$100 = \$1,114$ Annual High Point Tax before development

Assume \$500,000 in additional tax value to property resulting in \$667,000 tax value
 $.664/\$100 = \$4,429$ Annual High Point Tax after development

Grant Formula:

Under above example, owner pays \$4,429 in city taxes after property improvements.

Year 1: Owner receives grant of \$3,315 (100%, $\$4,429 - \$1,114$)

Year 2: Owner receives grant of \$2,652 (80%)

Year 3: Owner receives grant of \$1,989 (60%)

Year 4: Owner receives grant of \$1,326 (40%)

Year 5: Owner receives grant of \$663 (20%)

Total Reimbursement over 5 years: \$9,945

Eligibility

1. The property must be located within the defined Downtown MSD.
2. Residential (except one and two family residential uses) or commercial property within the project area is eligible to apply. Adult businesses are excluded. Showrooms are excluded except when the first floor will be used for commercial purposes.
3. The applicant must be the property owner and taxpayer for the property.
4. Applications will be administered by the City of High Point and reviewed by city staff to ensure full compliance with grant requirements.
5. Grant reimbursements are non-transferable. They are made only to the original owner of the property for the scheduled grant period while they maintain ownership of the property
6. The grant amount will be recalculated yearly and reflect any valuation changes to the property through damage, further improvement and/or area-wide re-assessment. The constants of the program will remain the term and percentage of the base grant amount and the preconstruction unimproved assessed value.
7. Property Owner shall submit attached documentation to the High Point Finance Director along with receipt of payment of property tax and prior to June 30.
8. Property can only receive one grant per five (5) year period.
9. Grant reimbursements will not be granted for a nonconforming use.
10. Recipient of the Grant must operate their business during normal business hours consistent with other businesses located within the Downtown MSD throughout the term of the grant.
11. If it is determined by the Business Development Committee that the building is in need of structural improvements in order to bring the building up to City Code as determined by the BDC, then the Development Incentive Grant money must first be used for that purpose.

Examples of changes in valuation – properties are reassessed in Year 3; 10% increase

Example: Unimproved 4,577 sf building on .21 acres - \$167,700 tax value
 $.664/\$100 = \$1,113$ Annual High Point Tax before development

Assume \$500,000 in additional tax value to property resulting in \$667,000 tax value
 $.664/\$100 = \$4,429$ Annual High Point Tax after development

Grant Formula:

Under above example, owner pays \$4,429 in city taxes after property improvements.

Year 1: Owner receives grant of $(\$4,429 - \$1,113) = \$3,316$

Year 2: Owner receives grant of $(\$4,429 - \$1,113) * .80 = \$2,653$

Year 3: Property values reassessed – new tax value is $\$733,700 * (.664/\$100) = \$4,872$

Year 3: Owner receives grant of $(\$4,872 - \$1,113) * .60 = \$2,255$

Year 4: Owner receives grant of $(\$4,872 - \$1,113) * .40 = \$1,504$

Year 5: Owner receives grant of $(\$4,872 - \$1,113) * .20 = \$752$

Total Reimbursement over 5 years: \$10,480

Examples of changes in valuation – properties are reassessed in Year 3; 10% decrease

Example: Unimproved 4,577 sf building on .21 acres - \$167,700 tax value
 $.664/\$100 = \$1,113$ Annual High Point Tax before development

Assume \$500,000 in additional tax value to property resulting in \$667,000 tax value
 $.664/\$100 = \$4,429$ Annual High Point Tax after development

Grant Formula:

Under above example, owner pays \$4,429 in city taxes after property improvements.

Year 1: Owner receives grant of $(\$4,429 - \$1,113) = \$3,316$

Year 2: Owner receives grant of $(\$4,429 - \$1,113) * .80 = \$2,653$

Year 3: Property values reassessed – new tax value is $\$600,300 * (.664/\$100) = \$3,986$

Year 3: Owner receives grant of $(\$3,986 - \$1,113) * .60 = \$1,724$

Year 4: Owner receives grant of $(\$3,986 - \$1,113) * .40 = \$1,149$

Year 5: Owner receives grant of $(\$3,986 - \$1,113) * .20 = \$575$

Total Reimbursement over 5 years: \$9,417

Business Development Committee (BDC):

- The BDC shall consist of five (5) members
- The BDC members shall be appointed by the City Council and will serve a 3-year staggered term.
- The Grant Administrator shall be the Core City Administrator and serve as an ex officio member of the BDC but without the right of a vote.
- City staff shall provide technical and professional assistance to the BDC upon request and with reasonable notice of the need for such support.
- The BDC shall review all grant applications covered under these grant guidelines, including but not limited to the applicant's eligibility and substandard nature of the building that could be remedied through the grant award, and provide a recommendation to City Council.

Program Management

- The applicant will secure the application from the Core City Administrator.
- The applicant will complete the application and return to the Core City Administrator for review with the BDC.
- BDC shall review the application and provide a recommendation to City Council.
- Final approval of the Development Incentive Grant will be given by the City Council.

**DOWNTOWN HIGH POINT
BUSINESS IMPROVEMENT DISTRICT**

Map Date: 5/13/2015

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CITY OF HIGH POINT

AGENDA ITEM



Title: Sidewalk Easement – City of High Point/Town of Jamestown

From: Henry T. Moon, Right of Way Agent

Meeting Date: 08/17/2015

Public Hearing: N/A

Advertising Date: N/A

Advertised By: N/A

Attachments: Vicinity map

PURPOSE:

To authorize the granting of a sidewalk easement to the Town of Jamestown for the construction of a sidewalk.

BACKGROUND:

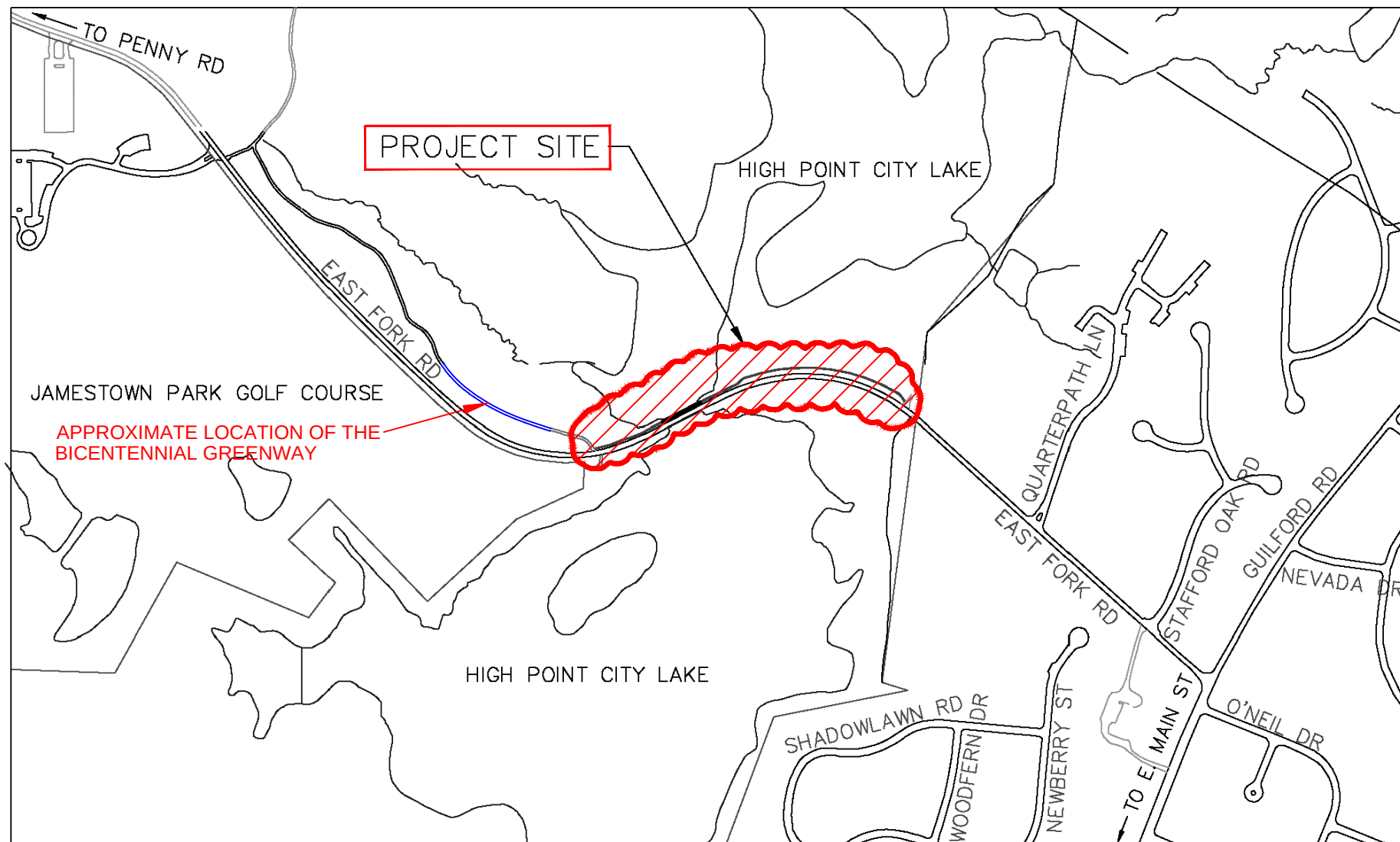
The Town of Jamestown has requested that the City of High Point grant the sidewalk easement from the Bicentennial Greenway eastwardly along the north side of East Fork Road to tie with their existing sidewalk. The work would be done at **no cost** to the City of High Point and the Town of Jamestown will be responsible for the maintenance.

BUDGET IMPACT:

None

RECOMMENDATION / ACTION REQUESTED:

Council is requested to approve the granting of this easement and authorize the appropriate city official to execute all necessary documents.



**PROPOSED PEDESTRIAN BRIDGE AND SIDEWALK
FOR
THE TOWN OF JAMESTOWN**

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Case 15-11
(Deep River Ventures, I. LLC)

From: Lee Burnette, Planning & Development
Director

Meeting Date: August 17, 2015

Public Hearing: Yes

Advertising Date: August 5 & 12, 2015

Advertised By: Planning & Development

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

PURPOSE:

A request by Deep River Ventures, I. LLC to rezone an approximately 0.74-acre parcel from the Residential Single Family-40 (RS-40) District, within Guilford County's zoning jurisdiction, to a Conditional Zoning Shopping Center (CZ-SC) District. The site is lying along the north side of W. Wendover Avenue, approximately 670 feet east of Penny Road (5230 W. *Wendover Avenue*). Approval of this request is contingent upon City Council approval of a voluntary annexation petition.

BACKGROUND:

Staff report and the Planning & Zoning Commission's recommendation is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. On June 23, 2015, a public hearing was held before the Planning and Zoning Commission regarding-Zoning Case 15-11. The Planning & Zoning Commission recommended approval of Zoning Case 15-11 by a vote of 7-0.

B. Staff recommends **approval** of Zoning Case 15-11 as outlined in the attached staff report.

PLANNING AND ZONING COMMISSION RECOMMENDATION

Deep River Ventures, I. LLC

Zoning Case 15-11

At its June 23, 2015 public hearing, the Planning and Zoning Commission reviewed a request to rezone an approximately 0.74-acre parcel from the Residential Single Family-40 (RS-40) District, within Guilford County's zoning jurisdiction, to a Conditional Zoning Shopping Center (CZ-SC) District. All members of the Commission were present, except for Ms. Marie Stone. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

The applicant, Mr. Timothy Whelan, a partner in Deep River Ventures, 303 Cape Court in Greensboro spoke in favor of the request. Mr. Whelan stated that Deep River Ventures is requesting to annex and rezone the parcel so it may be develop for commercial uses. They have offered the same zoning conditions used in the abutting Shoppes at Deep River commercial development to ensure consistency with the abutting commercial uses.

No one spoke in opposition of the request.

The Planning & Zoning Commission recommended approval of Zoning Case 15-11, as recommended by staff, by a vote of 7-0.

Upon making its recommendation, the Planning & Zoning Commission stated that its approval of Zoning Case 15-11 would be consistent with the City's adopted plans. Additionally, the Commission concurred with the staff report and found its approval recommendation reasonable and in the public interest because: 1) The request is consistent with the Land Use Plan; 2) This is the only parcel within this block that is not zoned for commercial use; and 3) The applicant has included in its conditional zoning ordinance all of the pertinent conditions from CUP99-25 (Shoppes at Deep River), thus ensuring development will be compatible with and have the same development standards as the abutting commercial development. This addresses goal #5 and objective #11 of the Land Use Plan as it promotes a growth pattern that occurs in an orderly fashion and preserves the scenic quality of this segment of a major gateway street.

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

**STAFF REPORT
ZONING CASE 15-11
June 23, 2015**

Request	
Applicant: Deep River Ventures, I. LLC	Owner: Hal W. Lamb III
Zoning Proposal: To annex and apply initial City zoning	From: RS-40 Residential Single Family-40 District (Guilford County)
	To: CZ-SC Conditional Zoning Shopping Center District.

Site Information	
Location:	Lying along the north side of W. Wendover Avenue, approximately 670 feet east of Penny Road (5230 W. Wendover Avenue)
Tax Parcel Numbers:	Guilford County Tax Parcel 0170003
Site Acreage:	Approximately 0.74 acres
Current Land Use:	Undeveloped
Physical Characteristics:	The site is relatively flat and has no noteworthy features.
Water and Sewer Proximity:	A 16-inch City water line lies adjacent to the site along W. Wendover Avenue. Additionally, a 6-inch private water line and an 8-inch private sewer line lay to the north along Brian Jordan Place.
General Drainage and Watershed:	The site drains in a northerly direction and development is subject to the City Lake General Watershed Area requirements. Engineered storm water treatment measures are required for non-residential and multi-family development with a total impervious surface area greater than 24% of the site.
Overlay District(s):	Eastchester Scenic Corridor Overlay District City Lake General Watershed Area Airport Overlay Area – Zone 4

Adjacent Property Zoning and Current Land Use			
North:	CU-SC	Conditional Use Shopping Center District	Undeveloped parcel
South:	RS-40	Residential Single Family-40 District (Guilford County)	Veterinary hospital (lying across W. Wendover Avenue)
East:	CU-SC	Conditional Use Shopping Center District	Commercial/Retail Use
West:	CU-SC	Conditional Use Shopping Center District	Commercial/Retail Use

Relevant Land Use Policies and Related Zoning History	
Land Use Plan Map Classification:	The site has a Community/Regional Commercial land use designation. This classification includes a wide range of retail and service uses intended to serve the entire community and nearby regional customers.
Land Use Plan Goals, Objectives & Policies:	The following goal and objectives of the Land Use Plan are relevant to this request: Goal #5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the City and its planning area. Obj. #11. Enhance the aesthetic appearance of High Point by preserving the scenic quality of its major gateway streets and travel corridors and by providing appropriate landscaped buffers and transitional uses between low and high-intensity land uses.
Relevant Area Plan(s):	West Wendover Avenue/Guilford College and Eastchester Drive Corridor Plan – Phase II These plans recommend commercial use only at strategic locations, one being the major intersection of Eastchester Drive and Wendover Avenue/Skeet Club Road. The plans also recommend adopting appearance guidelines to maintain a high aesthetic quality along the corridor and transportation-related recommendations, such as limiting access points.
Community Growth Vision Statement	This request is not in conflict with the Community Growth Vision Statement's goals and objectives nor does it specifically promote those goals and objectives.
Zoning History:	The zoning site is surrounded on three sides by the Shoppes of Deep River Commercial development, which was approved in 1999 under Conditional Use Permit 99-25 (CUP 99-25). This 1999 zoning approval established a Conditional Use Shopping Center (CU-SC) District zoning on property around the zoning site from Penny Road to Samet Drive, and from Eastchester Drive to W. Wendover Avenue.

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	W. Wendover Avenue		Major Thoroughfare	230 ft.
Vehicular Access:	Brian Jordan Place (private drive)			
Traffic Counts: (Average Daily Trips)	W. Wendover Avenue		32,000 ADT (2004 count)	
Estimated Trip Generation:	Not applicable			
Traffic Impact Analysis:	Required		Comment	
	<u>Yes</u>	<u>No</u> X	None	
Pedestrian Access:	Development of the site is subject to the sidewalk requirements of the Development Ordinance. Sidewalks do not currently exist along this segment of W. Wendover Avenue, it is not anticipated the applicant will be required to install sidewalks along the frontage of their property.			

School District Comment

Not applicable to this zoning case.

Details of Proposal

The applicant is requesting rezoning of this parcel in order to have access to City utilities and to allow this parcel to be incorporated into the abutting Shoppes at Deep River commercial development. When the Shoppes at Deep River property was annexed into the City and zoned in 1999, the developer was unable obtain this parcel. Thus, it was excluded from the commercial project. The applicant now has the property under contract and is proposing that it be developed under the same standards and zoning conditions as the abutting Shoppes at Deep River development.

The applicant is requesting a Conditional Zoning Shopping Center (CZ-SC) District and has offered a conditional zoning ordinance with conditions for development of the site. This ordinance includes those pertinent conditions from Conditional Use Permit 99-25 (Shoppes of Deep River) including prohibition of certain uses, design standards and vehicular access limitations. It also requires any development of the site to meet Eastchester Scenic Overlay District architectural, landscaping and signage standards.

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 Development Ordinance, and shall give consideration to the following in the review and discussion of any Conditional Zoning application. Based on the applicant's submittal and proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these ordinance considerations.

Consistency with Adopted Plans:

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

Staff Comments:

- ❖ The zoning site and the abutting Shoppes of Deep River commercial development are designated on the Land Use Map as Community/Regional Commercial, which is intended to support a wide range of retail or service uses.
- ❖ Both the Eastchester Drive Corridor Plan and the West Wendover Avenue/Guilford College Road Corridor Plan identify this location as being appropriate for commercial uses. The plans also recommend maintaining the visual quality of the area through the use of design guidelines and appearance standards. This is reinforced by objective #10 of the Land Use Plan that calls for preserving and enhancing the scenic quality of major gateway corridors, such as Wendover Avenue. The design standards offered by the applicant are consistent with these policies.

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 intent is for this parcel to be incorporated into the abutting Shoppes of Deep River commercial development, therefore, the applicant has offered the same zoning conditions that were approved for the abutting commercial development. This includes prohibiting certain uses along the W. Wendover Avenue frontage of the property, development standards for drive thru uses, and requiring the property to meet architectural, landscaping and signage requirements of the Eastchester Scenic Overlay District. This will ensure development will be compatible with surrounding uses.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.;
	<u>Staff Comments:</u> The Eastchester Drive Corridor Plan and the West Wendover Avenue/Guilford College Road Corridor Plan both call for limiting vehicular access to Wendover Avenue to prevent additional disruption of through traffic. The applicant has offered a condition to prohibit access to W. Wendover Avenue and for the zoning site to be combined with the abutting property to the north so that vehicular access may be obtained from Brian Jordan Place.
<u>Factor #3</u>	Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;
	<u>Staff Comments:</u> The site has been previously graded and cleared; staff has not identified any environmental impacts with this request.
<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 is within an area currently served by City of High Point utilities and municipal services. This request will have no adverse impact on municipal services
<u>Factor #5</u>	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties.
	<u>Staff Comments:</u> Staff has found no evidence that the allowance of a CZ-SC District for this site, which includes the same condition as approved for the abutting commercial parcels, will adversely affect the use or value of adjacent properties.

Changes in the Area:

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

Staff Comments:

The abutting land area along the north side of W. Wendover Avenue was annexed in 1999 and approved for commercial uses. There have been no significant changes in the nature or type of development since the area was annexed into the City's corporate limits.

Development Patterns:

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

Staff Comments:

The applicant has incorporated conditions from the surrounding CUP99-25 into the proposed conditional zoning ordinance to ensure development of the property will promote and be compatible with the existing development pattern that has already been established along this segment of W. Wendover Avenue.

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 Land Use Plan; 2) This is the only parcel within this block that is not zoned for commercial uses; and 3) The applicant has included in its conditional zoning ordinance all of the pertinent conditions from CUP99-25, thus ensuring development will be compatible with and have the same development standards as the abutting commercial development. This addresses goal #5 and objective #11 of the Land Use Plan as it promotes a growth pattern that occurs in an orderly fashion and preserves the scenic quality of this segment of a major gateway street.

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 0.74-acre parcel to the CZ-SC District. As conditioned, the requested CZ-SC District will be compatible with the surrounding area and in conformance with adopted plans.

Required Action

Planning and Zoning Commission:

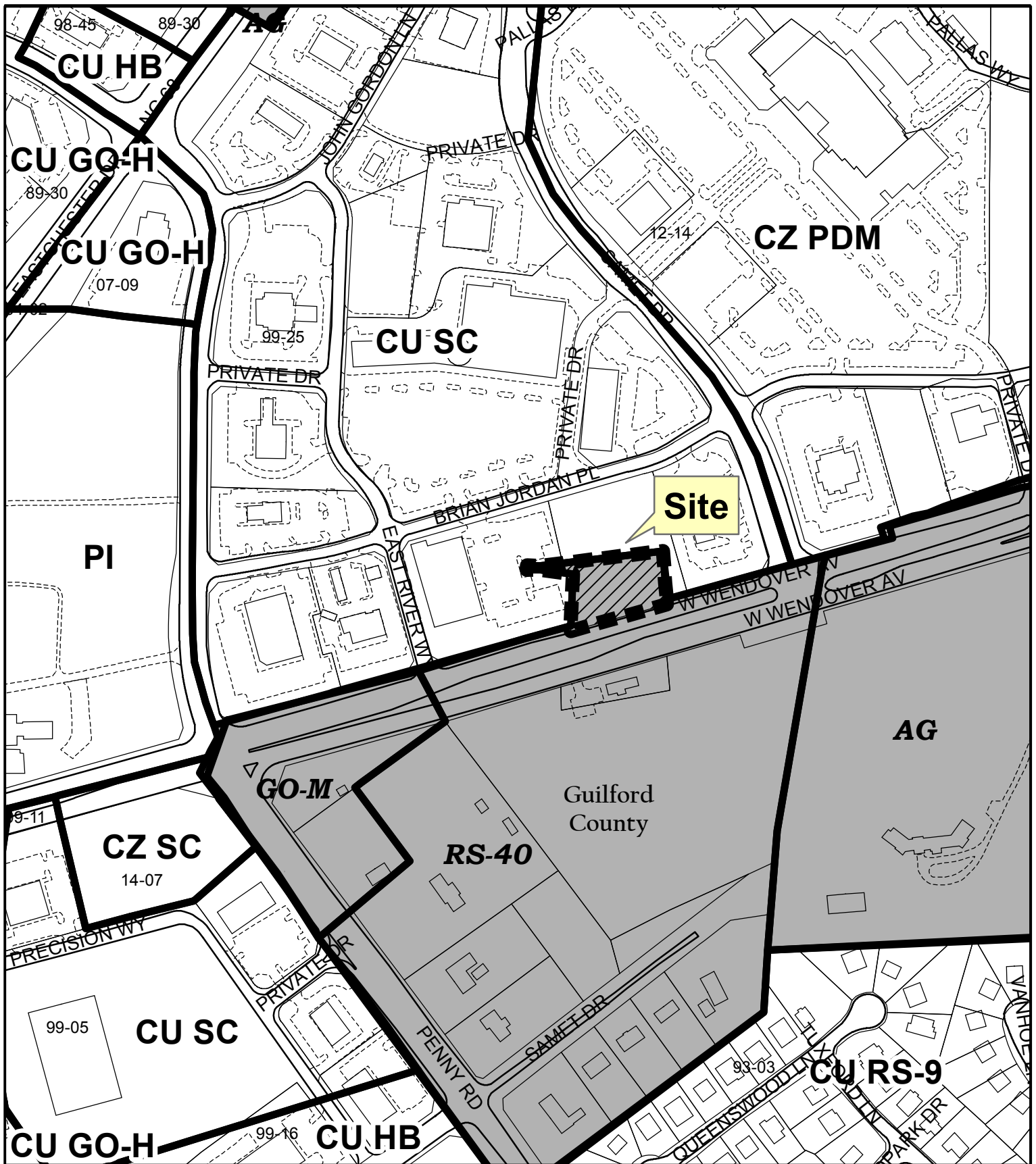
The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting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

City Council:

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

Report Preparation

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



ZONING CASE 15-11

From: Residential Single Family-40
To: Conditional Zoning Shopping Center

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

**Planning & Development
 Department**

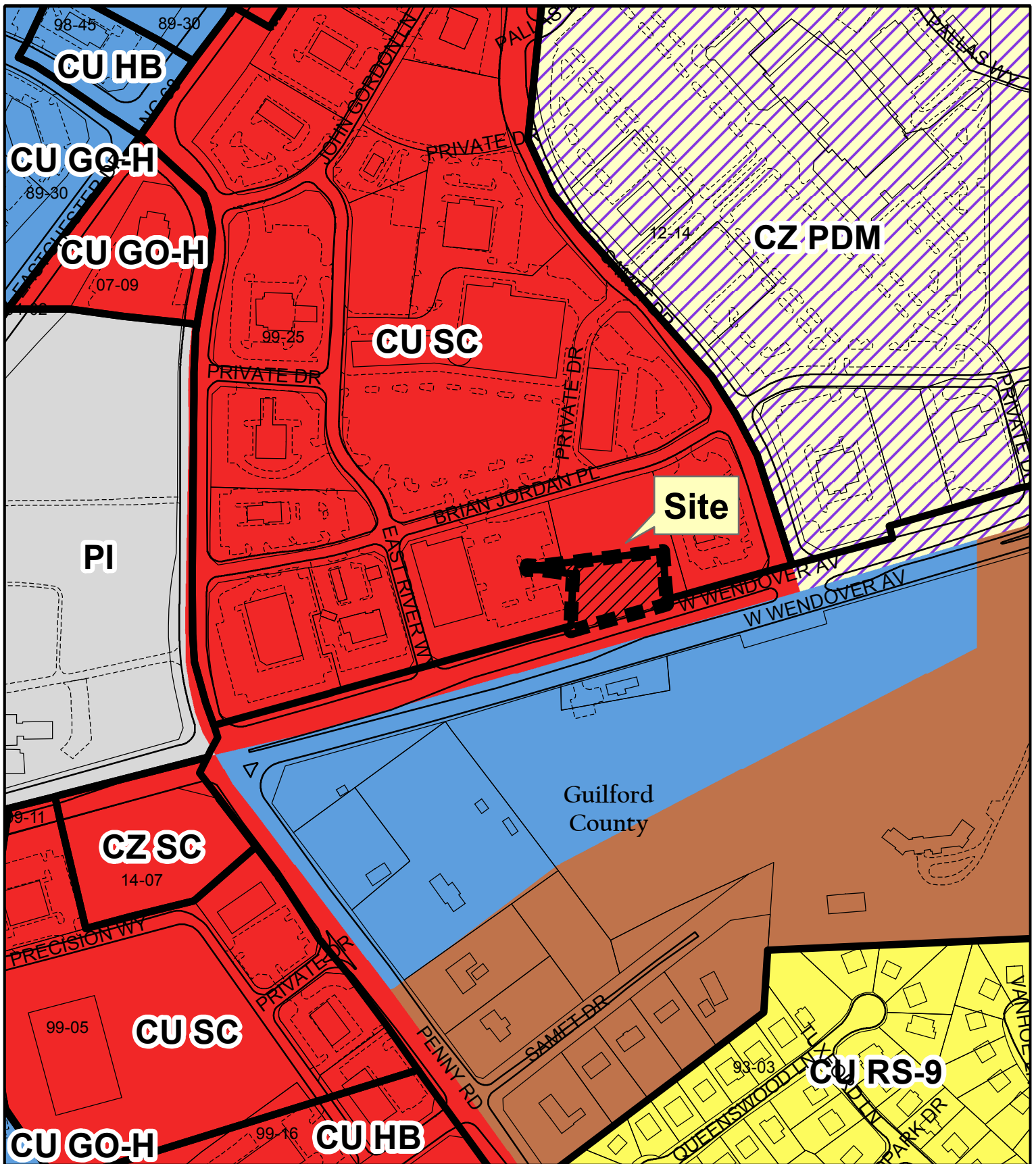
City of High Point

Date: June 23, 2015



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ZONING CASE 15-11

Land Use Plan

	Mixed Use Development		Office
	Low-Density Residential		Institutional
	Medium-Density Residential		Community/Regional Commercial

Planning & Development
Department

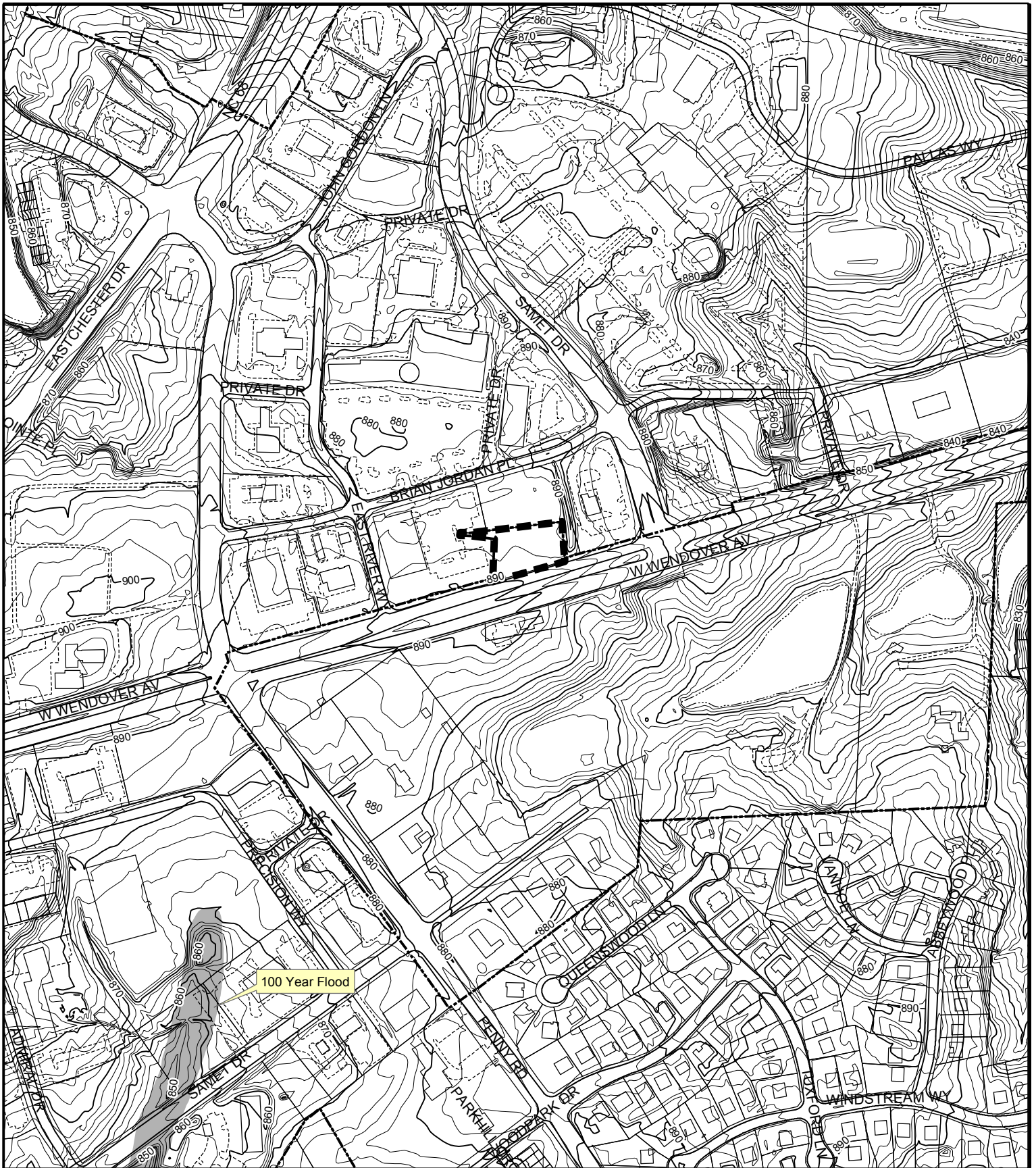
City of High Point

Date: June 23, 2015



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ZONING CASE 15-11

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: June 23, 2015



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ZONING CASE 15-11



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 June 23, 2015 and before the City Council of the City of High Point on July 20, 2015 regarding **Zoning Case 15-11** 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 June 14, 2015 for the Planning and Zoning Commission public hearing and on July 8, 2015 and July 15, 2015 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 July xx, 2015.

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 Shopping Center (CZ-SC) District**. The property is approximately 0.733 acres lying along the north side of W. Wendover Avenue, approximately 875 feet east of Penny Road. The property is further described in a survey by Regional Land Surveyors dated 01-07-2010, job # 1133.00 located in Guilford County, North Carolina with a tax parcel number of 0170003 as described in Deed Book 7102, Page No. 1138 as recorded by the Guilford County Register of Deeds with a street address of 5228 and 5230 West Wendover Avenue, High Point, NC.

SECTION 2

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

Part I. USES:

- A. Any of the land uses allowed in the Shopping Center (SC) District shall be permitted subject to the requirements of the Development Ordinance and subject to the specific conditions of this Ordinance.

B. Prohibited Uses: Within 250 feet of the W. Wendover Avenue right-of-way, the following land uses shall be prohibited:

1. Recreational Uses:
 - a. Billiard Parlors
 - b. Bingo Games
 - c. Bowling Centers
 - d. Coin-operated Amusements
 - e. Dance Schools
 - f. Golf Courses, miniature
 - g. Martial Arts Instructional Schools
 - h. Physical Fitness Centers
 - i. Skating Rinks
 - j. Sports & Recreation Clubs, Indoor
2. Educational & Institutional Uses:
 - a. Auditoriums, Coliseums, or Stadiums
 - b. Colleges or Universities
3. Business, Professional & Personal Service Uses:
 - a. Automobile Rental or Leasing
 - b. Laundromats, Coin-Operated
 - c. Shoe Repair or Shoeshine Shops
 - d. Television, Radio or Electronic Repairs (principal use)
 - e. Theaters, Indoors
 - f. Watch or Jewelry Repair Shops (principal use)
4. Retail Trade Uses:
 - a. Building Supply Sales (with storage yard)
 - b. Garden Centers or Retail Nurseries
 - c. Services Stations, Gasoline
5. Other Uses:
 - a. Storage Trailers (accessory uses)
 - b. Outdoor Sale or Display of Merchandise
 - c. Demolition Debris Landfills, Minor

C. Restricted Uses: Within 250 feet of W. Wendover Avenue right-of-way, no outside storage shall be permitted.

Part II. CONDITIONS:

A. Subdivision:

1. Lot Combination: Prior to issuance of any permit for new development, the zoning site shall be combined with Guilford County Tax Parcel 0212256.

2. The rezoning site shall be subject to the subdivision regulations of the Development Ordinance and a preliminary subdivision plat shall be prepared and approved prior to development and land division.

B. Development Design:

1. Drive-through/service windows and menu boards shall not be permitted between the principal building and the street right-of-way along the W. Wendover street frontage.
2. Any use with gasoline pumps shall be designed so that the canopy and gasoline pumps are no closer to the W. Wendover Avenue street right-of-way than the front façade of the principal building.
3. Within 250 feet of the W. Wendover Avenue right-of-way, automobile bays shall not face W. Wendover Avenue. Furthermore, air hoses, vacuum pedestals and other outdoor automobile service equipment shall not be located between the principal building and the W. Wendover Avenue right-of-way.
4. All lots with street frontage on W. Wendover Avenue and shall have a minimum lot area of 30,000 square feet.

C. Architectural Design:

1. The entire rezoning site shall be subject to the architectural requirements of the Eastchester Scenic Overlay District, Section 9-4-4(c)(4)(e), (Architecture), of the Development Ordinance. One set of the required design guidelines shall be developed for the rezoning site.
2. Metal and vertical sided buildings shall be prohibited on the rezoning site.
3. The exterior colors of all principal and accessory structures shall be of low reflectance, subtle, neutral or earth tone. The use of high intensity colors, metallic colors, or fluorescent colors are prohibited. Building trim and accent areas may feature brighter colors including primary colors. Neon or LED tubing or strips shall not be permitted for exterior building trim or accent elements.

- D. Landscaping: The entire rezoning site shall be subject to the landscaping requirements of the Eastchester Scenic Overlay District, Section 9-4-4(c)(4)(c), (Landscaping), and Table 4-4-1, (Penny Road north to Gallimore Dairy Road), of the Development Ordinance; except that for the W. Wendover Avenue street frontage the required building setback shall be 65 feet, the required landscape street yard shall average 30 feet and the minimum parking lot setback shall be 28 feet.

- E. Signage: The entire rezoning site shall be subject to the signage requirements of Eastchester Scenic Overlay District, Section 9-4-4(c)(4)(d), (Signage) and Table 4-4-1, (Penny Road north to Gallimore Dairy Road) of the Development Ordinance.
- F. Transportation:
1. Right-of-way: The developer shall dedicate right-of-way for future road improvements along W. Wendover Avenue to match abutting parcels to the east and west of the site, a minimum of approximately 77-feet from centerline of W. Wendover Avenue, the exact dimension of right-of-way to be determined based on survey prior to dedication. This dedication shall occur prior to issuance of any permit for new development.
 2. Access: No vehicular access shall be permitted from W. Wendover Avenue. All access shall be from Brian Jordan Place. All construction shall meet the City of High Point ordinances and be approved by the Director of Transportation, and the NCDOT.

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.
xxth day of July, 2015.

Lisa B. Vierling, City Clerk

Citizens Information Meeting Report

Zoning Case 15-11

Submitted by: Bill Wright, Manager of Deep
River Ventures I, LLC.

Deep River Ventures I, LLC
804 Green Valley Road
Suite Number 202
Greensboro, NC 27408
(336) 617-2002

June 12, 2015

VIA ELECTRONIC MAIL

Herbert K. Shannon Jr.
Senior Planner/Zoning Coordinator
City of High Point
211 S. Hamilton (Room 316)
High Point, NC 27260

**RE: Summary of Correspondence with Neighboring Property Owners
Related to Voluntary Annexation and Rezoning of +/- .74-Acre Property
Located at 5230 W. Wendover Ave., High Point, NC (Tax Parcel: 0170003)**

Dear Herb:

As required in annexation and rezoning cases, we have sent a notice to each party on the attached list of owners of property located within 300 feet of the subject parcel referenced above. In our notice, we provided a description of the case and our contact information, and invited anyone with questions or comments about the proceedings to call, write, or email us. To date, none of the notified parties have contacted us. We'll be sure to let you know if that changes between now and the public hearing.

Sincerely,

Deep River Ventures I, LLC

By: William B. Wright III
Bill Wright, Manager
(336) 812-3310 (Direct)
Bill@DeepRiver.com

215-11

DEEP RIVER VENTURES I LLC
802 GREEN VALLEY RD
GREENSBORO NC 27408

HAGGERTY, RICHARD C JR
5231 W WENDOVER AVE
HIGH POINT NC 27265

JOHN BRANDON
406 DORADO DR
HIGH POINT NC 27265

JORDAN, BENJAMIN PRESTON
2210 PENNY RD
HIGH POINT NC 27265

K-5 ASSOCIATES LLC
PO BOX 30669
RALEIGH NC 27622

KTK PARTNERS
PO BOX 1653
KILL DEVIL HILLS NC 27948

LAMB, HAL W III
525 PHARR RD
ATLANTA GA 30305

MONTOYA COUCH, MARIA T
5225 W WENDOVER AVE
HIGH POINT NC 27265

NEWCON MALL INC
2024 LOLA CIRCLE
CORNELIUS NC 28031

RICHARDSON, THAXTON JR ; RICHARDSON, RUTH
S
1350 WEST LAKE DR
GREENSBORO NC 27408

SAMET SHOPPES LLC SUITE A
17631 W BERNARDO
SAN DIEGO CA 92127

WEST WENDOVER ASSOCIATES LLC
PO BOX 49579
GREENSBORO NC 27419

215-03

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 June 23, 2015 and before the City Council of the City of High Point on July 20, 2015 regarding **Zoning Case 15-11** 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 June 14, 2015 for the Planning and Zoning Commission public hearing and on July 8, 2015 and July 15, 2015 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 17, 2015.

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 Shopping Center (CZ-SC) District**. The property is approximately 0.67 acres lying along the north side of W. Wendover Avenue, approximately 670 feet east of Penny Road, consisting of Guilford County Tax Parcel 0170003. Being the property of Hal W. Lamb, III, described in Deed Book 7102 Page 1138 of the Guilford County Register of Deeds with a street address of 5230 West Wendover Avenue, High Point, NC; and more particularly described as follows:

BEGINNING at a point in the northern line of this property, the common corner of this property with the property of Thaxton Richardson, et al, as described in Deed Book 6889, Page 863, and as shown as Lot 3E of Plat Book 163 Page 60, and the property of West Wendover Associates, LLC, as described in Deed Book 4993, Page 1559, and as shown as Lot 3F of Plat Book 163 Page 60; THENCE, with the West Wendover Associates, LLC, N82°36’57”E, 230.28 feet to an EIP; THENCE, continuing with West Wendover Associates, LLC, S04°10’40”E, 100.05 feet to a point on the northern right of way of West Wendover Avenue as shown on Plat Book 163 Page 60; THENCE, with the right of way of West Wendover Avenue, S04°10’40”E, 12.23 feet to a point; THENCE, with the northern right of way of West Wendover Avenue, S74°18’16”W, 229.04 feet to an existing iron pipe; THENCE, with the right of way of West Wendover Avenue, N01°53’33”E, 12.57 feet to an existing iron pipe, a corner with Richardson in the northern right of way line of West Wendover Avenue as shown on Plat Book 163 Page 60;

THENCE, continuing with Richardson, N01°53'33"E, 106.54 feet to an existing iron pipe; THENCE, with Richardson the following five (5) calls: 1) N83°21'43"W, 76.78 feet to an existing iron pipe; 2) N89°15'41"W, 29.98 feet to an existing iron pipe; 3) N01°28'42"E, 9.17 feet to an existing iron pipe; 4) S89°11'46"E, 30.10 feet to an existing iron pipe and 5) N82°34'36"E, 56.40 feet to an existing iron pipe, the Place and Point of Beginning, having an area of 29,484 square feet.

