

City of High Point

*Municipal Office Building
211 S. Hamilton Street
High Point, NC 27260*



Meeting Agenda

Monday, August 6, 2018

5:30 PM

Council Chambers

City Council

*Jay W. Wagner, Mayor
Christopher Williams, Mayor Pro Tem
Jason P. Ewing, Jeffrey J. Golden,
S. Wesley Hudson, Victor A. Jones,
Britt W. Moore, Monica L. Peters,
Donald A. Scarborough*

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

[2018-294](#) Proclamation - National Night Out 2018
Members of the High Point Police Department will be in attendance to accept a Proclamation from Mayor Wagner proclaiming Monday, August 6th as "National Night Out 2018" in the City of High Point

Attachments: [2018 National Night Out events](#)

[2018-268](#) Resolution - ElectriCities - Electric Utility Department Employees
Mr. Roy Jones, CEO of ElectriCities, will be in attendance to present a Resolution to City Electric Department employees who participated in the 2018 American Public Power Association National Lineworkers Rodeo.

Attachments: [Resolution - Lineworkers Rodeo](#)

STRATEGIC PLAN UPDATE

[2018-269](#) Strategic Plan Update
Council will receive an update on the Strategic Plan from Council Member Jeff Golden, Chair of the Community Housing, Neighborhood Development and Public Safety Committee and Council Member Jason Ewing, Chair of the Prosperity & Livability Committee.

PUBLIC COMMENT PERIOD

[2018-270](#) 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 - Council Member Moore, Chair

- [2018-271](#) Contract - Purchase of Equipment - Asphalt Patch Truck
City Council is requested to award a contract to Carolina Industrial Equipment in the amount of \$214,832.00 for the purchase of a 2018 Freightliner with a Bergkamp Asphalt Patch truck for use by the Streets Division of the Public Services Department; and declare the old patch truck as surplus and disposing through the online auction process.
Attachments: [1. Asphalt Patch Truck](#)
- [2018-272](#) Contract - Purchase of Equipment - Knuckleboom Truck
City Council is requested to award a contract to Amick Equipment in the amount of \$153,778.85 for the purchase of a Freightliner M2 with a Petersen knuckle boom loader body for use by the Environmental Services Division of the Public Services Department; and declare the old truck as surplus and disposing through the online auction process.
Attachments: [2. Knuckleboom Truck](#)
- [2018-273](#) Contract - Purchase of Equipment - Landfill Compactor
City Council is requested to award a sole source contract to CMI Roadbuilding, Inc., in the amount of \$792,550 for the purchase of a CMI Model TM11-T3 Trashmaster (Landfill Compactor) for use by the Landfill Operations Division of the Public Services Department.
Attachments: [3. Landfill Compactor](#)
- [2018-274](#) Contract - Purchase of Equipment - Tandem Axle Dump Trucks (2)
City Council is requested to award a contract with Piedmont Truck Center in the amount of \$252,180.00 for the purchase of two (2) 2019 Western Star tandem axle trucks with dump bodies for use by the Water & Sewer Mains Division of the Public Services Department; and declare the old trucks as surplus and disposing through the online auction process.
Attachments: [4. Tandem Dump Trucks](#)
- [2018-275](#) Contract - Blythe Construction, Inc. - Asphalt for City Wide Use
City Council is requested to award a contract to Blythe Construction, Inc., in the amount of \$450,000.00 to provide asphalt to city crews when performing maintenance functions throughout the City.
Attachments: [5. Contract - Asphalt Supplier](#)
- [2018-276](#) Contract (Change Order 1) - Construction Manager at Risk (CMAR)
Council is requested to approve Change Order No. 1 to the contract with Garney Companies, Inc., (Construction Manager At Risk) for improvements for water, sewer and stormwater improvements in the downtown area

adjacent to the catalyst project, in the amount of \$3,265,862.13.

Attachments: [6. Construction Manager At Risk CMAR Contract - Change Order 1](#)

[2018-277](#)

Professional Engineering Services - Construction Management - Hazen & Sawyer

City Council is requested to approve a Professional Engineering Services Agreement with Hazen & Sawyer in the amount of \$214,329.00 for construction management for the water, sewer and stormwater improvements to be installed on North Elm Street adjacent to the Catalyst project.