SECTION 2

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

Part I. USES:

- A. Any of the land uses allowed in the Shopping Center (SC) District shall be permitted subject to the requirements of the Development Ordinance and subject to the specific conditions of this Ordinance.
- B. Prohibited Uses: Within 250 feet of the W. Wendover Avenue right-of-way, the following land uses shall be prohibited:
 1. Recreational Uses:
 - a. Billiard Parlors
 - b. Bingo Games
 - c. Bowling Centers
 - d. Coin-operated Amusements
 - e. Dance Schools
 - f. Golf Courses, miniature
 - g. Martial Arts Instructional Schools
 - h. Physical Fitness Centers
 - i. Skating Rinks
 - j. Sports & Recreation Clubs, Indoor
 2. Educational & Institutional Uses:
 - a. Auditoriums, Coliseums, or Stadiums
 - b. Colleges or Universities
 3. Business, Professional & Personal Service Uses:
 - a. Automobile Rental or Leasing
 - b. Laundromats, Coin-Operated
 - c. Shoe Repair or Shoeshine Shops
 - d. Television, Radio or Electronic Repairs (principal use)
 - e. Theaters, Indoors
 - f. Watch or Jewelry Repair Shops (principal use)

4. Retail Trade Uses:
 - a. Building Supply Sales (with storage yard)
 - b. Garden Centers or Retail Nurseries
 - c. Services Stations, Gasoline
 5. Other Uses:
 - a. Storage Trailers (accessory uses)
 - b. Outdoor Sale or Display of Merchandise
 - c. Demolition Debris Landfills, Minor
- C. Restricted Uses: Within 250 feet of W. Wendover Avenue right-of-way, no outside storage shall be permitted.

Part II. CONDITIONS:

A. Subdivision:

1. Lot Combination: Prior to issuance of any permit for new development, the zoning site shall be combined with Guilford County Tax Parcel 0212256.
2. The rezoning site shall be subject to the subdivision regulations of the Development Ordinance and a preliminary subdivision plat shall be prepared and approved prior to development and land division.

B. Development Design:

1. Drive-through/service windows and menu boards shall not be permitted between the principal building and the street right-of-way along the W. Wendover street frontage.
2. Any use with gasoline pumps shall be designed so that the canopy and gasoline pumps are no closer to the W. Wendover Avenue street right-of-way than the front façade of the principal building.
3. Within 250 feet of the W. Wendover Avenue right-of-way, automobile bays shall not face W. Wendover Avenue. Furthermore, air hoses, vacuum pedestals and other outdoor automobile service equipment shall not be located between the principal building and the W. Wendover Avenue right-of-way.
4. All lots with street frontage on W. Wendover Avenue and shall have a minimum lot area of 30,000 square feet.

C. Architectural Design:

1. The entire rezoning site shall be subject to the architectural requirements of the Eastchester Scenic Overlay District, Section 9-4-4(c)(4)(e), (Architecture), of the Development Ordinance. One set of the required design guidelines shall be developed for the rezoning site.

2. Metal and vertical sided buildings shall be prohibited on the rezoning site.
 3. The exterior colors of all principal and accessory structures shall be of low reflectance, subtle, neutral or earth tone. The use of high intensity colors, metallic colors, or fluorescent colors are prohibited. Building trim and accent areas may feature brighter colors including primary colors. Neon or LED tubing or strips shall not be permitted for exterior building trim or accent elements.
- D. Landscaping: The entire rezoning site shall be subject to the landscaping requirements of the Eastchester Scenic Overlay District, Section 9-4-4(c)(4)(c), (Landscaping), and Table 4-4-1, (Penny Road north to Gallimore Dairy Road), of the Development Ordinance; except that for the W. Wendover Avenue street frontage the required building setback shall be 65 feet, the required landscape street yard shall average 30 feet and the minimum parking lot setback shall be 28 feet.
- E. Signage: The entire rezoning site shall be subject to the signage requirements of Eastchester Scenic Overlay District, Section 9-4-4(c)(4)(d), (Signage) and Table 4-4-1, (Penny Road north to Gallimore Dairy Road) of the Development Ordinance.
- F. Transportation:
1. Right-of-way: The developer shall dedicate right-of-way for future road improvements along W. Wendover Avenue to match abutting parcels to the east and west of the site, a minimum of approximately 77-feet from centerline of W. Wendover Avenue, the exact dimension of right-of-way to be determined based on survey prior to dedication. This dedication shall occur prior to issuance of any permit for new development.
 2. Access: No vehicular access shall be permitted from W. Wendover Avenue. All access shall be from Brian Jordan Place. All construction shall meet the City of High Point ordinances and be approved by the Director of Transportation, and the NCDOT.

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.

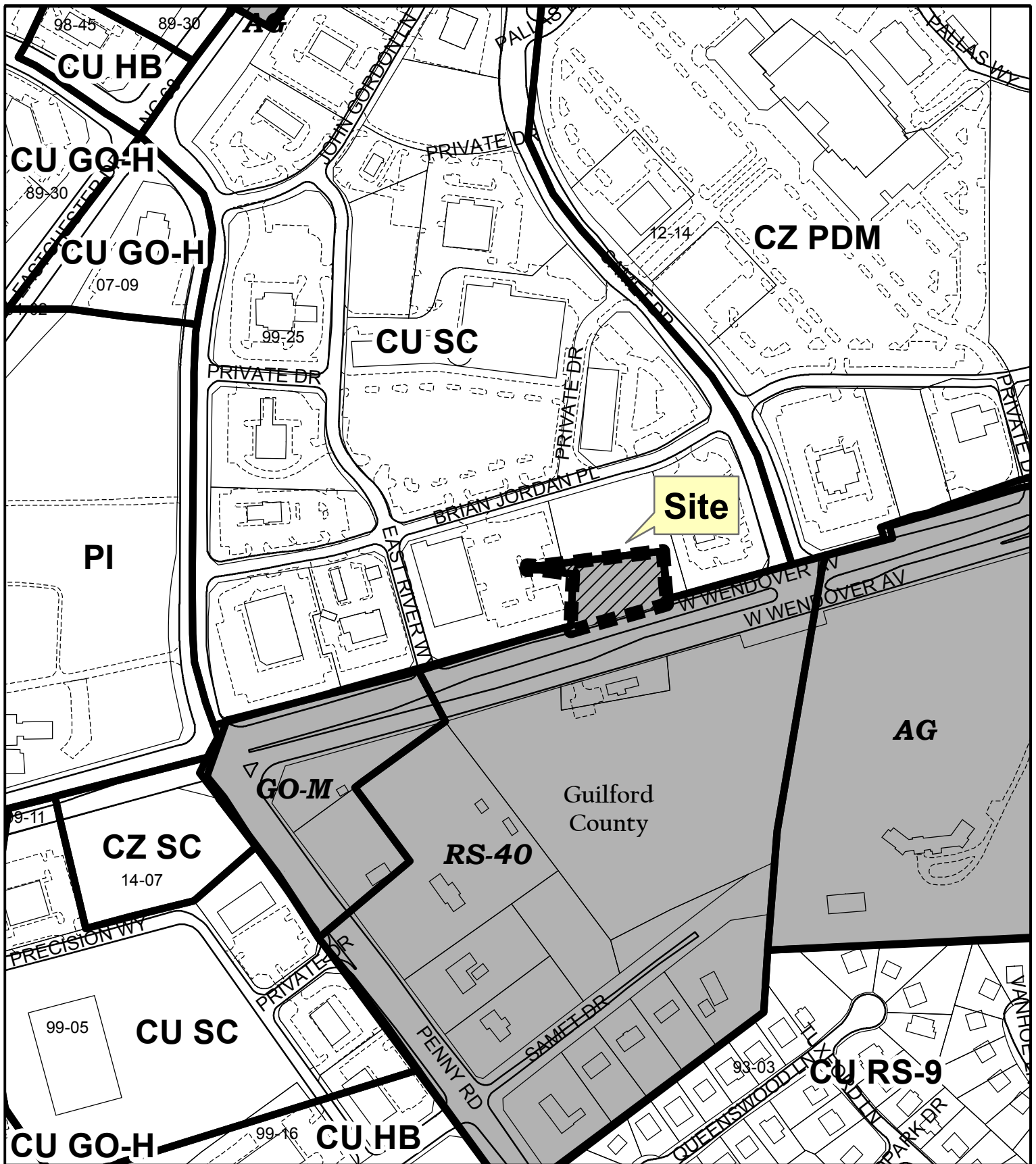
SECTION 5

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.
17th day of August, 2015.

Lisa B. Vierling, City Clerk



ZONING CASE 15-11

From: Residential Single Family-40
To: Conditional Zoning Shopping Center

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

**Planning & Development
 Department**

City of High Point

Date: June 23, 2015



Scale: 1"=300'

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CITY OF HIGH POINT

AGENDA ITEM



Title: Reappointment – Planning & Zoning Commission – Ed Squires

From: Lisa Vierling, City Clerk

Meeting Date: August 17, 2015

Public Hearing: N/A

**Advertising Date /
Advertised By:**

Attachments:

PURPOSE:

To reappoint Ed Squires to the Planning & Zoning Commission as the Ward 2 representative.

BACKGROUND:

Council Member Chris Williams is recommending the reappointment of Ed Squires to the Planning and Zoning Commission as the Ward 2 representative. Mr. Squires is currently filling an unexpired term and this will be his first full appointment.

BUDGET IMPACT:

N/A

RECOMMENDATION / ACTION REQUESTED:

Council is requested to confirm the reappointment of Ed Squires to the Planning and Zoning Commission. Reappointment to be effective immediately and will expire July 1, 2018.

CITY OF HIGH POINT

AGENDA ITEM

**Title: Board of Adjustment Appointments/Reappointments****From:** Lisa Vierling, City Clerk**Meeting Date:** August 17, 2015**Public Hearing:** N/A**Advertising Date /
Advertised By:****Attachments:**

PURPOSE:

- To reappoint Deborah Davis to the Board of Adjustment as a full member.
- To reappoint Andre White to the Board of Adjustment as an alternate member.
- To appoint Matt Witmeyer to the Board of Adjustment as a full member.
- To appoint Dr. Nho Bui to the Board of Adjustment as an alternate member.

BACKGROUND:

Deborah Davis is currently serving on the Board of Adjustment as an alternate member. Staff is now recommending her appointment as full member of the board to replace Michael Fox, Sr. who does not wish to be reappointed. Ms. Davis' term will be effective immediately and will expire July 1, 2018.

Andre White's term as an alternate expired July 1, 2014, however he has continued to serve. This requested reappointment will be effective immediately and will expire July 1, 2017.

Matt Witmeyer is requested to be appointed as a full member of the board to fulfill the unexpired term of Andrew Richardson, who has resigned. This appointment will be effective immediately and will expire July 1, 2016.

Dr. Nho Bui is requested to be appointed as an alternate member of the board to fulfill the unexpired term of Deborah Davis. This appointment will be effective immediately and will expire July 1, 2016.

These appointments will leave one alternate member position empty on the BOA due to the resignation of Justin Gibhardt.

BUDGET IMPACT:

N/A

RECOMMENDATION / ACTION REQUESTED:

Council is requested to confirm the following Board of Adjustment appointments: 1) the appointment of Deborah Davis as a full member; 2) the reappointment of Andre White as an alternate member; 3) the appointment of Matt Witmeyer as a full member; and 4) the appointment of Dr. Nho Bui as an alternate member, with their respective term expirations as indicated above.

High Point City Council

Application for Appointment To Boards and Commissions

All appointments to City boards and commissions are made by the Mayor and City Council and are not limited to those persons who fill out applications.

Name: Matt Witmeyer **Date Submitted:** Jun. 27, 2013

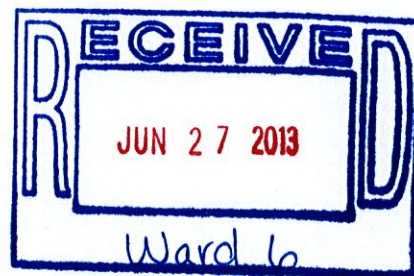
Street Address: 3877 Tonsley Place
High Point NC 27265

Email: 4pirates@northstate.net

Employer: MetLife

Business Address:

Phone home: 336 689 1410 **work:** 336 689 1410 **fax:**



Do you live inside the corporate limits of High Point? **Yes**

If not, do you live within High Point's extraterritorial zoning jurisdiction? **Yes**

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

1. **Library Board of Trustees**
2. **Alcoholic Beverage Control Board**
3. **Board of Adjustment**

Have you participated in the City Government 101 Course? **No**

Please list any work, volunteer, and/or educational experience that you would like us to consider in the review of your application.

Financial Services Rep, MetLife '04-current City Planner, High Point '97-'03 High Point Housing Authority Commissioner '07-'11 Guilford Co. Selective Service Board '01-current

**RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION
FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY
NORTH CAROLINA GENERAL STATUTE 160a-20**

WHEREAS, the City of High Point, North Carolina desires to provide significant upgrades to its 800MHZ radio communications system and related improvements in an amount not to exceed \$3,242,507 (the "Project") to better serve the citizens of High Point; and

WHEREAS, the City of High Point, desires to finance the Project by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

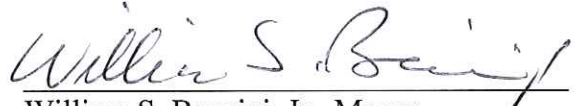
NOW, THEREFORE BE IT RESOLVED that the City of High Point, meeting in regular session on the 17th day of August, 2015, make the following findings of fact:

1. The proposed Contract is necessary or expedient because of the need to improve the reliability and dependability of the City's growing communication needs and the safety of the City's public services and public safety employees.
2. The proposed Contract is preferable to a bond issue for the same purpose because the City does not have any current general bond authorization with which to pursue funding the Project, nor does the immediate necessity for the Project permit the time required to seek voter approval of the Project. The cost of the Project exceeds the amount that can be prudently raised from currently available appropriations and unappropriated fund balances, and the City does not desire to utilize its current capacity to issue non-voted bonds in the current fiscal year pursuant to Article V, Section 4, of the North Carolina Constitution (the "two-thirds limitation").
3. The sums to fall due under the Contract are adequate and not excessive for the proposed Project because the proposed repayment schedule does not exceed the life of the Project and borrowing costs continue to remain at historical low levels.
4. The City of High Point's debt management procedures and policies are sound.
5. An increase in taxes and utility rates is not necessary since the projected growth in revenues and decreases in other expenditures equal or exceed the sums to fall due under the Project.
6. The City of High Point is not in default in any of its debt service obligations.
7. The attorney for City of High Point has rendered an opinion that the proposed project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

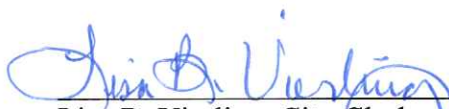
NOW, THEREFORE, BE IT FURTHER RESOLVED that Gregory Demko, City Manager, and Jeffrey A. Moore, Financial Services Director, are hereby authorized to act on behalf of City of High Point, in filing an application with the North Carolina Local Government Commission for approval of the Project and the proposed financing contract and other actions not inconsistent with this resolution.

This resolution is effective upon its adoption this 17th day of August, 2015.

The motion to adopt this resolution was made by Councilmember James Davis, seconded by Councilmember Christopher Williams, and passed by a unanimous vote.



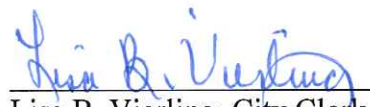
William S. Bencini, Jr., Mayor
City of High Point



Lisa B. Vierling, City Clerk



This is to certify that this is a true and accurate copy of Resolution 1472/15-43, adopted by the High Point City Council on the 17th day of August, 2015.



Lisa B. Vierling, City Clerk

8/18/2015
Date



Resolution Approving Financing Terms

WHEREAS: The City of High Point ("City") has previously determined to undertake a project to meet the essential electronic storage requirements of the City (the "Project"), and the Financial Services Director has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The City hereby determines to finance the Project through VeriStor Capital LLC, in accordance with the proposal dated July 29, 2015. The amount financed shall not exceed \$156,240.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 0.00%, and the financing term shall not exceed 36 months from closing.

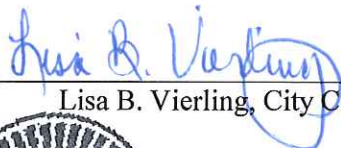
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Master Lease Agreement and such Supplemental Agreement as VeriStor Capital, LLC may request.

3. The Financial Services Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Financial Services Director is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Financial Services Director shall approve, with the Financial Services Director's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

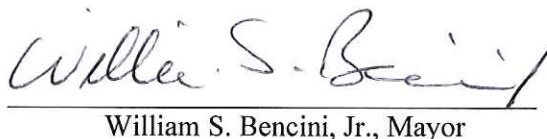
4. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code 265(b)(3).

5. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 17th day of August, 2015



Lisa B. Vierling, City Clerk



William S. Bencini, Jr., Mayor



As with 8/17/15 CC

STATE OF NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

*State and Local Government Finance Division
and the Local Government Commission
325 North Salisbury Street, Raleigh, North Carolina 27603-1385*

APPLICATION FOR APPROVAL OF INSTALLMENT PURCHASE
OR LEASE CONTRACTS

CHECK ONE: ☐ G. S. 160A-19 ☒ G. S. 160A-20
☐ G. S. 153A-165

1. Unit City of High Point Population 110,638 Date 9/9/2015
2. Project Description to upgrade public safety communications systems technology to current interoperability standards
3. Necessity City's current 800mhz communications system is 11 years old and does not meet current interoperability standards as required following FEMA-DHS protocols
4. Principal Amount to be Financed..... \$ 3,600,000
5. Interest to be paid during life of contract..... \$ 358,721
6. Amount due throughout life of contract..... \$ 3,958,721
(i.e., amount of periodic payment times number of payments. Should also be the total of 4 + 5 above.)
7. Estimated increase in tax rate by reason of proposed financing \$ -0-. If other funding sources are anticipated, explain in one of the following forms:
☐ LGC-108C Revenue Projection for Water and Sewer
☐ LGC-108D Revenue Project for Other Enterprises
☒ LGC-108E Repayment Plan for Non-Enterprise Purposes
8. Term of contract including options to renew (if any) 10 Years
9. Basis of design and estimated cost of project (engineer) See attached documents

Date construction bids will be opened Proposed upgrade equipment, software, and implementation contract services presented to City Council July 20, 2015

10. Capital budget based on estimates as of..... August 18, 2015

Estimated Cost		Funding Sources	
Construction Cost	<u>\$3,550,000</u>	Loan	<u>\$2,000,000</u>
Engineer or Arch. Fees	<u> </u>	Grants (indicate source)	
Land and Rt.-of-way	<u> </u>	Federal Transit Admin.....	<u> </u>
Special Counsel Fees	<u> </u>	NC Dept of Transportation	<u> </u>
Other Legal/Fiscal Cost.....	<u>5,100</u>		<u> </u>
Administrative Cost.....	<u> </u>		<u> </u>
Capitalized Interest	<u> </u>		<u> </u>
Contingency	<u>50,000</u>	Available Cash	<u>5,100</u>
.....	<u> </u>	Other.....	<u> </u>
Total	<u>\$3,605,100</u>	Total.....	<u>\$3,605,100</u>

11. The attached are furnished in support of this application:
- ☒ a. Certified copy of governing body resolution making necessary findings and authorizing the contract.
 - ☒ b. Publisher's Affidavit of the Notice of Hearing.
 - ☒ c. Certified copy of minutes of hearing.
 - ☒ d. Certified net debt statement.
 - ☒ e. Certified fiscal information by finance officer.
 - ☒ f. Revenue projections on repayment plan, Form 108C, 108D, or 108E.
 - ☐ g. Engineer's or architect's report establishing feasibility, if applicable.
 - ☒ h. Proposed financing contract.
 - ☐ i. Completed IRS form 8038-G (2 copies) (To be provided at loan closing).
 - ☒ j. Unit Attorney's Opinion.
 - ☐ k. Fee Arrangement Letters:
 - ☐ Special Counsel
 - ☐ Banker/Underwriter
 - ☐ l. Independent appraiser's report if applicable.
 - ☐ m. Bid specifications and summary of competitive bids from contractors.
 - ☒ n. Bid specifications and summary of competitive bids from banks and other financial institutions.
 - ☐ o. Required licenses and permits.
 - ☐ p. Evidence that plans and specs have been approved by appropriate State agencies.
 - ☐ q. Other: Specify _____
 - ☐ r. Engineer's/Architect's engagement letter (fee arrangement) and a copy of proposed contract
 - ☒ s. Application fee for installment/lease purchase agreement contract. Attach check for appropriate amount.
 - ☒ \$500 for private placement.
 - ☐ \$5,000 for public offering.
12. Current audited financial statements have been received by Fiscal Management. **Audit Reports are due October 31 each year.** For units with a calendar year or fiscal year not ending on June 30, audited financial statements should be received within four months of year-end. Yes ☒ No ☐
13. Unit's Attorney JoAnne Carlyle Telephone 336-883-3301 Fax 336-883-3052
Address City of High Point; PO Box 230; High Point, NC Zip 27261-0230
14. Financing contract/agreement with Whitney Bank

Contact Person Mark Stanley; Senior Vice President
Telephone 504-457-3935 Fax _____
15. Consulting Firm _____
(Architect or Engineer)
Contact Person _____ Title _____
Telephone _____ Fax _____
16. Unit's Authorized Agent Jeffrey A. Moore
Title Financial Services Director Telephone 336-883-3238 Fax 336-883-8572
Address P.O. Box 230; High Point, NC Zip 27261-0230
- This application and supporting documents are deemed to be true and accurate to the best of my knowledge and belief.

Signature of Authorized Agent
(As Designated by Board)

September 15, 2015
Date

STATE OF NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

*State and Local Government Finance Division
and the Local Government Commission
325 North Salisbury Street, Raleigh, North Carolina 27603-1385*

SELECTED FISCAL INFORMATION AS CERTIFIED BY FINANCE OFFICER

Unit City of High Point

1. Ad Valorem Tax (current fiscal year):

Appraised Value	<u>\$9,137,873,047 (est)</u>	Tax Rate — General Fund	<u>\$0.616</u>
Total Levy	<u>\$59,854,492 (est)</u>	— Other funds	<u>0.034</u>
Uncollected at <u>8/31/15</u>	<u>\$31,712,404</u>	— Total	<u>\$0.650</u>
Percentage Collected	<u>47.0</u> %		

2. For the past 5 fiscal years, has there been a delay in payment or non-payment of matured bonds and coupons when presented to the unit's fiscal agent? NO (Yes; No). If yes, explain circumstances on separate statement.

3. Information relating to compliance with Local Government Budget and Fiscal Control Act:
(If answer to any question in this item is No, furnish explanation.)

	<u>Yes</u>	<u>No</u>
A. Purchasing and Contracts		
(1) Are purchase orders issued for all commitments over a minimum amount?	<u>Yes</u>	<u> </u>
(2) Do all purchase orders include a preaudit certificate signed by the finance officer (or properly appointed deputy)?	<u>Yes</u>	<u> </u>
(3) Are all purchase orders posted to appropriate expenditure accounts as encumbrances?	<u>Yes</u>	<u> </u>
B. Other:		
(1) Do checks or drafts on an official depository bear on their face a preaudit certificate, of sufficient unencumbered appropriation signed by the finance officer (or properly appointed deputy)?	<u>Yes</u>	<u> </u>
(2) Are the finance officer, tax collector, and other employees (as required) properly bonded according to G.S. 159-29?	<u>Yes</u>	<u> </u>
(3) Did the budget provide for all deficits, if any, as shown in the audit report for the prior year?	<u>N/A</u>	<u> </u>

C. Please include a description of any material instance of misfeasance or malfeasance (within the last three years) which might affected the credit of the unit. No material issues

I certify the above is correct to the best of my knowledge	Finance Officer's Signature	Date September 15, 2015
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PAGE 2

D. Additional Loan and Grant procedures for a Capital Project Ordinances**(1) Loans**

Pursuant to G.S. 159-26(b)(6), a capital project fund is required to account for all debt instrument proceeds used to finance capital projects. To facilitate budgetary and accounting control, it is required that a capital project ordinance, pursuant to G.S. 159-13.2, be adopted by the governing board authorizing all appropriations necessary for the completion of the project. Will the unit prepare and adopt a balanced capital project ordinance covering the life of the project? ☒ YES ☐ NO

(2) Grants

To facilitate budgetary and accounting control, it is required that a grant project ordinance, pursuant to G.S. 159-13.2, with a corresponding capital project fund, be adopted by the governing board authorizing all appropriations necessary for the completion of the project. Will the unit prepare and adopt a balanced capital project ordinance covering the life of the project? ☐ YES ☐ NO

STATE OF NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

*State and Local Government Finance Division
and the Local Government Commission
325 North Salisbury Street, Raleigh, North Carolina 27603-1385*

REPAYMENT PLAN FOR NON-ENTERPRISE PROJECTS

Complete if the proposed financing is for non-enterprise purposes. List below the available sources of repayment and the amounts available to service debt over a three-year period. Explain **in detail** and attach supporting schedules.

AVAILABLE AMOUNT

<u>Available Sources</u>	Fiscal Year <u>2016</u>	Fiscal Year <u>2017</u>	Fiscal Year <u>2018</u>
General Revenues	\$ 197,936	\$ 395,872	\$ 395,872
Total Amount Available	\$ 197,936	\$ 395,872	\$ 395,872
Debt Service Amount	\$ 197,936	\$ 395,872	\$ 395,872

STATE OF NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

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325 North Salisbury Street, Raleigh, North Carolina 27603-1385*

STATEMENT OF DEBT

For City of High Point, North Carolina

To be filed with the application. The debt described below should not include debt incurred or to be incurred in anticipation of the collection of taxes or other revenues or in anticipation of the sale of bonds other than funding or refunding bonds. The debt described below should not include revenue bonds or special obligation bonds.

A. Gross Debt

1. Outstanding debt evidenced by bonds:

<u>Purpose</u>	<u>Amount</u>	
Water	49,189,455	
Sanitary Sewer	128,418,260	
Electric	-	
Gas	-	
Other	79,752,285	\$ <u>257,360,000</u>

2. The proposed financing, and bonds authorized by orders introduced but not yet adopted:

<u>Date</u>	<u>Purpose</u>	<u>Amount</u>	
8/17/15	Public Safety Facilities	3,600,000	\$ <u>3,600,000</u>

3. Unissued bonds authorized by adopted orders:

<u>Date</u>	<u>Purpose</u>	<u>Amount</u>	
			\$ <u>0</u>

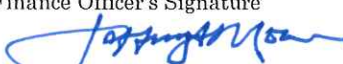
4. Outstanding debt not evidenced by bonds (lease-purchase agreements):

<u>Date</u>	<u>Purpose</u>	<u>Amount</u>	
11/4/03	Guaranteed Energy Savings	61,256	
12/22/09	Workforce Development Bldg	900,000	
4/25/12	Computer Storage Equipment	129,619	
6/19/12	Fire Trucks	492,436	
4/15/15	Computer Storage Equipment	370,499	
6/15/15	Fleet Equipment	1,419,086	\$ <u>3,372,896</u>

Total Gross Debt (Sum of 1, 2, 3 and 4) \$ 264,332,896

B. Deductions

1. Funding and refunding bonds authorized by orders introduced but not yet adopted \$ _____
 2. Funding and refunding bonds authorized but not issued ... \$ _____
 3. Amount held in sinking funds or otherwise for the payment of gross debt other than debt incurred for water, gas, electric light or power purposes or sanitary sewer purposes (to the extent deductible under Section 159-55[b] of the Local Government Bond Act), or two or more of these purposes..... \$ 17,180,457
 4. Bonded debt included in gross debt and incurred or to be incurred for water, gas or electric light or power purposes, or any two or more of these purposes. \$ 49,189,455
 5. Bonded debt included in gross debt and incurred or to be incurred for sanitary sewer system purposes (to the extent deductible under Section 159-55[b] of The Local Government Bond Act). \$ 128,418,260
 6. Uncollected special assessments levied for local improvements for which gross debt (that is not otherwise deducted) was or is to be incurred, to the extent it will be applied, when collected, to the payment of such gross debt. \$ _____
 7. Estimate of special assessments to be levied for local improvements for which any part of gross debt (that is not otherwise deducted) was or is to be incurred, to the extent that the special assessments when collected, will be applied to the payment of any part of gross debt..... \$ _____
- Total Deductions (Sum of 1 through 7) \$ 194,788,172
- C. **Net Debt** being the difference between Total Gross Debt (A) and Total Deductions (B). \$ 69,544,724
- D. **Assessed Value** of property subject to taxation being the value from which the assessed value was last fixed for taxation as revealed by the County tax records and certified by the County Tax Supervisor. \$ 8,276,708,719
- E. **Percentage that Net Debt** bears to the assessed value of property subject to taxation (C ÷ D)..... 0.84%

I certify the above is correct to the best of my knowledge.	Finance Officer's Signature 	Date September 14, 2015
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STATE OF NORTH CAROLINA)
)
COUNTY OF GUILFORD)

ss.: _____

_____Jeffrey A. Moore_____, being duly sworn, says that he is
the _____Financial Services Director_____ of the _____City_____ of _____High Point_____
in the State of North Carolina; and that the foregoing statement is true and was made and
subscribed by him.


Finance Officer

Sworn to and subscribed before me on
the day of the date of said statement


(Notary Public)

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

My commission expires the 18 day of January, 2020.

STATE OF NORTH CAROLINA)
) ss.:
COUNTY OF GUILFORD)

I, the undersigned _____ City Clerk _____ of the _____ City _____
of _____ High Point _____ in the State of North Carolina, DO HEREBY CERTIFY that the
foregoing statement and accompanying affidavit were filed in my office on the _____ 16th _____ day of
_____ September _____, 20 15.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, this
16th day of September, 2015.



[Signature]
Clerk

**HIGH POINT CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING
JULY 20, 2015 – 5:30 P.M.**

ROLL CALL AND MOMENT OF SILENCE

Mayor Bencini called the meeting to order and asked for a moment of silence, which was followed by the Pledge of Allegiance.

Upon call of the roll, the following Council Members were present:

Mayor William S. Bencini, Jr.; Mayor Pro Tem James Davis (Ward 5); and Council Members Cynthia Y. Davis (At-Large); Latimer Alexander (At-Large); Jeffrey Golden (Ward 1); Christopher Williams (Ward 2); Alyce Hill (Ward 3); Jay Wagner (Ward 4); and Jason Ewing (Ward 6).

Mayor Bencini explained as a result of the Briefing Session held prior to this meeting to discuss the issue of dog-tethering, Council directed the city manager to prepare recommendations in regard to Council adopting the Guilford County tethering ordinance, along with a phase-in period to give citizens time to respond. He invited those present for this purpose to stay, but felt it was not necessary because the Council would more than likely move forward the next time Council meetings. [applause and standing ovation] [full house]

Mayor Bencini also announced the need for Council to go into a closed session.

CLOSED SESSION

At 5:35 p.m., Council Member C. Davis moved to go into closed session pursuant to N.C. General Statute 143-318.11(a)(3) to discuss the following lawsuit, Seaboard vs Purifics and pursuant to N.C. General Statute 143-318.11(a)(6) for a personnel matter. Council Member Ewing made a second to the motion, which carried unanimously.

Upon reconvening into open session at 6:30 p.m., Mayor Bencini announced that Council has received a request from the city manager for Council to concur with his determination that certain information, which may be related to personnel matters be released in order to maintain the public's confidence.

PRESENTATIONS

150214

Presentation - Guilford Workforce Development

Ms. Lillian Plummer, with Guilford Workforce Development, will be present to update City Council on the Workforce Innovation and Opportunity ACT (WIOA) and will be requesting adoption of a Resolution authorizing the execution of the Guilford Workforce Development Consortium Agreement between the City of Greensboro, City of High Point and Guilford County

Note: A copy of the Workforce Innovation and Opportunity Act (WIOA) that was referenced as part of the presentation is hereby attached in Legistar as a permanent part of these proceedings.

Lillian Plummer, Executive Director- Workforce Development, provided an update to Council regarding the Workforce Innovation and Opportunity Act (WIOA), Public Law 113-128 as enacted July 22, 2014. She reported the new law is based on three key pillars of their system: One-Stop career centers that provide first-rate customer service to job seekers, workers, and businesses; the demands of businesses and workers drive workforce solutions; the workforce system supports strong regional economies. The six broad goals of WIOA are:

- 1. Increase access to education, training, and employment--particularly for people with barriers to employment.*
- 2. Create a comprehensive, high-quality workforce development system by aligning workforce investment, education, and economic development.*
- 3. Improve the quality and labor market relevance of workforce investment, education, and economic development efforts.*
- 4. Promote improvement in the structure and delivery of services.*
- 5. Increase the prosperity of workers and employers.*
- 6. Reduce welfare dependency, increase economic self-sufficiency, meet employer needs, and enhance the productivity and competitiveness of the nation.*

She reported at the heart of the WIOA is local governance which is currently being restructured pursuant to requirements in the law and includes expanding the strategic roles of state and local workforce development boards; positioning boards to meet the workforce needs of local and regional employers; and TriadWorks. Ms. Plummer shared that there is still a requirement that 51% of the board members of the local Workforce Board must represent the private sector (businesses) and that the private sector drives the work of the Workforce Development Board. By the Spring of 2016, they will be required to put a four-year strategic plan in place. Ms. Plummer identified the address for the High Point One-Stop Center as 607 Idol Street and felt it was positioned in this location to be a strong tool for economic development. She also reported that no one was without a job as a result of the required reorganization of the Workforce Development Board and the law allows for up to 20% of the dollars to be spent to help smaller companies by re-training the workforce. The WIOA streamlines the process for employers as well as job-seekers and the local Workforce Development Board anticipates serving 40,000 people countywide.

Following Ms. Plummer's presentation, she issued an invitation to Council to attend the Workforce "One-Stop" Summit on August 20, 2015 from 9:00 a.m. to 11:00 a.m..

The Resolution authorizing the execution of the Guilford Workforce Development Consortium Agreement will be on the August 17, 2015 Agenda for consideration.

PUBLIC HEARING**150215 Public Hearing - HAECO Americas / TIMCO Aerosystems Expansion Project**

Monday, July 20, 2015 at 5:30 p.m. is the date and time established to receive public comments on a request to authorize performance-based incentives in an amount not to exceed \$147,000 for HAECO Americas / TIMCO Aerosystems. The company proposes to create 147 full-time jobs and add \$5.75 million to the local tax base at 8010 Piedmont Triad Parkway.

Note: Mr. Hill's comments will be attached in Legistar as a permanent part of these proceedings.

The public hearing for this matter was duly held on Monday, July 20, 2015 at 5:30 p.m.

Loren Hill, President-High Point Economic Development Corporation, provided an overview of the request for incentives by HAECO Americas.

HAECO Americas is an important part of the Piedmont Triad's ever-growing aviation cluster and has facilities on the grounds of the Piedmont Triad International Airport and in the Town of Wallburg. HAECO is a full-service provider of airframe maintenance, repair and overhaul, line services, engine repair, and aerospace manufactured products--to serve a broad array of commercial, government, and military customers. The company is considering buying the 250,000-square foot building located at 8010 Piedmont Triad Parkway. If the company picks High Point, HAECO would create 147 jobs over a five-year period at the new facility with an average wage of approximately \$60,000. In addition to buying the building, the company anticipates adding \$5.75 million to High Point's tax base through building renovations, new equipment, and equipment relocated to this proposed location.

Mr. Hill pointed out the legal notice for this public hearing mentioned the company investing \$11.35 million in this project and that figure did include the purchase of the building. The City Council is being asked to consider approving up to \$147,000 in performance-based incentives for HAECO. He shared that the Guilford County Commissioners would hold a public hearing on this project on August 6th to consider authorizing performance-based incentives, also in the amount of \$147,000. Additionally, the State of North Carolina is considering participating in this project. Staff expects the company to make its location decision within the next two months.

Mr. Hill advised that the company officials understand that if High Point performance-based incentives are authorized, per High Point's incentive policies, the following provisions would need to be followed by the company:

- 1. HAECO would need to hold a job fair in High Point to help with the City's goal to employ as many High Pointers as possible. Working on the job fair with the Economic Development Corporation office and the company would be NC Works allies.*

2. *For this facility, HAECO would need to use a High Point post office box address and would need to publicly and officially refer to this facility as a High Point business- since this building is in a part of High Point that has another city's street address.*

Mr. Hill then recognized and introduced Mr. Kip Blakely, HAECO'S Vice President of Government and Industry Relations.

Mr. Blakely shared that this is a very exciting time for the company and the community and that the company has been very fortunate to have grown over the years. He applauded the aviation program that Andrews is now offering and noted with this special opportunity, HAECO is very eager to move HAECO Cabin Solutions headquarters to High Point. He advised Council that no jobs would be lost at their Wallburg location.

At this time, Mayor Bencini opened the public hearing and asked if there was anyone present who would like to comment.

Curtis Wilson, Vice President- Graco Supply, spoke in support of the request. He shared that HAECO has been a very valuable customer to his company. He mentioned that he has also been involved with the program at Andrews and they have been supportive. He felt there was certainly a lot of potential with the composite programs.

Mayor Bencini then asked if there were any additional comments. There being none, the public hearing was closed.

Authorized performance-based incentives in an amount not to exceed \$147,000 for HAECO Americas/TIMCO Aerosystems.

A motion was made by Council Member Alexander, seconded by Mayor Pro Tem J. Davis, to authorize performance-based incentives in an amount not to exceed \$147,000 for HAECO Americas/TIMCO Aerosystems. The motion PASSED by a 9-0 unanimous vote.

MISCELLANEOUS

150243 Concurrence with the City Manager's Determination for Release of Information re: Human Relations Department

Pursuant to N.C. General Statute 160A-168 Privacy of employee personnel records, the City Manager is asking for concurrence from the City Council regarding a determination for the release of certain personnel-related information.

Mayor Pro Tem J. Davis moved that in accordance with N.C.G.S. 160A-168 Council concurs with the city manager's determination for the release of certain information that has been provided by the manager and that doing so is essential to maintaining the public confidence in the city and the administration of services.

Council Member Alexander made a second to the motion, which carried unanimously. [9-0 vote]

Mayor Bencini then asked City Manager Greg Demko to comment. Mr. Demko read his determination into the record. [a copy of the determination and the summary of the investigative report by Patricia Holland re: Personal Safety (Heggins and Lowe) is hereby attached in Legistar as a permanent part of these proceedings].

PUBLIC COMMENT PERIOD

150246 Public Comment Period

The following individuals addressed Council during the Public Comment Period:

Note: This is a brief summary of the comments made during the Public Comment Period. The transcript containing the full dialogue is hereby attached in Legistar as a permanent part of these proceedings.

Sage Shioma, a resident at 3214 Brassfield Road in Greensboro, addressed Council in support of Al Heggins, Human Relations Department Director.

Victoria Kovba spoke in full support of Human Relations Department employees, Al Heggins and Tony Lowe. In closing, she urged Council not to underestimate the power of good that Human Relations has done in not only High Point, but North Carolina and the United States.

Sara Palmer, who resides at 3219 Rockingham Road, and a member of the Interfaith Affairs Committee, expressed gratitude for the warm welcome she received when coming to High Point from another country and hoped to pass that warm welcome along to other immigrants coming to the International City of High Point. She aspired to be one of those individuals who speaks to bring together the community to create the most livable, safe and prosperous community in America. She stressed the importance that the Human Relations Department is to the Interfaith Affairs Committee's continued work.

Barbara Collins, 107 Crestwood Circle, Vice-Chair of the Human Relations Commission, notified Council that the Human Relations Commission of the City of High Point is in violation of Article A, Section 2-3-2 as mandated by the City of High Point that defines the responsibilities and tasks of the Human Relations Commission. She also brought to Council's attention the fact that several terms on the Human Relations Commission have expired making the Human Relations Commission non-functioning.

Dave Gwendari, 4403 Dogwood Court, addressed Council regarding concerns that the Human Relations Department is shut down and no one there to call on to get answers to questions.

Narayan Khadka, 3728 Pemberton Way, member of the Interfaith Affairs Committee, also spoke in support of the Human Relations Department and relayed they have been very helpful for the Nepalese community, as well as other communities. He expressed an eagerness and desire to move forward with the work that has already started and to include the international population in High Point.

Charles Hall, 512 Manor Drive, member of the Interfaith Affairs Committee representing the Baha'i faith in High Point, voiced support for Al Heggins and the outstanding leadership and support of the Human Relations Department. He reminded Council that the City of High Point has been identified as an International City and nationally recognized for its efforts to be respectful of an inclusive to all its citizens. He expressed concerns that the lack of a strong competent staff in the Human Relations Department, the Human Relations Commission and the Interfaith Affairs Committee would be severely hampered from fulfilling their goals. He asked Council to please keep its force going forward.

Steven Dudash, 900 Johnson Street, praised the Council for finally making the decision to take action on the traffic issues/problems that the Johnson Street residents have had to suffer through all these years.

Jas Atwal, 113 Scarlett Drive, member on the Interfaith Affairs Committee representing the Sikh community, also addressed Council in full support of Al Heggins' and Tony Lowe's leadership. He emphasized the need to have a Human Relations Department supporting the activities of the Interfaith Affairs Committee.

Tina Garton, 1102 Johnson Street, addressed Council regarding the dangerous traffic conditions making their Johnson Street community unsafe. She cited issues with speeding that occurs repeatedly throughout the day.

CONSENT AGENDA ITEMS

Mayor Pro Tem J. Davis announced that these matters were discussed by the Finance Committee at a meeting held on Thursday, July 16th and are being forwarded to Council with a favorable recommendation.

**Mayor Pro Tem J. Davis moved approval of all matters under the Finance Committee Consent Agenda. Council Member Williams made a second, which carried unanimously.
[9-0 vote]**

Action on these matters will be reflected throughout these minutes as being made and seconded by the same persons.

FINANCE COMMITTEE - Mayor Pro Tem Davis, Chair
Committee Members C. Davis, Hill, and Williams
(all were present)

150216 Purchase of Equipment - Rear Loading Refuse Truck

Council is requested to approve the purchase of a Freightliner truck with New Way rear loading refuse body from Scranton Manufacturing Company in the amount of \$180,982.84; declare the old truck as surplus and dispose through the online auction process and authorize the appropriate City official to execute all necessary documents.

Approved the purchase of a Freightliner truck with New Way rear loading refuse body from Scranton Manufacturing Company in the amount of \$180,982.84.

A motion was made by Mayor Pro Tem J. Davis, seconded by Council Member Williams, to approve the purchase of a Freightliner truck with New Way rear loading refuse body from Scranton Manufacturing Company in the amount of \$180,982.84 and to declare the old truck as surplus to be disposed of through the online auction process and to authorize the appropriate city official to execute all necessary documents associated with same. The motion PASSED by a 9-0 unanimous vote.

150217 Purchase of Equipment - Truck Mounted Street Sweeper

Council is requested to approve the purchase of a used 2014 Elgin Crosswind street sweeper from Public Works Equipment and Supply, Inc. in the amount of \$228,000 and authorize the appropriate City Official to execute the necessary documents.

Approved the purchase of a used 2014 Elgin Crosswind street sweeper from Public Works Equipment and Supply, Inc. in the amount of \$228,000 and authorized the appropriate city official to execute the necessary documents.

A motion was made by Mayor Pro Tem J. Davis, seconded by Council Member Williams, to approve the purchase of a used 2014 Elgin Crosswind street sweeper from Public Works Equipment and Supply, Inc. in the amount of \$228,000 and to authorize the appropriate city official to execute all necessary documents associated with same. The motion PASSED by a 9-0 unanimous vote.

150218 Purchase of Equipment - Truck Mounted Vacuum

Council is requested to approve the purchase of a new truck mounted vacuum debris collector from Old Dominion Brush, Inc., in the amount of \$165,877.05 and authorize the appropriate city official to execute the necessary documents.

Approved the purchase of a new truck mounted vacuum debris collector from Old Dominion Brush, Inc. in the amount of \$165,877.05 (with trade-in of old equipment) and authorized the appropriate city official to execute the necessary documents.

A motion was made by Mayor Pro Tem J. Davis, seconded by Council Member Williams, to approve the purchase of a new truck mounted vacuum debris collector from Old Dominion Brush, Inc. in the amount of \$165,877.05 and to authorize the appropriate city official to execute the necessary documents associated with same. The motion PASSED by a 9-0 unanimous vote.

150219 Purchase of Equipment - Truck Mounted Sewer Vacuum

Council is requested to approve the purchase of a truck mounted sewer vacuum from Rodders & Jet Supply Company in the amount of \$331,910.55 with trade in of old equipment and authorize the appropriate City Official to execute the necessary documents.

A motion was made by Mayor Pro Tem J. Davis, seconded by Council Member Williams, to approve the purchase of a truck mounted sewer vacuum from Rodders & Jet Supply Company in the amount of \$331,910.55 (with trade-in of old equipment) and to authorize

the appropriate city official to execute the necessary documents associated with same. The motion PASSED by a 9-0 unanimous vote.

150220 Purchase of Equipment- Side Loading Refuse Trucks

Council is requested to approve the purchase of two (2) side loading refuse trucks from Scranton Manufacturing Company in the amount of \$515,977.58 and authorize the appropriate City Official to execute the necessary documents.

Approved the purchase of two (2) side loading refuse trucks from Scranton Manufacturing Company in the amount of \$515,977.58 and authorized the appropriate city official to execute the necessary documents.

A motion was made by Mayor Pro Tem J. Davis, seconded by Council Member Williams, to approve the purchase of two (2) side loading refuse trucks from Scranton Manufacturing Company in the amount of \$515,977.58 and to authorize the appropriate city official to execute the necessary documents associated with same. The motion PASSED by a 9-0 unanimous vote.

150221 Purchase of Equipment - Fire Trucks

Council is requested to approve the purchase of three 2016 Pierce Enforcer fire trucks from Atlantic Emergency Solutions in the amount of \$1,699,674.00, and that the appropriate City official be authorized to execute all necessary documents.

Approved the purchase of three 2016 Pierce Enforcer fire trucks from Atlantic Emergency Solutions in the amount of \$1,699,674.00 and authorized the appropriate city official to execute all necessary documents.

A motion was made by Mayor Pro Tem J. Davis, seconded by Council Member Williams, to approve the purchase of three 2016 Pierce Enforcer fire trucks from Atlantic Emergency Solutions in the amount of \$1,699,674.00 and to authorize the appropriate city official to execute the necessary documents associated with same. The motion PASSED by a 9-0 unanimous vote.

150222 Contract - Motorola P25 Migration Upgrade Project

Council is requested to approve contract with Motorola Solutions, Inc. in the amount of \$3,242,507.00 for the complete upgrade to the city's current radio system and authorize the appropriate City Official to execute the necessary documents.

A motion was made by Mayor Pro Tem J. Davis, seconded by Council Member Williams, to approve the contract with Motorola Solutions, Inc. in the amount of \$3,242,507.00 for the complete upgrade to the city's current radio system and to authorize the appropriate city official to execute all necessary documents associated with same. The motion PASSED by a 9-0 unanimous vote.

150223 Contract - Motorola Radio Purchase

Council is requested to approve contract with Motorola Solutions, Inc. for the purchase of 65 portable radios and ninety eight (98) mobile radios as part of the annual eight (8) year radio replacement cycle in the amount of \$577,691.87 and authorize the appropriate City Official to execute the necessary documents.

A motion was made by Mayor Pro Tem J. Davis, seconded by Council Member Williams, to approve the contract with Motorola Solutions, Inc. for the purchase of 65 portable radios and ninety-eight (98) mobile radios as part of the annual eight (8) year radio replacement cycle in the amount of \$577,691.87 and to authorize the appropriate city official to execute the necessary documents associated with same. The motion PASSED by a 9-0 unanimous vote.

150224 Contract - Vesta 911 Next Generation Phone System Lease

Council is requested to approval contract with Wireless Communications, Inc. for the lease of the Vesta 911 Next Generation Phone System. The lease price of this equipment including installation is \$673,707 over a five year period (final price with financing \$776,640.)

Approved the contract with Wireless Communications, Inc. for the lease of the Vesta 911 Next Generation Phone System.

A motion was made by Mayor Pro Tem J. Davis, seconded by Council Member Williams, to approve the contract with Wireless Communications, Inc. for the lease of the Vesta 911 Next Generation Phone System. The motion PASSED by a 9-0 unanimous vote.

150225 Contract - Motorola/Intrado Solutions, Inc. - Next Generation 911 Service Solution

Council is requested to approve a Service Agreement with Motorola/Intrado Solutions to support the 911 Center's life critical Next Generation 911 solution. The contract price is \$1,173,365 and is payable over a 60 month period.

Approved a Service Agreement with Motorola/Intrado Solutions to support the 911 Center's life critical Next Generation 911 solution at a contract price of \$1,173,365 payable over a 60-month period.

A motion was made by Mayor Pro Tem J. Davis, seconded by Council Member Williams, to approve a Service Agreement with Motorola/Intrado Solutions to support the 911 Center's life critical Next Generation 911 solution at a contract price of \$1,173,365 payable over a five-year period. The motion PASSED by a 9-0 unanimous vote.

150226 Acceptance of Grant from US Department of Homeland Security (FEMA)

Council is requested to accept the award of a grant from the US Department of Homeland Security (FEMA) in the amount of \$1,215,163.00 (1,104,694.00 Federal funds, \$110,469.00 City match).

City Manager Greg Demko announced that High Point University has agreed to donate the City's local match of \$110,469.00 for this grant award.

Accepted the award of a grant from the US Department of Homeland Security (FEMA) in the amount of \$1,215,163.00 (\$1,104,694.00 Federal funds, \$110,469.00 City match).

A motion was made by Mayor Pro Tem J. Davis, seconded by Council Member Williams, to accept the award of a grant from the US Department of Homeland Security (FEMA) in the amount of \$1,215,163.00 (\$1,104,694.00 Federal funds, \$110,469.00 City match). The motion PASSED by a 9-0 unanimous vote.

150227 Budget Ordinance Amendment - Self Contained Breathing Appartus - FEMA

Council is requested to adopt a Budget Ordinance amending the 2015-2016 Budget Ordinance to appropriate funds in the amount of \$1,215,163.00 for a grant received from FEMA for the purchase of self-contained breathing apparatus for the Fire Department.

Adopted Ordinance amending the 2015-2016 Budget Ordinance appropriating funds in the amount of \$1,215,163.00 for a grant received from FEMA for the purchase of self-contained breathing apparatus for the Fire Department.

A motion was made by Mayor Pro Tem J.Davis, seconded by Council Member Williams, to adopt a Budget Ordinance amending the 2015-2016 Budget Ordinance to appropriate funds in the amount of \$1,215,163.00 for a grant received from FEMA for the purchase of self-contained breathing apparatus for the Fire Department. The motion PASSED by a 9-0 unanimous vote.

Ordinance No. 7157/15-40

Introduced 7/20/2015; Adopted 7/20/2015

Ordinance Book, Volume XIX, Page 40

150229 Resolution - Interlocal Agreement- Justice Assistance Grant Program

Council is requested to adopt a Resolution ratifying and authorizing the execution of an interlocal agreement between the City of Greensboro, High Point, and Guilford County for the shared use of the 2015 Byrne Justice Assistance Grant (JAG) program award.

Adopted Resolution ratifying and authorizing the execution of an interlocal agreement between the City of Greensboro, High Point, and Guilford County for the shared use of the 2015 Byrne Justice Assistance Grant (JAG) program award.

A motion was made by Mayor Pro Tem J. Davis, seconded by Council Member Williams, to adopt a Resolution ratifying and authorizing the execution of an interlocal agreement between the City of Greensboro, High Point, and Guilford County for the shared use of the 2015 Byrne Justice Assistance Grant (JAG) program award. The motion PASSED by a 9-0 unanimous vote.

Resolution No. 1465/15-36

Introduced 7/20/20105; Adopted 7/20/2015

Resolution Book, Volume XIX, Page 36

150230 Municipal Agreement - NCDOT - Pedestrian Planning Grant

Council is requested to approve a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for a Bicycle and Pedestrian Planning Grant.

Approved the Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for a Bicycle and Pedestrian Planning Grant.

A motion was made by Mayor Pro Tem J. Davis, seconded by Council Member Williams, that the Municipal Agreement with NCDOT for a Bicycle and Pedestrian Planning Grant be approved. The motion PASSED by a 9-0 unanimous vote.

150231 Amendment to Lease - High Point Theatre/IHFC Property

Council is requested to approve an amendment to the original lease between the High Point Theatre and the International Market Center (IMC) to allow for a consistent budgeting for HVAC service and preventative maintenance that the Theatre receives from the IMC for the period of July 1, 2015, June 20, 2016.

Approved an amendment to the original lease between the High Point Theatre and the International Market Center (IMC) to allow for a consistent budgeting for HVAC service and preventative maintenance that the Theatre receives from the IMC for the period of July 1, 2015 through June 20, 2016.

A motion was made by Mayor Pro Tem J. Davis, seconded by Council Member Williams, to approve an amendment to the original lease between the High Point Theatre and the International Market Center (IMC) to allow for a consistent budgeting for HVAC service and preventative maintenance that the Theatre receives from the IMC for the period of July 1, 2015 through June 20, 2016. The motion PASSED by a 9-0 unanimous vote.

REGULAR AGENDA ITEMS

COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE - Council Member Golden, Chair

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

150232 Ordinance - Demolition of Dwelling - 208 Vail Avenue

Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a dwelling located at 208 Vail Avenue belonging to Darrell D. Wallace and Ruth Valerie Wallace.

Katherine Bossi, Local Codes Enforcement Supervisor, provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings.

Ms. Bossi noted the accessory structure on the property is also included in the demolition. She shared that the structure has suffered extensive fire damage and the owner did not appear for the hearing, but did call. Ms. Bossi noted that the estimated repairs do exceed 50% of the tax value and the property owner was given a compliance date of May 11th. No permits have been applied for and no repairs have been made.

Adopted Ordinance ordering the inspector to effectuate the demolition of a dwelling located at 208 Vail Avenue.

A motion was made by Council Member Golden, seconded by Council Member Alexander, that the Ordinance be adopted ordering the inspector to effectuate the demolition of a dwelling located at 208 Vail Avenue. The motion PASSED by a 9-0 unanimous vote.

Ordinance No. 7158/15-41

Introduced 7/20/2015; Adopted 7/20/2015

Ordinance Book, Volume XIX, Page 41

150233 2015 Urgent Repair Program - Policies

Council is requested to approve a Procurement and Disbursement Policy and a Assistance Policy for the 2015 Urgent Repair Program for the Community Development and Housing Department as part of a \$100,000.00 grant awarded by the North Carolina Housing Finance Agency (NCHFA).

Mike McNair, Director of Community Development & Housing, explained this is a requirement from the North Carolina Housing Finance Agency to adopt a couple of policies associated with the 2015-2016 Urgent Repair Program: 1. Procurement and Disbursement Policy; and 2. Assistance Policy.

Council Member C. Davis inquired as to if all the dollars were used from last year's program. Mr. McNair estimated \$20,000-\$30,000 in funding that remains from last year's program. Chairman Golden asked if there was a reason why these funds were not used. Mr. McNair explained that the program got started late, applied for an extension and staff anticipates expending all funds.

Approved the Procurement and Disbursement Policy and Assistance Policy for the 2015 Urgent Repair Program for the Community Development and Housing Department as part of a \$100,000.00 grant awarded by the North Carolina Housing Finance Agency (NCHFA).

A motion was made by Council Member Golden, seconded by Council Member Ewing, to approve a Procurement and Disbursement Policy and an Assistance Policy for the 2015 Urgent Repair Program for the Community Development and Housing Department as part of a \$100,000.00 grant awarded by the North Carolina Housing Finance Agency (NCHFA). The motion PASSED by a 9-0 unanimous vote.

PLANNING & DEVELOPMENT COMMITTEE - Council Member Wagner, Chair
Committee Members: C. Davis, J. Davis, and Golden
(all were present)

150234 Resolution of Intent - Annexation Case ANX15-06

Approval of a Resolution of Intent that establishes a public hearing date of August 17, 2015 at 5:30 p.m. to consider a voluntary contiguous annexation request. The proposed annexation site is an approximate 0.74-acre parcel lying along the north side of W. Wendover Avenue, approximately 670 feet east of Penny Road. The property is addressed as 5230 W. Wendover Avenue and is also known as Guilford County Tax Parcel 0170003.

Adopted a Resolution of Intent establishing a public hearing date of August 17, 2015 at 5:30 p.m. to consider a voluntary contiguous annexation request for an approximate 0.74-acre parcel lying along the north side of W. Wendover Avenue, approximately 670 feet east of Penny Road.

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

Resolution No. 1467/15-38

Introduced 7/20/2015; Adopted 7/20/2015

Resolution Book, Volume XIX, Page 38

150235

Right-of-Way Encroachment Agreement - Marsh Furniture

Council is requested to approve a right-of-way encroachment with Marsh Furniture to allow for additional parking along S. Centennial Street, between Kearns Street and S. Main Street.

Mark McDonald, Director of Transportation, provided an overview of the request from Marsh Furniture. He explained that Marsh Furniture is proposing an expansion. The expansion will result in additional employees, which requires an additional of ten (10) parking spaces on S. Centennial between Kearns Street and S. Main Street. Mr. McDonald noted an encroachment agreement will give Marsh Furniture permission to do this. He further explained that they already have a Norfolk-Southern agreement to allow them to do this. From a safety standpoint, Mr. McDonald felt this would not interfere with the public right-of-way and shared at some point they do anticipate extending Ward Avenue across to S. Centennial Street and at that time it is very possible that this portion of S. Centennial will be closed.

Approved a right-of-way encroachment agreement with Marsh Furniture to allow for additional parking along S. Centennial Street, between Kearns Street and S. Main Street.

A motion was made by Council Member Wagner, seconded by Mayor Pro Tem Davis, that this Right-of-Way Encroachment Agreement be approved. The motion PASSED by a 9-0 unanimous vote.

PUBLIC HEARINGS

150174

Ordinance - Sylvia Kennedy - Annexation Case 15-04
(Executrix for the estate of Helen Ruth Byerly)

A request by Sylvia Kennedy to consider a voluntary non-contiguous annexation of approximate 12.3-acres approximately 950 feet north of W. Lexington Avenue along the east side of Richard Byerly Road and west of Fernley Court.

Note: The joint public hearing for this matter, 150174 Annexation Case 15-04; and related matters 150175 Land Use Plan Amendment Case 15-01; and 150176 Zoning Case 15-07A was held on Monday, May 18, 2015 at 5:30 p.m. and continued at that time to the July 20, 2015 City Council meeting.

Herb Shannon with the Planning and Development Department, provided an overview of the staff report for this matter, which is hereby attached in Legistar as permanent part of these proceedings.

Mr. Shannon advised that the withdrawal of the TRC decision means that the applicant will develop the property in accordance with the city's access requirements, meaning there will be a second access point to the property to Richard Byerly Road.

Mr. Shannon reported that the applicant is proposing to develop a single-family subdivision on this 12-acre parcel of property and is requesting annexation in order to have access to city utilities. The annexation request represents a logical progression of the city's annexation policies for this area, as this property is within the city's planning area and there have been other annexation requests from the City of High Point that have been granted in this general area. The property does abut High Point city limits directly to the east. Staff noted that approval of this annexation request would not negatively impact the city's ability to provide services to this area. Davidson County did approve a resolution in support to allow this annexation application to proceed forward.

He pointed out that only the cross-hatched area is proposed to be annexed and noted that Heidi Galanti with the Planning and Development Department would provide an overview of the Land Use Plan Amendment 15-01 associated with Annexation Case 15-04.

Adopted Ordinance providing for the annexation of an approximate 12.3 acre parcel lying approximately 950 feet north of W. Lexington Avenue along the east side of Richard Byerly Road and west of Fernley Court.

A motion was made by Mayor Pro Tem Davis, seconded by Council Member Hill, that this Annexation Ordinance be adopted. The motion PASSED by a 9-0 unanimous vote.

**Ordinance No. 7159/15-42
Introduced 7/20/2015; Adopted 7/20/2015
Ordinance Book, Volume XIX, Page 42**

150175 Allegro Investment Properties, LLC - Land Use Plan Amendment Case 15-01

A request by Allegro Investment Properties, LLC to change the Land Use Map classification for approximately 27 acres from Future Growth Area to Low Density Residential. The site is lying north of W. Lexington Avenue and east of Richard Byerly Road.

*Note: The joint public hearing for this matter, **150175 Land Use Plan Amendment Case 15-01; and related matters 150174 Annexation Case 15-04; and 150176 Zoning Case 15-07A** was held on Monday, May 18, 2015 at 5:30 p.m. and continued at that time to the July 20, 2015 City Council meeting.*

Heidi Galanti with the Planning and Development Department presented the staff report for Land Use Plan Amendment Case 15-01, which is hereby attached in Legistar as a permanent part of these proceedings.

Ms. Galanti pointed out this is just a Land Use Plan Amendment and identified the existing land uses in this area as: to the north is undeveloped; south, single family dwelling; east, single family dwellings and undeveloped parcels; to the west, single family dwelling and undeveloped parcels. The request is to amend the Land Use Plan from Future Growth to Low Density Residential to allow a residential subdivision just to the west of Fernley Court and to allow other low density residential development in the future to the portion to the north and down to the south. Ms. Galanti noted the applicant has requested the Land Use Plan amendment for approximately 12 acres, but explained that the planning staff also looks at the surrounding future grown area to determine the logical new boundary for the Land Use designations will be. This resulted in staff recommending some additional property be included as low density residential; therefore, the overall area is approximately 27 acres that will be amended from the future growth to the low density residential. The city's Community Growth Vision statement, Land Use Plan and North Davidson Area Plan are all applicable to this request and support the orderly growth of the community and protection of the environmentally sensitive areas such as streams, steep slopes and existing tree canopy.

Staff has determined that this request for a Land Use Plan amendment is appropriate for this area based on the City's Land Use policies, goals and objectives because it is an orderly growth of the city; there are single-family residential subdivisions within the city immediately to the east and north that are already served by public water and sewer; and the proposal to develop a single-family subdivision which includes the extension of the utilities makes the requested change from Future Growth to Low Density Residential appropriate. Staff recommends approval of Land Use Plan Amendment Case 15-01. The Planning and Zoning Commission met on April 28th and also recommended approval of the request by an 6-0 vote.

Mayor Bencini questioned the Recreation/Open Space area noting it appeared to be consistent with the stream bed, but there were other portions below that space that do not look like the typical open space where it follows a stream bed and this appeared to be excessive. Ms. Galanti identified the location of the stream and noted that when the Recreation/Open Space area was originally mapped, it was to protect stream areas and possible areas for future greenways. Mr. Shannon also pointed out that it also follows flood zone areas, so this could be the reason it broadens out in that location. Ms. Galanti shared that when and if staff does a large plan update, she felt the whole recreation and open space land use category would be something that staff would reevaluate.

Adopted Resolution approving Land Use Plan Amendment Case 15-01 for approximately 27 acres from Future Growth Area to Low-Density Residential based on consistency with the city's plans in that it is an orderly growth of the city, and it is immediately adjacent to an area that is currently designated as Low-Density Residential that is developed with an existing single family subdivision that is served with public water and sewer.

A motion was made by Council Member Wagner, seconded by Council Member Hill, that this Resolution be adopted authorizing a change in the Land Use Map classification for approximately 27 acres from Future Growth Area to Low Density Residential. The motion PASSED by a 9-0 unanimous vote.

Resolution No. 1468/15-39
Introduced 7/20/2015; Adopted 7/20/2015
Resolution Book, Volume XIX, Page 39

150176 Ordinance - Allegro Investment Properties, LLC - Zoning Case 15-07

A request by Allegro Investment Properties, LLC to rezone approximately 12.3 acres from the Low Density Residential (RS) and Rural Agricultural-3 (RA-3) Districts, both within Davidson County's zoning jurisdiction, to the Residential Single Family-15 (RS-15) District. The site is lying approximately 950 feet north of W. Lexington Avenue, along the east side of Richard Byerly Road and west of Fernley Court.

Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

*Note: The joint public hearing for this matter, **150176 Zoning Case 15-07A ; and related matters 150175 Land Use Plan Amendment Case 15-01; and related matters 150174 Annexation Case 15-04;** and was held on Monday, May 18, 2015 at 5:30 p.m. and continued at that time to the July 20, 2015 City Council meeting.*

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

Mr. Shannon reported that the requested RS-15 assists in meeting the goals as identified by Ms. Galanti in the Land Use Plan Amendment Case 15-01. He noted the key standards from the Northwest Area Davidson Plan are being met and having the larger lot size assists in meeting those criteria. Staff feels the requested RS-15 is appropriate for this area based upon the Land Use Policies and adopted Land Use Plan and there are existing single-family subdivisions with the exact zoning in the area. Staff feels the applicant's request is reasonable in the public interest and consistent with the Land Use Plan, Subdivision Environmental Regulations of the Development Ordinance along with the dimensional requirements of the RS-15 district address the policy recommendations in the Northeast Davidson Plan and the requested RS-15 district has already been established in this area and is consistent with abutting zonings; therefore, staff is recommending approval of this request to rezone this area to an RS-15 district. The Planning and Zoning Commission reviewed this request at their April 28th meeting and recommended approval.

Council Member Alexander asked how they were proposing to handle traffic movement, lot layout, etc.... He expressed concerns about the piece of the land to the west of this development and questioned if there would be some type of stub road. Mr. Shannon pointed out this would be a function of the Technical Review Committee and emphasized the main goals for the City Council's determination is based upon the adopted policies and if the RS-15 district is appropriate for this area. Council Member Alexander pointed out the proximity of the stream and felt the stream would limit the development of the access piece to the north because they would have to eventually cross it somewhere. Mr. Shannon noted single-family homes on this property have access agreements with the abutting properties for driveway access to their property. He advised in the future if one of these property owners requests city utilities and wishes to annex into the city, they would have to work with those

abutting property owners to the west to get a public street access to that property. Mr. Shannon explained it could be a matter of economics and the cost of crossing the stream and dealing with the topography and suggested this may be the highest and best use for that property.

At this time, Chairman Wagner opened the public hearing and asked if there was anyone present who would like to speak in favor of the request.

Ron Davis, representing Allegro Investment Properties, 380 H Knollwood Street in Winston Salem, addressed Council in favor of the request. He asked that Council approve the request based on the comments including in the agenda documents, which Mr. Shannon provided a review of. He pointed out that the Planning and Zoning Commission voted unanimously to approve the request, as well as the High Point planning staff citing consistency with the city's adopted plans and public interest.

Mr. Davis shared that he requested an extension at the May 18th Council Meeting in order to have additional time to schedule a neighborhood meeting. He noted that he had been unsuccessful in having a neighborhood meeting prior to the May Council Meeting and were aware of the result of the Swans Landing Protest Petition enclosed in the packet. He advised that they did have a meeting on June 9th with the neighbors and discussed their plans at this time and addressed the concerns of the Swans Landing residents. He reported that they now have a better understanding of the concerns and will continue to communicate and address those concerns. He further explained that the appeal of the TRC decision withdrawal was a result of that meeting and based on the documents they submitted dated May 18th, it appears that everyone is pretty much on the same page. Mr. Davis informed Council that he is also currently working with several of the adjoining Swans Landing property owners to sell them portions of the property in order to provide additional buffers above and beyond what is required by the city. He noted in order to address some of the neighbors' concerns about the noise and mess from the construction, they would set up in the vacant, open off Richard Byerly to help mitigate this. He also committed to continue working with staff to ensure conformity with all subdivision development requirements and will continue to work with the neighbors on both sides of the property addressing their concerns.

Council Member Alexander inquired about the number of lots they would be developing. Mr. Davis replied they originally were proposing 22 lots, but after reviewing the stormwater requirements, they would lose some lots. He advised that there are currently no plans to cross the stream.

Chairman Wagner asked if there was anyone else present who would like to speak.

Gary Roy, a resident on Bennington Way, spoke in support of this request. He shared that he has been a resident in the neighborhood for six years and offered support for this particular project specifically around economic development. He explained that his wife was able to attend the neighborhood meeting and identified two challenges. One is there are a lot of questions and curiosity and he believes as these get resolved, the divide around the effects of the addition should balance out.

Jim Morgan, attorney representing the applicant, stated that he has been involved with zonings for 46 years and applauded the city for requiring the meetings with residents. He felt in this situation it resulted in a great outcome. He pointed out these would be high-dollar homes, which increases the tax base and gives the city another community in which to recruit companies coming to High Point.

Council Member C. Davis stated she was impressed that there was no opposition to this request and pointed out over 40 residents attended the information meeting.

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

Adopted Ordinance rezoning approximately 12.3 acres from the Low Density Residential (RS) and Rural Agricultural-3 (RA-3) Districts, both within Davidson County's zoning jurisdiction, to the Residential Single Family-15 (RS-15) District based on consistency with the city's adopted plans, and 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 Wagner, seconded by Council Member C. Davis, that this Ordinance be adopted authorizing the rezoning of approximately 12.3 acres from the Low Density Residential (RS) and rural Agricultural-3 (RA-3) Districts, both within Davidson County's zoning jurisdiction, to the Residential Single Family-15 (RS-15) District. The motion PASSED by a 9-0 unanimous vote.

**Ordinance No. 7160/15-43
Introduced 7/20/2015; Adopted 7/20/2015
Ordinance Book, Volume XIX, Page 43**

150177 Appeal of a Technical Review Committee Decision - (Request to Withdraw)

At the May 18, 2015 Allegro Investment Properties, LLC requested an appeal of the decision of the Technical Review Committee to uphold subdivision access requirements. This appeal is pertaining to 12.3-acres lying approximately 950 feet north of W. Lexington Avenue along the east side of Richard Byerly Road and west of Fernley Court. At this time, the applicant is requesting to withdraw this appeal application.

Mr. Shannon advised that the withdrawal of the TRC decision means that the applicant will develop the property in accordance with the city's access requirements, meaning there will be a second access point to the property to Richard Byerly Road.

A motion was made by Council Member Davis, seconded by Council Member Wagner, that this matter be removed from the agenda to facilitate the withdrawal as requested by the applicant. The motion PASSED by a 9-0 unanimous vote.

150236 Resolution - City of High Point - Street Abandonment Case 15-05

A request by the Technical Review Committee to abandon a partially improved alley lying along the west side of Cable Street, approximately 65 feet south of W. Green Drive.

The public hearing for this matter was held on Monday, July 20, 2015 at 5:30 p.m.

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

Mr. Shannon explained this is a continuation of the city's on-going street abandonment program where staff has been presenting abandonments of unimproved streets that have not been improved and there is no plan to improve them. This is a request to abandon a 12-foot wide alley that was platted in 1928, partially improved in the 1970s (paved over in concrete and used as parking). The parking has since been removed and is now an open area. Staff is recommending this alley be abandoned and the land be divided between the abutting property owners to the north and the south. The Technical review Committee reviewed this request and had no objections. Staff has determined that the abandonment of the public's interest in this alley would not deprive any of the adjacent property owners of access to their property. Staff then shared some photographs of the alley. The Planning & Zoning Commission reviewed this request at their June 23, 2015 meeting and also recommended approval by a vote of 8-0.

Council Member Golden asked if any of these properties were occupied. Mr. Shannon replied one was a vacant structure and one building has been demolished in the past month.

Following the presentation of the staff report, Chairman Wagner opened the public hearing and asked if there were any comments. There being none, the public hearing was closed.

Adopted Resolution authorizing the abandonment of a partially improved alley lying along the west side of Cable Street, approximately 65 feet south of W. Green Drive as provided by state statutes, and 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 Wagner, seconded by Mayor Pro Tem Davis, that this Resolution be adopted authorizing the abandonment of a partially improved alley lying along the west side of Cable Street, approximately 65 feet south of W. Green Drive. The motion PASSED by a 9-0 unanimous vote.

Resolution No. 1469/15-40

Introduced 7/20/2015; Adopted 7/20/2015

Resolution Book, Volume XIX, Page 40

150237

Resolution - City of High Point - Street Abandonment Case 15-06

A request by the Technical Review Committee to abandon an unimproved right-of-way lying north of Tank Avenue.

Herb Shannon with Planning & Development provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings. Staff is recommending the northern stub of Tank Avenue be abandoned. This abandonment would not deprive any abutting property owners reasonable access to their property. The Technical Review Committee reviewed this request on May 6, 2015 and had no objections. Likewise, the Planning & Zoning Commission reviewed it at their June 23, 2015 meeting and also recommended approval by a vote of 8-0.

Following the presentation of the staff report, Chairman Wagner opened the public hearing and asked if there were any comments. There being none, the public hearing was closed.

A motion was made by Council Member Wagner, seconded by Mayor Pro Tem J. Davis, that this Resolution be adopted authorizing the abandonment of an unimproved right-of-way lying north of Tank Avenue. The motion PASSED by a 9-0 unanimous vote.

**Resolution No. 1470/15-41
Introduced 7/20/2015; Adopted 7/20/2015
Resolution Book, Volume XIX, Page 41**

PROSPERITY & LIVABILITY COMMITTEE - *Council Member Ewing, Chair*
Committee Members: Alexander, Hill and Wagner
(all were present)

150242 Amendment to Traffic Schedule - Article P - Multi-Way Stop at Johnson Street & Farriss Avenue

Consideration of a recommendation by the Prosperity and Livability Committee to amend the Traffic Schedule - Article P to install a multi-way STOP at Johnson Street and Farriss Avenue.

The public hearing for this matter was held on Monday, July 20, 2015 at 5:30 p.m.

Chairman Ewing announced that the Prosperity & Livability Committee met on Wednesday, July 15th, at recommended this matter be forwarded to Council with a favorable recommendation for approval. He reported that Mr. McDonald traveled to Raleigh/Durham to look at what they are using in terms of traffic calming and accident mitigation in some residential areas and brought back some good information. The Raleigh DOT is consolidating information from a number of cities throughout the state on traffic calming policies and how they are addressing these issues and the report should be released in a few months, which will be reviewed in the Prosperity & Livability Committee to discuss what changes may be needed.

As a pre-cautionary measure, Council Member C. Davis suggested putting something up a little closer before getting to the STOP sign, possibly something painted on the pavement for STOP AHEAD. Mark McDonald, Director of Transportation, explained staff's intention is to post new traffic pattern signs all the way back to the intersection of Lexington Avenue and

place the STOP AHEAD signs in a pavement legend that would say STOP AHEAD. He noted the placement will be in accordance with the design standards for signing and marking. He reported that staff would also use a variable message sign for a period of time (before and after the installation of the 3-way STOP) to give motorists some advanced notice of new conditions. Mr. McDonald agreed that staff could look into the possibility of markings on the pavement closer to the STOP if needed.

Chairman Ewing noted the Prosperity & Livability Committee did ask that the efficiency of this be reviewed in six months and evaluate it in Committee if there is a need to move forward with a larger plan if necessary. Council Member Alexander asked about the timetable for implementing this. Mr. McDonald explained staff could begin the process of installing the signs fairly quickly with the variable message boards being out at least a week advising motorists of a new traffic pattern and noted it could probably be implemented within two weeks.

Mayor Bencini mentioned the continuing decline in traffic counts along Johnson Street and asked at what point Johnson Street would come off as a designated thoroughfare. Mr. McDonald noted staff does not anticipate volumes to decline any further than they have. He explained that Johnson Street is still on the city's Thoroughfare Plan as a major thoroughfare as it has been for 45+ years. He advised that staff will be looking at making a change to this. Chairman Ewing opened the public hearing and asked if there was anyone present who would like to speak regarding this matter.

David Willett, 1501 Delk Drive, informed Council that when looking at traffic proposals there are three elements of traffic safety: enforcement, engineering, and education. He explained all three of these aspects were necessary to make it work. He suggested one thing that a lot of cities are using is the "smart sign" and it seems to work. He offered to provide information to Council to help make any decisions.

Ryan Verstat, 1006 Johnson Street, thanked the City Council for their support in approving this request.

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

Approved an amendment to Traffic Schedule- Article P to install a multi-way STOP at Johnson Street and Farriss Avenue with a 6-month evaluation period.

A motion was made by Council Member Ewing, seconded by Council Member Wagner, to approve the amendment to the Traffic Schedule- Article P to install a multi-way STOP at Johnson Street and Farriss Avenue, with a 6-month evaluation period. The motion PASSED by a 9-0 unanimous vote.

Pending Items

- 150190** **Amendment to Traffic Schedule - Article P - Multi-Way Stop at Rotary/Farriss**
Consideration of a recommendation by the Prosperity and Livability Committee to install a four-way STOP condition at the intersection of Rotary Drive and Farriss Avenue.

Chairman Ewing suggested to leave this matter in pending and reported that the Committee did get a presentation from staff at the Prosperity & Livability Committee meeting on July 15th. He felt after reviewing the city's current traffic calming policy and current accident count reports for this area, that it might need to be a resident-drive petition because of its similarity to some of the other ones in the city where the residents were required to pitch in half of the cost. He further explained that the Committee is awaiting results of a study conducted by the Raleigh Department of Transportation on traffic calming policies across the state and felt the Committee could use this information for evaluating the feasibility.

Council Member C. Davis stated she was puzzled not to see this on the Agenda after the Prosperity & Livability Committee made a favorable recommendation to send it forward since there seemed to be a dire need for it at that time. Chairman Ewing advised that it is in pending, but Council could vote to bring it out of pending and take action if that is the preference. He pointed out the concerns regarding Johnson/Farriss were a little different than those on Farriss/Rotary due to it being precipitated by a number of on-going accidents on Johnson/Farriss and the traffic count on Farriss/Rotary was not nearly to that degree. He felt adopting the 4-way STOP on Rotary/Farriss would be stepping into the traffic calming policy because all the necessary components are not in place to effectuate that policy. Mayor Pro Tem J. Davis felt this was a fair argument and he could support that. Mayor Bencini pointed out staff's report indicated that sometimes STOP signs do not really mitigate speed effectively.

Council Member Wagner pointed out the city's transportation department has already conducted a traffic study and recommended a 4-way STOP at Farriss/Rotary noting clearly that there is a speeding problem and the Prosperity & Livability Committee also gave the 4-way STOP at Farriss/Rotary a favorable recommendation. He shared that he did not see any difference between this request and the request from the residents on Johnson/Farriss. Mayor Bencini pointed out the difference in the two was the speeding vs. the number of accidents. He noted that the cost in putting a 4-way STOP was minimal and asked staff what would be lost if Council determines this is not working and recommends some other traffic calming measure. Mr. McDonald replied that the STOP signs could be reused so all the city would be out would be for would be for the timing and pavement markings. Council Member Wagner reiterated that the conditions on Farriss/Rotary were creating a dangerous situation and the residents there have come to Council asking for some relief.

Mayor Pro Tem J. Davis questioned Council's involvement in making decisions to install STOP signs throughout the city noting this was staff's responsibility. Mayor Bencini explained it escalated to Council because that many of the residents in this area brought their concerns to Council and put a lot of pressure on Council, which prompted the need for a response.

Council Member Wagner reiterated that putting in a 4-way STOP at Farriss/Rotary was the least expensive measure to control the problems and if this did not work and Council considers other measures, he expressed concern that Council might say no money is available. Council Member Alexander pointed out speed tables/speed humps were certainly efficient modifiers of speed and it would be more difficult for citizens to learn how to negotiate these than it would be to do a roundabout. Council Member Wagner stated he was not against speed tables, but the Prosperity & Livability Committee was recommending a 4-way STOP to be installed and evaluated after six months.

Council Member Hill agreed that Council does need to reevaluate the traffic calming policy, which is the intent of the Prosperity & Livability Committee, but pointed out there is an immediate problem that needs to be mitigated. She agreed with the installation of the 4-way STOP at Farriss/Rotary and if it does not work, then Council could amend the traffic calming policy accordingly. Mayor Pro Tem J. Davis questioned why the Farriss/Rotary intersection was chosen and felt it would make more sense to put a 4-way STOP down around Parkway or Woodland where the road straightens out. Mr. McDonald explained that staff looked at all intersections, site distance, curves, and chose the Farriss intersection because it afforded the overall visibility, best opportunity, and proximity being half-way. Council Member Alexander noted the neighbors in close proximity to the intersection voiced concerns with stacking that might occur at the STOP sign and asked if staff foresees stacking being a problem if a 4-way STOP is installed there. Mr. McDonald replied it may be at certain peak times during the day when school is in, but overall he does not see stacking as a persistent issue. Council Member C. Davis felt the number of accidents on Johnson versus the number on Rotary really makes a difference in her opinion.

Chairman Ewing asked if it was Council's desire to pull this matter from pending for consideration at tonight's meeting, but after reviewing the existing traffic calming policy and staff report, and making comparisons, he could probably supply a list of 30-40 intersections in the city that could warrant installation of 4-way STOPS. Council Member C. Davis stated James Road would be one.

At this time, Council Member Wagner moved to remove this matter from the pending list and place it on tonight's agenda for consideration. Council Member Alexander made a second to the motion. The motion carried by the following 7-2 vote:

Aye (7): Mayor Bencini; and Council Members Alexander, Golden, Williams, Hill, Wagner, and Ewing.

Nay (2): Mayor Pro Tem J. Davis and Council Member C. Davis.

Approved an Amendment to Traffic Schedule- Article P- to install a Four-Way STOP at Farriss/Rotary.

A motion was then made by Council Member Wagner, seconded by Council Member Alexander, to amend Traffic Schedule- Article P to install a four-way STOP condition at the intersection of Rotary Drive and Farriss Avenue. The motion carried by the following 6-3 vote:

Aye (6): Council Member Hill, Council Member Williams, Council Member Wagner, Council Member Golden, Mayor Bencini, and Council Member Alexander

Nay (3): Mayor Pro Tem J. Davis, Council Member Ewing, and Council Member C. Davis

GENERAL BUSINESS AGENDA

150238 Appointment - Theatre Advisory Board - Thigpen

Council is requested to confirm the appointment of Johnnie Thigpen to the Theatre Advisory Board to replace Charity Belton who has resigned. Appointment to be effective immediately and will expire June 1, 2018.

Approved the appointment of Johnnie Thigpen to the Theatre Advisory Board. Appointment effective immediately and will expire June 30, 2018.

A motion was made by Council Member Alexander, seconded by Council Member Hill, that this appointment be approved. The motion PASSED by a 9-0 unanimous vote.

150239 Reappointment- Alcoholic Beverage Control Board - Blakeney

Council is requested to confirm the reappointment of Mary Lou Blakeney to the Board of Alcoholic Control (ABC Board) effective immediately and expiring February 2, 2018.

Approved the reappointment of Mary Lou Blakeney to the Alcoholic Beverage Control Board. Appointment effective immediately and will expire February 2, 2018.

A motion was made by Council Member Hill, seconded by Council Member Ewing, reappointment be approved. The motion PASSED by a 9-0 unanimous vote.

150240 Approval of the Minutes of Previous City Council Meetings

- Budget Review Session; May 27, 2015 @ 3:00 p.m.
- Budget Review Session; May 28, 2015 @ 4:00 p.m.
- Manager's Briefing Session; June 1, 2015 @ 4:00 p.m.
- High Point City Council Regular Meeting; June 1, 2015 @ 5:30 p.m.
- Manager's Briefing Session/Budget Review Session; June 2, 2015 @ 3:00 p.m.
- Prosperity & Livability Committee; June 3, 2015 @ 9:00 a.m.
- Community Housing & Neighborhood Development Committee; June 9, 2015 @ 10:00 a.m.
- Finance Committee; June 11, 2015 @ 4:00 p.m.
- Budget Review Session; June 11, 2015 @ 4:45 p.m.
- Manager's Briefing Session/Budget Review Session; June 15, 2015 @ 3:30 p.m.
- High Point City Council Regular Meeting; June 15, 2015 @ 5:30 p.m.
- Special Meeting (MSD Public Hearing); June 18, 2015 @ 9:00 a.m.
- Adjourned Session; June 18, 2015 @ 9:30 a.m.

A motion was made by Council Member Davis, seconded by Council Member Ewing, that the preceding Minutes be approved as submitted. The motion PASSED by a 9-0 unanimous vote.

150097 Boards & Commissions- Vacancy Report

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

Attachments:

[Vacancy Report](#)

This information is included for informational purposes only.

COMMENTS FROM COUNCIL

Traffic Concerns on James Road and Evergreen Avenue

Council Member C. Davis mentioned some traffic concerns on James Road and noted that the residents in this area have been trying to get something done for years to slow the traffic down due to the proximity of the elementary school and the Rec Center. She also shared that Evergreen Avenue should also be studied.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 9:05 p.m. upon motion duly made by Council Member Alexander and second by Council Member Hill.