Attachments: [7. Construction Management of Utility Improvements- North Elm Street72618 - I](#)

[2018-278](#)

Agreement for Services - MobileDoc

Council is requested to approve an Agreement For Services contract to MobileDoc in the amount of \$144,000.00 for medical services (on-site physicals) for Fire and Police Department employees.

Attachments: [8. Agreement for Services - MobileDoc](#)

[2018-279](#)

Budget Ordinance Amendment - High Point Community Foundation

City Council is requested to adopt an amendment to the City of High Point Budget Ordinance to appropriate funds in the amount of \$150,000.00 received from the High Point Community Foundation pass through grant for the Nido and Mariana Qubein Children's Museum Board.

Attachments: [9. Budget Amendment - Community Foundation Pass Through Grant](#)

[2018-280](#)

Resolution - Declaration of Surplus Property - Police Canine

The High Point Police Department is requesting that City Council declare Canine Orko as surplus property and adopt a Resolution approving the sale of personal property by private negotiations and sale pursuant to N.C.G.S. 160A-266.

Attachments: [10. Sale of Police K-9 Canine Okro](#)

[2018-281](#)

Resolution - Lease Agreement - City Owned Property

City Council is requested to adopt a Resolution approving a lease agreement for city-owned property located at 131 1-D James Road.

Attachments: [11. Resolution - Lease Agreement James Road](#)

[2018-283](#)

Contract - Compensation Claims Solutions (CCS) - Workers' Compensation Program

Council is requested to extend the contract with Compensation Claims Solutions (CCS) for a two (2) year period in the amount of \$60,900.00 per year for a total of \$121,800 to provide third party workers' compensation claims administration. This two-year contract will begin September 1, 2018 - August 31, 2020.

Attachments: [13. Comp Claims Solutions Contract FY 2018- 2019](#)

PENDING ITEMS[2018-169](#)

Amendment to License Agreement - Cingular Wireless PSC, LLC (AT&T)
City Council is requested to approve an Amendment to the License Agreement with Cingular Wireless PCS, LLC (AT&T) which allows the location of communication equipment at the City's Ward Water Plant; and authorize the City Manager to execute the agreement.

Attachments: [7. Amendment to Lease Agreement - Crown Castle](#)

REGULAR AGENDA ITEMS**COMMUNITY HOUSING, NEIGHBORHOOD DEVELOPMENT AND PUBLIC SAFETY COMMITTEE - Council Member Golden, Chair**[2018-284](#)

Ordinance - Demolition of Structure - 403 Cable Street
City Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 403 Cable Street belonging to the Heirs of Adele P. Brown.

Attachments: [1. 403 Cable Council Packet Final](#)

[2018-285](#)

Ordinance - Demolition of Structure - 709 Hilltop Street
City Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 709 Hilltop Street belonging to Victor Manuel Campos Rivas & Cynthia Lanto.

Attachments: [2. 709 Hilltop Council Packet 8-6-18](#)

[2018-286](#)

Urgent Repair Program (URP) Policies and Procedures - FY 2018 - 2019
The Community Development and Housing Department recommends approval of the URP 18 Procurement and Disbursement Policy and the URP 18 Assistance Policy, and that the appropriate City official and/or employee be authorized to execute all necessary documents.

Attachments: [3. 2018-19 Urgent Repair Program Policies](#)

[2018-287](#)

Resolutions - Property Transfer to Core City CDC
Council is requested to adopt resolutions authorizing the City Attorney's office to proceed with the transfer of the following properties to the Core City CDC - 603 Ridgerock Court, 605 Ridgerock Court, 1108 Gordon Street, 839 Howard Place, 900 Putnam Street and 208 Morgan Place.

Attachments: [Property Transfer - Core City CDC](#)

[Resolutions - Transfer of Properties - CDC](#)

[Maps - Transfer of Properties to CDC](#)

PENDING ITEMS[2018-144](#)

Ordinance - Demolition of Structure - 1505 East Avenue
City Council is requested to adopt an ordinance ordering the housing

inspector to effectuate the demolition of a structure located at 1505 East Avenue belonging to SHJ Capital, LLC.

Attachments: [2. 1505 East Council Final Packet](#)

[2018-211](#)

Ordinance to Demolish - 308 Fourth Street

City Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 308 Fourth Street belonging to SHJ Capital LLC.

Attachments: [308 Fourth Council Packet](#)

[308 fourth St Ordinance](#)

PROSPERITY & LIVABILITY COMMITTEE - Council Member Ewing,

Chair

[2018-293](#)

Installation of Speed Humps and Reduction of Speed Limit - Rotary Drive
Consideration of a recommendation by the Transportation Department for the installation of a minimum of three (3) speed humps along Rotary Drive between W. Lexington Avenue and Chestnut Drive, and the reduction of the 35 miles per hour (mph) speed limit between W. Ray Avenue and Chestnut Drive to 25 mph, to address persistent concerns with traffic and speeding. This was presented and discussed with the Prosperity & Livability Committee on August 1 and forwarded without recommendation to the full Council for further consideration.

Attachments: [Rotary Speed Humps](#)

[Rotary attachments map](#)

PLANNING & DEVELOPMENT COMMITTEE - Mayor Pro Tem Williams,

Chair

[2018-288](#)

Adoption of Findings of Fact and Conclusions of Law - Caring Services, Inc.

City Council is requested to adopt the Findings of Fact and Conclusion of Law in reference to Special Use Permit 18-03 re Caring Services, Inc.

Attachments: [Caring Services - Adoption of Findings of Fact and Conclusions of Law](#)

[Findings of Fact and Conclusions of Law](#)

GENERAL BUSINESS AGENDA

[2018-289](#)

Human Relations Commission - July/December 2018 Work Plan

City Council is requested to approve the July - December 2018 Work Plan for the Human Relations Commission as recommended by the Commission.

Attachments: [Human Relations - 6 month work plan](#)

[2018-290](#)

Purchase of Municipal Property

Discussion of the anticipated purchase and financing of Municipal Property.

[2018-263](#)

Boards and Commissions - Reappointments - Parks and Recreation Commission

Council Member Hudson is recommending the reappointment of Todd Nifong. Council Member Ewing is recommending the reappointment of Brian Petty. Both reappointments are effective immediately with terms expiring July 1, 2021.

Attachments: [Agenda Appointment Memo](#)

[2018-264](#)

Boards and Commissions - Appointments - Theatre Advisory Board
Council Member Hudson is recommending the appointments:

Ken Mickey to replace Leslie Graham effective immediately with term expiring June 1, 2019

Jeffrey Mittelstadt to replace Catherine Bencini effective immediately with term expiring June 1, 2020

Phyllis Bridges to replace Johnnie Thigpen effective immediately with term expiring June 1, 2021

Attachments: [Agenda Appointment Memo](#)

[BRIDGES Phyllis 2018](#)

[MICKEY Ken 2018](#)

[MITTELSTADT Jeffrey 2018](#)

[2018-265](#)

Boards and Commissions - Reappointment - Board of Adjustment
Mayor Wagner is recommending the reappointment of Tyler Walsh to the Board of Adjustment as an Alternate Member. Reappointment will be effective immediately and will expire July 1, 2021.

Attachments: [Board of Adjustment - Agenda Memo](#)

[2018-267](#)

Boards and Commissions - Appointment - Citizens Advisory Council
Council Member Hudson is recommending the appointment of Leessa Black to the Citizens Advisory Council effective immediately and will expire May 31, 2020.

Attachments: [Citizens Advisory Council - Agenda Request Memo](#)

[BLACK Leessa 2017](#)

[2018-266](#)

Boards and Commissions - Appointment - High Point Economic Development Corporation

Mayor Wagner and Councilman Ewing are requesting that the City Council confirm the appointment of Beth Earnst to fill an unexpired term on the Board of the High Point Economic Development Corporation term expiring December 31, 2018.