Respectfully Submitted,

William S. Bencini, Jr., Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk

CITY OF HIGH POINT AGENDA ITEM



Title: Truck Mounted Sewer Cleaner

From: Gary Smith, Fleet Director

Public Hearing: N/A

Attachments:

Meeting Date: August 17, 2015

Advertising Date / N/A

Advertised By: N/A

PURPOSE:

The Water & Sewer Division of Public Services is currently using a 2007 Ford F650 with a sewer cleaner that is in need of replacement due to age and hours. Using a National Joint Powers Alliance (NJPA) contract a 2015 Freightliner with a Model 800 HPR sewer cleaner is being recommended for council approval.

BACKGROUND:

The Water & Sewer Division is currently using a 2007 Ford F650 with a sewer cleaner that has over 105,000 miles. This truck is used daily for opening clogged sewer lines and performing routine maintenance. The Model 800 HPR sewer cleaner has been demonstrated onsite by the dealer and proven to meet their requirements. The price of \$195,319.40 is for the truck with sewer cleaner, training, and delivery which is estimated at 60-90 days.

BUDGET IMPACT:

Funds are available in 2015-16 budget

RECOMMENDATION / ACTION REQUESTED:

The Fleet Services Department recommends purchase of this equipment and declaring the old truck as surplus and disposing through the online auction process; and authorize the appropriate city official to execute the necessary documents.





**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Fleet Services**

COUNCIL AGENDA DATE: **August 17, 2015**

BID NO.: **022014-SCA** CONTRACT NO.: **NJPA** DATE OPENED:

DESCRIPTION:

2015 Freightliner with a Model 800 HPR Sewer Cleaner

PURPOSE:

The Water & Sewer Division of Public Services is currently using a 2007 Ford F650 with a sewer cleaner that is in need of replacement due to age and hours. This truck is used daily for opening clogged sewer lines and performing routine maintenance.

COMMENTS:

The price of \$195,319.40 is for the truck with sewer cleaner, training, and delivery which is estimated at 60-90 days.

RECOMMEND AWARD TO: **Rodders & Jet Supply Company** AMOUNT: **\$195,319.40**

JUSTIFICATION:

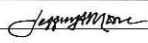
The Model 800 HPR sewer cleaner has been demonstrated onsite by the dealer and proven to meet their requirements.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
501271	532401			195,319.40
TOTAL BUDGETED AMOUNT				195,319.40

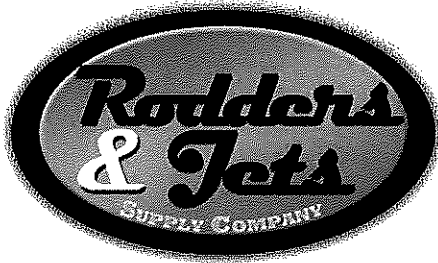
DEPARTMENT HEAD: **Gary Smith** Digitally signed by Gary Smith
DN: cn=Gary Smith, o=City of High Point, ou=Fleet Services, email=gary.smith@highpointnc.gov, c=US
Date: 2014.08.11 11:45:06 -0400 DATE: **Aug 7, 2015**

The Purchasing Division concurs with recommendation submitted by the **Fleet Svcs. Department** and recommends award to the lowest responsible, responsive bidder **Rodders & Jet Supply Co** in the amount of \$ **195,319.40**.

PURCHASING MANAGER: **Tarinda Chappell** Digitally signed by Tarinda Chappell
DN: cn=Tarinda Chappell, o=City of High Point, ou=Purchasing, email=tarinda.chappell@highpointnc.gov, c=US
Date: 2015.08.07 13:36:57 -0400 DATE: **Aug 7, 2015**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR:  Digitally signed by Jeffrey A. Moore
DN: cn=Jeffrey A. Moore, o=City of High Point, NC, ou=Financial Services Director, email=j.a.moore@highpointnc.gov, c=US
Date: 2015.08.07 13:55:17 -0400 DATE: **Aug 7, 2015**

CITY MANAGER: **Greg Demko** Digitally signed by Greg Demko
DN: cn=Greg Demko, o, ou, email=greg.demko@highpointnc.gov, c=US
Date: 2015.08.07 14:05:16 -0400 DATE: **Aug 7, 2015**



RODDERS AND JETS SUPPLY CO.
PO BOX 2577
SUMTER, SC 29151
TOLL FREE: 1-800-293-2012
FAX: 803-773-3666
WEB: RODDERSANDJETS.COM
EMAIL: RODDERSANDJETSCO@AOL.COM



Contract # 022014-SCA

WE ARE PLEASED TO OFFER THE FOLLOWING NJPA QUOTATION FOR (1)
800- HPR- ECO TRUCK MOUNTED JET

JULY 15, 2015

TO:

CITY OF HIGH POINT, NC
MR. GARY SMITH

NJPA MEMBER# 18103

RESPECTFULLY,

MIKE BUTNER
SALES MANAGER
RODDERS AND JETS SUPPLY CO.

******PLEASE MAKE ALL PURCHASE ORDERS TO RODDERS AND JETS SUPPLY CO.**
AND REFERENCE NJPA CONTRACT ON PO.

800-HPR-ECO
**NJPA AWARDED
CONTRACT**


Contract # 022014-SCA

Truck Mounted High Pressure Sewer Cleaner
Engine/Pump:

 FE Meyers 65 gpm @ 2000 psi
 Hydrostatic Drive via World Trans
 Lighted NEMA 4 control panel
 Hour Meter & Tachometer
 Air Purge Valve
 Recirculation System
 Painted Steel Shroud
 with 3 rollup doors
 80,000 BTU compartment heater

Hose Reel & Hose:

 Rear Mounted Safety Hose Reel
 Rotating & Telescoping with
 700' x 1" Hose capacity

Water Tank & Fill:

 1500 gal. black Duraprolene™ Tank
 2.5" Fill System

Truck:

 Mounting to approved chassis
 Mud flaps, Bumper, Hitch receiver
 LED D.O.T. approved lighting

Accessories:

 10' Leader Hose
 BB Hose Guide
 Tri-Star (chisel point) nozzle
 DD (high flow) nozzle
 Finned Nozzle extension
 Nozzle Rack
 25' Fill Hose
 Washdown gun w/ 25' ext. hose
 Upstream Pulley Guide
 Paper Operator/Owner Manual

BASE UNIT AS OUTLINED ABOVE	\$99,670.00	1	\$99,670.00
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STANDARD OPTIONS:
REAR COMPARTMENT OPTIONS:

	LIST PRICE	QTY	TOTAL
AUTOMATIC LEVEL WIND WITH HYDRAULIC UP/DOWN ACTION	\$5,820.00	1	\$5,820.00
DIGITAL "SMART COUNTER" FOOTAGE METER	\$2,570.00	1	\$2,570.00
DRAIN VALVES FOR WATER PUMP *RECOMMENDED FOR COLD CLIMATES*	\$139.00	1	\$139.00
HYDRAULIC PRESSURE GAUGE	\$271.00	1	\$271.00
SEWER HOSE (1" I.D., 2500 P.S.I. OPERATING PRESSURE) PER FT	\$3.89	600	\$2,334.00
50' WASHDOWN SYSTEM WITH RETRACTABLE REEL	\$1,153.00	1	\$1,153.00

TANK & FILL OPTIONS:

FILL HOSE STORAGE RACK	\$183.00	1	\$183.00
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LIGHTING OPTIONS:

ENGINE/WATER PUMP COMPARTMENT LIGHT	\$182.00	1	\$182.00
UPGRADE TO LED STOP/TAIL/TURN LIGHTS	\$1,040.00	1	\$1,040.00
LED ROTATING BEACON (FACTORY STANDARD)	\$470.00	1	\$470.00
LED STROBE LIGHT (flush mount)	\$312.50	2	\$625.00
LED ARROW STICK (FACTORY STANDARD)	\$925.00	1	\$925.00
HANDHELD WIRELESS 12v/110v RECHARGABLE LED SPOTLIGHT WITH STORAGE BRACKET	\$290.00	1	\$290.00

PENDANT CONTROLS:

WIRELESS REMOTE CONTROL PENDANT (WITH HOSE REEL F-N-R CONTROL, THROTTLE UP/DOWN, WATER OFF/ON, KILL SWITCH) INCLUDES MANIFOLD HYDRAULICS	\$6,274.00	1	\$6,274.00
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TRUCK MOUNTING AND TOOL STORAGE OPTIONS:

AIR PURGE SYSTEM (POWERED BY CHASSIS)	\$1,186.00	1	\$1,186.00
STEEL SKIRTING AND ALUMINUM TOOLBOXES (5)	\$4,881.00	1	\$4,881.00
LONG HANDLED TOOL STORAGE (TWO (2) 4" TUBES)	\$266.00	1	\$266.00
ROLL-OUT ROOT CUTTER MAINTENANCE BOX	\$2,097.00	1	\$2,097.00
REAR BACK UP CAMERA SYSTEM W/ 7" COLOR MONITOR MOUNTED IN CAB	\$960.00	1	\$960.00
HITCH - REESE STYLE (10,000 LBS MAXIMUM LOAD) WITH CAB MOUNTED BRAKE CONTROLLER & 7 PIN RECEPTICAL	\$659.00	1	\$659.00
SIX (6) 18" D.O.T. SAFETY CONES AND HOLDER	\$325.00	1	\$325.00

LIST PRICE OF SELECTED OPTIONS: \$ 132,320.00

LESS 3% NJPA DISCOUNT: \$ (3,969.60)

LESS ADDITIONAL 5% DISCOUNT FOR DEMO (\$6,616)

MODULE TOTAL \$ 121,734.40

FACTORY SUPPLIED CHASSIS: 2015 FREIGHTLINER M2-106 \$ 68,145.00

DEALER SUPPLIED LATERAL REEL AND NOZZLES \$ 3,440.00

ESTIMATED FREIGHT: \$ 2,000.00

TOTAL PRICE: \$ 195,319.40

COMMUNITY HOUSING AND NEIGHBORHOOD DEVELOPMENT COMMITTEE

Committee Members Golden, Alexander, Ewing and Williams

Chaired by Council Member Golden

July 14, 2015 – 10:00 a.m.

Parks & Recreation Administrative Offices

MINUTES

Present:

Committee Chair Jeff Golden and Committee Member Chris Williams

Absent:

Committee Members Latimer Alexander and Jason Ewing

Also Present:

Council Member C. Davis

Staff Present:

Randy McCaslin, Deputy City Manager; JoAnne Carlyle, City Attorney; Mike McNair, Director of Community Development; Michelle McNair, Community Resource Manager; Richard Fuqua, Affordable Housing Manager; Wendy Fuscoe, Core City Administrator; Alisha Doulen, Community Resource Specialist; Eric Olmedo, Budget & Performance Manager; Lisa Vierling, City Clerk

Others Present:

Jerry Mingo, Chairman- Citizens Advisory Council
Myra Clodfelter, Member- Citizens Advisory Council
Ross Lackey, Urban AG Short-term Consultant for city

Discussion- Neighborhood Gardens/Adopt-a-Lot Program

Randy McCaslin distributed copies of the proposed *Adopt-a-Lot Operational Guidelines for Community Gardens on Public Land* and reported that some neighborhood groups and individuals have contacted the city regarding interests in using vacant city-owned property to grow gardens and shared that Jerry Mingo, who resides in the Burns Hill Neighborhood area, has also expressed an interest in planting a community garden. Mr. McCaslin reported that Mike McNair, Director of Community Development and Housing has identified several city-owned properties (individual lots or groupings) with no immediate need for which could be used for community gardens. He noted that staff needs some clear direction from Council regarding guidelines.

City Attorney JoAnne Carlyle agreed that staff needs some clear direction from Council as to what they would like the guidelines to look like for things such as:

- Liability Insurance (dollar amount, amount of exposure, whether or not to even require it, etc...
- An approved list of city-owned properties that can lease out for this purpose (and whether this is going to be determined on size, location, etc....);
- What would be included in the lease
- Duration of the lease (and whether or not the lease would be renewable)
- Any other special considerations

Ms. Carlyle advised that the city could reduce the amount of liability coverage that is required and noted the City of Baltimore requires \$2,000,000 in liability insurance, but High Point generally requires \$1,000,000. She further explained that it would be entirely up to the City Council as to whether or not to require the liability insurance and if so, what amount it would be while keeping in mind the exposure aspect of it. She advised the liability insurance requirement would not prevent lawsuits, but would give the city something to go against in the case of a lawsuit.

Council Member C. Davis was surprised to see this topic in the Community Housing & Neighborhood Development Committee when it started out in the Prosperity & Livability Committee. Mr. McCaslin explained it is appearing in this Committee because of an idea that emerged in one of the conferences that staff and committee members attended.

Ms. Carlyle advised that Council could also delegate leasing of these properties to the city manager, once the properties are identified by Council, and the manager could determine the usual considerations such as:

- time limits
- whether or not to allow any structures on the property
- how the property is to be used
- where personal items used can be stored
- insurance requirements

Council Member C. Davis asked staff to address playgrounds and how a playground might impact these community gardens. Ms. Carlyle noted this would definitely be something to consider and advised that some questions have surfaced with regards to playgrounds relating to the West End Ministries lease that was approved by the City Council on June 18, 2015. She explained there was not a whole lot of discussion on this, but it was in the plans that they would build some kind of playground equipment and place it on the property that is being leased. She admitted it may result in a little more exposure to the city from a legal standpoint, but she could protect the city as much as possible by putting appropriate language in the lease. Ms. Carlyle stressed the importance of clear direction to staff as to if Council wants to allow structures on the leased property such as playground equipment, trellises, benches, etc.... She noted it has more to do with Council's vision than the legalities involved and reiterated that she could draft something to protect the city.

At this time, Wendy Fuscoe, the Core City Administrator, recognized Ross Lackey, the Urban AG short-term consultant for the city, who provided some background information. She advised that Mr. Lackey is on a short-term contract to help staff identify areas that can be used for community gardens and to assist the city in preparing plans for the gardens. She reported that Mr. Lackey has been working on the plans for the garden in the southside area and advised that the plan was presented to the Greater High Point Food Alliance's executive committee and they are asking them for \$20,000 in funding to assist with the plantings.

Ross Lackey then shared and reviewed the plans for the Fairview Food Park in the southside area and pointed out that many of these properties could have multi-functional uses. He called attention to the fact that the Greensboro-High Point MSA is number one in food hardship in the nation and these lots could be used to produce food for the community. He advised the goal is to create communal spaces where people can congregate, spend time together and be used to produce food for the community. Some of the plantings proposed for this area are chestnut trees, hazel nuts, pecan orchard, etc..... with a soft path that would connect to the park, as well as sidewalks that will connect to the school, benches, etc....

He then shared the plans and design by the Bountiful Harvest team at West End Ministries for their community garden, which is also multi-functional. Proposed plantings for this garden are trees, blueberries, brambles, grapevines, etc.... The plans do include installation of a playground. Council Member C. Davis noted she has no problem with the playground and explained the only reason she mentioned the playground earlier was because the playground was not discussed when Council was considering the West End Ministries lease although it should have been and she felt it should have been clear on what was voted on by Council. Mr. McNair offered his apologies and noted it was merely an oversight.

Mr. McCaslin pointed out the large size of the property being leased to West End Ministries lends itself to multiple uses, whereas most of the other lots would be smaller in size so the multi-functional aspect might not apply. Council Member C. Davis suggested staff could possibly come up with a generic contract with check-off boxes for options instead of having to draft a contract for every one of the community gardens. Ross Lackey shared that he completely respects the city's need to protect and reduce any risks, but asked if the city would not require the \$1,000,000 in liability insurance because it would be a hindrance and most individuals do not have access to large amounts of capital.

Mr. Lackey also mentioned that he did meet with Lee Tillery, Director of Parks & Recreation regarding the possibility of developing some installations along the greenway. He noted that the funding has already been lined up for this and he is ready to move forward and identify certain spots in the greenway that could be used for planting trees, a couple of blueberry bushes, maybe some strawberries, etc.... He felt this would create a safe, edible route along the greenway that could help in solving the food crisis in High Point. Council Member C. Davis asked about the maintenance responsibility for the plantings. Mr. Lackey explained that very low maintenance would be needed to keep the plantings healthy and to make sure that the investment of time, energy and capital is sustained. He pointed out the person putting in the plantings would be responsible for maintenance and shared that the Urban AG group has also volunteered to help in this endeavor.

Jerry Mingo briefly reported on the site located at 1208 R. C. Baldwin Avenue where he is interested in planting a community vegetable garden. Council Member C. Davis asked Mr. Mingo if he plans to secure the site to keep people from coming in and mangling up the garden. Mr. Mingo replied that the members of the neighborhood association are not concerned with people taking things out of the garden, but hopes vandalism will not be an issue. Mr. Lackey felt this would be an awesome site and noted it already has a pecan tree and mulberry tree on it.

Discussion- Proposed CAC By-Law Amendments

Michelle McNair, liaison between the Citizens Advisory Council and the Community Development & Housing Department, reported that the CAC By-Laws have not been amended since 2000. She distributed copies of two documents: one is the existing By-Laws with the recommended revisions highlighted and incorporated into it; and two, a reformatted copy of what the amended By-Laws would look like. She introduced Jerry Mingo, CAC Chairman, and Myra Brown Clodfelter, a member of the CAC. Mr. Mingo briefly reviewed some of the changes being proposed by the CAC.

Chairman Golden asked if the terms would be aligned with the city's election cycle which now takes place in the odd-numbered years instead of the even-numbered years. Mr. Mingo pointed out this is addressed in Article 4. He shared one of the major changes with the proposed By-Laws is the terms of office for the CAC members; currently they serve two-year, concurrent terms, but the CAC feels it would be better to stagger the terms so all CAC members are not rotating off at the same time. Council Member C. Davis questioned whether the CAC could call for a vote to have a member removed.

Ms. Carlyle pointed out there were a number of things that the CAC could not do due to it being in the City's Code of Ordinances and advised that the CAC could not change the ordinance without it going to the City Council. Mr. McCaslin expressed appreciation to the CAC for bringing it forward, but felt a more thorough review was needed. He suggested this be delayed for 30 days to give everybody a chance to review it. Chairman Golden asked Ms. Carlyle to identify items that are contrary to the ordinance, then Council could decide if the ordinance should be changed. Once the proposed changes to the CAC By-Laws are reviewed by the city attorney, then it will be forwarded to the CAC, and will be brought back to the Community Housing & Neighborhood Development Committee.

Discussion- Proposed Program to Provide Financial Assistance to City Employees to Live in the Core City

Mr. McCaslin explained this concept morphed from a program that was presented at one of the recent conferences that staff and some of the Community Housing & Neighborhood Development Committee members attended and noted the City of High Point actually considered a similar proposal in 2004, but it was not approved.

Council Member C. Davis asked if it might be possible to obtain a copy of any of the pertinent information because she was not privy to the discussion and was not able to go on the trip.

Mike McNair, Director of Community Housing & Neighborhood Development, reviewed some of the 2004 proposal for Public Safety Residence Assistance Program. He proceeded to give an overview of similar types of programs other agencies offer: District of Columbia Employer Assisted Housing Program; State Employees Credit Union: First Time Homebuyer's Mortgage; Baltimore City Employee Homeownership Program; Drexel University Home Purchase Assistance Program; University of Kentucky Employer Assisted Housing Program.

He shared inspirations and outcomes for employer homebuyer assistance programs:

Inspirations:

- down payments are still a barrier to purchasing single family homes;
- some employers desire to assist their employees to help purchase their primary homes;
- some agencies desire employees to live closer to or in the areas they serve;
- some employers have found such programs enhance their appeal to new employees

Outcomes:

- helps close the homeownership affordability gap for employees;
- encourages employees to live closer to their workplaces;
- can help stabilize neighborhoods;
- encourages longer employee tenure; and
- reduces greenhouse gases and commutes

He explained these agencies are looking for several objectives, some of which are consistent with the objectives that have been articulated in High Point and pointed out there is an opportunity to help stabilize neighborhoods, as in the Core City Homebuyer's Assistance Program the objective is to attempt to stabilize neighborhoods by diversifying the incomes.

Chairman Golden asked how the City of High Point is doing in recruiting public safety employees. Mr. McCaslin replied that the police and fire departments have done a great job in recruiting and are pretty well fully staffed. He further explained the rationale behind any programs of this nature is to get more middle income people living in the core city and to encourage renovation of existing housing stock that was built in the 50s, 60s, and 70s. Chairman Golden inquired about whether or not EMS employees would be eligible because they are county employees. Mr. McCaslin noted it would be entirely up to the City Council to determine eligibility for the program.

Committee Member Williams asked how many residents have taken advantage of the Core City Homebuyer's Assistance Program and Mr. McNair replied none have, and this was a little puzzling. Chairman Golden shared that he runs into people in the community who have no idea these types of programs are out there and questioned the advertising vehicles the city is using to get the word out. Council Member C. Davis expressed concerns regarding the budgetary impact and whether it would be funded with federal dollars, general fund dollars, what the cap limit would be, how many would take advantage of it, if there will be limits on the total dollars available, etc....

Mr. McCaslin explained that Council would have to decide whether or not there is an interest in a program of this type, come up with the funding for it, and if a decision is made to pursue it, staff could help with the design.

Council Member C. Davis felt her questions were very valid because she did not get to go on the trip and pointed out that no one that went on these trips has shared any information, and the Council has not been briefed. She expressed concerns that staff and Council are not communicating very well and felt those attending meetings should bring information back to colleagues. Chairman Golden reminded Council Member C. Davis that this was for discussion purposes only.

Prior to adjournment, Mr. McCaslin reminded everyone that the main topic for the Manager's Briefing on Monday, July 20th would be the topic of dog tethering. Council Member C. Davis pointed out several residents had contacted her that thought dog tethering would be discussed at today's meeting and expressed concerns that they would not be given an opportunity to speak on the subject due to it being a Briefing Session. Mr. McCaslin advised that there would be an opportunity for them to participate and speak regarding the issue during the public comment period at the City Council meeting at 5:30 p.m.

There being no further discussion, the meeting adjourned at 11:00 a.m. upon motion duly made and seconded.

Respectfully Submitted,

Lisa B. Vierling, MMC
City Clerk

Jeff Golden, Chairman

Guilford Workforce Development Consortium Agreement

ARTICLE I. TITLE AND PURPOSE

The contiguous units of local government listed below agree to establish a consortium to act jointly as a local Workforce Development Area under the Workforce Innovation and Opportunity Act (WIOA), Public Law 113-128 as enacted July 22, 2014. This consortium shall be known as the Guilford Workforce Development Consortium.

ARTICLE II. MEMBERSHIP

The Consortium shall be composed of the following independent and contiguous units of general purpose local government:

County of Guilford
City of Greensboro
City of High Point

ARTICLE III. CERTIFICATION OF AUTHORITY

1. AUTHORITY UNDER STATE AND LOCAL LAW

The member units of government certify that they possess full legal authority, as provided by state and local law, to enter into this agreement and to fulfill the legal and financial requirements of operating as a local Workforce Development Area under the Workforce Innovation and Opportunity Act for the entire geographic area covered by this agreement.

2. SPECIFIC RESOLUTIONS TO ENTER INTO AGREEMENT

A copy of each duly executed resolution giving the respective counties specific authority to enter into this consortium agreement will be attached to this document and are incorporated herein by reference.

3. DESIGNATION OF CHIEF ELECTED OFFICIALS FROM EACH MEMBER UNIT OF GOVERNMENT

Each member unit of government designates as chief elected official for Workforce Innovation and Opportunity Act purposes, upon whose representation the State, the Workforce Development Board, the administrative entity and the other member units may rely. The Honorable Mayor of the City of Greensboro, Mayor of the City of High Point, and the Chairperson of the Guilford County Commissioner shall be the signatories to this agreement and shall be authorized to execute such other agreements, as are necessary for the purposes of the Workforce Innovation and Opportunity Act and other grants that may be awarded to the Consortium.

4. DESIGNATION OF CHIEF ELECTED OFFICIAL FOR LOCAL WORKFORCE DEVELOPMENT AREA

The member units provide that the Mayor of the City of Greensboro shall be authorized to exercise the functions of the local area chief elected official which are required under the Workforce Innovation and Opportunity Act.

ARTICLE IV. DURATION

This agreement will become effective on the date of the last chief elected official's signature and shall continue in effect until the local Workforce Development Area is re-designated by the Governor of North Carolina or by termination of this Agreement by a member unit of government as provided for in Article XI.

ARTICLE V. ASSURANCES AND CERTIFICATIONS

The member units will comply with the requirements of the Workforce Innovation and Opportunity Act, and regulations promulgated thereunder, all other applicable federal regulations, the statutes of the State of North Carolina, and, written directives and instructions relevant to local workforce development area operation from the Governor of North Carolina or his/her designee.

ARTICLE VI. FINANCING

1. It is anticipated that funding necessary to implement this agreement will be derived from federal grant funds received through the Governor. It is further understood that local funds are not required under the Workforce Innovation and Opportunity Act; however, if a Consortium member deems it necessary or desirable, the parties hereto may allocate local funds for special initiatives as appropriate under the intent of this agreement.
2. The units of local government acknowledge that they are jointly and severally accountable for Consortium liabilities arising out of activities under the Workforce Innovation and Opportunity Act, to the extent consistent with State and local law.
3. Liability may include, but is not limited to, responsibility for prompt repayment from non-program funds of any disallowed costs by the administrative entity of the local workforce development area, or any of its sub-recipients or contractors, or the Workforce Development Board. It is further understood that the City of Greensboro, the designated Administrative Entity and Grant Recipient, shall provide oversight of the resources received on behalf of this Consortium.
4. Any entity or joint agency created or designated by this local workforce development area, including the Workforce Development Board and Administrative Entity, shall be considered a public agency for the purposes of the Local Government Budget and Fiscal Control Act.

ARTICLE VII. ESTABLISHMENT OF A WORKFORCE DEVELOPMENT BOARD

The member units of government agree that the Workforce Development Board shall be established in accordance with Section 107 of the Workforce Innovation and Opportunity Act and applicable State of North Carolina laws including G.S. 143B-438.11.

The Chief Elected Official, as noted in Article III. 4., shall appoint members of the Workforce Development Board from among persons nominated in accordance with the Workforce Innovation and Opportunity Act and the Workforce Development Board Executive committee. Nominations for membership on of the Workforce Development Board shall be solicited from organizations and public sector agencies, in accordance with the Workforce Innovation and Opportunity Act; and in consultation with the Chief Elected Officials.

ARTICLE VIII. APPOINTMENT OF PERSONNEL

Appointment of personnel shall be as described in the Guilford Workforce Development Board/Chief Elected Official Agreement.

ARTICLE IX. REAL PROPERTY, EQUIPMENT AND SUPPLIES

The Guilford Workforce Development Consortium will follow all Workforce Innovation and Opportunity Act requirements governing the title, use and disposition of real property, equipment and supplies purchased with federal funds,

ARTICLE X. AMENDMENTS

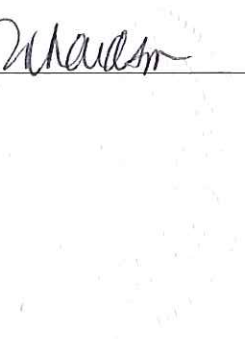
The agreement may be amended at any time upon the consent of all of the parties as evidenced by resolution of the governing bodies of each member government and as approved by the State.

ARTICLE XI. TERMINATION

The parties to this agreement may request termination at any time upon six months prior written notice, such termination to be effective when the Governor considers local Workforce Development Area re-designations or at the end of the then current grant administration agreement program year.

In Witness Whereof, the parties hereto have caused this be properly executed by the respective authorized officials, and this Agreement is executed in triplicate.

City of Greensboro


Ed. Williams
ATTEST

Nancy B. Vaughan
Nancy B. Vaughan, Mayor
City of Greensboro

8-28-15
Date

City of High Point

John D. Verling
ATTEST



William S. Bencini, Jr.
William S. Bencini, Jr., Mayor
City of High Point

8/27/2015
Date

County of Guilford


Robert R. Kelly
ATTEST

Hank Henning, Chairman
Guilford County Board of Commissioners

Paul J. [Signature]
Date

9-4-15

CITY OF HIGH POINT

AGENDA ITEM

**Title: Reappointments – Parks & Recreation Commission**

From: Lisa Vierling, City Clerk

Meeting Date: August 17, 2015

Public Hearing: N/A

**Advertising Date /
Advertised By:**

Attachments:

PURPOSE:

To reappoint Gary Ollis (Ward 5) and Brian Petty (Ward 6) to the Parks & Recreation Commission.

BACKGROUND:

Gary Ollis and Brian Petty are both eligible for reappointment to the Parks & Recreation Commission. Reappointments are effective immediately and will expire July 1, 2018.

BUDGET IMPACT:

N/A

RECOMMENDATION / ACTION REQUESTED:

Council is requested to confirm the reappointments of Gary Ollis and Brian Petty to the Parks & Recreation Commission. Reappointments are effective immediately and will expire July 1, 2018.

**ORDINANCE AMENDING TITLE 12 – OFFENSES – CHAPTER 2. ANIMALS –
ARTICLE B. DOGS – SECTION 12-2-18 TETHERING OF DOGS PROHIBITED.**

An amendment affecting the tethering of dogs through the addition of Section 12-2-18 *Tethering of Dogs Prohibited* addressing the standards in which dogs may be tethered within the City of High Point.

SECTION 1.

Section 12-2-18 is hereby amended with the addition of the following language:

Tethering of Dogs Prohibited

It shall be unlawful for any person to restrain a dog using a chain, wire or other type of tethering device in a manner prohibited by this subsection.

- (a) No person shall tether, fasten, chain, tie, or restrain a dog, or cause such restraining of a dog, to a tree, fence, post, dog house, or other stationary object. During periods of tethering that are lawful under this subsection, any tethering device used shall be at least ten (10) feet in length and attached in such a manner as to prevent strangulation or other injury to the dog or entanglement with objects.
- (b) No person shall tether, fasten, chain, tie, or restrain a dog, or cause such restraining of a dog, to a cable trolley system that allows movement of the restraining device. During periods of tethering that are lawful under this subsection, the length of the cable along which the tethering device can move must be at least ten (10) feet, and the tethering device must be of such length that the dog is able to move ten (10) feet away from the cable perpendicularly and attached in such a manner as to prevent strangulation or other injury to the dog and entanglement with objects. During periods of lawful tethering under this subsection, tethers must be made of rope, twine, cord, or similar material with a swivel on one end or must be made of a chain that is at least ten (10) feet in length with swivels on both ends and which does not exceed ten (10) percent of the dogs body weight. All collars or harnesses used for the purpose of the lawful tethering of a dog must be made of nylon or leather.
- (c) No person shall tether a dog with a chain or wire or other device to, or cause such attachment to, any collar other than a buckle type collar or body harness.
- (d) No person shall tether with a chain or a wire or other device to, or cause such attachment to, a head harness, choke-type collar or pronged collar to a dog.
- (e) No person shall tether with a chain, wire, or other device to a dog where the weight of the tethering device and the collar combined exceeds ten (10) percent of the dog's body weight.

- (f) No person shall tether with a chain, wire, or other device, a dog in such a manner that does not allow the dog access to adequate food, water and shelter.
- (g) No person shall tether a sick, diseased, and/or injured dog, or puppy (a dog that is one year of age or younger).
- (h) Notwithstanding the provisions of this subsection, a person may, subject to the following provisions, and subject to the requirement that any stationary tethering device used shall be at least ten (10) feet in length, and subject to the requirements for any cable trolley system used where the length of the cable along which the tethering device can move must be at least ten (10) feet, and the tethering device must be of such length that the dog is able to move ten (10) feet away from the cable perpendicularly, may:

(1) Tether and restrain a dog while actively engaging in:

- (i) usage of the dog in shepherding or herding livestock, or
- (ii) use of the dog in the business of cultivating agricultural products, if the restraining is reasonably necessary for the safety of the dog, or
- (iii) use of the dog in lawful hunting activities if the restraint is reasonably necessary for the safety of the dog, or
- (iv) use of the dog at a dog training or performance events, including but not limited to, the field trials and obedience trials where tethering does not occur for a period exceeding seven (7) consecutive days, or
- (v) camping or other recreational activities where tethering is required by the camping or recreational area where the dog is located.

(2) Tether and restrain a dog during any lawful activity where a tethered dog is in visual range of its owner or keeper, and the owner or keeper is located outside with the dog. After taking possession of a dog that appears to be a stray dog and after having advised animal control authorities of the capture of the dog, tether and restrain the dog in accordance with the provisions of this subsection for a period not to exceed seven (7) days as the person having taken possession of the dog is seeking the identity of the dog.

(3) Tether while walking a dog with a handheld leash.

- (i) An owner that is found in violation of the regulations described in section 12-2-18 shall be subject to the following fees:

- (1) 1st offense: Subject to citation and \$100.00 fee (if the dog is not spayed or neutered, the fee may be voided in lieu of the owner having the pet spayed or neutered by a veterinarian and providing to the animal control officer documented proof of such within 14 days).

2nd offense: Subject to citation and \$250.00 fee.

3rd and subsequent offenses: Subject to a class 3 misdemeanor and fine of up to \$500.00.

- (2) The procedures set forth in this chapter shall be in addition to any other remedies that may now or hereafter exist under law and shall not prevent the city from proceeding in a criminal action against any person, firm or corporation violating the provisions of this chapter.

SECTION 2.

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 3.

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

SECTION 4.

This ordinance shall become effective upon adoption.

Adopted by the High Point City Council this 17th day of August, 2015.

Lisa B. Vierling, City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Wharton-Smith, Inc
Eastside Wastewater Treatment Plant
Solids Handling Improvements

From: Terry Houk – Public Services Director
Carol McDowell – Asst. Public Services Director

Meeting Date: August 17, 2015

Public Hearing: N/A

Advertising Date: N/A

Advertised By: N/A

Attachments: Attachment A – Change Order Documents

PURPOSE:

The City budgeted for the replacement and installation of the existing Solids Handling Equipment at the Eastside Wastewater Treatment Plant. This change order is for revisions required to the project.

BACKGROUND:

The work for the Solids Handling Improvement began in April of 2015. Some varying field conditions have led to changes in the scope of work for the Contractor. A full detail of the changes are listed in the attached documentation. A short summary of the modifications included in this change order are as follows:

Temporary power for an eyewash (tempered water heater) and a sludge flow meter in the Solids Processing Building; Asbestos study required to obtain a demolition permit; Additional repairs required for the heat exchanger; Removal and disposal of incinerator sand; Removal of concrete below the existing 8” slab; Addition of drains in Solids Building floor slab

BUDGET IMPACT:

Funds for this project are in the following account: 421779-533701-421111025205-40201

RECOMMENDATION / ACTION REQUESTED:

The Public Services Department requests that City Council approve the contract in the amount of \$94,899.68 and authorize the appropriate City Official to execute all necessary documents.

Change Order

No. 1

Date of Issuance: August 6, 2015

Effective Date: August 18, 2015

Project: Eastside WWTP Solids Handling Improvements	Owner: City of High Point	Owner's Contract No.: Bid No. 13-121014
Contract: Eastside WWTP Solids Handling Improvements	Date of Contract: January 29, 2015	
Contractor: Wharton-Smith, Inc.	Engineer's Project No.: 3460-014	

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

For work described on page 3 and in attached documents.

Attachments (list documents supporting change):

RFP/WCD No. 1 with W-S WCP # 02; RFP/WCD No. 2 with W-S WCP # 01; RFP/WCD No. 3 with W-S WCP # 06; W-S WCP # 03; FO No. 1 with W-S WCP 07; and RFI 18 with WCP 09.

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$ 8,847,850.00

Amount from previously approved
Change Orders No. 0 to No. 1:

\$ 0

Contract Price prior to this Change Order:

\$ 8,847,850.00

Increase of this Change Order:

\$ 94,899.68

Contract Price incorporating this Change

\$ 8,942,749.68

CHANGE IN CONTRACT TIMES:

Original Contract Times: ☐ Working ☒ Calendar days

Substantial completion (days or date): February 25, 2016

Ready for final payment (days or date): March 26, 2016

Days from previously approved Change Orders
No. 0 to No. 1:

Substantial completion (days): 0

Ready for final payment (days): 0

Contract Times prior to this Change Order:

Substantial completion (days or date): February 25, 2016

Ready for final payment (days or date): March 26, 2016

Increase of this Change Order:

Substantial completion (days or date): 14

Ready for final payment (days or date): 14

Contract Times with all approved Change Orders:

Substantial completion (days or date): March 10, 2016

Ready for final payment (days or date): April 9, 2016

RECOMMENDED:

ACCEPTED:

ACCEPTED:

By: _____
Hazen & Sawyer

By: _____
City of High Point (Authorized Signature)

By: _____
City of High Point - Finance

Date: _____

Date: _____

Date: _____

ACCEPTED by CONTRACTOR:

Wharton-Smith, Inc.

By: _____
Contractor (Authorized Signature)

Company Seal

Date: _____

CITY OF HIGH POINT

AGENDA ITEM

**Title: Authorize Installment Financing Contract for Data Gravity IT Equipment****From:** Jeffrey A Moore, Financial Services Director**Meeting Date:** August 17, 2015**Public Hearing:** No**Advertising Date /** N/A**Advertised By:****Attachments:** Resolution Approving Financing Terms
Budget Ordinance Amendment

PURPOSE:

The Financial Services Department recommends that City Council authorize the issuance of an installment financing contract for the identified Data Gravity IT electronic media storage equipment.

BACKGROUND:

The issuance of any debt obligation (bonds, notes, financing agreements, and leases) of the City requires the authorization of the City Council. The issuance of an installment financing contract (also sometimes known as a capital or financing lease) is authorized by G.S. 160A-20.

The Information Technology Services Department has identified a need for additional required electronic media storage equipment (Data Gravity storage devices) for the City and wanted to spread the costs of that equipment over the next three years. VeriStor Capital LLC responded by offering a 36 month lease at 0.00% interest.

The equipment costs are being financed through the installment financing contract.

BUDGET IMPACT:

The Information Technology Services Department budget has the funds needed to provide the monthly debt service of \$4,340 for the current fiscal year. The monthly payments (\$52,080.00 annually) will be included in the annual budget for the ITS Department through August 2018.

RECOMMENDATION / ACTIONS REQUESTED:

1. City Council is requested to approve the attached "Resolution Approving Financing Terms" for an installment financing contract with VeriStor Capital, LLC.
2. Adoption of Budget Ordinance providing for the Financing Agreement.

Resolution Approving Financing Terms

WHEREAS: The City of High Point (“City”) has previously determined to undertake a project to meet the essential electronic storage requirements of the City (the “Project”), and the Financial Services Director has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The City hereby determines to finance the Project through VeriStor Capital LLC, in accordance with the proposal dated July 29, 2015. The amount financed shall not exceed \$156,240.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 0.00%, and the financing term shall not exceed 36 months from closing.

2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Master Lease Agreement and such Supplemental Agreement as VeriStor Capital, LLC may request.

3. The Financial Services Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Financial Services Director is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Financial Services Director shall approve, with the Financial Services Director's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as “qualified tax-exempt obligations” for the purpose of Internal Revenue Code 265(b)(3).

5. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 17th day of August, 2015

Lisa B. Vierling, City Clerk

William S. Bencini, Jr., Mayor

SEAL

"AN ORDINANCE AMENDING THE 2015-2016 BUDGET ORDINANCE
OF THE CITY OF HIGH POINT, NORTH CAROLINA
FOR DATA GRAVITY STORAGE DEVICE LEASE PURCHASE

Be it ordained by the City Council of the City of High Point, North Carolina, as follows:

Section 1. The City of High Point Information Technology Department needs to purchase additional data storage equipment using a lease-purchase agreement.

Section 2. The 2015-2016 Budget Ordinance of the City of High Point, should be amended as follows:

(A) That the General Fund revenues be amended as follows:

Lease Proceed Revenues	\$156,240
------------------------	-----------

(B) That the General Fund expenditures be amended as follows:

Information Technology Expenditures	\$156,240
-------------------------------------	-----------

Section 3. That all ordinances, or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. That this ordinance shall be effective from and after its passage."

Adopted August 17, 2015

CITY OF HIGH POINT

AGENDA ITEM



Title: Data Gravity Storage Appliance

From: Steve Lingerfelt, Director of Information
Technology Services

Meeting Date: August 17, 2015

Public Hearing: No

**Advertising Date /
Advertised By:**

Attachments: Data Gravity Storage Appliance Quote

PURPOSE:

The City needs to purchase additional data storage for the multiple data applications within the City.

BACKGROUND:

Information Technology Services is recommending the lease/purchase of two (2) Data Gravity storage devices with 96 TB of effective storage. One device will be located at City Hall and the second device at our off site disaster recovery facility. This purchase will allow us to increase performance of the network storage with deduplication and compression technology.

The purchase price of the equipment including installation and support is \$156,240.00. The City is able to lease/purchase the appliances at a cost of \$156,240.00 at 0% interest for a term of 36 months through Veristor Capital, LLC with a \$1 buyout at the end of term.

BUDGET IMPACT:

Funds are included in the 2015-16 budget to cover this purchase.

RECOMMENDATION / ACTION REQUESTED:

The Department of Information Technology Services recommends that City Council approve the contract and authorize the appropriate City official to execute all necessary documents.



**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Information Technology Services**

COUNCIL AGENDA DATE: **Aug 17, 2015**

BID NO.: CONTRACT NO.: **GS-35F-4342D** DATE OPENED:

DESCRIPTION:

Data Gravity Storage Appliance

PURPOSE:

Information Technology Services is recommending the lease/purchase of 2 Data Gravity storage devices with 96 TB of effective storage.

COMMENTS:

Information Technology recommends using the 5S Technology Quote which is much lower than the GSA Contract pricing. Lease purchase financing is available at 0% interest with a yearly payout of \$52,080.00 per year for three years.

RECOMMEND AWARD TO: **5S Technologies** AMOUNT: **\$156,240.00**

JUSTIFICATION:

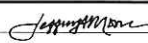
The data storage device and backup software is needed for growth of data storage needs by the City.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
101241	533401			156,240.00
TOTAL BUDGETED AMOUNT				\$156,240.00

DEPARTMENT HEAD: **Steve Lingerfelt** Digitally signed by Steve Lingerfelt
DN: cn=Steve Lingerfelt, o=City of High Point, ou=Information Technology, email=steve.lingerfelt@highpointnc.gov, c=US
Date: 2015.07.08 15:09:48 -0400 DATE: **Aug 6, 2015**

The Purchasing Division concurs with recommendation submitted by the **Information Technology** and recommends award to the lowest responsible, responsive bidder **5S Technologies** in the amount of \$ **156,240.00**.

PURCHASING MANAGER: **Tarinda Chappell** Digitally signed by Tarinda Chappell
DN: cn=Tarinda Chappell, o=City of High Point, ou=Purchasing, email=tarinda.chappell@highpointnc.gov, c=US
Date: 2015.07.08 16:35:58 -0400 DATE: **Aug 6, 2015**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR:  Digitally signed by Jeffrey A. Moore
DN: cn=Jeffrey A. Moore, o=City of High Point, ou=Financial Services Director, email=jmoore@highpointnc.gov, c=US
Date: 2015.08.07 10:04:54 -0400 DATE: **Aug 7, 2015**

CITY MANAGER: **Greg Demko** Digitally signed by Greg Demko
DN: cn=Greg Demko, o=City of High Point, ou=City Manager, email=gdemko@highpointnc.gov, c=US
Date: 2015.08.07 10:37:12 -0400 DATE: **Aug 7, 2015**

CITY OF HIGH POINT

AGENDA ITEM



Title: Ordinance Amending Title 12-2-18 of the High Point City Code

From: Brent L. Cole, Assistant City Attorney

Meeting Date: August 17, 2015

Attachments: Ordinance Amending Section 12-2-18 of the High Point City Code

PURPOSE:

A text amendment to the High Point City Code to add Section 12-2-18 regarding the regulations for tethering of dogs within the City.

BACKGROUND:

The issue of dog tethering within the City of High Point was originally presented to the Community Housing and Neighborhood Development Committee. Staff was directed at the July 20th City Council meeting to prepare language for Council's consideration regarding the prohibition of dog tethering within the City.

BUDGET IMPACT: N/A

RECOMMENDATION / ACTION REQUESTED:

The City Manager's Office and the High Point Police Department have proposed the addition of Section 12-2-18 to the High Point City Code to address the issue of dog tethering. The High Point Police Department will present further information regarding a phasing in of the enforcement of this ordinance over the next eighteen (18) months with organized training and enforcement plans for the residents of the City. Major Larry Casterline of the High Point Police Department has been in discussions with community groups in partnering in this training and will be available to answer questions regarding this structure and application of this ordinance.

**ORDINANCE AMENDING TITLE 12 – OFFENSES – CHAPTER 2. ANIMALS –
ARTICLE B. DOGS – SECTION 12-2-18 TETHERING OF DOGS PROHIBITED.**

An amendment affecting the tethering of dogs through the addition of Section 12-2-18 *Tethering of Dogs Prohibited* addressing the standards in which dogs may be tethered within the City of High Point.

SECTION 1.

Section 12-2-18 is hereby amended with the addition of the following language:

Tethering of Dogs Prohibited

It shall be unlawful for any person to restrain a dog using a chain, wire or other type of tethering device in a manner prohibited by this subsection.

- (a) No person shall tether, fasten, chain, tie, or restrain a dog, or cause such restraining of a dog, to a tree, fence, post, dog house, or other stationary object. During periods of tethering that are lawful under this subsection, any tethering device used shall be at least ten (10) feet in length and attached in such a manner as to prevent strangulation or other injury to the dog or entanglement with objects.**
- (b) No person shall tether, fasten, chain, tie, or restrain a dog, or cause such restraining of a dog, to a cable trolley system that allows movement of the restraining device. During periods of tethering that are lawful under this subsection, the length of the cable along which the tethering device can move must be at least ten (10) feet, and the tethering device must be of such length that the dog is able to move ten (10) feet away from the cable perpendicularly and attached in such a manner as to prevent strangulation or other injury to the dog and entanglement with objects. During periods of lawful tethering under this subsection, tethers must be made of rope, twine, cord, or similar material with a swivel on one end or must be made of a chain that is at least ten (10) feet in length with swivels on both ends and which does not exceed ten (10) percent of the dogs body weight. All collars or harnesses used for the purpose of the lawful tethering of a dog must be made of nylon or leather.**
- (c) No person shall tether a dog with a chain or wire or other device to, or cause such attachment to, any collar other than a buckle type collar or body harness.**
- (d) No person shall tether with a chain or a wire or other device to, or cause such attachment to, a head harness, choke-type collar or pronged collar to a dog.**
- (e) No person shall tether with a chain, wire, or other device to a dog where the weight of the tethering device and the collar combined exceeds ten (10) percent of the dog's body weight.**

- (f) No person shall tether with a chain, wire, or other device, a dog in such a manner that does not allow the dog access to adequate food, water and shelter.
- (g) No person shall tether a sick, diseased, and/or injured dog, or puppy (a dog that is one year of age or younger).
- (h) Notwithstanding the provisions of this subsection, a person may, subject to the following provisions, and subject to the requirement that any stationary tethering device used shall be at least ten (10) feet in length, and subject to the requirements for any cable trolley system used where the length of the cable along which the tethering device can move must be at least ten (10) feet, and the tethering device must be of such length that the dog is able to move ten (10) feet away from the cable perpendicularly, may:

(1) Tether and restrain a dog while actively engaging in:

- (i) usage of the dog in shepherding or herding livestock, or
- (ii) use of the dog in the business of cultivating agricultural products, if the restraining is reasonably necessary for the safety of the dog, or
- (iii) use of the dog in lawful hunting activities if the restraint is reasonably necessary for the safety of the dog, or
- (iv) use of the dog at a dog training or performance events, including but not limited to, the field trials and obedience trials where tethering does not occur for a period exceeding seven (7) consecutive days, or
- (v) camping or other recreational activities where tethering is required by the camping or recreational area where the dog is located.

(2) Tether and restrain a dog during any lawful activity where a tethered dog is in visual range of its owner or keeper, and the owner or keeper is located outside with the dog. After taking possession of a dog that appears to be a stray dog and after having advised animal control authorities of the capture of the dog, tether and restrain the dog in accordance with the provisions of this subsection for a period not to exceed seven (7) days as the person having taken possession of the dog is seeking the identity of the dog.

(3) Tether while walking a dog with a handheld leash.

(i) An owner that is found in violation of the regulations described in section 12-2-18 shall be subject to the following fees:

(1) 1st offense: Subject to citation and \$100.00 fee (if the dog is not spayed or neutered, the fee may be voided in lieu of the owner having the pet spayed or neutered by a veterinarian and providing to the animal control officer documented proof of such within 14 days).

2nd offense: Subject to citation and \$250.00 fee.

3rd and subsequent offenses: Subject to a class 3 misdemeanor and fine of up to \$500.00.

(2) The procedures set forth in this chapter shall be in addition to any other remedies that may now or hereafter exist under law and shall not prevent the city from proceeding in a criminal action against any person, firm or corporation violating the provisions of this chapter.

SECTION 2.

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 3.

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

SECTION 4.

This ordinance shall become effective upon adoption.

About High Point Police Animal Control

The mission of High Point Police Animal Control is to protect humans against rabies and ensure the well-being of the animal population within the City of High Point. It is the responsibility of this unit to enforce all state laws and city ordinances pertaining to animals.

Some of the situations our officers respond to:

- Rabies Exposures
- Abandoned Animals
- Sick/Stray Animals
- Animal Bite Investigations
- Nuisance Investigations
- Dangerous/Vicious Animals
- Animal Cruelty/Neglect



HIGH POINT POLICE DEPARTMENT ANIMAL CONTROL

Unattended Tethering/Chaining of Dogs
Prohibited within the City of High Point

Q & A

QUESTIONS AND ANSWERS

City of High Point and the High Point Police Department Animal Control would like High Point residents to be aware of a new animal ordinance prohibiting the unattended tethering/chaining of dogs within the city limits of High Point effective

November 1, 2015 (*insert actual date when adopted*)

For more information on

Unattended Tethering/Chaining

contact:

High Point Police Department
Animal Control

<http://www.highpointnc.gov/police/>

1009 Leonard Av
High Point, NC 27260
336-883-3224



Q & A

QUESTIONS AND ANSWER

The High Point City Council approved an animal ordinance that prohibits the unattended tethering/chaining of dogs within the city limits of High Point effective November 1, 2015 (*insert actual date when adopted*). Residents have 12 months from the effective date to come into compliance with the ordinance. Unattended tethering is **PROHIBITED** within the city limits of High Point and all city owned property.

What is unattended tethering/chaining?

The practice includes the use of a rope, chain or the like to tie, fasten, or otherwise restrain a dog to a stationary object such as a tree, fence, ground stake, house or trolley system etc. for the purpose of confining or keeping the dog under control.

Is walking your dog on a leash considered tethering?

The practice of walking a dog on a hand held leash is not considered tethering and is actually encouraged.

Is it OK to be outside with my dog while it is tethered?

Yes. Attended tethering/chaining is legal within the city limits of High Point.

What are the reasons for the new ordinance?

This ordinance will improve public safety issues, reduce unwanted litters of puppies, provide increased safety and humane treatment of dogs and reduce accidental choking of dogs as a result of unattended tethering.

How much time do people who currently tether/chain their dogs have to make the change?

From November 1, 2015 to November 1, 2016 (*insert actual date when adopted*): one year education and outreach program;
November 1, 2016 until May 1, 2017 (*insert actual date when adopted*): six month written warning for lack of compliance;
May 1, 2017 (*insert actual date when adopted*): full enforcement begins.

What are the alternatives to unattended tethering/chaining?

Train your dog to be an inside dog, install a dog pen/run outside of your home, build a fence around the perimeter of your yard and/or remain outside with your dog when it is being tethered/chained.

How does the adoption of this ordinance affect city resources?

Other jurisdictions have shown that tethering/chaining restrictions:
Decrease the number of reported dog bites.
Reduce unwanted litters of puppies.
Reduce cruelty cases.

PUBLIC EDUCATION INFORMATION related to UNATTENDED TETHERING of DOGS WITHIN the CITY LIMITS of HIGH POINT, NC (DRAFT)

What is Tethering?

The practice includes the use of a rope, chain or the like to tie, fasten, or otherwise restrain a dog to a stationary object such as a tree, fence, ground stake, house or trolley system etc. for the purpose of confining or keeping the dog under control. The practice of walking a dog on a leash is not considered tethering.

Tethering Related Issues:

- A dog that is continually tethered lacks adequate socialization, training and exercise.
- This can contribute to dangerous aggressive behaviors as well as nuisance barking behaviors.

Centers for Disease Control (CDC):

- Chained dogs 2.8 times more likely to bite
- Dogs most likely to bite are male, unneutered, and chained
- Victims are most often children –small and weak targets

American Veterinary Medical Association (AVMA):

- *"Never tether or chain your dog because this can contribute to aggressive behavior."*

American Humane Association (AHA):

- *"Tethering or chaining dogs makes them feel vulnerable and increases their aggression."*
"Dogs naturally feel protective of their territory. When confronted with a perceived threat, they respond according to their fight-or-flight instinct. A chained dog, unable to take flight, often feels forced to fight. Dogs shouldn't be allowed to run loose either. Dogs should be socialized and kept inside the home or in a fenced yard." – unchainyourdog.org
- *"Tethered dogs are often frustrated, frightened, or easily agitated, therefore it is not surprising when they attack and bite"*

The reason is logical: dogs are social animals with a biological need for companionship, usually supplied by a human family. On a tether constantly, social contact from dogs and humans is withheld, sensory deprivation becomes the norm, and boredom, frustration, anxiety, agitation, and aggression follow in rapid succession.

Dogs who are adequately socialized with humans and other animals and who are properly restrained by the use of fences and runs when they are outdoors are less of a threat to family members, passersby, law enforcement officers, public utility inspectors, telephone/cable repair persons, postal delivery persons, and other visitors. The result will be a safer neighborhood." – NM DPS Tethering Study

Many dogs that are perpetually tethered do not receive basic care and are more susceptible to injury and disease.

Definition of perpetual:

Perpetual, as it applies to this ordinance, is defined as when an animal is on a chain as its primary method of confinement and typically never taken off the chain.

The United States Department of Agriculture (USDA):

"Our experience in enforcing the Animal Welfare Act has led us to conclude that continuous confinement of dogs by a tether is inhumane. A tether significantly restricts a dog's movement. A tether can also become tangled around or hooked on the dog's shelter structure or other objects, further restricting the dog's movement and potentially causing injury."

Evidence of cruel treatment and neglect involving continuously tethered dogs commonly encountered by Animal Care and Control and Veterinary professionals include:

- Severe injuries sustained by collars and chains that have become in-grown or embedded into the neck of the dog as well as entanglement in chains and cables and sometimes death, as a result of hanging, or by jumping over a nearby object.
- Attack by other animals and exposure to diseases such as rabies through contact with wild animals.
- Adverse effects due to prolonged exposure to extreme heat or cold. Dogs on a tether are restricted to a limited space and are often without shelter or shade that adequately protects them from the elements.
- Malnourishment and unsanitary conditions. Dogs continually tethered often lack regular access to food and/or fresh water and live in unsanitary conditions as their space is restricted and they are forced to eat, sleep and eliminate in the same small space.

Tethering regulations in several NC communities involve either a total ban on the practice, or permitting the practice only a few hours per day. Almost all of these communities have provided specific exceptions to the ban for particular lawful activities during which the tethering a dog would be temporary and reasonable.

Proposed Tethering Regulation:

Tethering dogs prohibited, except as follows:

- While a dog is actively engaged in shepherding or herding livestock.
- Use of the dog in the business of cultivating agricultural products, if the restraining is reasonably necessary for the safety of the dog.
- During lawful hunting activities, if reasonably necessary for the safety of the dog.
- During a lawful animal event (such as a show or sporting event and tethering does not exceed seven consecutive days).
- When meeting the requirements of a camping or recreation facility.
- When the animal's caretaker is outside and within eyesight of the animal.
- After taking possession of a dog that appears to be a stray dog and after having advised animal control authorities of the stray.
- Walking the dog on a handheld leash

Implementation of tethering regulation:

- An 18 month period of staged education and outreach prior to full enforcement
- Compliance is the goal, not relinquishment of the dog. A lengthy implementation period will support this goal.

PHASE I:

- One year public information campaign
- Inform residents of the new ordinance
- Provide information and resources to assist with transition to an alternative method of confinement.

PHASE II:

- Six-Month period during which Animal Control Officers will begin issuing written warnings to dog owners they encounter that are not in compliance, along with information about the ordinance changes and resources for confinement other than tethering.
- Animal Control officers will also follow up with owners encountered during Phase I to ensure compliance and provide a written warning to those still not in compliance. Dog owners will be given until end of Phase II, or thirty (30) days, whichever is greater, to comply.

PHASE III:

- Full enforcement begins.
- Animal Control Officers will follow up with dog owners who previously received written warnings. If the owner is found to still not be in compliance, the animal control officer would be able (discretionary) to issue a citation.

Violations addressed progressively as follows:

- 1st offense: Written Warning.
- 2nd offense: Subject to citation and \$100.00 fee (if the dog is not spayed or neutered, the fee may be voided in lieu of the owner having the pet spayed or neutered by a veterinarian and providing to the animal control officer documented proof of such within 14 days.)
- 3rd offense: Subject to citation and \$250.00 fee.
- 4th and subsequent offenses: Subject to a class 3 misdemeanor and fine of up to \$500.00.

****** It should be noted that the longer the implementation period, the more time it allows for mitigating any negative impacts to the intake at the Animal Shelter. It is also important to remember that many of the people that will be affected do not have the resources or extra money to build a fence and that those people will need extra time to make arrangements or to be guided to available resources.*

Enforcement:

Enforcement of this ordinance will be complaint driven unless officers encounter tethered animals during the course of their normal duties.

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Case 15-12 (James Edward Potts)

From: Lee Burnette, Planning & Development
Director

Meeting Date: August 17, 2015

Public Hearing: Yes

Advertising Date: August 5 & 12, 2015

Advertised By: Planning & Development

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

PURPOSE:

A request by James Edward Potts to rezone an approximately 0.46-acre parcel from the Residential Single Family-12 (RS-12) District to the Limited Office (LO) District. The site is lying along the west side of Eastchester Drive, approximately 265 feet south of W. Hartley Drive (809 Eastchester Drive).

BACKGROUND:

Staff report and the Planning & Zoning Commission's recommendation is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. On July 28, 2015, a public hearing was held before the Planning and Zoning Commission regarding-Zoning Case 15-12. The Planning & Zoning Commission recommended approval of Zoning Case 15-12 by a vote of 7-0.
- B. Staff recommends **approval** of Zoning Case 15-12 as outlined in the attached staff report.

PLANNING AND ZONING COMMISSION RECOMMENDATION

James Edward Potts

Zoning Case 15-12

At its July 28, 2015 public hearing, the Planning and Zoning Commission reviewed a request to rezone an approximate 0.46-acre parcel from the Residential Single Family-12 (RS-12) District to the Limited Office (LO) District. All members of the Commission were present, except for Mr. Andrew Putnam. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

The applicant's representative, Mr. Marcus Benning, a summer associate with Smith-Moore-Leatherwood LLP, 300 N Greene Street, Greensboro, spoke in favor of the request. Mr. Benning noted that the zoning site is located on one of the busiest thoroughfares in High Point and that most of the former single-family homes in the area have been razed and redeveloped with a commercial use, or converted to an office use. He stated that the applicant intends to convert the existing single family home to an office use and parking will be provided for three or four employees, which will have little to no impact on the traffic in the area.

No one spoke in opposition of the request.

The Planning & Zoning Commission recommended approval of Zoning Case 15-12, as recommended by staff, by a vote of 7-0.

Upon making its recommendation, the Planning & Zoning Commission stated that its approval of Zoning Case 15-12 would be consistent with the City's adopted plans. Additionally, the Commission concurred with the staff report and found its approval recommendation reasonable and in the public interest because: 1) The requested LO District is not in conflict with the Land Use Map, goals and objectives of the Land Use Plan or the Eastchester Corridor Plan; and 2) The allowance of limited non-residential uses, as allowed by the LO District, is an appropriate interim use of the site until such time the area is more ripe for higher intensity commercial development.

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

**STAFF REPORT
ZONING CASE 15-12
July 28, 2015**

Request	
Applicant: James Edward Potts	Owner: James Edward Potts
Zoning Proposal: To rezone an approximately 0.4-acre parcel	From: RS-12 Residential Single Family-12 District
	To: LO Limited Office District

Site Information	
Location:	Lying along the west side of Eastchester Drive approximately 265 feet south of E. Hartley Drive (809 Eastchester Drive)
Tax Parcel Numbers:	Guilford County Tax Parcel 0199677
Site Acreage:	Approximately 0.4 acre
Current Land Use:	Single family dwelling
Physical Characteristics:	The site has a moderately sloping terrain with no noteworthy features. Abutting parcels to the north and northwest are impacted by a 100-year flood plain associated with an adjacent perennial stream.
Water and Sewer Proximity:	Both a 16-inch City water line and an 8-inch City sanitary sewer line lie adjacent to the site along Eastchester Drive.
General Drainage and Watershed:	The site drains in a northerly direction and development is subject to the Oak Hollow Lake Watershed Critical Area requirements. Engineered storm water treatment measures are required for multi-family and nonresidential development with a total impervious surface area greater than 24% of the site, and for single family developments with a gross density of two (2) units per acre or more.
Overlay District(s):	Eastchester Scenic Corridor Overlay District Oak Hollow Lake Watershed Critical Area; Tier 4.

Adjacent Property Zoning and Current Land Use			
North:	RS-12	Residential Single Family-12 District	Undeveloped
South:	LO	Limited Office District	Office Use
East:	RS-12	Residential Single Family-12 District	Undeveloped
West:	RS-12	Residential Single Family-12 District	Single family dwelling

Relevant Land Use Policies and Related Zoning History	
Land Use Plan Map Classification:	The site has a Community/Regional Commercial land use designation. This 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:	This request is neither in conflict with the Land Use Plan's goals and objectives nor does it promote those goals and objectives.
Relevant Area Plan:	Eastchester Drive Corridor Plan – Phase I This plan, adopted in 1994, changed the land use designation for this site from Office to Community/Regional Commercial in anticipation of potential demand for additional commercial land near the mall, which had recently been proposed at that time. The zoning site was part of a larger 43-acre area recommended for large-scale commercial development that could be built without direct access to Eastchester Drive over the long term.
Community Growth Vision Statement	This request is not in conflict with the Community Growth Vision Statement's goals and objectives nor does it specifically promote those goals and objectives.
Zoning History:	There have been no recent zoning activities in this area. In 2000, the zoning site was part of a larger 43-acre area, lying north of Eastchester Drive and west of E. Hartley Drive, that was rezoned to a Conditional Use Shopping Center (CU-SC) District to facilitate the development of a proposed large retail use. This project never came to fruition and in 2007, the area was rezoned back to a RS-12 District so this residential neighborhood would have zoning that matched its use; to permit full use of the residential properties including building additions; and to eliminate concerns owners had that their property would be taxed at a commercial rate.

Transportation Information			
Adjacent Streets:	Name		Approx. Frontage
	Eastchester Drive		Major Thoroughfare
Vehicular Access:	Eastchester Drive (public street)		
Traffic Counts: (Average Daily Trips)	Eastchester Drive		24,000 ADT (NC DOT 2013 traffic count)
Estimated Trip Generation:	No information		
Traffic Impact Analysis:	Required		Comment
	<u>Yes</u>	<u>No</u> X	None
Pedestrian Access:	None		

School District Comment
Not applicable to this zoning case.

Details of Proposal

The zoning site consists of a 0.4-acre parcel lying along the Eastchester Scenic Corridor. There is an existing split-level single family dwelling on the property that has been used as a residence. The owner desires to convert the existing residential dwelling into an office for his insurance business, thus he has requested rezoning of this parcel from a Residential Single Family-12 (RS-12) District to a Limited Office (LO) District.

Much of this segment of the Eastchester Scenic Corridor, from N. Main Street to E. Hartley Drive, has been developed or redeveloped with nonresidential land uses including various commercial/retail and office uses, and automotive dealerships. This block, containing this site, primarily consists of residential and institutional (church) uses or undeveloped parcels. Adopted Plans (Land Use Plan and Eastchester Scenic Corridor Plan) designate this site, along with the rest of the 43 acres lying north of Eastchester Drive and west of E. Hartley Drive, for larger scale commercial uses intended to serve the entire community and nearby regional customers. Along with complying with the higher design standards of the Eastchester Scenic Corridor, these plans suggest that new development should consist of larger sites (minimum 3 acres) with no direct access from Eastchester Drive.

The request to convert the existing single family dwelling to an office use would be an interim reuse of this structure until such time as the area is ripe for higher intensity commercial development.

Consistency with Adopted Plans:

The proposed 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:

- ❖ The current Community/Regional Commercial land use designation was established for this area, north of Eastchester Drive and west of E. Hartley Drive, due to anticipated demand for larger size commercial sites near the mall. The long-term viability of the existing single family dwellings fronting along this portion of a major thoroughfare is no longer practical, and the proposed office use is a reasonable interim reuse of the land until such time as higher intensity non-residential uses, utilizing the entire block, materialize.
- ❖ The requested LO District is primarily intended to accommodate low intensity office uses on small to mid-sized sites near residential areas. The proposed reuse of the existing single family dwelling for an office use will have minimal traffic impact as trips to and from the site are expected to be similar to that of a residential use. This is consistent with the policies and goals expressed in the Corridor Plan to have minimal traffic impacts directly on Eastchester Drive.

Reasonableness/Public Interest:

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

Staff Comments:

In this case, staff suggests that the approval of this request is reasonable and in the public interest because: 1) The requested LO District is not in conflict with the Land Use Map, goals and

objectives of the Land Use Plan or the Eastchester Corridor Plan; and 2) The allowance of limited non-residential uses, as allowed by the LO District, is an appropriate interim use of the site until such time the area is more ripe for higher intensity commercial development.

Recommendation

Staff Recommends Approval:

The Planning & Development Department recommends approval of the request to rezone this 0.46 acre parcel to the Limited Office (LO) District. The requested LO District will be compatible with the surrounding area and in conformance with adopted plans.

Required Action

Planning and Zoning Commission:

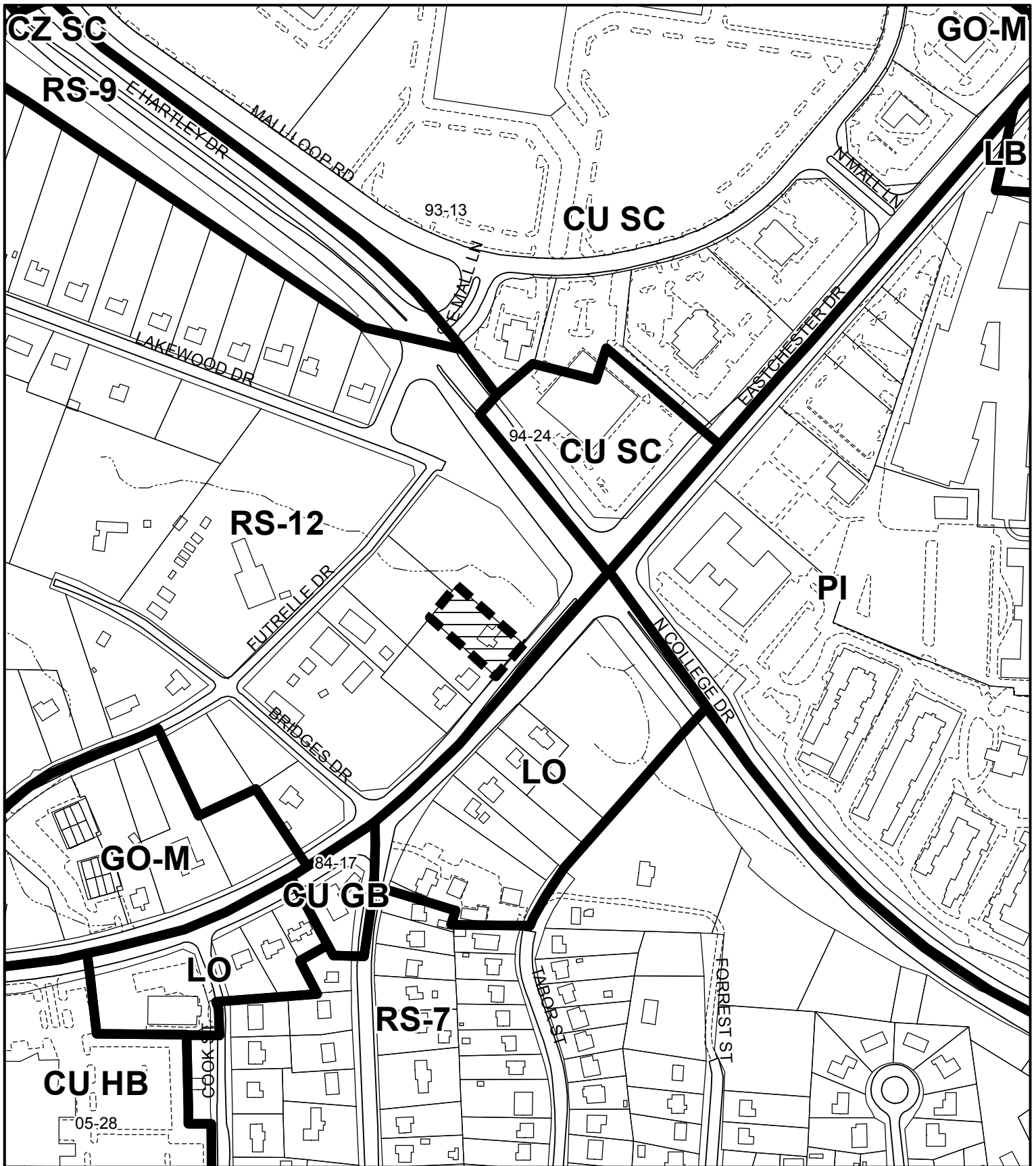
The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting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

City Council:

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

Report Preparation

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



ZONING CASE 15-12

From: Residential Single Family-12
To: Limited Office

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

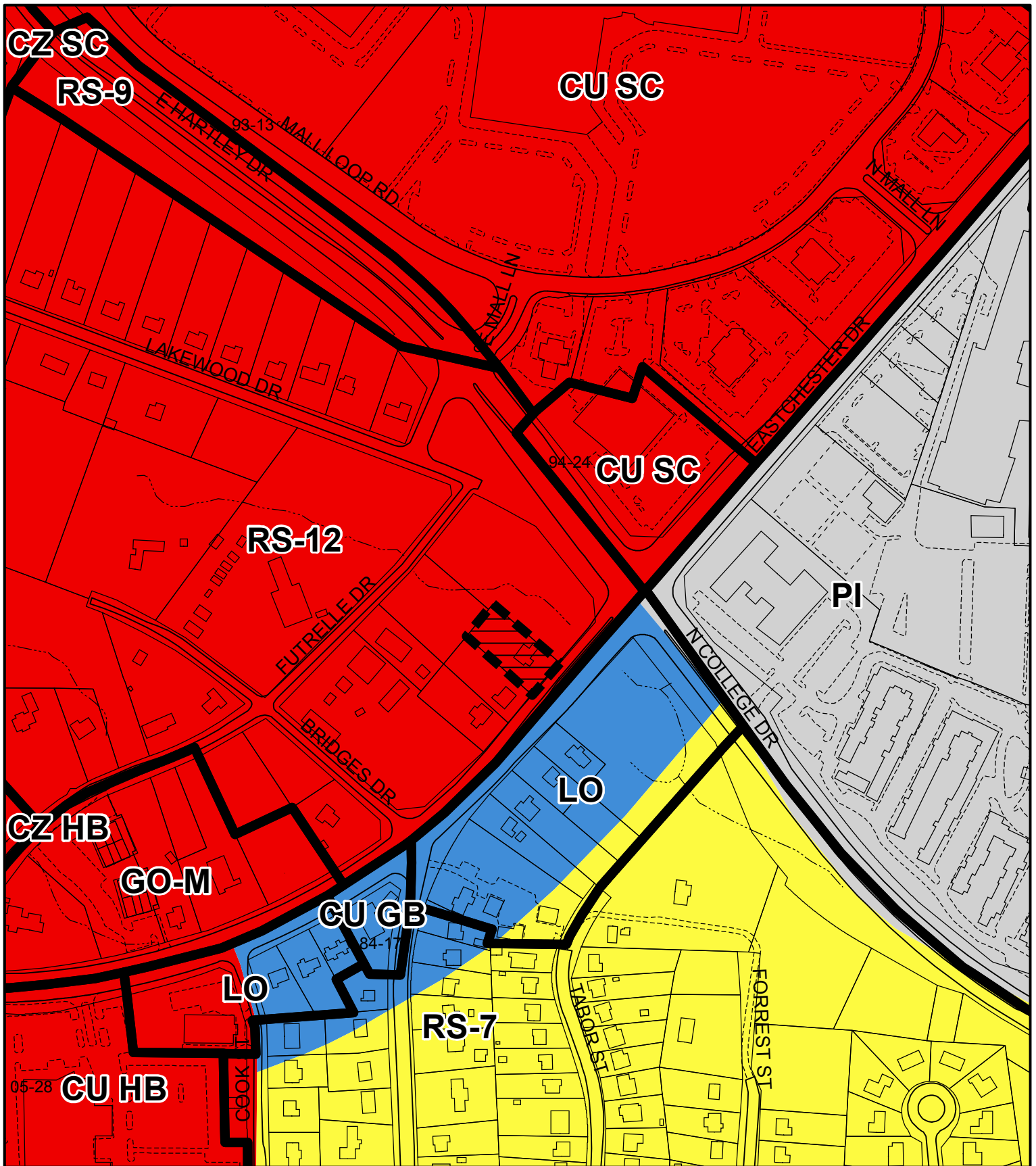
**Planning & Development
 Department**

City of High Point

Date: July 10, 2015



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 2015/pz/215-11.mxd



ZONING CASE 15-12

Lnad Use Plan

- | | |
|--|---|
| Low-Density Residential | Community/Regional Commercial |
| Office | Institutional |

Planning & Development
Department

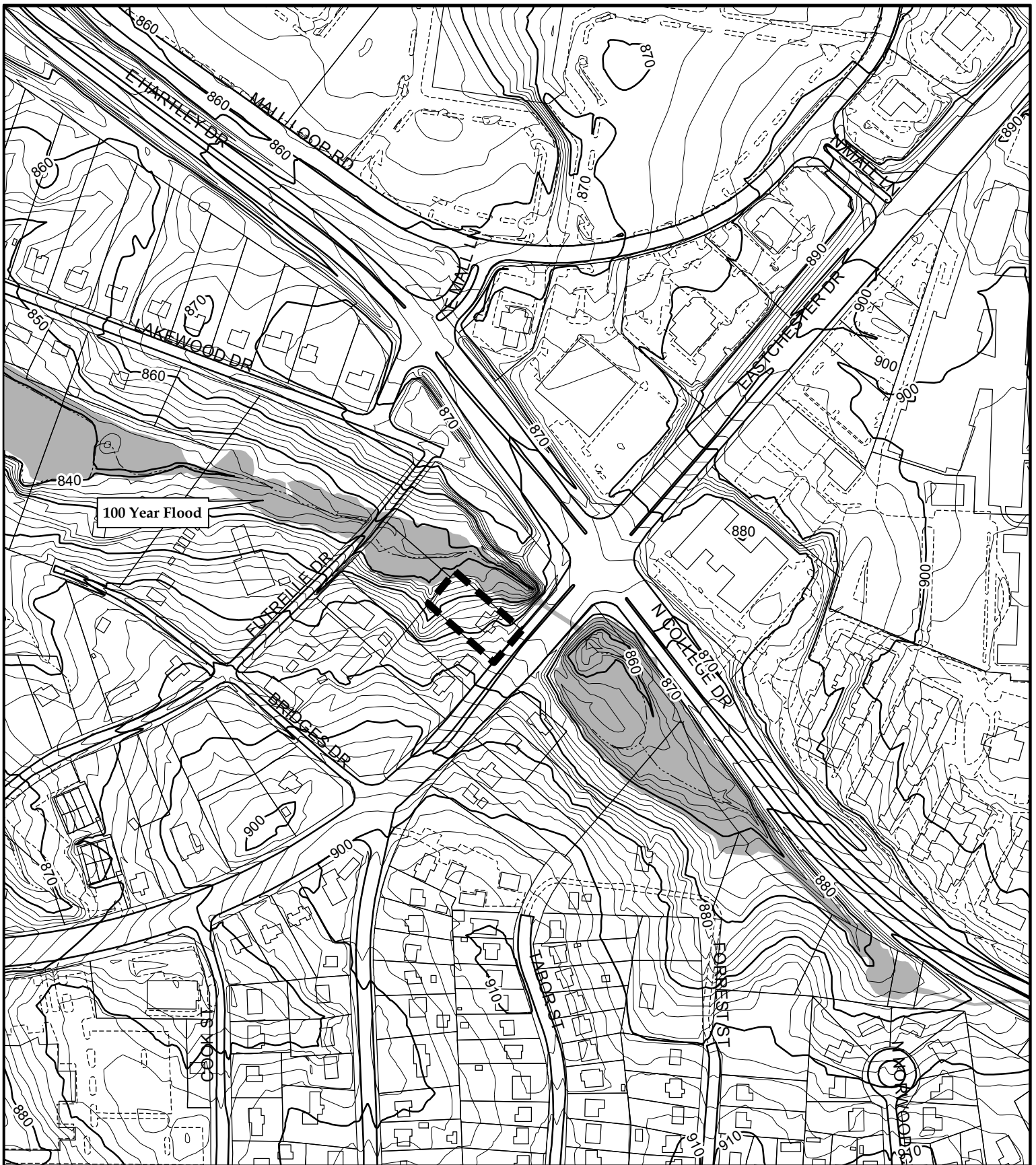
City of High Point

Date: July 28, 2015



Scale: 1"=300'

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2015\pz\z15-12clu.mxd



ZONING CASE 15-12

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: July 28, 2015



Scale: 1"=300'

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2015\pz\z15-12topo.mxd

ZONING CASE 15-12



Citizens Information Meeting Report

Zoning Case 15-12

Submitted by: Thomas E. Terrell, Jr. on behalf
of James Edward Potts

Report of Neighborhood Communication

**Submitted by
Thomas E. Terrell, Jr.**

On July 17, 2015, the letter attached as Exhibit A was mailed to all of the adjoining owners listed on Exhibit B.

Because (1) this property is one of the last residential properties in the area to be rezoned for a non-residential use; and (2) many of the nearby uses are zoned and used for much more intensive uses, it was felt by the applicant that conducting a meeting was not necessary and that a direct communication by letter would be reasonable and sufficient.

As of July 22, no one had called the applicant or the applicant's attorney seeking information or requesting to meet.

EXHIBIT A

July 17, 2015

Benjamin and Betty Hawkes
2414 Sandy Court
Kernersville NC 27284

Dear Mr. and Ms. Hawkes:

I represent James Potts, who owns the house at 809 Eastchester Drive and that adjoins property you own. Mr. Potts has asked the City of High Point to rezone his property from a residential zoning district to Limited Office (LO) zoning so that he can make substantial improvements to the home and convert it to an insurance office.

The High Point Planning and Zoning Commission will hear the request at 6:00 p.m. on July 28th in the City Council Chambers at 211 South Hamilton Street. There will be a time when you can speak, if you wish.

If you have any questions about Mr. Potts' plans, please do not hesitate to call me. My direct office number is 336-378-5412, and my cell phone is 336-847-2000. Oftentimes a rezoning applicant will hold a neighborhood meeting, but because this request is much less intense than some of the nearby uses I thought that a letter of explanation would suffice. If you would like for Mr. Potts or me to meet with you personally to discuss this request, we are pleased to do so.

Attached are a map and an aerial that show the location of the property.

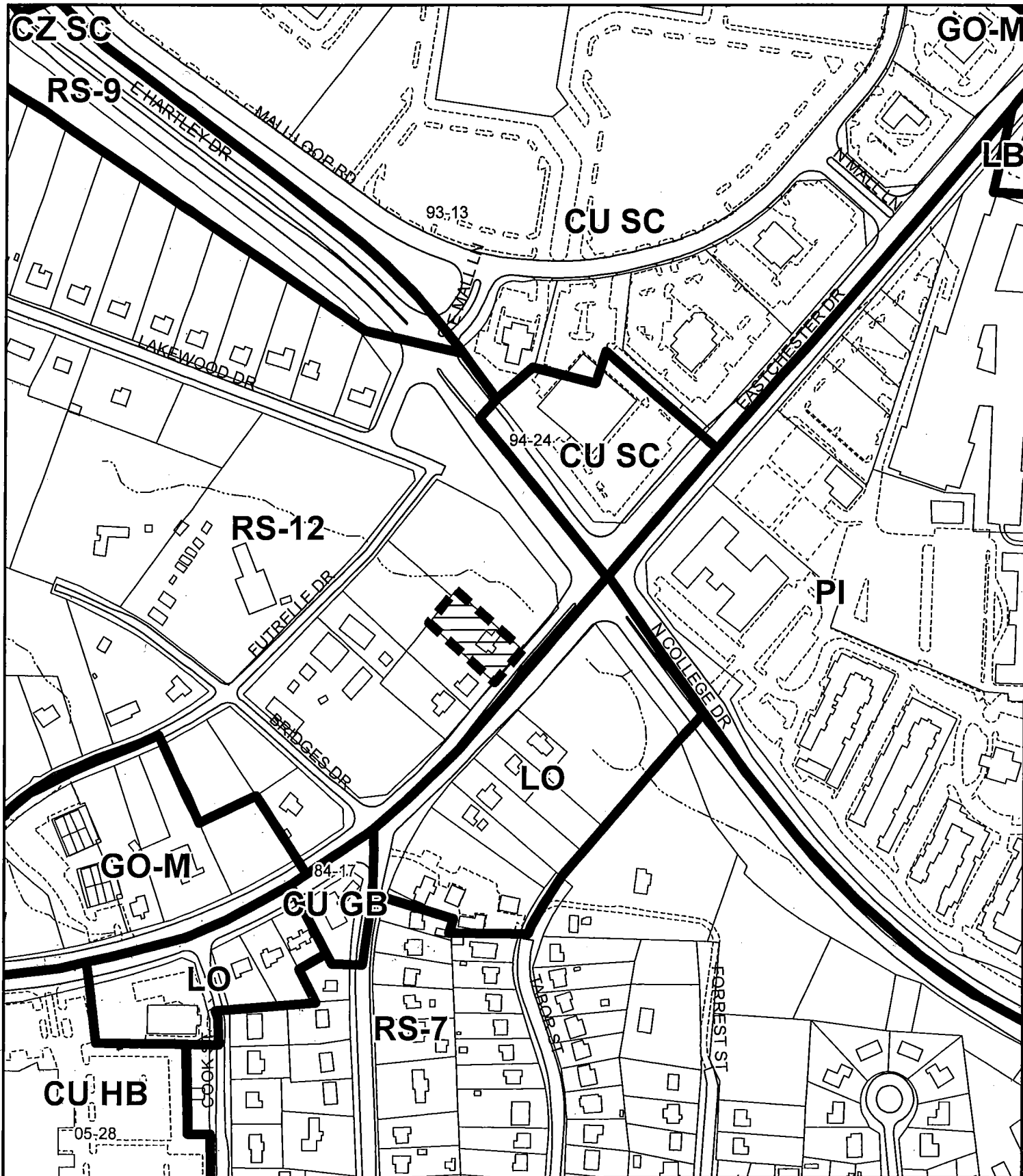
Sincerely,

Smith Moore Leatherwood LLP



Thomas E. Terrell, Jr.