Attachments: [HPEDC appointment of Beth Earnst -- City Council agenda item for August 6th](#)

[EARNST Beth 2018](#)

[High Point EDC Board of Directors listing -- 07-10-2018](#)

2018-292

Minutes to Be Approved

Special Called Meeting; July 5th @ 10:00 a.m.

Finance Committee Meeting; July 12th @ 4:00 p.m.

Special Meeting; July 16th @ 3:30 p.m.

Regular Council Meeting; July 16th @ 5:30 p.m.

Attachments: [1. July 5 2018 High Point City Council Special Meeting.pdf](#)

[2. July 12 2018 Finance Committee.pdf](#)

[3. July 16 2018 High Point City Council Special Meeting.pdf](#)

[4. July 16 2018 High Point City Council.pdf](#)

ADJOURNMENT

2018 NATIONAL NIGHT OUT EVENTS

Ward	Name of Group	Event Location	Time	Contact Person
Ward 1	Eastside Neighborhood Association	Temple Memorial Baptist Church 1458 Cedrow Dr	6:30pm-8:00pm	Bettie Emerson
Ward 1	English Woods/Fieldstone Watch	Northwood United Methodist Church 2409 Ambassador Ct	6:00pm-8:00pm	Mike Hoke
Ward 1	High Point Museum	1859 E. Lexington Ave	7:30pm-Until	Teresa Loflin
Ward 1	Conrad Baptist Church	1920 N Centennial St	6:00pm-8:00pm	Steve Myers
Ward 1	Washington St. Neighborhood Association and Washington Terrace Neighborhood Watch	Washington Terrace Park 101 Gordon St	5:30pm-7:30pm	Michael Ellerbe
Ward 2	Williams Memorial	3400 Triangle Lake Rd	6:00pm-8:00pm	Overta McClean
Ward 2	The Oaks at Silver Ridge	2900 E MLK Jr Dr	5:30pm-7:30pm	Ingrid Sanchez
Ward 2	Avondale Watch	301 Hickory Chapel Rd	7:00pm-Until	Guy Vail
Ward 2	Burns Hill Neighborhood Association	1208 R C Baldwin (Community Garden)	6:00pm-8:00pm	Jerry Mingo
Ward 2	High Point Housing Authority - Carson Stout	1900 Fern Ave	5:00pm-8:00pm	Rosemary Steele
Ward 2	Macedonia Neighborhood Association	401 Lake Ave	6:00pm-8:00pm	Carolyn Smith
Ward 2	Newgate Apartments	605 Granby Ave	5:30pm-7:30pm	Marie

2018 NATIONAL NIGHT OUT EVENTS

Ward 2	Pershing St Community Watch	1107 Lake Av	6:00pm-7:30pm	Yolanda McDowell
Ward 3	Highland Mills Neighborhood Association	1015 Mill Ave	6:00pm-8:00pm	Jim Callicutt
Ward 3	Southside Neighborhood Association	401 Taylor St	6:00pm-8:00pm	Tony Collins
Ward 3	West End Neighborhood Association	903 W. English Rd	4:00pm-6:00pm	Leon Spencer
Ward 3	Williamsburg West	Williamsburg West Cul-de-Sac	7:00pm-8:30pm	David Kleeberg
Ward 3	Allen Jay Recreation Center 1073 E Springfield Rd	1073 E Springfield Rd	6:00pm-8:00pm	Keonna Hayes
Ward 4	Oakview Citizens' Council	Oakview Recreation Center 503 James Rd	6:00pm-8:00pm	Jim Bronnert
Ward 4	Heritage Ridge Watch	Runnel Rd off Ansley Wy	6:00pm-8:00pm	Margaret McKinney
Ward 4	Kirkwood Crossing Apartments	2208 Kirkwood St	6:00pm-8:00pm	TBD
Ward 4	St. Christopher's Episcopal Church	303 Eastchester Dr	6:00pm-8:00pm	Bitra Miller
Ward 5	Saddlebrook Watch	2161 Rosemont Dr	6:30pm-8:00pm	Arlene Scarponi
Ward 6	White Stone Neighborhood	3798 Marble Dr (Clubhouse)	6:00pm-8:00pm	Dennis Collins

**This list may change as we get closer to the event date. We will update it as we get any additional locations.

CITY OF HIGH POINT

AGENDA ITEM



Title: Installation of Speed Humps Along Rotary Drive and Speed Limit Reduction to 25 MPH

From: Mark McDonald, P.E.
Transportation Director

Meeting Date: August 6, 2018

Public Hearing: No

Advertising Date: NA
Advertised By: NA

Attachment: Approximate Location Map and Example Rendering

PURPOSE:

Consideration of a recommendation by the Transportation Department for the installation of a minimum of three (3) speed humps along Rotary Drive between W. Lexington Avenue and Chestnut Drive, and the reduction of the 35 miles per hour (mph) speed limit between W. Ray Avenue and Chestnut Drive to 25 mph, to address persistent concerns with traffic and speeding.

BACKGROUND:

Residents along Rotary Drive have expressed concerns for many years about speeding on this collector street. In response to these concerns, several studies have been conducted to determine traffic volumes and travels speeds. Data collected by Transportation and Police has revealed an average daily traffic (ADT) volume of approximately 3,700 vehicles, and an 85th percentile speed of 40 mph (85 percent of all traffic is traveling at or below this speed). Although only 5 mph above the posted speed limit of 35 mph on the segment between Chestnut and W. Ray, it is substantially higher than the 25 mph posted limit from W. Ray to W. Lexington. This variance suggests an issue of non-compliance that can generally be associated with the entire corridor.

Countermeasures to address speeding have included regular enforcement efforts by the High Point Police Department, enhanced signing, and the installation of a four-way STOP at W. Farriss Avenue (2015). This latter action has not effectively altered travels speed along the Rotary Drive corridor. Other alternatives, such as roundabouts and intersection realignments, have also been presented, but are not cost-effective solutions. Speed humps (or cushions), which have only recently been applied on High Point streets, are considered a viable option.

BUDGET IMPACT:

Transportation, in consultation with Public Services, estimates that each speed hump can be constructed, marked, and signed for \$4,500, assuming installation by City forces. The approximate cost for three (3) locations would be \$13,500; five (5) locations would total about \$22,500. Funding for neighborhood traffic calming is budgeted annually in an operations accounting unit for the department.

RECOMMENDATION / ACTION REQUESTED:

The Transportation Department recommends the installation of at least three (3) speed humps on Rotary Drive between W. Lexington Avenue and Chestnut Drive. Potential locations are shown on an attached figure, along with an example rendering. Additionally, for consistency throughout the subject area, a speed limit reduction from 35 mph to 25 mph from Chestnut to Ray is also recommended. This was presented and discussed with the Prosperity & Livability Committee on August 1 and forwarded without recommendation to the full Council for further consideration.

AFFP
CITY OF HIGH POINT NOTICE PROP

CITY OF HIGH POINT NOTICE PROPERTY CONVEYANCE

Affidavit of Publication

STATE OF NORTH SS
CAROLINA }
COUNTY OF GUILFORD }

Lisa Robertson, being duly sworn, says:

That she is the billing clerk of the The High Point Enterprise, a daily newspaper of general circulation, printed and published in High Point, Guilford County, North Carolina; that the publication, a copy of which is attached hereto, was published in the said newspaper on

August 09, 2018

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Lisa Robertson
the billing clerk

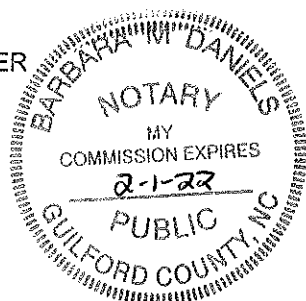
Subscribed to and sworn to me this 9th day of August 2018.

Barbara M Daniels
Barbara Daniels, Notary, Guilford County, North Carolina

My commission expires: February 01, 2022

30145612 30828206

GREG DEMKO
CITY OF HP CITY MANAGER
PO BOX 230
HIGH POINT, NC 27261



Please take notice that on the 6th day of August, 2018 the High Point City Council authorized the conveyance to Core City CDC the following property located at 208 Morgan Place:

BEING ALL OF LOT NUMBER THIRTY-NINE (39) of the Brockett Farm Subdivison of Hughes Memorial School, as shown on map duly recorded in Plat Book 12, Page 103, Guilford County Registry.