TET/thb



ZONING CASE 15-12

From: Residential Single Family-12
To: Limited Office

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

Planning & Development
Department

City of High Point

Date: July 10, 2015



Scale: 1"=300'
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2015/pz15-11.mxd

EXHIBIT B

DAILEY GROUP LLC
820 EASTCHESTER DR
HIGH POINT NC 27265

HAWKES, BENJAMIN W ; HAWKES, BETTY C
2414 SANDY CT
KERNERSVILLE NC 27284

HIGH POINT UNIVERSITY
833 MONTLIEU AVENUE
HIGH POINT NC 27262

JOHN WESLEY CAMP
2314 N CENTENNIAL ST
HIGH POINT NC 27265

JOHN WESLEY CAMP ASSOCIATION
PO BOX 6003
HIGH POINT NC 27262

MASON, THOMAS H ; MASON, MARY C
1319 OVERLAND DR
HIGH POINT NC 27262

NICOPOULOS, JAMES ; NICOPOULOS, MARIA
1204 BROOKFIELD CT
HIGH POINT NC 27262

POTTS, JAMES E
2918 N MAIN ST SUITE B
HIGH POINT NC 27265

RICHARDSON, ROGER E ; RICHARDSON, KATHY G
812 EASTCHESTER DR
HIGH POINT NC 27262

BK: R 7738

PG: 2255-2258

RECORDED:

09-04-2015

03:03:37 PM

BY: MARY MORGAN
DEPUTY-HP



2015047661

GUILFORD COUNTY, NC

JEFF L. THIGPEN
REGISTER OF DEEDS

NC FEE \$26.00

Return to: JoAnne Caryle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Ordinance No. 7164 / 15-47

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE
CITY OF HIGH POINT, NORTH CAROLINA

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

WHEREAS, a public hearing on this annexation was held at the Municipal Building at 5:30p.m. on the 17th day of August, 2015; 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 17, 2015.

ANNEXATION DESCRIPTION

Applicant: Deep River Ventures, I. LLC - **Annexation Case 15-06**

Lying along the north side of W. Wendover Avenue, approximately 670 feet east of Penny Road, consisting of Guilford County Tax Parcel 0170003. Being the property of Hal W. Lamb, III,

described in Deed Book 7102 Page 1138 of the Guilford County Registry, more particularly described as follows:

BEGINNING at a point in the northern line of this property, the common corner of this property with the property of Thaxton Richardson, et al, as described in Deed Book 6889, Page 863, and as shown as Lot 3E of Plat Book 163 Page 60, and the property of West Wendover Associates, LLC, as described in Deed Book 4993, Page 1559, and as shown as Lot 3F of Plat Book 163 Page 60; THENCE, with the West Wendover Associates, LLC, N82°36'57"E, 230.28 feet to an EIP; THENCE, continuing with West Wendover Associates, LLC, S04°10'40"E, 100.05 feet to a point on the northern right of way of West Wendover Avenue as shown on Plat Book 163 Page 60; THENCE, with the right of way of West Wendover Avenue, S04°10'40"E, 12.23 feet to a point; THENCE, with the northern right of way of West Wendover Avenue, S74°18'16"W, 229.04 feet to an existing iron pipe; THENCE, with the right of way of West Wendover Avenue, N01°53'33"E, 12.57 feet to an existing iron pipe, a corner with Richardson in the northern right of way line of West Wendover Avenue as shown on Plat Book 163 Page 60; THENCE, continuing with Richardson, N01°53'33"E, 106.54 feet to an existing iron pipe; THENCE, with Richardson the following five (5) calls: 1) N83°21'43"W, 76.78 feet to an existing iron pipe; 2) N89°15'41"W, 29.98 feet to an existing iron pipe; 3) N01°28'42"E, 9.17 feet to an existing iron pipe; 4) S89°11'46"E, 30.10 feet to an existing iron pipe and 5) N82°34'36"E, 56.40 feet to an existing iron pipe, the Place and Point of Beginning, having an area of 29,484 square feet.

SECTION 2. Upon and after **August 17, 2015** the above described territory 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-58.10.

SECTION 3. The Mayor of the City of High Point shall cause to be recorded in the Office of the Register of Deeds of 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 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Guilford County Board of Elections, as required by G.S. 163-288.1.

Adopted by City Council,
this the 17th day of **August, 2015**.
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 17, 2015 and upon approval by City Council will be recorded in Book 90 of the Official Minute Books and Ordinance Book XIX 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 18th day of August, 2015.

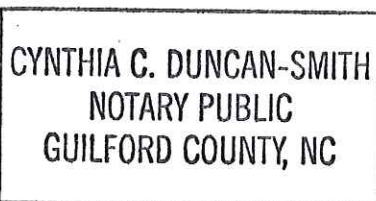


Lisa B. Vierling
Lisa B. Vierling, City Clerk

ACKNOWLEDGEMENT

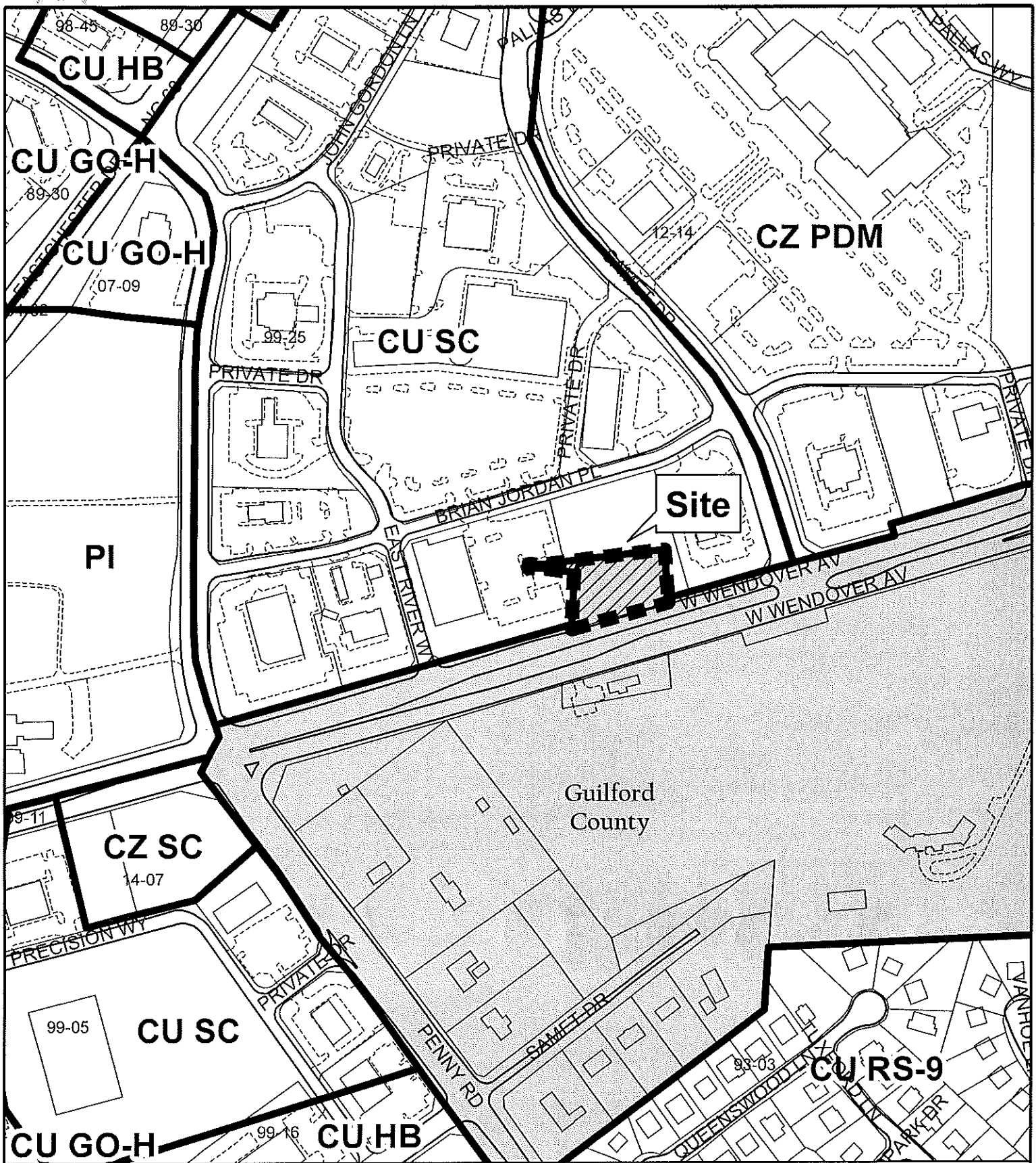
I, Cynthia C. Duncan-Smith, a Notary Public of said County and State, do hereby certify that Lisa B. Vierling, is known to me as City Clerk of the City of High Point; that this person personally appeared before me this date; and, upon authority duly given and as an act of said City, issued and executed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

WITNESS my hand and official Notarial Seal, this 18th day of August 2015.



Cynthia C. Duncan-Smith
Cynthia C. Duncan-Smith, Notary Public

Commission Expires: 1/18/2020



ANNEXATION REQUEST ANX15-06

Applicant: Deep River Joint Ventures LLC
Area: 0.74 acres (approximate)

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

**Planning & Development
 Department**

City of High Point

Date: May 11, 2015



Scale: 1"=300'

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 2015/pz/aux15-06.mxd

CITY OF HIGH POINT

AGENDA ITEM



Title: Resolution of Intent (ROI) for Street Abandonment Case 15-08
(*excess right-of-way*)

From: Lee Burnette, Planning & Development
Director

Meeting Date: August 17, 2015

Public Hearing: No

Advertising Date/ Not applicable

Advertised By:

Attachments: A. Resolution of Intent (ROI) for Street Abandonment Case 15-08
B. Map of right-of-way proposed to be abandoned

PURPOSE:

Approval of a Resolution of Intent that establishes a public hearing date of September 21, 2015, to consider a request to abandon excess right-of-way, from a former cul-de-sac, along the north and south side of Hunterwood Drive.

BACKGROUND:

Resolution of Intent for Street Abandonment Case 15-08 is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends City Council set a public hearing date of Monday, September 21, 2015 to hear this request.

Publish four (4) consecutive weeks: August 21 & 28, 2015 and September 4 & 11, 2015

**RESOLUTION OF INTENT TO CONSIDER
STREET ABANDONMENT
(Case # SA15-07)**

WHEREAS, the City Council has been petitioned to abandon excess right-of-way, from a former cul-de-sac, along the north and south side of Hunterwood Drive. The excess right-of-way from this former cul-de-sac is lying approximately 175 feet west of Hunter Oaks Court.

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 21, 2015, at 5:30 p.m. as the date for said public hearing before the Council in the Council Chamber of the Municipal Building in High Point.

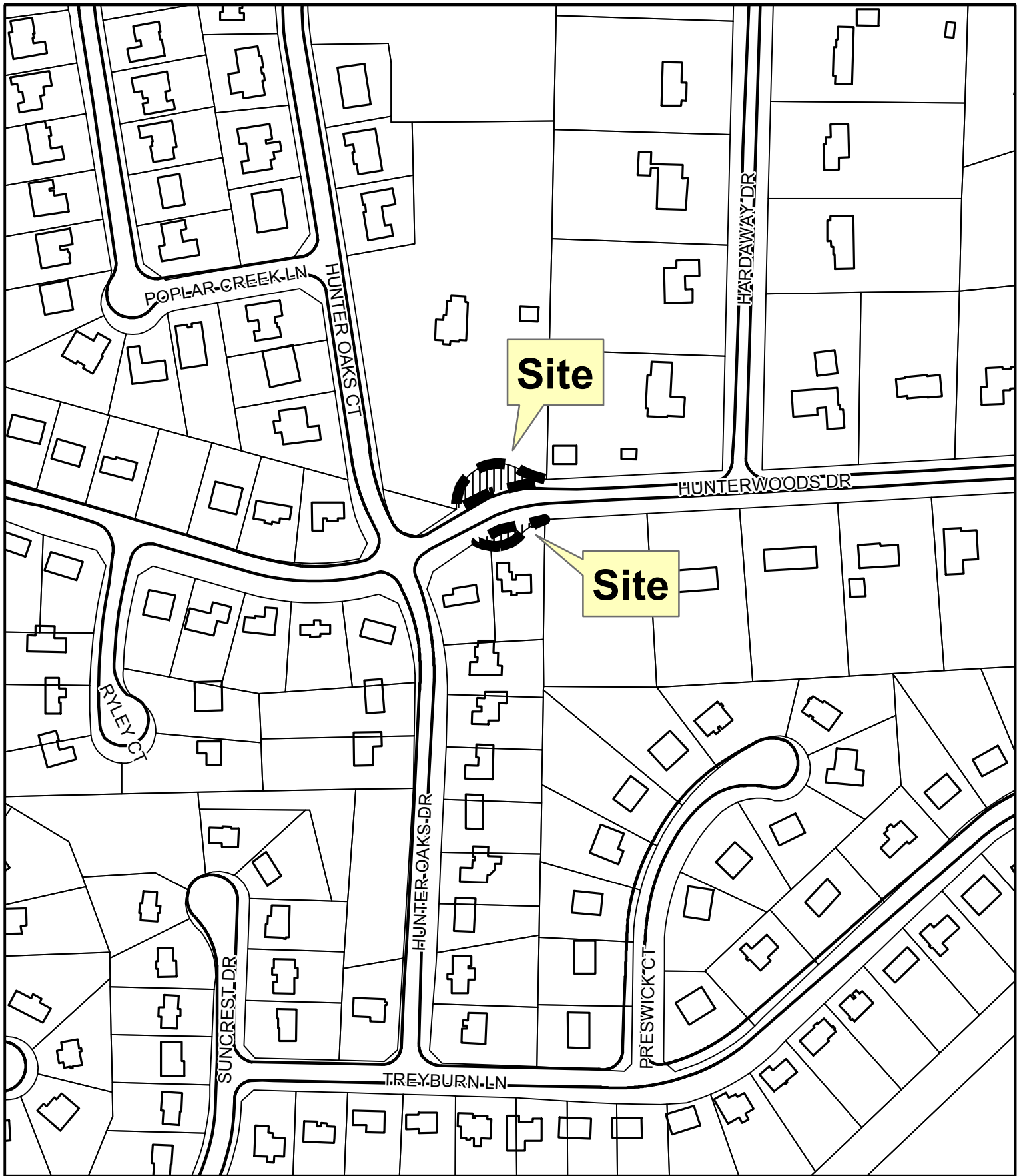
Persons wishing to be heard either for or against the said right-of-way abandonment are asked to be present for the hearing. The meeting facilities of the City of High Point are accessible to people with disabilities. If you need a special accommodation, call (336) 883-3298 or TDD# (336) 883-8517.

Further information pertaining to this request is available at the Planning and Development Department in Room 316 of the Municipal Office Building, 211 South Hamilton Street, High Point, North Carolina, (336) 883-3328 or FAX (336) 883-3056.

By Order of the City Council
This the 17th day of August, 2015.

Lisa B. Vierling, City Clerk

Petition Submitted By: City of High Point Technical Review Committee



PROPOSED STREET ABANDONMENT SA15-08

Applicant: City of High Point

Area: 0.14 acres



Location of requested street abandonment



Previously abandoned right-of-ways

**Planning & Development
Department**

City of High Point

Date:



Scale: 1"=200'

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2015/pz/sa15-08.mxd



MEMORANDUM

DATE: August 5, 2015

TO: Carol McDowell, Assistant Public Services Director

FROM: John Hodges, Wastewater Plants Manager

SUBJECT: Utility Management Certification
Recognition for Randy Smith and Michael Swan

The Water University and North Carolina Rural Water Association has announced that Randy Smith, Eastside Wastewater Operator Chief and Mike Swan, Westside Wastewater Operator Chief, have earned the Utility Management Certification (UMC) credential. The UMC is the highest professional credential in the utility industry. Less than 1 percent of all utility professionals have earned the UMC.

To be designated as a UMC, an applicant must have a minimum number of years' experience in water and wastewater management and have completed a minimum number of hours of specialized professional development (which are scored in a formula to ensure that experience and training meet a minimum requirement). Then the applicant must pass a stringent examination in water and wastewater management. To maintain the certification, individuals must undertake ongoing professional development and activities in water and wastewater system management. 700 utility professionals currently hold the UMC credentials.

The Water University is an affiliate of the National Rural Water Association (NRWA). The NRWA is a membership organization of more than 35,000 water and wastewater systems that serve millions of customers across the United States. With support of the North Carolina Rural Water Association, NRWA is the premier source of training, on-site technical assistance, and source water protection planning for the water and wastewater industry.



Mission:

"To provide recognition and certification for experience and educational achievements
in the field of water and wastewater management"

July 20, 2015

Congratulations Michael!

You have successfully completed the Utility Management Certification program by passing the UMC Certification exam. You have now earned the "UMC" designation as awarded by Water University. A plaque recognizing this accomplishment has been ordered in your name and will be shipped within 30 days to your State Rural Water Association for formal presentation. Your name will be proudly listed in the Water University's National UMC Registry and will also be distributed through several media outlets recognizing your accomplishments and professionalism in the utility management career field.

Today, the water and wastewater industry is more accomplished, better managed and more professional because of you and your career commitment. In receiving this special designation you have raised the bar of excellence for others to strive for.

Again, congratulations and thank you for all you do for our industry!



North Carolina Rural Water Association, Inc.

Post Office Box 540 • Welcome, NC 27374 • Telephone (336) 731-6963 • Fax (336) 731-8589 • www.ncrwa.com

July 6, 2015

Mr. Randy Smith

4529 Colonial Circle
Trinity, NC 27370

Dear Mr. Smith:

Congratulations! The Water University has conferred upon you the UMC credential based on your fulfillment of the necessary application requirements and your performance on the recent UMC examination.

This Letter is your official notification that you may now use the designation on letterhead, business cards, and all forms of address. As a standard rule, capitalized letters must be used and periods are never used to abbreviate the designation.

We have enclosed a sample press release for your distribution. The North Carolina Rural Water Association (NCRWA) will also recognize you at the upcoming NCRWA Annual Conference in May at the Koury Convention Center in Greensboro and will publish your name in an upcoming issue of NCRWA's magazine, *The Tarheel Pipeline*.

Included with this letter, you will find a UMC plaque commemorating your accomplishment. Your name will also appear on the online registry of graduates at www.wateruniversity.org.

Your UMC certification is effective for 3 years from the date of examination. For full details on renewal requirements, please see www.wateruniversity.org.

Again, congratulations on becoming a UMC! If you have any questions, please feel free to contact NCRWA at 336.731.6963 or email info@ncrwa.org.

Sincerely,

A handwritten signature in dark ink, appearing to read "Daniel Wilson", is written over a light blue horizontal line.

Daniel Wilson, PE, CAE, UMC
Executive Director



Mission:

"To provide recognition and certification for experience and educational achievements
in the field of water and wastewater management"

June 3, 2015

Congratulations Randy!

You have successfully completed the Utility Management Certification program by passing the UMC Certification exam. You have now earned the "UMC" designation as awarded by Water University. A plaque recognizing this accomplishment has been ordered in your name and will be shipped within 30 days to your State Rural Water Association for formal presentation. Your name will be proudly listed in the Water University's National UMC Registry and will also be distributed through several media outlets recognizing your accomplishments and professionalism in the utility management career field.

Today, the water and wastewater industry is more accomplished, better managed and more professional because of you and your career commitment. In receiving this special designation you have raised the bar of excellence for others to strive for.

Again, congratulations and thank you for all you do for our industry!

CITY OF HIGH POINT

AGENDA ITEM



Title: Resolution of Intent (ROI) for Street Abandonment Case 15-07
(unimproved portion of Patrick Avenue)

From: Lee Burnette, Planning & Development
Director

Meeting Date: August 17, 2015

Public Hearing: No

Advertising Date/ Not applicable

Advertised By:

Attachments: A. Resolution of Intent (ROI) for Street Abandonment Case 15-07
B. Map of right-of-way proposed to be abandoned

PURPOSE:

Approval of a Resolution of Intent that establishes a public hearing date of September 21, 2015, to consider a request to abandon an unimproved right-of-way lying east of the intersection of Randall Street and Patrick Avenue.

BACKGROUND:

Resolution of Intent for Street Abandonment Case 15-07 is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends City Council set a public hearing date of Monday, September 21, 2015 to hear this request.

Publish four (4) consecutive weeks: August 21 & 28, 2015 and September 4 & 11, 2015

**RESOLUTION OF INTENT TO CONSIDER
STREET ABANDONMENT
(Case # SA15-07)**

WHEREAS, the City Council has been petitioned to abandon an unimproved right-of-way lying g east of the intersection of Randall Street and Patrick 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 21, 2015, at 5:30 p.m. as the date for said public hearing before the Council in the Council Chamber of the Municipal Building in High Point.

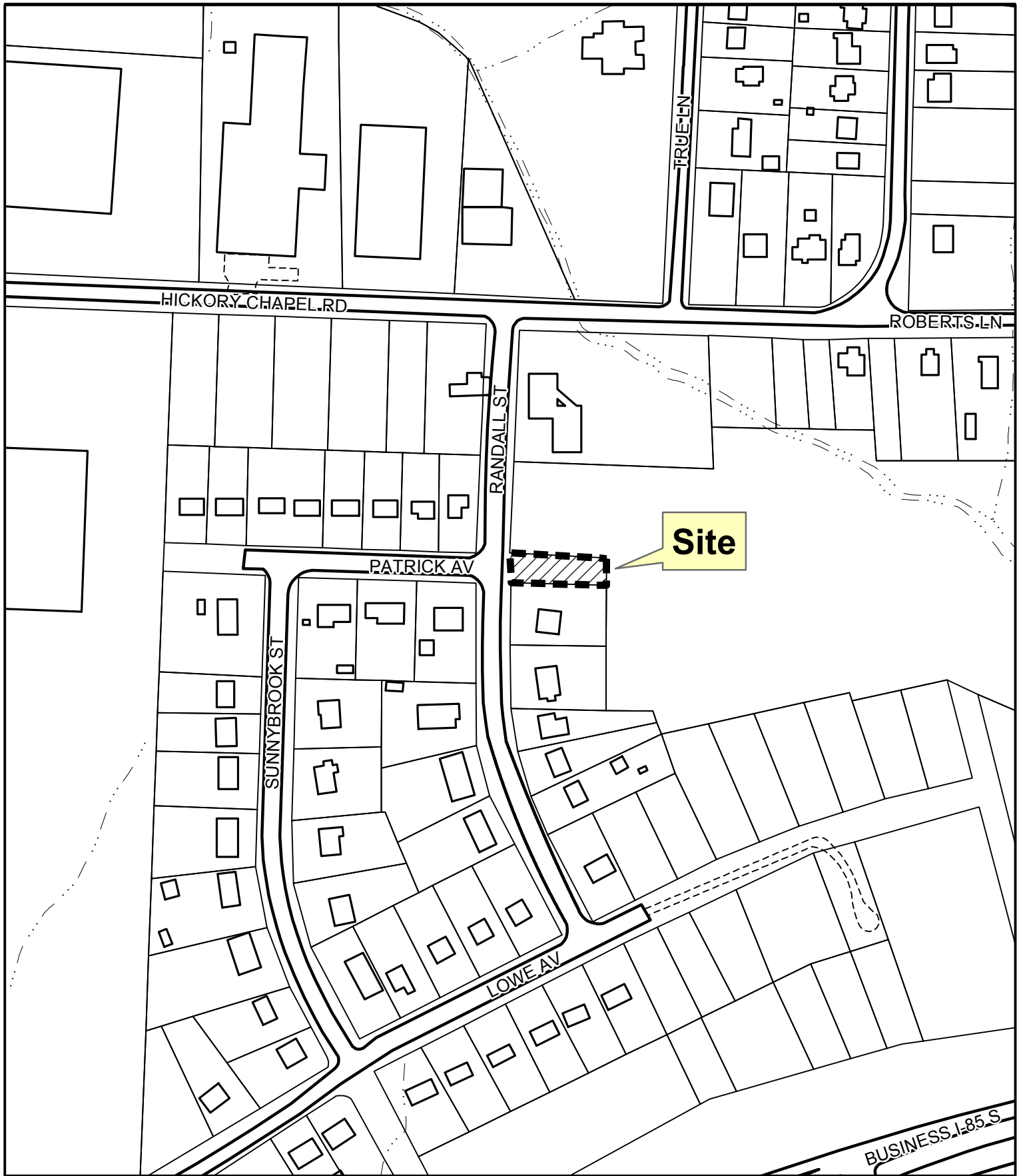
Persons wishing to be heard either for or against the said right-of-way abandonment are asked to be present for the hearing. The meeting facilities of the City of High Point are accessible to people with disabilities. If you need a special accommodation, call (336) 883-3298 or TDD# (336) 883-8517.

Further information pertaining to this request is available at the Planning and Development Department in Room 316 of the Municipal Office Building, 211 South Hamilton Street, High Point, North Carolina, (336) 883-3328 or FAX (336) 883-3056.

By Order of the City Council
This the 17th day of August, 2015.

Lisa B. Vierling, City Clerk

Petition Submitted By: City of High Point Technical Review Committee



PROPOSED STREET ABANDONMENT SA15-07

Applicant: City of High Point

Area: 0.15 acres



Location of requested street abandonment



Previously abandoned right-of-ways

**Planning & Development
Department**

City of High Point

Date:



Scale: 1"=200'

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2015/pz/sa15-07.mxd

CITY OF HIGH POINT

AGENDA ITEM



Title: Guilford Workforce Development Consortium Agreement/Resolution

From: Randy McCaslin, Deputy City Manager

Meeting Date: August 17, 2015

Advertising Date: N/A

Public Hearing: N/A

Attachments: Executive Summary -Greensboro/High Point/Guilford County Local Area Plan –
Program Year 2015-2016
Resolution/Consortium Agreement

PURPOSE:

The contiguous units of local government, Greensboro/High Point/Guilford County, agree to establish a consortium to act jointly as a local Workforce Development Area under the Workforce Innovation and Opportunity Act (WIOA), Public Law 113-128 as enacted July 22, 2014. This consortium shall be known as the Guilford Workforce Development Consortium.

BACKGROUND:

Program Year 2015 marks the first year of the Workforce Innovation and Opportunity Act (WIOA), the federal workforce legislation that replaces the Workforce Investment Act. WIOA requires each workforce development board to develop and submit a comprehensive four-year plan to the state, in partnership with the local chief elected official. The WIOA four-year plan will be effective beginning a year from now for the time period July 1, 2016 - June 30, 2020. To facilitate a seamless transition, the Division of Workforce Solutions has asked for a one-year local and regional plan to be reviewed and approved for Program Year 2015 (July 1, 2015 -June 30, 2016).

BUDGET IMPACT:

N/A

RECOMMENDATION/ACTION REQUESTED:

Adoption of Resolution authorizing execution of the Guilford Workforce Development Consortium Agreement and that the appropriate City official be authorized to execute all necessary documents.

GREENSBORO/HIGH POINT/GUILFORD COUNTY
LOCAL AREA PLAN
PROGRAM YEAR 2015-16
EXECUTIVE SUMMARY

Introduction

Program Year 2015 marks the first year of the Workforce Innovation and Opportunity Act (WIOA), the federal workforce legislation that replaces the Workforce Investment Act. WIOA requires each workforce development board to develop and submit a comprehensive four-year plan to the state, in partnership with the local chief elected official. The WIOA four-year plan will be effective beginning a year from now for the time period July 1, 2016 - June 30, 2020. To facilitate a seamless transition, the N.C. Division of Workforce Solutions has asked for a one-year local and regional plan to be reviewed and approved for Program Year 2015 (July 1, 2015 – June 30, 2016).

The PY 2015 Local Area Plan serves to:

- Provide a strategic framework for workforce development
- Align with state vision and goals
- Outline regional and local workforce analyses and strategies
- Foster regional collaboration to meet the needs of regional economies
- Define connections with workforce development partners,
- Enhance access to high quality services through the NCWorks Career Center system
- Meet federal WIOA requirements
- Outline operational details of administering federal funds
- Provide a basis of accountability through monitoring and audit reviews
- Transition to full WIOA implementation effective July 1, 2016 and the required four year plans covering July 2016 – June 2020

The Plan requirements set the foundation for WIOA principles by fostering strategic alignment, improving service integration and ensuring that the workforce system is industry relevant. The 2015 Plan contains six required sections for which questions and responses are summarized below:

- Local Area Overview
- Regional Strategic Planning
- Local Area Planning
- NCWorks Career Centers (One-Stop Delivery System)
- Programs
- Policies

LOCAL AREA OVERVIEW

This section contains administrative information including legal names and certifications, staff and board contact information, county population information and organizational charts for the WDB staff and the City of Greensboro. The Board configuration has changed under WIOA and new potential members are being identified now for approval by the Chief Elected Official to meet the new requirements.

REGIONAL STRATEGIC PLANNING

This section includes information about regional planning, including:

- Our regional configuration which is called TRIADWORKS and consists of these five WDB's: Northwest Piedmont, Greensboro/High Point/Guilford County, DavidsonWorks, Regional Partnership and Kerr-Tarr.
- A synopsis of the region's recent significant accomplishments including economic development summits, WIOA staff training efforts, aviation training model development, regional outreach materials creation and a panel presentation at the regional conference
- A description of how the regional plan aligns with the NCWorks Commission strategic plan
- An brief analysis of the regional economic conditions including in-demand industry sectors and knowledge and skills needed by employers, as well as an analysis of the workforce itself
- A description of strategies used to facilitate engagement of businesses including the 1000 in 100 initiative, regional Business Service Unit projects, resources on the TriadWorks website and a description of strategies used to coordinate workforce development with economic development
- An outline of regional transportation issues related to workforce development
- A description of how the region coordinates with educational institutions to avoid duplication of services, including the Piedmont Regional Workforce Alliance between boards and community colleges
- A description of how the region connects military skills to occupational demands

LOCAL AREA PLANNING

This section includes information about local planning, including:

- A description of the WDB's strategic vision and goals which include 1) maximizing the workforce system to provide a skilled workforce to improve the quality of life and create opportunities for individuals; 2) fostering collaboration and building relationships with committed partners and stakeholders; 3) enhancing the quality of workforce development delivery systems to become the "go to" place for solutions to customer needs; and 4) developing a multi-faceted communications and marketing plan connecting our communities and their stakeholders with workforce development services and resources
- A description of strategies used to align services provided by WDB's to those provided by our WIOA-defined core partners of Wagner-Peyser, Vocational Rehabilitation and Adult Education and Literacy providers and to create memorandums of understanding with these agencies and other partners required under WIOA
- A description of plans to incorporate sector strategies, career pathways and work-based learning approaches to meet the needs of employers, including the Work Ready Community initiative and increased involvement with employer and industry groups in developing workforce service strategies and training programs
- A discussion of how Rapid Response activities (relating to layoffs) are coordinated with the NC Department of Commerce
- A description of the Local Area procurement process to award subgrants and contracts
- A description of how workforce performance measures are tracked

NCWORKS CAREER CENTERS

This section focuses on how the NCWorks Career Centers are structured in the Local Area including:

- Description of center structure and customer flow within the centers (there are currently three centers in the county; the two Greensboro locations will be consolidated by year-end in a new state of the art facility)
- Usage of automated case management systems and how non-center based services are provided to customers
- How infrastructure costs are funded in the system (via cost-sharing with the primary partners)
- A description of what the different partners in the system bring to the table and how services are specifically provided to target groups such as persons with disabilities, veterans, welfare recipients and others with barriers to employment

PROGRAMS

This section describes the existing strengths and planned areas of positive change for existing Adult and Dislocated Worker services. Strengths are focused on partnerships, services offered in the “product box”, engagement of local businesses in designing programs, and development of individualized employment plans. Areas of improvement will include more emphasis on combining classroom training with work-based learning, increased use of data for decision making, an increase in individual training cost caps, and more emphasis on marketing services to employers and jobseekers.

The plan includes an estimation that \$3.6 million will be spent on services to Adults and Dislocated Workers in 2015-16 (including serving an estimated 20,000 unique visitors to centers during the year) and that a minimum of 650 individuals will be enrolled in some combination of subsidized occupational skill-specific training and/or work-based learning, including transitional employment opportunities.

The plan includes a description of how key changes impacting the youth program will be implemented, including a new requirement that 75% of youth expenditures will be on out of school youth and that 20% of youth expenditures will be on work experience. Those requirements will be included in an RFP planned for release in June 2015 to identify a youth contractor for the October 2015 – June 2016 period (the existing contractor will provide services through at least September 2015).

Out of School Youth services will be focused on both school dropouts and completers of the Career Technical Education (CTE) programs in Guilford County Schools who do not immediately enter employment. The limited enrollment of in-school students allowable under the new law will be targeted toward post-graduation transition planning with seniors enrolled in CTE programs.

The plan includes an estimation that \$1.96 million will be spent on services to Youth in 2015-16 with a minimum of 350 youth enrolled.

POLICIES

This final section describes (primarily through attachments) local policies relating to monitoring, equal opportunity, supportive services, incumbent worker training, transitional employment, on-the-job training, individual classroom training and meeting priority of service requirements under WIOA.

Guilford Workforce Development Consortium Agreement

ARTICLE I. TITLE AND PURPOSE

The contiguous units of local government listed below agree to establish a consortium to act jointly as a local Workforce Development Area under the Workforce Innovation and Opportunity Act (WIOA), Public Law 113-128 as enacted July 22, 2014. This consortium shall be known as the Guilford Workforce Development Consortium.

ARTICLE II. MEMBERSHIP

The Consortium shall be composed of the following independent and contiguous units of general purpose local government:

County of Guilford
City of Greensboro
City of High Point

ARTICLE III. CERTIFICATION OF AUTHORITY

1. AUTHORITY UNDER STATE AND LOCAL LAW

The member units of government certify that they possess full legal authority, as provided by state and local law, to enter into this agreement and to fulfill the legal and financial requirements of operating as a local Workforce Development Area under the Workforce Innovation and Opportunity Act for the entire geographic area covered by this agreement.

2. SPECIFIC RESOLUTIONS TO ENTER INTO AGREEMENT

A copy of each duly executed resolution giving the respective counties specific authority to enter into this consortium agreement will be attached to this document and are incorporated herein by reference.

3. DESIGNATION OF CHIEF ELECTED OFFICIALS FROM EACH MEMBER UNIT OF GOVERNMENT

Each member unit of government designates as chief elected official for Workforce Innovation and Opportunity Act purposes, upon whose representation the State, the Workforce Development Board, the administrative entity and the other member units may rely. The Honorable Mayor of the City of Greensboro, Mayor of the City of High Point, and the Chairperson of the Guilford County Commissioner shall be the signatories to this agreement and shall be authorized to execute such other agreements, as are necessary for the purposes of the Workforce Innovation and Opportunity Act and other grants that may be awarded to the Consortium.

4. DESIGNATION OF CHIEF ELECTED OFFICIAL FOR LOCAL WORKFORCE DEVELOPMENT AREA

The member units provide that the Mayor of the City of Greensboro shall be authorized to exercise the functions of the local area chief elected official which are required under the Workforce Innovation and Opportunity Act.

ARTICLE IV. DURATION

This agreement will become effective on the date of the last chief elected official's signature and shall continue in effect until the local Workforce Development Area is re-designated by the Governor of North Carolina or by termination of this Agreement by a member unit of government as provided for in Article XI.

ARTICLE V. ASSURANCES AND CERTIFICATIONS

The member units will comply with the requirements of the Workforce Innovation and Opportunity Act, and regulations promulgated thereunder, all other applicable federal regulations, the statutes of the State of North Carolina, and, written directives and instructions relevant to local workforce development area operation from the Governor of North Carolina or his/her designee.

ARTICLE VI. FINANCING

1. It is anticipated that funding necessary to implement this agreement will be derived from federal grant funds received through the Governor. It is further understood that local funds are not required under the Workforce Innovation and Opportunity Act; however, if a Consortium member deems it necessary or desirable, the parties hereto may allocate local funds for special initiatives as appropriate under the intent of this agreement.
2. The units of local government acknowledge that they are jointly and severally accountable for Consortium liabilities arising out of activities under the Workforce Innovation and Opportunity Act, to the extent consistent with State and local law.
3. Liability may include, but is not limited to, responsibility for prompt repayment from non-program funds of any disallowed costs by the administrative entity of the local workforce development area, or any of its sub-recipients or contractors, or the Workforce Development Board. It is further understood that the City of Greensboro, the designated Administrative Entity and Grant Recipient, shall provide oversight of the resources received on behalf of this Consortium.
4. Any entity or joint agency created or designated by this local workforce development area, including the Workforce Development Board and Administrative Entity, shall be considered a public agency for the purposes of the Local Government Budget and Fiscal Control Act.

ARTICLE VII. ESTABLISHMENT OF A WORKFORCE DEVELOPMENT BOARD

The member units of government agree that the Workforce Development Board shall be established in accordance with Section 107 of the Workforce Innovation and Opportunity Act and applicable State of North Carolina laws including G.S. 143B-438.11.

The Chief Elected Official, as noted in Article III. 4., shall appoint members of the Workforce Development Board from among persons nominated in accordance with the Workforce Innovation and Opportunity Act and the Workforce Development Board Executive committee. Nominations for membership on of the Workforce Development Board shall be solicited from organizations and public sector agencies, in accordance with the Workforce Innovation and Opportunity Act; and in consultation with the Chief Elected Officials.

ARTICLE VIII. APPOINTMENT OF PERSONNEL

Appointment of personnel shall be as described in the Guilford Workforce Development Board/Chief Elected Official Agreement.

ARTICLE IX. REAL PROPERTY, EQUIPMENT AND SUPPLIES

The Guilford Workforce Development Consortium will follow all Workforce Innovation and Opportunity Act requirements governing the title, use and disposition of real property, equipment and supplies purchased with federal funds,

ARTICLE X. AMENDMENTS

The agreement may be amended at any time upon the consent of all of the parties as evidenced by resolution of the governing bodies of each member government and as approved by the State.

ARTICLE XI. TERMINATION

The parties to this agreement may request termination at any time upon six months prior written notice, such termination to be effective when the Governor considers local Workforce Development Area re-designations or at the end of the then current grant administration agreement program year.

In Witness Whereof, the parties hereto have caused this be properly executed by the respective authorized officials, and this Agreement is executed in triplicate.

City of Greensboro

_____	Nancy B. Vaughan	_____
ATTEST	Mayor	Date
	City of Greensboro	

City of High Point

_____	Bill Bencini	_____
ATTEST	Mayor	Date
	City of High Point	

County of Guilford

_____	Hank Henning	_____
ATTEST	Chairman	Date
	Guilford County Board of Commissioners	

Resolution Authorizing Execution of the Guilford Workforce Development Consortium Agreement

Whereas, the Workforce Innovative & Opportunity Act (WIOA) provides funds for delivery of workforce development programs and employment and training services in designated Local Areas;

Whereas, the Governor of NC has designated Guilford County and the Guilford Workforce Development Consortium as a Local Area and Entity approved to receive funds under the Workforce Innovative & Opportunity Act, and other federal or state designated funds;

Whereas, the City of Greensboro, City of High Point and County of Guilford have formed a Consortium, hereinafter name Guilford Workforce Development Consortium, to receive funds and deliver workforce development programs for the citizens of Guilford County;

Whereas, the Consortium members provide that the *Mayor of the City of High Point* shall be authorized to exercise the functions of the Local Area Chief Elected Officials as required under the Workforce Innovative & Opportunity Act;

Now, therefore, be it resolved by the members of the *High Point City Council*:

That, the *Mayor of the City of High Point* is authorized to approve and execute the Guilford County Workforce Development Consortium Agreement.

Adopted this day ____ day of June, 2015

CITY OF HIGH POINT

AGENDA ITEM



Title: Authorize Public Officials to Make Application for Proposed Financing of Motorola Radio System Upgrade to the Local Government Commission

From: Jeffrey A. Moore, Financial Services Director **Meeting Date:** August 17, 2015

Public Hearing:

Advertising Date N/A

Advertised By: N/A

Attachments: Resolution Authorizing the Filing of an Application for Approval of a Financing Agreement
Authorized by North Carolina General Statute 160a-20
Financing Calendar

PURPOSE:

In accordance with the administrative regulations established by the Local Government Commission, the City Council must authorize the City Manager and the Financial Services Director to make application for approval of the proposed financing contract.

BACKGROUND:

The issuance of any debt obligation (bonds, notes, financing agreements, and leases) of the City requires the authorization of the City Council. The issuance of an installment financing contract (also sometimes known as a capital or financing lease) is authorized by G.S. 160A-20.

The application for financing approval follows City Council's contract authorization of July 20, 2015, which identified City Council's consideration of an installment financing contract to pay for the Motorola Communications System Upgrade over the next 10 years.

Due to the amount and length of proposed financing period, the statute requires approval of the Local Government Commission. As required for that body's approval, the City Council must authorize the public officials to make application for approval of the proposed financing contract and determine certain findings of facts related to the proposed form of debt obligation.

BUDGET IMPACT:

The required \$500 application fee is available in the adopted FY2015-2016 Annual Budget.

RECOMMENDATION / ACTION REQUESTED:

The Financial Services Department recommends that the City Council approve the Resolution Authorizing the Filing of an Application for Approval of a Financing Agreement Authorized by North Carolina General Statute 160a-20 and that the appropriate City official and/or employee be authorized to execute all necessary documents.

**RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION
FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY
NORTH CAROLINA GENERAL STATUTE 160a-20**

WHEREAS, the City of High Point, North Carolina desires to provide significant upgrades to its 800MHZ radio communications system and related improvements in an amount not to exceed \$3,242,507 (the "Project") to better serve the citizens of High Point; and

WHEREAS, the City of High Point, desires to finance the Project by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

NOW, THEREFORE BE IT RESOLVED that the City of High Point, meeting in regular session on the 17th day of August, 2015, make the following findings of fact:

1. The proposed Contract is necessary or expedient because of the need to improve the reliability and dependability of the City's growing communication needs and the safety of the City's public services and public safety employees.
2. The proposed Contract is preferable to a bond issue for the same purpose because the City does not have any current general bond authorization with which to pursue funding the Project, nor does the immediate necessity for the Project permit the time required to seek voter approval of the Project. The cost of the Project exceeds the amount that can be prudently raised from currently available appropriations and unappropriated fund balances, and the City does not desire to utilize its current capacity to issue non-voted bonds in the current fiscal year pursuant to Article V, Section 4, of the North Carolina Constitution (the "two-thirds limitation").
3. The sums to fall due under the Contract are adequate and not excessive for the proposed Project because the proposed repayment schedule does not exceed the life of the Project and borrowing costs continue to remain at historical low levels.
4. The City of High Point's debt management procedures and policies are sound.
5. An increase in taxes and utility rates is not necessary since the projected growth in revenues and decreases in other expenditures equal or exceed the sums to fall due under the Project.
6. The City of High Point is not in default in any of its debt service obligations.
7. The attorney for City of High Point has rendered an opinion that the proposed project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

NOW, THEREFORE, BE IT FURTHER RESOLVED that Gregory Demko, City Manager, and Jeffrey A. Moore, Financial Services Director, are hereby authorized to act on behalf of City of High Point, in filing an application with the North Carolina Local Government Commission for approval of the Project and the proposed financing contract and other actions not inconsistent with this resolution.

This resolution is effective upon its adoption this 17th day of August, 2015.

The motion to adopt this resolution was made by Councilmember _____, seconded by Councilmember _____, and passed by a vote of ____ to ____.

William S. Bencini, Jr., Mayor
City of High Point

Lisa Vierling, City Clerk

This is to certify that this is a true and accurate copy of Resolution ____/____-____, adopted by the High Point City Council on the 17th day of August, 2015.

Lisa Vierling, City Clerk

Date

(seal)

City of High Point
Coordinated Planning Calendar
Motorola 2015 Radio System Upgrade

Proposed Draft Prepared 8/7/2015

Date	Task	Person Responsible
8/7/2015	Prepare Council agenda items for first steps	Jeff
8/17/2015	Council to Establish Public Hearing on Proposed Lease Financing Contract	City Council
8/17/2015	Council to authorize staff to apply to the LGC	City Council
8/19/2015	Publish Notice of Public Hearing in H P Enterprise	Lisa Vierling
8/19/2015	Prepare RFP for lease financing and secure competitive quotes, place agenda item on next LGC agenda for approval	Jeff
9/3/2015	Provide Publisher's Affidavit of Notice of Public Hearing	Lisa Vierling
9/4/2015	Finalize Financing Contract Details	Jeff
9/8/2015	Public Hearing on Proposed Lease Financing	City Council
9/11/2015	Certified Copy of Minutes from Public Hearing	Lisa Vierling
9/11/2015	All documentation in hand	Jeff
9/11/2015	Complete LGC Application for Financing	Jeff
9/11/2015	Submit LGC Application	Jeff
9/11/2015	Prepare Council agenda items	Jeff
9/11/2015	Attorney Provides Opinion Letter	JoAnne Carlyle
9/21/2015	City Council approves financing contract	City Council
9/21/2015	City Council adopts resolutions for execution	City Council
10/6/2009	LGC Contract approval	Local Govt Commission
10/15/2015	Financing package closing	Greg Demko, Jeff

Note: Package needs to be submitted to LGC for approval 28 days prior to LGC meeting date

CITY OF HIGH POINT

AGENDA ITEM

**Title: Pole Attachment Agreement-FiberTech****From:** Garey S. Edwards, Electric Utilities Director**Meeting Date:** August 17, 2015**Public Hearing:** N/A**Advertising Date /****Advertised By:** N/A**Attachments:** Attachment A: Pole Attachment Agreement

PURPOSE:

This agreement/contract will allow FiberTech to attach their lines/equipment to our overhead distribution system.

BACKGROUND:

Under State law we are required to allow pole attachments to our overhead distribution system. FiberTech is a communication provider that works in conjunction with cell phone providers in our area. This document has been reviewed by the Electric Department and the city's legal staff.

BUDGET IMPACT:

FiberTech is responsible for all attachment fees and make ready cost incurred by the City.

RECOMMENDATION / ACTION REQUESTED:

City Council is requested to approve this contract/agreement and authorize the appropriate city official to execute all necessary documents.

POLE ATTACHMENT AGREEMENT

BETWEEN

FIBER TECHNOLOGIES NETWORKS, L.L.C.

AND

City of High Point, North Carolina

_____, 2015

Pole Attachment Agreement
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POLE ATTACHMENT AGREEMENT

THIS POLE ATTACHMENT AGREEMENT ("Agreement"), entered into on this ____ day of _____, 2015 (the "Effective Date") by and between the City of High Point, North Carolina (hereinafter "Licensor"), and Fiber Technologies Networks, L.L.C., a New York limited liability company (hereinafter "Licensee"), sometimes referred to collectively as the Parties or individually as "Party";

WHEREAS Licensee proposes to furnish communications services and desires to install and maintain all facilities, including, but not limited to, aerial cables, , wires, and associated hardware (hereinafter cumulatively referred to as "Facilities") on Licensor's poles in Licensor's and in the rights of way of Licensor. Licensee's small cell equipment shall be expressly prohibited from being attached to Licensor's poles under this Agreement; and

WHEREAS Licensor is willing to permit, subject to the terms and conditions set forth herein, to the extent required by law, including, but not limited to, North Carolina General Statutes § 62-350 the attachment of Licensee's Facilities to its poles, where such use will not interfere with Licensor's own primary electric service requirements or the existing attachments of others authorized to use the poles of Licensor;

NOW, THEREFORE, in consideration of the mutual covenants, terms and conditions herein contained, the Parties do hereby mutually covenant and agree as follows:

ARTICLE I. **SCOPE OF AGREEMENT**

1.1 Service Area.

This Agreement shall be in effect in all Licensor areas and shall apply to Licensor poles now existing or hereafter constructed during the term of this Agreement.

1.2 Intentionally Left Blank.

1.3 Authorization.

Subject to the terms and conditions of this Agreement, Licensor grants to Licensee and Licensee accepts from Licensor, a non-exclusive license to occupy, place and maintain its Facilities on Licensor's poles, which non-exclusive license includes the use of Licensor's drop/service poles. No use of Licensor's poles, however extended, or payment of fees or charges required under this Agreement, shall create or vest in Licensee any ownership or property rights in such poles. Licensee rights herein shall remain those of a mere license.

1.4 Assignment.

Licensee may not assign its rights under this Agreement to any other entity without Licensor's prior written consent, which consent shall not be unreasonably withheld. Notwithstanding the foregoing, Licensee may assign its rights under this Agreement to an entity acquiring fifty-one percent (51%) or more of Licensee stock or assets or any

subsidiary or affiliated company in which Licensee holds a 10% or greater interest or an entity controlling or under common control with Licensee without obtaining Licensor's consent. Licensor shall notify Licensee within thirty (30) days in the event it assigns its rights under this Agreement or if it transfers ownership of any or all of its poles to another entity. Notwithstanding the foregoing, this Section 1.4 shall not prohibit Licensee from leasing fibers or capacity in its facilities.

1.5 **Facility Removal.**

Upon termination of this Agreement for any reason, and subject to the provisions of applicable North Carolina law, Licensee, at the request of Licensor, shall remove, at Licensee's expense, all Facilities from Licensor's poles. The maximum time limit within which Licensee shall remove its Facilities from Licensor's poles shall be ninety (90) days. If Licensee does not remove its Facilities from Licensor's poles as required by this Section 1.5, Licensor shall have the right to remove Licensee's Facilities at the sole risk and expense of Licensee.

1.6 **Authorizations Required.**

Licensee, at its sole cost and expense, shall secure all authorizations, franchises, licenses, permits and consents required for the construction, operation and maintenance of the Facilities. If any authorizations, franchises, licenses, permits or consents obtained by Licensee are subsequently revoked, terminated or denied for any reason, Licensee shall retain the right to pursue and exhaust all legal, administrative, and equitable remedies in all state and federal forums before Licensor may revoke Licensee's permission to attach to Licensor's poles.

1.7 **Term.**

This Agreement shall become effective upon its execution and shall continue in effect for an initial term of five (5) years (the "Initial Term"); thereafter, this Agreement shall renew automatically for one (1) successive term of five (5) years (each, a "Renewal Term"). After the original term and Renewal Term, Parties may choose to renew the contract for additional terms and may do so in writing, signed by both Parties. Licensor or Licensee may terminate this Agreement at any time during the Initial Term or any Renewal Term with six (6) months written notice to the other. In the event that this Agreement is terminated, the contract terms and conditions, including the applicable rates, shall continue as stated herein until this Agreement is renewed on terms and conditions satisfactory to both Parties. If the Parties are unable to agree on satisfactory renewal terms and conditions after six months, and unless the Parties are proceeding in accordance with North Carolina General Statutes § 62-350, Licensee shall remove its Facilities in accordance with the provisions of Section 1.5 of this Agreement.

ARTICLE II.

PLACING, TRANSFERRING OR REARRANGING ATTACHMENTS

2.1 **Permit Application; Confidentiality.**

Before making or modifying any attachment to any pole or poles of Licensor, Licensee shall submit a permit application (see **Exhibit A**) and receive from Licensor a permit for such attachment/placement. The Parties agree Licensee shall not be required to submit a permit application in order to perform routine maintenance, including replacement of cables or overlashings; however, Licensee shall provide Licensor with five (5) days advance notice of any overlashings. In addition, Licensor agrees that a permit application shall not be required for Licensee to make an attachment to drop poles subject to the requirements stated in Section 2.8 of this Agreement. All materials submitted by Licensee in connection with permit applications for Facilities are to be handled and reviewed only by those Licensor personnel directly responsible for the coordination and administration of joint-use requests. Such materials are of a confidential, proprietary, and commercially sensitive nature and, unless otherwise required by law, shall not be disclosed by Licensor or its employees for any reason other than to process and administer Licensee Facilities' permit application request.

2.2 **Make-ready Survey.**

When Licensor receives a permit application, a make-ready survey may be necessary to determine the adequacy of the existing poles and anchors to accommodate Licensee's Facilities. Licensor, upon prior notice to Licensee, may perform the field inspection portion of the make-ready survey and Licensee may be present if desired.

2.3 **Grant or Denial of Access.**

Except as otherwise provided by law, Licensor reserves the right to deny Licensee access to any pole, on a non-discriminatory basis, where there is insufficient capacity on or in Licensor's poles or for reasons of safety, reliability or generally applicable engineering standards, provided that before Licensor denies access based on insufficient capacity, Licensor shall explore potential accommodations in good faith and take all reasonable steps to accommodate Licensee request for access. In addition, Licensor shall not arbitrarily deny or condition Licensee's permit application based upon Licensee's status as a communications service provider under North Carolina General Statutes § 62-350. Licensor shall either grant or deny access to its facilities within forty-five (45) calendar days of Licensee permit application. If access is not granted by Licensor within forty-five (45) days of Licensee permit application, Licensor must confirm the denial of access in writing by the forty-fifth (45th) day. Licensor's denial shall be specific and shall include all relevant evidence and information supporting its denial, and shall explain how such evidence and information related to the denial of access for reasons of lack of capacity, safety reliability or generally applicable engineering standards.

2.4 **Make-ready.**

(A) Whenever any pole to which Licensee seeks attachment can and must be modified or replaced solely to accommodate Licensee's Facilities, Licensor will provide Licensee with a detailed estimate of make-ready work it believes to be necessary to prepare the pole for Licensee's Facilities. Licensor will provide Licensee with such estimate within forty-five (45) days of receiving Licensee's permit application for attachment. After

receiving this estimate, if Licensee still desires to make the attachments, Licensee shall notify Licensor within 15 days of receiving such estimate of such continuing desire to attach or occupy, and shall pay to Licensor any required advance payment for the reasonable and actual cost of such make-ready work, which may include engineering, materials (including poles and associated hardware), cost of removal (less any salvage value), and the expense of transferring Licensor's facilities, as well as the attachments of other preexisting occupants, from the old to the new poles if required solely to accommodate Licensee's Facilities. Where the advance payment of estimated expenses made to Licensor by Licensee for both non-replacement make-ready and replacements is less than the reasonable and actual cost of work described above, Licensee shall pay Licensor the amount in excess of the amount of the advance payment. Where the advance payment of estimated expenses made to Licensor by Licensee exceeds such reasonable and actual costs, Licensor shall refund the difference to Licensee. Licensor shall commence all requested make-ready and pole replacement work within 15 days of receiving any work request confirmation and any required advance payment from Licensee. Licensee shall not be responsible for any make ready costs required to cure pre-existing violations of the NESC or other applicable requirements.

(B) Notwithstanding the foregoing, Licensor may require Licensee to perform any new or additional make-ready work. Should Licensor exercise this option, Licensee, with Licensor's prior written consent, may choose a contractor, that meets industry standard qualifications and criteria, to perform make-ready work on its behalf. In secured areas where safety or system reliability concerns are an issue, Licensor may require an escort to supervise the work of Licensee's agents. Licensor shall also retain the right to perform post-installation inspections, at Licensee's expense, to ensure Licensee's agents' work meets Licensor's standards. Licensee agrees to indemnify Licensor, its employees, officers and assigns, against any and all claims made against Licensor related to work done by Licensee's contractor under this subsection (B).

(C) Licensor shall be responsible for notifying other parties with existing attachments or occupancy and coordinating the make-ready work necessary in order to accommodate Licensee's attachments.

2.5 Multiple Applications.

When applications to occupy the same pole have been received from two or more prospective occupants, including Licensee, before any one of them is given a permit, and, if to accommodate their respective facilities it would be necessary to rearrange existing facilities or replace the pole, each such prospective occupant shall bear the applicable costs of rearrangement or replacement incurred in conjunction with its own application(s).

2.6 Modifications and Cost Allocation.

If a pole to which Licensee has previously made an attachment is to be modified or replaced due to the requirements of another joint-user, including Licensor, except when such modification is for the purpose of performing routine maintenance or to respond to

an emergency situation, Licensor shall provide Licensee with forty-five (45) days notice of the proposed modification or replacement so that Licensee can determine whether it wishes, subject to the provisions of Section 2.1, above, to add to or modify its existing attachment or occupancy in connection with the proposed modification or replacement. For purposes of this Section 2.6 only, and in the event Licensee decides to add to or modify its existing attachment or occupancy in connection with the proposed modification or replacement, Licensee give notice to Licensor of its intent within thirty (30) days of receipt of notice from Licensor.

In the event that a pole is modified as a result of the requirements of Licensor, Licensee or any other joint-user, the costs of modification (including, but not limited to, the cost of rearranging or replacing the attachments of other joint-users who do not take part in or directly benefit from the modification) shall be borne proportionately by all such entities that require such modification to obtain access to such pole. For the purpose of allocating modification costs under this section, the proportion of the modification costs attributable to each modifying or newly attaching entity shall be determined by the ratio of the new useable space occupied by each modifying or newly attaching entity in relation to the total new usable space occupied by all modifying or newly attaching entities. For example:

(A) Should Licensor replace any poles because of the increased requirements of more than one pole occupant, including those of Licensee, Licensee shall be responsible only for its transfer costs from the old pole to the new pole and the cost of any non-betterment portion of the new pole.

(B) Should Licensor replace any poles solely because of Licensee increased requirements, in addition to being obligated to transfer its attachments to the new pole at its own expense, Licensee shall pay those costs and expenses associated with the transfer of other pole occupants' facilities from the old pole to the new pole.

(C) Should the increased requirements of Licensor and/or the requirements or increased requirements of other pole occupants call for the replacement of any poles without any increase in the requirements of Licensee, Licensee shall not be required to bear any costs associated with such pole replacements, and Licensee shall be reimbursed for any costs associated with the transfer of its Facilities from the old pole to the new pole. Whenever Licensor intends to modify or replace a pole, Licensor shall provide 45 days advance written notification of such action to Licensee so that Licensee may have a reasonable opportunity to add to or to modify its attachment.

2.7 **Pole Maintenance.**

(A) Should Licensor replace any poles because of (i) deterioration or (ii) the requirements of public authorities or property owners, and should Licensee desire to occupy the new pole, Licensee shall be obligated to transfer its attachments to the new pole at its own expense.

(B) Licensee, at its own expense and risk and by the terms of this Agreement, shall place, transfer, and rearrange its own attachments on Licensor's poles, place guys to sustain any unbalanced pole loads caused by its own attachments, and perform any tree trimming or cutting incidental thereto. Licensee at all times shall perform such work promptly and in such manner as not to interfere with the service of Licensor or by other pole occupant.

(C) In the event Licensor determines, in Licensor's reasonable judgment, that a particular condition or situation is an emergency, Licensor may arrange to relocate, replace, remove, renew or disconnect Licensee's Facilities and transfer them to substituted poles or perform any other work in connection with Licensee's Facilities that may be required during the emergency. Licensor shall provide Licensee with the immediate notice of the situation so that Licensor and Licensee, if possible, may coordinate their responses to the emergency. If notice is impossible during the emergency situation, Licensor shall notify of any emergency and any relocation, replacement or removal affecting Licensee's attachments, as soon as reasonably practicable.

(D) Licensee shall have access to Licensor's maintenance duct to perform maintenance work and emergency repairs. Licensee shall notify Licensor of any maintenance work or emergency repairs prior to accessing Licensor's maintenance ducts.

(E) Licensee shall be responsible for trimming and cutting all trees, shrubbery, and other vegetation in the vicinity of its Facilities as necessary for the operation of its own Facilities and at its own expense. This shall be done in a manner not to interfere with or damage any existing attachments. For non-emergency maintenance, property owner(s) shall be notified in advance of any work performed by Licensee.

2.8 Drop Poles Runs.

Notwithstanding any other provision set forth in this Agreement, after initial construction of its Facilities, Licensee shall have the right to attach non-current carrying drops to drop poles ("Drops") without prior application; provided, however, that Licensee shall forward a notice of attachment of Drops quarterly for billing adjustments.

2.9 Continuous Licensor Operation.

Licensee expressly agrees that Licensee shall not intentionally interfere with the normal operation of Licensor's equipment during Licensee's performance of any construction or maintenance, and that Licensee shall provide and use all protective equipment necessary for the protection of Licensee employees and equipment and to guard against interferences with normal operation of Licensor's equipment.

2.10 Compliance with and Supplements to Safety Codes.

Licensee shall attach its Facilities to Licensor's poles in a safe condition and maintain them in thorough repair, and in compliance with the requirements and specifications set forth in applicable Federal and State law, the National Electrical Safety Code in effect as of the time of attachment ("NESC") and the applicable rules and regulations of the

Occupational Safety and Health Act. In the event the NESC is updated, all Facilities installed by Licensee after the effective date of the updated NESC shall comply with the applicable requirements of the updated NESC. Licensor shall apply to Licensee only such specifications, standards and practices as are uniformly applied to all parties attached to the poles.

2.11 **Non-Interference with Licensor Facilities.**

Licensee at all times shall ensure that its agents, servants, employees, and contractors neither take nor attempt to take any action whatsoever to interfere with Licensor's wires, attachments, and other facilities attached to or supported by poles covered by this Agreement. Each Party shall exercise reasonable precautions to avoid damage to the facilities of the other.

**ARTICLE III.
INSPECTIONS**

3.1 **Post-Installation and Safety Inspections.**

Licensor reserves the right to inspect each new Licensee installation on Licensor's poles and in the vicinity of Licensor's lines. Licensor also reserves the right to make reasonable periodic inspections as conditions may warrant, to determine if Licensee's construction and installation complies with the approved shop drawings, construction drawings, and/or applicable safety codes or laws.

3.2 **Facilities Inventory.**

(A) Licensee and Licensor, acting in a cooperative manner for purposes of rendering bills, shall tabulate the total number of Licensee attachments on Licensor's poles. This tabulation shall be based on a perpetual inventory of permits.

(B) Within three (3) months after the Effective Date, Licensor shall conduct an initial inventory of Licensee's attachments to verify the number of poles on which Licensee has attached its equipment and may conduct subsequent inspections as set forth herein. All such attachments found in the initial inventory shall be deemed authorized. Licensor shall provide thirty (30) days' notice of such initial inventory so that Licensee may be present and observe such inventory. After completion of the initial inventory of poles, subsequent inventories may be taken by Licensor as frequently as annually. To the extent subsequent inventories identify Facilities that have been attached without permits since the most recently completed inventory, Licensee shall pay Licensor the unauthorized attachment fee set forth below in Section 3.3.

(C) Inventories may be conducted, in Licensor's discretion, either by Licensor or by an independent contractor selected by Licensor. Licensee shall be permitted to observe the conduct of the physical inventory. Subsequent inventories shall be preceded by ninety (90) days advance written notice to Licensee. Prior to such inventory, the projected costs of the inventory shall be submitted to Licensee in advance for approval. Licensee shall be

responsible for a pro-rata share of the actual inventory costs on poles to which Licensee has attachments.

(D) As an alternative to performance of a physical inventory, the Parties may, if mutually agreed, determine the number of attachments from existing maps and/or attachment records provided that such maps or records exist and provided that each Party agrees that results with reasonable accuracy can be achieved. If the Parties agree to this method, any maps and/or records belonging to one of the Parties and utilized to count attachments shall be made accessible to the other Party and the number of attachments shall be determined through a mutual and cooperative effort of both Parties. The results of attachment counts performed in this manner shall be treated, for the purpose of determining rentals and other charges due for unauthorized attachments, as if results were achieved by an actual jointly conducted physical inventory.

3.3 **Inventory Disparity.**

(A) Following the initial inventory described above in Section 3.2, in the event the number of poles to which Licensee has attached its Facilities differs from the number shown in Licensor records, Licensor may collect from Licensee, for each pole with an unauthorized attachment, an unauthorized attachment penalty not in excess of an amount approximately equal to the otherwise applicable annual pole for the number of years since the most recent inventory or five years, whichever is less. This penalty shall be imposed in lieu of any amounts recoverable for unpaid annual fees. Within forty-five (45) days from notice by Licensor to Licensee of an unauthorized attachment, Licensee shall either apply for a permit or remove its unauthorized attachment. If Licensee fails to either apply for a permit or remove its unauthorized attachment within such forty-five (45) days, Licensor shall have the right to remove the unauthorized attachment at the sole risk and expense of Licensee.

ARTICLE IV.

ABANDONMENT OF JOINT POLES AND REMOVAL OF ATTACHMENTS

4.1 **Notice.**

Licensee, at any time, may remove its Facilities from any pole(s) of Licensor, and shall give Licensor written notice within thirty (30) days of such removal.

4.2 **Pole Abandonment.**

(A) If Licensor desires at any time to abandon any pole(s), it shall give Licensee notice in writing to that effect at least 90 days prior to the date on which it intends to abandon such pole. If, at the expiration of such 90 day period, Licensor has no attachments on such pole(s) but Licensee has not removed all of its attachments from such pole(s), Licensor may transfer ownership of the pole(s) to Licensee if accepted by Licensee. In the event Licensee agrees to accept such poles, Licensee shall hold Licensor harmless from all obligation, liability, damages, costs, expenses or charges incurred

thereafter, and not arising out of any prior event or occurrence theretofore as a result of any attachments to such pole(s).

(B) If Licensee does not accept the transfer of ownership of pole(s) or abandoned by Licensor, Licensor shall have the right to remove Licensee's attachments at the sole risk and expense of Licensee.

ARTICLE V.

RENTAL AND PROCEDURE FOR PAYMENTS

5.1 Rental Rate.

The annual rental amount to be paid by Licensee shall be \$ 7.00 per year for each pole to which Licensee's Facilities are attached for the first year of this Agreement. Each year after the first year of this Agreement, including all extension periods, the rate will increase annually based upon the CPI-W rate percentage increase ("Rate Increase"). Licensor agrees to charge and Licensee agrees to pay the Rate Increase for each year in which the Parties operate under this Agreement.

5.2 Payment Due Date.

Rental payments shall be invoiced annually. Licensor will submit to Licensee an invoice for the annual rental period no later than the sixtieth (60th) day after the Effective Date (and no later than the sixtieth (60th) day after the anniversary of the Effective Date for each renewal term). The invoice will reflect the number of attachments as of the Effective Date. Rental bills shall be considered delinquent if not paid in full within 30 days upon receipt. If Licensor does not receive any undisputed fee or other undisputed billable amount within (30) days after it becomes due, Licensee shall pay interest to Licensor at a rate set for that period by the Internal Revenue Service for individual underpayments pursuant to Section 6621 of the Internal Revenue Code.

5.3 Payment of Other Amounts.

Any other payments required to be made by either Party pursuant to the terms of this Agreement shall be made in accordance with the provisions of this Article V.

ARTICLE VI.

LIABILITY AND INSURANCE

6.1 Indemnity and Allocation of Liability.

The Parties shall exercise reasonable care to avoid damage to the facilities of each other, to the facilities of other joint-users on Licensor's poles or to other persons or their property. When any liability is incurred by either or both of the Parties hereto for damages for injuries to the employees or for injury to the property of either Party, or for injuries to other persons or their property, arising out of the joint use of facilities under this Agreement, or due to the proximity of the facilities of the Parties covered by this

Agreement, the liability for such damages, as between the Parties hereto, shall be as follows:

(A) Except as otherwise provided in this Article VI, each Party hereby assumes all responsibility and shall be liable for any and all loss for damage to the facilities of the other and to the facilities of other joint-users on Licensor's poles caused solely by its gross negligence or willful misconduct, or that of its employees, agents, servants or independent contractors;

(B) Each Party hereby assumes all liability and shall be liable for all damages caused by such Party for injuries to third persons or third person's property caused solely by its gross negligence or willful misconduct, or that of its employees, agents, servants or independent contractors;

(C) In the event such injuries are proximately caused by the concurrent gross negligence or willful misconduct of both Parties hereto, each Party shall be liable for the damages in the same proportion that the damages caused by the gross negligence or willful misconduct of the respective Party bears to the total damages;

(D) Where, on account of injuries of the character described in the preceding paragraphs of this Article, either Party hereto shall be required to make any payment to its injured employees or to the relatives or representatives in conformity with: (1) the provisions of any Workers' Compensation Act or any act creating a liability in the employer to pay compensation for personal injury to an employee by accident arising out of and in the course of the employment, whether based on negligence on the part of the employer or not, or (2) any plan for employees' disability benefits or death benefits now established or hereafter adopted by the parties hereto or either of them, such payments shall be construed to be damages within the terms of the preceding sections of this Article.

(E) Intentionally Omitted.

(F) Intentionally Omitted.

(G) To the extent allowed by the laws of North Carolina, each Party shall indemnify (the "Indemnifying Party") and save harmless the other party (the "Indemnified Party") from and against all liability, including, but not limited to, all damages, costs, attorneys' fees, disbursements, and other proper charges and expenditures that the Indemnified Party may incur, solely as a result of the gross negligence or willful misconduct of the Indemnifying Party, its employees, agents, servants or independent contractors (other than the Indemnified Party), while in the course of their employment or in the performance of their contract which causes damages to third parties or to the property of third parties which are proximately caused by such acts, omissions or breaches. The agreement to indemnify and save harmless is conditioned on the following:

- (i) that the Indemnified Party shall give prompt notice in writing to the Indemnifying Party of such a claim; and

- (ii) that the Indemnifying Party shall have the sole control of the defense of any action on such a claim, and all negotiations for the settlement or compromise of the same; provided, however, that the Indemnifying Party shall not settle or compromise an action or claim on behalf of the Indemnified Party without the prior written consent of the Indemnified Party;
- (iii) should any situation become, or in Indemnifying Party's opinion be likely to become, the subject of any such claim or action, the Indemnified Party shall permit Indemnifying Party, at the option and expense of the Indemnifying Party, to take such reasonable action as may be appropriate under the circumstances to avoid such claim, or to effectuate the settlement thereof; and
- (iv) the Indemnifying Party shall have no liability to the Indemnified Party hereunder for any damages caused solely by the Indemnified Party, its agents, servants, employees, or independent contractors (other than the Indemnifying Party).

6.2 **Consequential Damages.**

Notwithstanding the foregoing, neither Party shall be liable to the other for any indirect, special or consequential damages, including, but not limited to, loss of profits or revenues, interruption of customer service or interference with business operations.

6.3 **Settlement.**

In the event the Indemnifying Party compromises or settles any such claim with a third party, the Indemnifying Party shall obtain a release of all claims arising out of that particular incident against the Indemnified Party, in addition to any release in favor of the Indemnifying Party.

6.4 **Insurance Requirements.**

Licensee shall carry and keep in force, while this Agreement is in effect, insurance contracts, policies and protection with a reliance company or companies satisfactory to Licensors and licensed to do business in North Carolina in amounts and for coverage deemed necessary for its protection by Licensee, but in no event for amounts or coverage less than the following minimum requirements:

(A) Commercial General Liability Insurance (including, but not limited to premises, operations, explosion, collapse and underground hazard, broad form property damage, products/completed operations, contractual liability, independent contractors, personal injury) with limits of at least \$2,000,000 combined single limit bodily injury and property damage for each occurrence.

(B) Licensee shall also carry and keep in force, while this Agreement is in effect, Workers' Compensation insurance in compliance with the laws of North Carolina and employer's liability insurance with minimum limits of \$1,000,000 per occurrence.

(C) Licensee shall furnish Licensor with certificates of insurance showing that such insurance is in force and will not be cancelled or modified without thirty (30) days' prior written notice to Licensor. Neither acceptance nor knowledge (by and of Licensor) of the procurement of Licensee of insurance protection of lesser scope than that required to be procured by it under this Agreement shall in any manner or for any purpose constitute or be deemed a waiver by Licensor of the requirements imposed respecting insurance protection, nor shall any such acceptance or knowledge of insurance protection of lesser scope in any manner or for any purpose lessen or modify or constitute a limiting interpretation of the scope of the matters covered by and obligations of Licensee under this Agreement.

6.5 Waiver of Recovery

Each party hereby waives any and every right or cause of action for any and all loss of, or damage to, any of its property (whether or not such loss or damage is caused by the fault or negligence of the other party or anyone for whom the other party may be responsible), which loss or damage is covered by valid and collectible fire, extended coverage, "All Risk" or similar policies, to the extent that such loss or damage is recovered under any of the insurance policies. Written notice of the terms of this mutual waiver shall be given to each insurance carrier and the insurance policies shall be properly endorsed, if necessary, to prevent the invalidation of any insurance coverage by reason of this waiver.

ARTICLE VII. **TERMINATION AND DEFAULTS**

7.1 Default.

If Licensee shall default in any material obligation under this Agreement, Licensor may, in the event Licensee fails to cure such default in accordance with Section 7.3 below, terminate Licensee's use of the particular poles covered by this Agreement which are the subject of the default or terminate this Agreement in its entirety.

7.2 Termination Effective Date.

Any termination shall be effective by written notice from one Party to the other, and termination shall be effective upon 90 days notice.

7.3 Opportunity to Cure.

Prior to exercising any remedy or terminating this Agreement as a result of a default by Licensee, Licensor shall provide notice to Licensee and Licensee will have an opportunity to cure within thirty (30) days, or within such time frame as is reasonable to affect a cure which cannot be completed within thirty (30) days, so long as Licensee exercises diligence in completing the cure. If Licensee cures the default during this time

or commences such cure which may not be completed within sixty days, a default will no longer exist and Licensor may not exercise any remedy or terminate this Agreement.

ARTICLE VIII.
MISCELLANEOUS PROVISIONS

8.1 Conduct of the Parties.

The parties agree to conduct themselves reasonably and in good faith in implementing the terms of this Agreement.

8.2 Survival.

The obligations of the parties under this Agreement, to the extent that they arose while the Agreement was in effect and remained unfulfilled at the time of termination, shall survive both the termination of this Agreement and/or the termination of any permit or license granted hereunder. Any such termination shall not release either party from any liabilities, claims, or obligations arising hereunder including, but not limited to, indemnities which may have accrued or are accruing prior to or at the time of termination.

8.3 Waiver.

Failure to enforce or insist upon compliance with any of the terms or conditions of this Agreement shall not constitute a general waiver or relinquishment of any such terms or conditions, but the same shall be and remain at all times in full force and effect.

8.4 Entire Agreement.

This Agreement, and the Exhibits attached hereto, embodies the entire agreement and understanding of the Parties with respect to the subject matter hereof and supersedes all prior agreements between the Parties hereto for attachment of Licensee's Facilities to Licensor's poles. To the extent that there are any prior pole attachment agreements in effect between the Parties as of the Effective Date, any such agreements shall be deemed terminated as of the Effective Date. This Agreement may be amended only upon the written agreement of both Parties.

8.5 Notice.

Any notice hereunder may be given only in writing, by Certified, Registered or Return Receipt Requested United States first class mail, postage prepaid, or by a nationally recognized overnight carrier service.

If given to Licensor, addressed to:

City of High Point_____
P.O. Box 230
High Point, NC 27261

Attention: _____

If given to Licensee, addressed to:

Fiber Technologies Networks, L.L.C.
300 Meridian Centre
Rochester, NY 14618
Attention: Legal Department

with a copy to:

Any notice so given shall conclusively be deemed to have been served upon receipt.

8.6 **Compliance with Laws and Regulations.**

Each Party shall comply with all federal and state statutes, regulations, rules, ordinances, judicial decisions, and administrative rulings applicable to its performance under this Agreement. In the event of a change in federal or state law that would apply to any of the provisions of this Agreement, such change shall be effective immediately.

8.7 **Applicable Law.**

This Agreement shall in all respects be subject to and construed in accordance with and governed by the laws of the United States and the State of North Carolina, without regard to conflict of laws principles.

8.8 **Severability.**

Except as otherwise provided herein, the invalidity or unenforceability of any particular provision, or part thereof, of this Agreement shall not affect the other provisions, and this Agreement shall continue in all respects as if such invalid or unenforceable provision had not been contained herein.

8.9 **Force Majeure**

Neither Licensor nor Licensee be liable for any delay or failure in performance of any part of this Agreement if due to a cause beyond its control and without its fault or negligence including, without limitation, acts of nature, acts of civil or military authority, embargoes, work stoppages, epidemics, terrorist acts, riots, insurrections, fires, explosions, earthquakes, nuclear accidents, floods, other major environmental disturbances, unusually severe weather conditions, inability to secure products or services of other persons or transportation facilities, or acts or omissions of transportation carriers.

9 **Exhibits**

This Agreement shall include all Schedules and Exhibits referenced in this Agreement and attached hereto as if the Schedules and Exhibits were part of the Agreement.

Exhibit A- Pole Attachment Application
Schedule B- Pole Attachment Specifications

IN WITNESS WHEREOF, the parties hereto have their respective officers who are duly authorized to execute this Agreement below.

LICENSOR:

_____, NC

Date: _____

By: _____

Name: _____

Title: _____

LICENSEE:

Fiber Technologies Networks, L.L.C.

Date: _____

By: _____

Name: _____

Title: _____

EXHIBIT A
APPLICATION AND PERMIT

_____, 201_

_____, North Carolina

In accordance with the terms of the Pole Attachment Agreement, dated_____, 201_, Application is hereby made for a permit to attach facilities to the poles owned and maintained by the _____, as more particularly shown on the maps, drawings and documents attached.

Description of Poles and Locations:

By: _____

Title: _____
(Licensee)

Permit granted, _____, 201_, subject to Licensee's approval of the attached changes and rearrangements at an estimated cost to Licensee of \$_____. Payable in advance.

By: _____
Title: _____
(Licensor)

The above changes, rearrangements, charges, and rental approved and advance payment therefore enclosed.

Licensee:

By: _____

Permit No.: _____

Title: _____

EXHIBIT B

POLE ATTACHMENT SPECIFICATIONS

1. Licensee shall install, maintain, transfer and remove its Attachments at its own expense. All telecommunications facilities attached to Licensor's poles shall be installed in a manner to ensure compliance with the requirements of the *National Electrical Safety Code* (NESC) (ANSI C2) in effect at the time of installation, except as otherwise applied by the NESC. Maintenance and operations of the attached facilities must comply with the requirements of the NESC edition in effect at the time of installation except as otherwise applied by the NESC.
2. Any unbalanced loading of Licensor's Poles caused by the placement of Licensee's facilities shall be properly guyed and anchored by Licensee with a guy and anchor provided by Licensee, at no expense to Licensor. Licensee shall not attach any guy wire to Licensor's anchor, anchor rod, guy wire, or guy wire attachment on the pole.
3. A preliminary "ride through" of the proposed route of Licensee's facilities shall be made by representatives of Licensor and Licensee upon request by Licensor.
4. Licensee shall check and verify the condition of any Pole prior to climbing or performing work on it.
5. On Poles where Licensor has secondary/neutral conductors, all Attachments shall be located on the same side of each Pole as any existing telephone or communications cable, or as otherwise designated in advance in writing by Licensor.
6. On Poles where Licensor has secondary/neutral conductors, all Attachments shall be located on the same side of the Pole as the secondary conductors, or as otherwise designated by Licensor.
7. Where permitted, each such power supply or equipment enclosure shall be considered to be one or more Attachments.
8. Licensee shall cause all cabinets, enclosures, and messengers to be grounded by bonding to the existing pole ground with #6 solid, bare, soft drawn copper conductor where available or by installing a supplemental ground and ground rod.
9. Licensee shall not install a power supply or any other equipment enclosure on any of Licensor's Poles on which underground risers, capacitor banks, sectionalizing equipment or voltage regulators are already installed or on any Poles which are not accessible by general purpose aerial lift equipment using an all weather access road.
10. No electrical service connection to a Licensee power supply shall be made or installed by Licensee until after the local authority having jurisdiction has completed an inspection of and approved the installation of the required meter base and service equipment.
11. No bolt used by Licensee to attach its facilities shall extend or project more than one (1) inch beyond its nut.
12. All of Licensee's Attachments shall comply with NESC clearance requirements and all mid-span clearances between Licensee's facilities and Licensor's lowest conductors shall comply with NESC clearance requirements.

13. Licensee shall maintain a minimum of twelve (12) inches clearance between all of its Attachments and any attachment made by other attaching parties.
14. Licensee may not install standoff brackets, cross arms, alley arms, or cable extension arms for the support of any of its facilities without prior written approval of Licensor. In no event shall Licensee use any cross arm or alley arm brace above the arm that it supports.
15. Licensee shall install and maintain any and all of its facilities in a neat and workmanlike manner consistent with the maintenance of the overall appearance of the jointly used pole, subject to the approval of Licensor in its sole discretion.
16. The type and placement of any Licensee anchor installed to accommodate Licensee's guy wire shall be approved by Licensor in writing prior to installation. Any such anchor shall be placed so that Licensee's guy wire does not interfere with any guy wire of Licensor or a third party.
17. Licensee shall provide to Licensor a statement summarizing the standards used by Licensee for its standard pole attachment installations.
18. Prior to the installation of Attachments by Licensee to a Pole on which Licensor does not have a secondary/neutral conductor, Licensor shall have identified to Licensee the point on such Pole at which Licensor may or intends to attach a secondary/neutral conductor in the future. Licensee shall install its Attachment with the applicable clearance specified in Table 235-5 of the NESC necessary to accommodate the identified future location of such secondary/neutral conductor. To the extent that make-ready work is necessary to accommodate Licensee's attachment because of Licensor's reservation of space to add a secondary/neutral conductor, Licensor shall bear the cost of such make-ready work.

CITY OF HIGH POINT

AGENDA ITEM

**Title: Building Revitalization and Demolition Grant****From:** Wendy Fuscoe, Core City Administrator**Meeting Date:** September 8, 2015**Public Hearing:** No**Advertising Date /** N/A**Advertised By:****Attachments:** Building Revitalization and Demolition Grant Guidelines
Map

PURPOSE:

This grant is intended to encourage the reuse of underutilized or vacant buildings that will then lead them to occupancy.

BACKGROUND:

Last winter, Councilman Ewing and Wagner requested that staff look at the creation of incentives for the Downtown District (see attached map). The Building Revitalization grant was discussed at the Feb. 4 2015 Prosperity and Livability Committee, with a favorable recommendation to City Council once a few changes were made to the guidelines. On June 18, 2015, City Council approved the establishment of a Municipal Service District for this Downtown District which will give the City the authority to implement financial incentives in this district. The Prosperity and Livability Committee discussed the revised guidelines again at their July 15, 2015 meeting and recommended consideration by City Council with a favorable recommendation. The proposed incentives are proposed to encourage commercial activity and building rehabilitation in the downtown corridor area.

BUDGET IMPACT:

Building Revitalization Grant: Grants would be approved on a case by case basis by City Council.

RECOMMENDATION / ACTION REQUESTED:

Council is requested to adopt these guidelines and implement the Building Revitalization and Demolition Grant Program for the Downtown Corridor.



Building Revitalization and Demolition Grant Guidelines

Building Revitalization and Demolition Grant Guidelines

The City of High Point's Objective: Through targeted incentives, the City aims to redevelop distressed commercial areas. The changing nature of commercial development has led to disinvestment in the core city. This grant program is intended to provide investments and targeted development incentives to encourage upfit of underutilized or vacant buildings, improving occupancy in the core city.

The Building Revitalization Incentive Grant program is intended to encourage the reuse of existing buildings that have been identified by city staff as vacant or under-utilized within a designated Urban Revitalization Area. This grant program is designed to help owners of vacant or underutilized property make improvements that will result in the occupancy and reuse of their buildings and improve the surrounding neighborhood.

Purpose of the Vacant Building Revitalization Grant Program

- Attract reinvestment in distressed commercial and industrial corridors;
- Encourage projects that will help reduce blight in the Urban Revitalization Area.
- Encourage new and existing businesses to locate in substandard and functionally obsolete vacant or underutilized buildings;
- Beautify, upgrade, and market, vacant or underutilized properties in the Urban Revitalization Area;
- Stimulate and encourage good design in the rehabilitation of vacant or underutilized properties; and
- Preserve the unique character of historic properties;
- Encourage the formation of public/private partnerships for revitalization efforts.

Geographic Boundaries of the Grant Program

The City of High Point has designated a Downtown Municipal Service District ("Downtown MSD") within the city limits and area referred to as the core city. (See attached map.).

Business Development Committee (BDC):

- The BDC shall consist of five (5) members
- The BDC members shall be appointed by the City Council and will serve a 3-year staggered term.
- The Grant Administrator shall be the Core City Administrator and serve as an ex officio member of the BDC but without the right of a vote.
- City staff shall provide technical and professional assistance to the BDC upon request and with reasonable notice of the need for such support.
- The BDC shall review all grant applications covered under these grant guidelines and provide a recommendation to City Council.

Features of the Building Revitalization Grant

Grants of up to \$20,000 or 15% of eligible projects costs (whichever is less) are available for interior and exterior improvements to buildings that are located in the Downtown MSD. The program is also open to future Brownfield Sites, as designated by the Core City Administrator, within the Downtown MSD. Grants are awarded on a competitive basis with priority given to suspect Brownfield sites.