City of High Point acquired title to the Premises by deed recorded at Book 8056, Page 1 Guilford County Registry.

This conveyance is made pursuant to the authority of G.S. 160A-279 for the public purpose of providing lower and moderate income housing. The conveyance shall not be consummated until ten (10) days after the publication of this notice.

Lisa B. Vierling, City Clerk
City of High Point
Aug. 9, 2018

**CITY OF HIGH POINT
NOTICE PROPERTY
CONVEYANCE**

Affidavit of Publication

STATE OF NORTH SS
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COUNTY OF GUILFORD }

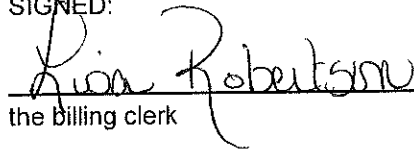
Lisa Robertson, being duly sworn, says:

That she is the billing clerk of the The High Point Enterprise, a daily newspaper of general circulation, printed and published in High Point, Guilford County, North Carolina; that the publication, a copy of which is attached hereto, was published in the said newspaper on

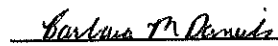
August 09, 2018

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SIGNED:


the billing clerk

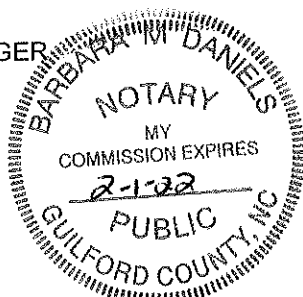
Subscribed to and sworn to me this 9th day of August 2018.


Barbara Daniels, Notary, Guilford County, North Carolina

My commission expires: February 01, 2022

30145612 30828204

GREG DEMKO
CITY OF HP CITY MANAGER
PO BOX 230
HIGH POINT, NC 27261



Please take notice that on the 6th day of August, 2018 the High Point City Council authorized the conveyance to Core City CDC the following property located at 900 Putnam Street:

BEING ALL OF LOT NUMBERS ONE HUNDRED ELEVEN (111) AND ONE HUNDRED TWELVE (112), as shown on plat entitled "Map of North Park" which plat is duly recorded in Plat Book 3, Page 79, Guilford County Registry.

City of High Point acquired title to the Premises by deed recorded at Book 7988, Page 2909 Guilford County Registry.

This conveyance is made pursuant to the authority of G.S. 160A-279 for the public purpose of providing lower and moderate income housing. The conveyance shall not be consummated until ten (10) days after the publication of this notice.

**Lisa B. Vierling, City Clerk
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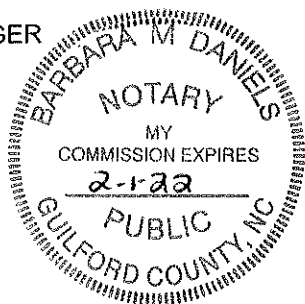
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Barbara M Daniels
Barbara Daniels, Notary, Guilford County, North Carolina

My commission expires: February 01, 2022

30145612 30828200

GREG DEMKO
CITY OF HP CITY MANAGER
PO BOX 230
HIGH POINT, NC 27261



Please take notice that on the 6th day of August, 2018 the High Point City Council authorized the conveyance to Core City CDC the following property located at 839 Howard Place:

BEING ALL OF LOT NUMBER TWENTY-THREE (23), as shown on plat entitled "Map of North Park" which map is duly recorded in Plat Book 3, Page 79, Guilford County Registry.

City of High Point acquired title to the Premises by deed recorded at Book 7988, Page 2913 Guilford County Registry.

This conveyance is made pursuant to the authority of G.S. 160A-279 for the public purpose of providing lower and moderate income housing. The conveyance shall not be consummated until ten (10) days after the publication of this notice.