- Grants are awarded on a reimbursement basis.
- Approvals for a grant must be secured before work begins on the proposed project.
- Projects must be for improvements to buildings and must respect the architectural integrity of the structure and its historic significance. Designated historic structures must comply with the city's historic preservation requirements. Examples of eligible improvements include, but are not limited to, the following list:
 - Window replacement
 - Repairs to the façade
 - Repairs to or replacement of the roof
 - HVAC, plumbing, and electrical systems
 - Interior up-fits
 - Improvements necessary to protect the structural integrity of the building
 - Door repairs or replacement
 - Awnings
 - Environmental site assessment and remediation

Features of the Demolition Buildings Grant

Funds may also be used for the demolition of substandard buildings, if approved by the Business Development Committee and the High Point City Council. If plans are not submitted for a new structure on the site at the time of the application, the applicant then must submit a site restoration plan for the lot to ensure that the site is adequately cleaned up and will not contribute to blight in the community. The amount available for demolition will be at the discretion of the committee based on whether or not demolition is in the city's best interest and the best interest of the surrounding area. Grants for demolition are available at a maximum of thirty-five percent (35%) of demolition and site restoration costs up to a maximum of \$10,000.

Guidelines

1. Signage and business equipment are not eligible for grant funding. The only exception is that signage improvements that involve the removal of nonconforming signs may be eligible for funding.
2. Repairs eligible for grant funding must include the side fronting the street to which the building is addressed.
3. Structure must be covered by a current insurance policy sufficient to cover the value of the structure plus improvements.
4. Applicants must submit a reuse plan which details the applicant's plans to market and reuse the property.
5. All activities must lead to the reuse of the vacant or underutilized building within 24 months of the grant award. Projects receiving funding for demolition must complete all demolition and site restoration activities within 120 days unless additional time is written into the grant agreement approved by City Council.
6. Suspect and future Brownfield sites will be given priority.
7. End uses must be proposed for at least fifty percent (50%) of the building square footage.
8. Since one of the purposes of the program is to upgrade the building stock and stabilize declining buildings, successful applications will likely involve buildings that have not been significantly renovated in the past 15 years.
9. There is no right or entitlement to grant funding. All funding decisions are made at the discretion of the granting authority and subject to budget appropriation. Any grants under this program shall be awarded only after a public hearing before the High Point City Council.
10. To be eligible for funding from the grants, the building must qualify for a Certificate of Occupancy at the time of application or at the completion of the project. The grant may not be used for improvements to a building which may not be occupied due to code violations or other enforcement issues.
11. Grant requests must be approved before any work begins. Any work done prior to approval will not qualify under the grants.
12. A single property will only be considered for either the Building Revitalization Grant OR the Building Demolition Grant. No property shall be eligible to receive both grants.
13. Grant applications shall be reviewed by the Business Development Committee with a recommendation that must be approved by the City Council. Improvements to the building must comply with the Features of the Building Revitalization Grants as stated above.

Review Criteria

When reviewing proposals, the Business Development Committee shall take the following into consideration:

- Strength of the applicant's Reuse Plan
- Impact to the tax base and the overall economic impact of the project
- Number of jobs created by the project
- Reduction of crime

- Improvement to the overall appearance of the site, building, and business district
- How well the project accomplishes the goal of this program and the overall goals of the City
- Whether the project meets the requirements outlined above
- Length of time the building has been vacant or underutilized
- Compliance with the Land Development Code and current master plans
- Whether the building is a suspect Brownfield site
- Appropriateness of the proposed use and the compatibility of the design of the redeveloped building to the surrounding area
- Whether the proposed project will help reduce blight in the surrounding area

All applications will be reviewed by the Business Development Committee. When evaluating proposals, the committee, in light of the above factors, shall recommend approval or denial of the proposal to the High Point City Council. If the committee recommends denial, the proposal will only be presented to City Council if a written request from the applicant to proceed is received within 7 business days of the Business Development Committee's decision. If no request to proceed is received, the application will be considered denied. City Council approval is required for all Building Revitalization and Demolition Grant contracts.

Payment Schedule

Building Renovations

- Applicant will receive the grant award upon completion of improvements, receipt of a permanent Certificate of Occupancy, and occupancy of at least 50 percent of the building square footage by a use that is eligible for funding. If the first floor of an eligible showroom building is converted to commercial use, funding will be awarded when the converted space is occupied.
- During the designated demotion and/or revitalization period, the property receiving the grant must remain in compliance with all applicable sections of the High Point Code.

Performance Agreement Required

- Funds disbursed are treated as a forgivable loan. The term of the performance period is 3 years from the date funds are disbursed.
- Payments: During the loan performance period, no payments shall be required unless the recipient is in breach of any of the terms of the agreement.
- 1/3 of the loan amount will be forgiven annually on the anniversary of the date on which the grant funds were disbursed. If all conditions of the performance agreement are met, the loan will be forgiven after three years. If the recipient is found to be in breach of any portion of the agreement, the remaining balance shall become immediately due and payable.
- A project will be considered in breach of the performance agreement if any of the following conditions are met:
 - More than 50 percent of the building square footage is vacant for more than 90 days;
 - Any of the funded improvements are removed within the performance period; or

- If the property or building is sold, transferred or otherwise alienated by the recipient within the performance period whether voluntary or involuntary, or by operation of law.
- The grant recipient shall submit quarterly reports certifying compliance with applicable guidelines.
- The recipient shall also agree to be subject to periodic inspections to ensure compliance with the terms of the performance agreement.

Building Demolition

- In cases where city funds are used for demolition and no building is being constructed, the approved site restoration plan must be completed before funds are disbursed.
- Upon inspection and completion of the approved site restoration plan, 100% of the grant award will be disbursed.

Applicant Eligibility

Applicant must:

- Be the legal owner of the property (a copy of deed to the property is required);
- Furnish a current list of other owners/partners and staff;
- Be financially stable and proof of insurance coverage through a certificate of insurance;
- Not owe any back taxes, utilities fees, or civil penalties;
- Not be the owner of any properties within the City of High Point that are currently subjects of zoning or code enforcement actions;
- Not start work on any building improvements applied for under the grant until approval is given by City Council; and
- Provide renderings and architectural plans of entire proposed projects for the property.

Funding Eligibility Exclusions

The following are not eligible for funding through these grants:

- One and Two Family Residential uses (Multi-Family and Mixed use residential and commercial projects may be considered). Note that existing multi-family complexes and residential structures are not eligible. The building must have been previously used for commercial purposes;
- Religious organizations for sectarian purposes;
- Not for profit organizations, educational, institutional, medical and showroom uses are not eligible (showrooms may be eligible for commercial uses on the first floor);
- Buildings not within the City of High Point Downtown MSD;
- Organizations that discriminate on the basis of race, culture, gender sexual orientation, age, or religion;
- Political activities;
- Adult businesses;
- General storage, which is defined as the haphazard storage of goods within a building, is not permitted as an eligible use. Warehouse operations may be permitted if the business creates at least one full time job based out of the redeveloped building.
- Civic Organizations.

DOWNTOWN HIGH POINT BUSINESS IMPROVEMENT DISTRICT



Map Date: 5/13/2015

G:\Planning\Secure\CoreCity\corecity\2015\Downtown-Revitalization-Corridor-Revised.mxd

PROSPERITY AND LIVABILITY COMMITTEE
Committee Members Ewing, Alexander, Hill and Wagner
Chaired by Council Member Ewing
July 15, 2015 – 9:00 a.m.
Parks & Recreation Administrative Offices

Present:

Committee Chair Jason Ewing and Committee Members Alyce Hill and Jay Wagner

Absent:

Committee Member Latimer Alexander

Also Present:

Council Member Cynthia Davis

Staff Present:

Greg Demko, City Manager; Randy McCaslin, Deputy City Manager; Jeron Hollis, Communications Officer; Eric Olmedo, Budget and Performance Manager; Loren Hill, President, High Point Economic Development Corporation; Mary Sizemore, Director of the High Point Public Library; Scott Dingus, Engineering Services; Mark McDonald, Director of Transportation; Keith Pugh, Director of Engineering Services; Terry Kuneff, Engineering Services; JoAnne Carlyle, City Attorney; Lisa Vierling, City Clerk

Others Present:

Ross Lackey, Patricia Bellochio, Richard Wood, Gloria Halstead, David Willett

News Media:

Fox 8

Chairman Ewing called the meeting to order and reminded everyone that this is a Council Committee with conversation between Council and staff and public comments should be made during Council meetings.

David Willett, a resident on Delk Drive, stated he would like to speak regarding Rotary Drive. Chairman Ewing explained that this is not the appropriate time to make comments because this is the time for discussion between staff and the Committee. He encouraged Mr. Willett to provide any written remarks to him to pass along to Council. Mr. Willett stated he has some ideas that he would like to share with Council to help in making a decision.

DISCUSSION- TRAFFIC CALMING PROPOSALS (Johnson Street & Farriss Avenue)

Mark McDonald, Director of Transportation, shared some options staff put together for Johnson Street & Farriss Avenue.

Option 1- Install a 3-way STOP

Estimated Cost: under \$5,000

Requires minor modifications to existing conditions that would add the following at the Farriss Avenue intersection:

- STOP signs on both sides of the street
- STOP bar on southbound Johnson
- Advance “STOP AHEAD” signs and pavement legends (between Guilford and Farriss)
- Change out amber flasher to red
- Overhead STOP sign
- Add “3-way” sign to all STOP assemblies (4 total)
- Refresh centerline entering intersection and other markings and signs as needed

Committee Member Hill inquired about the timeframe to implement this. Mr. McDonald replied that staff could begin implementation within a week of Council’s approval and would put out the message boards to indicate that a change is forthcoming and after the new signs are installed these message boards would stay up for another week with another “STOP AHEAD” message on it. In addition, staff will work with the Communications Officer to get the word out about the change in the traffic pattern.

Chairman Ewing asked if the STOP AHEAD signs would be sufficient or if rumble strips might better serve as a warning. Mr. McDonald explained that staff would see how the advanced warning signs would work and have not considered using rumble strips at this time.

Option 2a- Install a 3-way STOP and Reduce Johnson Street to One Lane

Estimated Cost: \$30,000

Mr. McDonald advised this is a more complex option that starts at the intersection of E. Lexington. He explained this requires grinding up existing markings and re-striping the street to one southbound lane from Lexington Avenue to approximately 350 feet north of Parkway Avenue. New markings would allow for one 14-foot travel lane with bike “sharrows”, and parking on both sides of the street. This single lane would transition back to two lanes approaching the traffic signal at Parkway (no changes).

Includes Option 1 improvements at the Farriss intersection, with the following additional changes:

- Remove “through” arrow from the southbound Johnson Street left lane approaching the traffic signal at Lexington.
- Install “ONLY” pavement legend to southbound left lane.
- Install “Left Lane Must Turn Left” sign on shoulder approaching Lexington, and overhead “LEFT ONLY” sign on signal span.
- Requires signal plan modification and approvals from NCDOT.

Committee Member Wagner asked staff what might be a more viable option to slow traffic. Mr. McDonald felt it would be better to begin with the simplest solution (start with the 3-way STOP at Johnson and Farriss) and see how this works before moving onto something else that will be more costly.

Option 3- Install a 3-way STOP and/or roundabout/diverter; reduce Johnson Street to one lane
Estimated cost: \$60,000

Mr. McDonald explained if the other efforts were not working, this could go in at the intersection of Johnson and Farriss and would require traffic in the single lane to divert their route around the island. Traffic on Farriss would also have to go around the island. He noted this does not really have an effect on eastbound traffic coming from Main Street. Felt this was a more drastic measure to take when simpler measures could be used to address the issues.

Committee Member Hill asked about sight lines from Farriss crossing Johnson. Mr. McDonald explained the sight lines are caused by trees close to the edge of the curb, and a slight rise with a small picket fence and these things combined create visibility issues. Committee Member Hill suggested putting up some kind of signage to warn motorists of the limited sight lines.

Mr. McDonald noted staff's recommendation at this point would be to proceed with the multi-way STOP and continue to monitor and evaluate the intersection to see the effect of the measure.

Committee Member Wagner inquired about the speed humps. Mr. McDonald advised that speed humps could possibly be a future option for consideration and mentioned that he made a visit to Raleigh yesterday and took pictures of speed humps they are using in various places and talked to them about the way they are handling things. At this point, staff is not recommending that speed humps as a part of the options to consider. Mr. McDonald noted speed humps could possibly be implemented at a later time, if these options do not address the issue.

Council Member C. Davis asked how long staff might evaluate doing Option 1 (3-way STOP) before trying something else. Mr. McDonald advised it would probably take at least six months to one year to see how it works. Committee Member Hill asked if moving the single lane to the center would improve the sight line from Farriss and staff felt it would, but it would require parking restrictions away from the intersections to keep them clear.

Committee Member Wagner favored Option 1- 3-way STOP at Johnson/Farriss and moved to forward this to the City Council with a favorable recommendation with a six-month evaluation/report from staff after implementation. Committee Member Hill made a second to the motion, which carried by a 3-0 vote. [Committee Member Alexander was absent]

Mr. McDonald advised that this would actually be an amendment to Article P of the Traffic Schedule and staff could have it drafted and ready for Monday's meeting or the August meeting. The committee asked that it be placed on Monday's City Council agenda for consideration.

DISCUSSION- TRAFFIC CALMING PROPOSALS (Rotary/Farriss)

Option 1- Install a 4-way STOP at Farriss Avenue

Estimated cost: Under \$5,000

Requires minor modifications to existing conditions that would add the following at the Farriss Avenue intersection:

- STOP signs on all approaches
- Add “4-way” sign to all STOP assemblies (4 total)
- STOP bars on all approaches
- Advance “STOP AHEAD” signs and pavement legends on Rotary

(Changes could be made as part of resurfacing on Rotary Drive)

Option 2- Install a roundabout at Farriss Avenue

Estimated cost: \$25,000

Construction of a small roundabout with splitter islands on each approach. Includes signing and pavement markings. No apparent right-of-way needs to do this.

Mr. McDonald pointed out rather than being a STOP condition all the way around, would be a YIELD condition, very similar to the roundabout behind the Library on Elm/Lindsay. This would allow traffic to continuously flow around it.

Chairman Ewing asked inquired about the street lighting in this area and Mr. McDonald replied that staff would need to make sure that the street lighting is adequate.

Option 3- Install tandem roundabouts at Fairway Drive and at Woodland Place

Estimated cost: \$60,000 without deflection

\$120,000 with deflection

Construct roundabouts at these two intersections, which are about 300 feet apart. The deflection option would be more effective at reducing speeds, but requires reconstruction of existing curb & gutter and sidewalk with significant property impacts.

Mr. McDonald advised that these intersections are separated by 300 feet and in order to get the type of deflection desired with a roundabout, there would have to be some changes made to the curb lines. He pointed out this would impact the front yard of a property owner’s driveway (which would be at either end of the splitters). He noted this is on the south end of the 25 mph zone and probably wouldn’t have a lot of effect on the speed at Farriss and Parkway or Hillcrest.

Council Member C. Davis asked if Option 1 (4-way STOP) and Option 4 (speed humps) could possibly be done together in strategic locations on Rotary. Mr. McDonald reiterated that speed humps could be considered in the future because the city has no real experience with speed humps, but he wanted to put the option out there. Committee Member Wagner expressed concerns that putting a 4-way STOP ON ROTARY/FARRIS would not really address the

speeding issues on the southern end between Fairway and Ferndale and was not addressing anything to slow the speed down on the other end. Mr. McDonald added that finding the right locations to put speed humps would be critical for their effectiveness.

Mr. McDonald informed the Committee that he did go to Raleigh to see how they were doing traffic calming mitigation and they are in the midst of conducting a peer review and collecting traffic calming practices and policies from the major cities in North Carolina and will share it with everyone once the data is in. At this time, Mr. McDonald shared some pictures and a video he took while visiting some of the areas in Raleigh neighborhoods with traffic calming measures such as speed humps/speed bumps.

Committee Member Wagner asked what kind of budget the city has for these types of measures and Mr. McDonald replied “zero.” Mr. McCaslin explained in addition to the money issue, there is a Traffic Calming Policy that has been adopted by City Council that calls for a petition process for public input and also calls for the neighborhood to participate and pay the cost of the improvements. He stressed that Council really needs to address the policy side of it because of the number of anticipated future requests. Chairman Ewing noted the forthcoming report from the Raleigh DOT would be beneficial to Council when considering changes to High Point’s Traffic Calming Policy.

Committee Member Hill made a motion to start with Option 1, a 4-way STOP at Farriss/Rotary with a 6-month evaluation period and to send this to Council with a favorable recommendation. Committee Member Wagner made a second to the motion. The motion carried by a 3-0 vote. [Committee Member Alexander was absent].

Mr. McCaslin noted this would also require an Amendment to Article P of the Traffic Schedule and staff indicated they could get the information together for replacement on the July 20th Agenda for consideration.

For further clarification, Committee Member Hill pointed out staff would have the information that is being compiled by the Raleigh DOT for traffic calming devices at the end of the 6-month evaluation period, and at that time could consider any changes and funding options for any more extensive changes that might be necessary.

UPDATE- S. MAIN STREET STREETScape PROGRAM

Mr. McCaslin shared that this came to the Prosperity & Livability Committee several months ago and the Committee instructed staff to move forward with contacting property owners in the first phase, which started at Business-85 on S. Main Street and working back toward the north. He explained that Wendy Fuscoe, Core City Administrator, has made contact with those property owners.

Terry Kuneff with Engineering Services provided an update on the S. Main Street Streetscape program, which was broken down in four phases:

- Phase 1: begins at Business-85 to S. College Drive (estimated cost almost \$21,000- does not include any purchase of easements or right-of-way, but does include trash cans and benches)

He mentioned that the Committee was undecided after the last update as to if they wanted to do median improvements or just along the perimeter in the sidewalk right-of-way area and Ms. Fuscoe was directed to contact the property owners in Phase 1 to see what their take was on it.

He shared the plans from Phase 1, as well as reviewed some of the comments that were received from the property owners from this area. He explained that Phase 1 consists of approximately a dozen lots with the City of High Point owning a large lot. He noted that not many of the property owners responded, but from those that did about 50% were okay with it, but the property owners at Vann York dealership and another relative of a property owner shared that they did not want anything that would block the view.

- Phase 2: S. College to W. Ward (estimate cost \$58,075- does not include any purchase of easements or right-of-way, but does include trash cans and benches)
- Phase 3: W. Ward to GTCC (\$35,133- does not include any purchase of easements or right-of-way, but does include trash cans and benches)
- Phase 4: GTCC to E. Russell (\$47,438- does not include any purchase of easements or right-of-way, but does include trash cans and benches)

Chairman Ewing asked how the property owners' comments would affect the cost of the project. Mr. McCaslin felt the car dealerships on N. Main Street would fight these plans because they want the visibility and noted it might be possible to concentrate the landscaping more in the areas that want it. He suggested that staff could start the plantings/landscaping in the fall and noted that Ms. Fuscoe has already started contacting the property owners in Phase 2. Mr. McCaslin reported that staff anticipates getting all phases completed by the end of the fall. Chairman Ewing asked if it might be possible for Ms. Fuscoe to contact the property owners in Phases 2, 3 and 4 and have the information ready by September for the Committee to move forward. Mr. McCaslin explained that this is merely an update from staff and no further approval from the Prosperity & Livability Committee is needed, noting the \$600,000 for the project is already in the budget. He suggested staff proceed and be prepared to provide another update in September.

Mr. McDonald advised that he has talked with NCDOT and asked them to take into consideration when constructing the new bridge, to make sure that it can be expanded and fit an interchange improvement there as well. Staff suggested possibly putting in a little pocket park on the property owned by the city just coming off Business-85 (planting trees, putting in benches, and possibly a Welcome to High Point brick sign). Council Member C. Davis suggested narrowing some of the lanes to possibly facilitate some additional sidewalks, bike lanes, etc..... Mr. McDonald explained it would be difficult to do this as the lanes are already pretty narrow. Ross Lackey volunteered to come up with a landscape plan for the park area that would include some edible landscaping.

Committee Member Hill asked if staff had a cost breakdown of the medians and planters and asked if there would be a cost savings if some of the planters were eliminated. Mr. Kuneff noted

that he only had the total cost for the different phases. Greg Demko, City Manager, pointed out it was important to keep in mind that the real cost would be in the maintenance. Committee Member Hill liked the idea for a Welcome to High Point sign at this location and Committee Member Wagner agreed that it would definitely make a visual impact. He stated he was not necessarily opposed to the pocket park, but questioned the number of people who actually walk in this area.

The Committee questioned whether or not the park improvements, installation of the brick medians and plantings could be done for the \$600,000 that has been budgeted. Staff felt this could be done and asked the Committee if they desired staff to get some cost figures on installing the Welcome to High Point signs also. It was the consensus of the Committee to have staff move forward on notifying the property owners in the additional phases, have staff come back at the September meeting with a design for the pocket park and concept for the Welcome to High Point monument sign (including cost estimates).

UPDATE- FAÇADE GRANT PROGRAM

Mr. McCaslin reported that the 2014-2015 Façade Grant Program has been completed with \$35,000 allocated for the total program. Out of this, the city awarded 15 grants totaling \$34,900 (twelve grants completed, three did not follow through and accept the grant), so the total for those twelve grants was a little over \$29,000 and this left about \$5,700 in the program. He pointed out for every public dollar spent, about \$5.5 dollars were spent in private dollars. Staff plans on starting the 2015-2016 Façade Grant Program and begin advertising around August 1st, then accept applications, which will need to be in by September 6th. He noted that Council would need to appoint a Façade Grant Committee in accordance with the policy and should include an architect, business people, citizen, real estate interest, etc.... Once the Committee is designated they will meet and review the applications received and will make a determination and send out notifications by mid-September. The amount budgeted in the 2015-2016 year for façade grants is \$50,000.

Council Member C. Davis asked if these façade dollars are the same dollars mentioned in the MSDs. Following a brief discussion, staff clarified that the façade grant money and the MSD money are two separate pots of money. Mr. McCaslin explained the façade grant money is budgeted separately and can be used in all four MSDs and the incentive funds that would be discussed next is the \$200,000 that was part of the settlement that Council put towards this or earmarked towards this and can only be used in the downtown incentive districts, or downtown MSD. He noted this was merely an update from staff and no action is needed by Council because this has already been done with the appropriation.

UPDATE- DOWNTOWN DISTRICT INCENTIVE PROGRAM

Mr. McCaslin explained that both of these incentive programs (i.e. Downtown Incentive Grant and the Building Revitalization and Demolition Grant Guidelines) were brought to the Prosperity & Livability Committee in February and some minor revisions were made since that time, so staff is bringing it back to the committee for consideration in moving this forward to the City Council for final approval.

Committee Member Wagner if these applications should go to the Business Development Committee for evaluation and recommendation. Mr. McCaslin replied that is the way it is set up and noted the City Council would appoint the committee with the Core City Administrator serving as the ex-officio member of staff.

Council Member C. Davis expressed concerns regarding #10 on page 2 of the Building Revitalization and Demolition Grant Guidelines:

“Since one of the purposes of this program is to upgrade the building stock and stabilize declining buildings, successful applications will likely involve buildings that have not been significantly renovated in the past 15 years.”

She shared her biggest objection to this is the fact that it is the responsibility of the property owners to maintain their own property without having to dip into taxpayer’s dollars to fix their property up. Committee Member Wagner explained this was not about maintenance, but it was about the improvement of properties in order to stimulate growth to the tax base and trying to stimulate some reinvestment in the downtown. He pointed out other cities have successfully done this to help stimulate growth in their downtowns. Committee Member Hill shared a conversation she had recently with someone who was in High Point, sold their business, and basically semi-retired for a few years and is now interested in starting some type of new business venture. She noted he has been looking in Asheboro because of the great things that are happening in their downtown and the fact that Asheboro has made a difference by committing to making Asheboro a place for development while supporting the business owners and their ventures. Committee Member Hill stated that the person told her that they did not see any kind of commitment from High Point in the downtown area. Council Member C. Davis noted she is not against the development of business or incentivizing, but echoed the concerns she shared earlier about property owners being responsible for maintaining their own property.

Chairman Ewing explained part of the problem is that the downtown in High Point is unique due to the number of showrooms and in the past, property owners would lease the showrooms out and those leasing the property would upgrade the property by making repairs and performing any necessary maintenance that was needed. He noted the showrooms are dwindling and there does not seem to be a demand for these buildings anymore and the buildings need work to be converted to another use. Committee Member Wagner pointed out Council Member C. Davis’ argument could be made the same with the façade grant program because the property owners were given money to fix the facades, but pointed out that it is a proven return on the investment (\$5 in private investment for every dollar the city spends). He noted this downtown incentive program would incentivize people to repurpose their buildings and if it is successful, it will result in more non-showroom uses in the downtown and the city would eventually recoup the money. He stated it was good for taxpayers to do this over a long term rather than have buildings sit there vacant and unused while declining in value, which puts a downward stress on property values and the property tax the city collects.

Council Member C. Davis pointed out the city is not giving money to residential property owners to fix their homes and noted there are clearly individuals in the city that cannot afford to make repairs to their homes and voiced strong objections again about using taxpayer dollars to

incentivize somebody's commercial building or commercial property. Committee Member Wagner explained the bottom line is the city is driven by property values and has not done anything to try to stimulate the redevelopment of downtown. He felt the most growth of the tax base would be realized from commercial development, not from improvements made to residential property. Chairman Ewing reiterated that this idea has been vetted over and over and came out of other successful cities that have similar programs. He advised that the Prosperity & Livability Committee wanted to try this to see if it would boost business development and revitalization and suggested to move forward.

Committee Member Ewing then moved to forward the Building Revitalization and Demolition Grant Guidelines and the Development Incentives Grant to Council with a favorable recommendation. Committee Member Wagner made a second, which carried unanimously. [4-0 vote]

UPDATE- LIBRARY PARKING LOT PROJECT

Mr. McCaslin reported that staff would be providing an update on the Library parking lot project and that Engineering Services has been working on refining the option that Council chose. Scott Dingus, of Engineering Services, advised there are two options: SPOKE option and ARC Option. The **SPOKE Option** requires acquiring the lot to the northwest; total parking spaces = 202 (20 more additional spaces than the existing lot); allows for more market stalls; and four entrances. The **ARC Option** uses the existing Library property; 182 parking spaces (which is very close to the existing number of spaces); closes entrance on northeast side. This option has three entrances; traffic flow is not as smooth.

Mr. McCaslin stated that staff hopes to have a final product in the not too distant future and be able to go out for bids, which will come back to Council for consideration.

UPDATE- WASHINGTON STREET PROJECT

Terry Kuneff of Engineering Services provided a brief update on the Washington Street Project. He reported that the project is going as planned; the new water line, sewer line and storm sewer installation is complete; the sidewalk, curb/gutter, and locations for the tree grades on the north side of Washington Street is complete. He advised that the contractor has moved to the south side of Washington Street near Centennial and is beginning to break up the concrete, sidewalk, curb/gutter, boring new sidewalk and curb/gutter all the way down to the park at the end near Gaylord Court. Once this work is done, it will complete the length of the project and the contract plans to come back with new paving and striping for the roadway and will plant the trees after the paving is complete. Staff anticipates the project to be completed at the end of August. Mr. McCaslin pointed out the project is several months ahead of schedule.

INVITATION FROM ROSS LACKEY FOR A SITE VISIT TO HIS FARM

In anticipation of the discussion at the next Prosperity & Livability Committee regarding possible changes to the city's code and ordinances, Ross Lackey issued an invitation for Council to visit his farm sometime around the 1st of August to get a first-hand look at his farm (grows food, has chickens and livestock, etc...).

NEXT PROSPERITY & LIVABILITY COMMITTEE MEETING

Chairman Ewing asked if there were any objections to possibly changing the date of the next Prosperity & Livability Committee meeting since the Council had canceled the first meeting in August. He suggested possibly meeting on August 12th. He noted that he would follow up with Committee Member Alexander on this since he was not present at this meeting.

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 10:55 a.m. upon motion duly made and seconded.

Respectfully Submitted,

Lisa B. Vierling, MMC
City Clerk

Jason Ewing, Chairman

FINANCE COMMITTEE

Committee Members: J. Davis, C. Davis, Hill and Williams

Chaired by Mayor Pro Tem J. Davis

July 16, 2015 – 4:00 p.m.

City Manager's Conference Room

MINUTES

Present:

James Davis, Chairman

Committee Members: Cynthia Davis, Alyce Hill and Chris Williams

Staff Present:

Greg Demko, City Manager; Randy McCaslin, Deputy City Manager; Jeff Moore, Director of Finance; Jeron Hollis, Public Information; Joanne Carlyle, City Attorney; Robby Stone, Assistant Director of Public Services; Garey Smith, Fleet Services Director, Mark McDonald, Director of Transportation; Tommy Reid, Fire Chief; Brian Evans, Assistant Fire Chief; Loren Hill, President- High Point Economic Development Corporation; Lee Stanley, Communications Supervisor- Radio Shop; Nancy Williams, 9-1-1 Manager; Terry Houk, Director of Public Services; Lisa Vierling, City Clerk

News Media Present:

Pat Kimbrough, *High Point Enterprise*

1. Public Hearing – Expansion Project

Monday, July 20, 2015 at 5:30 p.m., is the date and time established to receive public comments on a request to authorize performance-based incentives in an amount not to exceed \$147,000 for HAECO Americas/TIMCO Aerosystems. The company proposes to create 147 full-time jobs and add \$5.75 million to the local tax base at 8010 Piedmont Triad Parkway.

Loren Hill, President- High Point Economic Development Corporation, provided a brief summary of HAECO's request for incentives and noted that Kip Blakeley, Vice-President of Government and Industry Relations would be present at the public hearing to make some remarks on behalf of HAECO Americas. He shared that he has been working with this company for many years on this project and stressed the importance of the aviation cluster. He advised there were other smaller aviation companies around town and this would help cement High Point as fully engaged in the aviation cluster.

2. Purchase of Equipment – Rear Loading Refuse Truck

Council is requested to approve the purchase of a Freightliner truck with New Way rear loading refuse body from Scranton Manufacturing Company in the amount of \$180,982.84; declare the old truck as surplus and dispose through the online auction process and authorize the appropriate City official to execute all necessary documents.

Garey Smith, Director of Fleet Services, explained the Solid Waste Division has a rear loading refuse truck that is in need of replacement due to age and mileage. He reported the estimated delivery date would be 90-120 days. Staff is also asking that the City Council declare the old one as surplus to be disposed of through GovDeals (on-line auction).

Chairman J. Davis made a motion to forward this matter to Council with a favorable recommendation for approval. Committee Member Hill made a second to the motion, which carried unanimously. [4-0 vote]

3. Purchase of Equipment – Truck Mounted Street Sweeper

Council is requested to approve the purchase of a used 2014 Elgin Crosswind street sweeper from Public Works Equipment and Supply, Inc. in the amount of \$228,000 and authorize the appropriate City Official to execute the necessary documents.

Garey Smith, Director of Fleet Services, explained the Stormwater Division has requested the purchase of an additional street sweeper. They currently have three; two are front line sweepers and one is used as a spare. The additional street sweeper will improve the service delivery of street cleaning. He noted this model only has 6,000 miles and will save the city about \$16,000 from purchasing a new one and the vendor has agreed to give the city the same type of warranty as if it were a new one.

Committee Member Williams made a motion to forward this matter to the City Council with a favorable recommendation. Committee Member Hill made a second to the motion, which carried unanimously. [4-0 vote]

4. Purchase of Equipment – Truck Mounted Vacuum

Council is requested to approve the purchase of a new truck mounted vacuum debris collector from Old Dominion Brush, Inc., in the amount of \$165,877.05 and authorize the appropriate city official to execute the necessary documents.

Garey Smith, Director of Fleet Services, advised that this would give the city a spare, which has not been the case in the past, and noted that any down time puts the city behind in performing these services. Delivery of the truck will be about 90-100 days.

Committee Member Williams moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member Hill made a second to the motion, which carried unanimously. [4-0 vote]

5. Purchase of Equipment – Truck Mounted Sewer Vacuum

Council is requested to approve the purchase of a truck mounted sewer vacuum from Rodders & Jet Supply Company in the amount of \$331,910.55 with trade in of old equipment and authorize the appropriate City Official to execute the necessary documents.

Garey Smith, Director of Fleet Services, advised the old one has over 180,000 miles and the company is giving the city a \$30,000 trade-in allowance for the old truck. He noted this is on the national NJPA contract and is a good price.

Chairman J. Davis moved to forward this matter to Council with a favorable recommendation for approval. Committee Member C. Davis made a second to the motion, which carried unanimously. [4-0 vote]

6. Purchase of Equipment- Side Loading Refuse Trucks

Council is requested to approve the purchase of two (2) side loading refuse trucks from Scranton Manufacturing Company in the amount of \$515,977.58 and authorize the appropriate City Official to execute the necessary documents.

Garey Smith, Director of Fleet Services, noted this would replace two 2007 side loaders that are currently being used by the Solid Waste Division; both of which have over 10,000 hours and two of the oldest trucks. These trucks are used daily for residential garbage collection and staff would like to retain these two oldest and use as spares.

Committee Member C. Davis moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member Hill made a second to the motion, which carried unanimously. [4-0 vote]

7. Purchase of Equipment - Fire Trucks

Council is requested to approve the purchase of three 2016 Pierce Enforcer fire trucks from Atlantic Emergency Solutions in the amount of \$1,699,674.00, and that the appropriate City official be authorized to execute all necessary documents.

Tommy Reid, Fire Chief, explained this was part of the 15-year replacement plan replacing 1998 pumper models and a 1994 aerial device. He noted that NFPA, 1910, Appendix D states that a frontline apparatus should be 15 years or 5 years in reserve and the department is well over this with a lot of the frontline apparatus. City Manager Greg Demko explained that staff would also evaluate the repairs and downtime experienced. He pointed out this also includes a financing package that Jeff Moore, Director of Financial Services, would be bringing to City Council in about 90 days.

Chairman J. Davis moved to forward this matter to the City Council with a favorable recommendation for approval. Committee Member C. Davis made a second to the motion, which carried unanimously. [4-0 vote]

Contract – Motorola P25 Migration Upgrade Project

Council is requested to approve contract with Motorola Solutions, Inc. in the amount of \$3,242,507.00 for the complete upgrade to the city's current radio system and authorize the appropriate City Official to execute the necessary documents.

Lee Stanley, Communications Supervisor for the Radio Shop, explained this is the completion phase of the plan for the P25 communications network upgrade. He noted the first phase which basically allowed High Point to join the Greensboro core and purchase the necessary pieces that allowed us to join the core infrastructure in Greensboro. This proactively kept the City of High Point on a 10-year manufacturer's end of life cycle plan and by partnering with Greensboro/Guilford County, this also allowed us to use their core which they purchased and the City of High Point enjoyed a very significant cost savings. This also greatly enhanced the city's ability to operate with them as partners in the TRON (Triad Regional Operations Network). He noted that the tower retrofit is also a part of this project. Jeff Moore, Director of Financial Services, noted this would approve the full amount of the project, but the city would be seeking financing for the next ten years and this would come back within the next 90 days or so.

Committee Member Williams moved to forward this matter to the full Council with a favorable recommendation for approval. Committee Member Hill made a second to the motion, which carried unanimously. [4-0 vote]

8. Contract - Motorola Radio Purchase

Council is requested to approve contract with Motorola Solutions, Inc. for the purchase of 65 portable radios and ninety eight (98) mobile radios as part of the annual eight (8) year radio replacement cycle in the amount of \$577,691.87 and authorize the appropriate City Official to execute the necessary documents.

Lee Stanley, Communications Supervisor for the Radio Shop, shared this is part of the 8-year replacement cycle for radio replacement.

Committee Member C. Davis moved to forward this matter to Council with a favorable recommendation. Committee Member Williams made a second to the motion, which carried unanimously. [4-0 vote]

9. Contract – Vesta 911 Next Generation Phone System Lease

Council is requested to approval contract with Wireless Communications, Inc. for the lease of the Vesta 9-1-1 Next Generation Phone System. The lease price of this equipment including installation is \$673,707 over a five year period (final price with financing \$776,640.)

Nancy Williams, 9-1-1 Manager, reported that staff is requesting that the city lease the Vesta Next Generation Phone System because the current system will be at the end of life in December. Funding is provided by the State 9-1-1 Board and this will provide phone consoles, phone switch, mobile crash carts which will allow them to go anywhere in the city with WiFi. She explained that we currently have back-up with Guilford Metro, but this would give the city other options (a back-up to the back-up plan).

Chairman J. Davis moved to forward this matter to Council with a favorable recommendation for approval. Committee Member C. Davis made a second to the motion, which carried unanimously. [4-0 vote]

10. Contract – Motorola/Intrado Solutions, Inc. – Next Generation 911 Service Solution

Council is requested to approve a Service Agreement with Motorola/Intrado Solutions to support the 9-1-1 Center's life critical Next Generation 9-1-1 solution. The contract price is \$1,173,365 and is payable over a 60 month period.

Nancy Williams, 9-1-1 Manager, explained this would basically push information out so the city can receive texting, video and pictures to the new phone system and is also funded by the State 9-1-1 Board.

Chairman J. Davis moved to forward this matter to Council with a favorable recommendation for approval. Committee Member C. Davis made a second to the motion, which carried unanimously. [4-0 vote]

11. Acceptance of Grant from US Department of Homeland Security (FEMA)

Council is requested to accept the award of a grant from the US Department of Homeland Security (FEMA) in the amount of \$1,215,163.00 (1,104,694.00 Federal funds, \$110,469.00 City match).

Chief Reid informed the Committee that the Fire Department just got awarded a grant from the US Department of Homeland Security (FEMA) in the amount of \$1.2 million to replace all the department's breathing apparatus with the city's match being around \$110,000 (10% of the grant). Jeff Moore, Director of Financial Services, explained staff will be proposing a budget amendment and noted the city planned to complete this last fiscal year, but the award and approval process with the government took a little longer, so it was carried over to this fiscal year.

Chairman J. Davis moved to forward this matter to the City Council with a favorable recommendation. Committee Member C. Davis made a second to the motion, which carried unanimously. [4-0 vote]

12. Budget Ordinance Amendment – Self Contained Breathing Apparatus – FEMA

Council is requested to adopt a Budget Ordinance amending the 2015-2015 Budget Ordinance to appropriate funds in the amount of \$1,215,163.00 for a grant received from FEMA for the purchase of self-contained breathing apparatus for the Fire Department.

Chairman J. Davis moved to forward this matter to the City Council with a favorable recommendation. Committee Member C. Davis made a second to the motion, which carried unanimously. [4-0 vote]

13. Resolution – Interlocal Agreement – Solid Waste Services to Guilford County Schools

Council is requested to adopt a Resolution approving an interlocal agreement to provide solid waste collection, disposal and recycling services to Guilford County Schools located within the High Point City limits.

Terry Houk, Director of Public Services, explained that Public Services is asking for Council's approval of this Interlocal Agreement with Guilford County schools located within the city limits and Jamestown. He advised that High Point has teamed up with Greensboro to serve the schools with trash pick-up and recycling. He reported that High Point would break even on recycling and would net \$50 a month on trash pick-up (per a service location). He noted this is a relatively new venture and these fees were consistent with the fees that Greensboro is currently charging. Committee Member C. Davis felt this was a very minimal amount of savings which would not even cover the wear and tear of the equipment. Mr. Houk explained that they would rather have the City of High Point equipment servicing the schools inside the City of High Point.

Chairman J. Davis moved to forward this matter to Council with a favorable recommendation for approval. Committee Member C. Davis made a second to the motion, which carried unanimously. [4-0 vote]

14. Resolution – Interlocal Agreement- Justice Assistance Grant Program

Council is requested to adopt a Resolution ratifying and authorizing the execution of an interlocal agreement between the City of Greensboro, High Point, and Guilford County for the shared use of the 2015 Byrne Justice Assistant Grant (JAG) program award.

Randy McCaslin, Deputy City Manager, explained this is an on-going annual grant in cooperation with the City of Greensboro and Guilford County and they intend to use it to purchase cameras for their vehicles.

Chairman J. Davis moved to forward this matter to Council with a favorable recommendation for approval. Committee Member C. Davis made a second to the motion, which carried unanimously. [4-0 vote]

15. Municipal Agreement – NCDOT – Pedestrian Planning Grant

Council is requested to approve a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for a Bicycle and Pedestrian Planning Grant.

Mark McDonald, Director of Transportation, explained this is a planning grant from NCDOT to do a comprehensive master plan for sidewalks. NCDOT will actually do the work and the City of High Point will be reimbursing them for the city's half of the grant and it would bring the plan into conformance with current NDOT standards for bike and pedestrian planning. The total grant amount is estimated at \$70,000 with High Point's share being \$35,000. Mr. McDonald advised that this was initiated through the Southwest Renewal Foundation and Alta Planning worked with the city to complete the application in the fall for this grant. He pointed out this is for a pedestrian plan for the entire city and would not address the bike lanes, but it was part of the comprehensive plan for sidewalks, bike lanes, trails all of which are part of the complete street program.

Committee Member Williams moved to forward this matter to Council with a favorable recommendation for approval. Committee Member Hill made a second to the motion, which carried unanimously. [4-0 vote]

16. Amendment to Lease – High Point Theatre/IHFC Property

Council is requested to approve an amendment to the original lease between the High Point Theatre and the International Market Center (IMC) to allow for a consistent budgeting for HVAC service and preventative maintenance that the Theatre receives from the IMC for the period of July 1, 2015, June 20, 2016.

Randy McCaslin, Deputy City Manager, explained this would help the city tremendously for budgeting purposes and this is one-year agreement for FY 2015-2016. Chairman J. Davis asked what the city was doing with the excess (savings of \$93,000) of what was previously budgeted (around \$183,000). Jeff Moore, Director of Financial Services, replied this was factored into the total budget approval process for the Theatre and various projects.

Chairman J. Davis moved to forward this matter to Council with a favorable recommendation for approval. Committee Member Hill made a second to the motion, which carried unanimously. [4-0 vote]

OTHER BUSINESS

Convention & Visitors Bureau

Committee Member Hill mentioned that the CVB is very interested in showing Council their new facility and will be contacting Council in the near future. City Manager Greg Demko reported that Jeff Moore has been working with Melody at the CVB and they have been very receptive to the changes and accounting structures.

There being no further business to discuss, the Finance Committee Meeting adjourned at 3:48 p.m.

Respectfully Submitted,

Lisa B. Vierling, MMC
City Clerk

James C. Davis, Chairman