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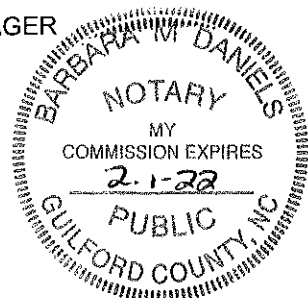
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Barbara M. Daniels
Barbara Daniels, Notary, Guilford County, North Carolina

My commission expires: February 01, 2022

30145612 30828198

GREG DEMKO
CITY OF HP CITY MANAGER
PO BOX 230
HIGH POINT, NC 27261



Please take notice that on the 6th day of August, 2018 the High Point City Council authorized the conveyance to Core City CDC the following property located at 1108 Gordon Street:

BEGINNING at an iron post in the original right of way line of East side of Gordon Street 176 feet north of its intersection with the north line of East Avenue, and running South 85° 53' 30" East 167.91 feet to an iron post; thence North 05° 00' East 60 feet to an iron post; thence North 85° 53' 30' West approximately 167.79 feet to an iron post in the original right of way line on the east side of Gordon Street; thence along said original right of way line, South 5° 5' West 60 feet to an iron post, the point of BEGINNING, according to survey entitled "Property of Roy E. Jones" prepared by Robert P. Guarino, dated June 18, 1952, Job No. 2195, to which reference is hereby made and being known as 1108 Gordon Street, High Point, North Carolina.

City of High Point acquired title to the Premises by deed recorded at Book 7988, Page 2911 Guilford County Registry.

This conveyance is made pursuant to the authority of G.S. 160A-279 for the public purpose of providing lower and moderate income housing. The conveyance shall not be consummated until ten (10) days after the publication of this notice.

Lisa B. Vierling, City Clerk
City of High Point
Aug. 9, 2018

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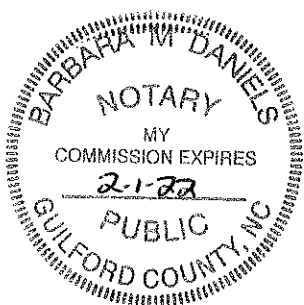
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Barbara Daniels, Notary, Guilford County, North Carolina

My commission expires: February 01, 2022

30145612 30828197

GREG DEMKO
CITY OF HP CITY MANAGER
PO BOX 230
HIGH POINT, NC 27261



Please take notice that on the 6th day of August, 2018 the High Point City Council authorized the conveyance to Core City CDC the following property located at 605 & 603 Ridgerock Court:

BEING all of Lots 65 & 66, Phase 5, Sheet 1 of Rolling Green Estates, a map of which is recorded in Plat Book 139, Page 22 in the Office of the Register of Deeds of Guilford County, North Carolina.

City of High Point acquired title to the Premises by deed recorded at Book 7887, Page 1069 Guilford County Registry.

This conveyance is made pursuant to the authority of G.S. 160A-279 for the public purpose of providing lower and moderate income housing. The conveyance shall not be consummated until ten (10) days after the publication of this notice.

**Lisa B. Vierling, City Clerk
City of High Point
Aug. 9, 2018**



NORTH CAROLINA'S INTERNATIONAL CITY™

High Point Economic Development Corporation

highpointedc.com

High Point Economic Development Corporation Board of Directors

– As of July 10, 2018 –

Executive Committee

Chair Darlene Leonard	High Point Mayor Jay Wagner
First Vice Chair Carlos Olvera	Immediate Past Chair Ken Smith
Second Vice Chair Royale Wiggin	High Point City Manager Greg Demko
Treasurer/Secretary Chris Patrick	High Point EDC President Loren Hill

19 voting board members

CITY OF HIGH POINT OFFICIALS

- Mayor **Jay Wagner**, Fisher Wagner PLLC
- Councilman **Jason Ewing**, Keller Williams Realty
- City Manager **Greg Demko**

HIGH POINT CITY COUNCIL APPOINTEES

(two-year terms end December 31, 2018)

- **L'Tanya Joy Bailey**,
Dr. L'Tanya J. Bailey Orthodontics
- **Bruce Davis**, Kid Appeal Learning Center
- **Patricia Jones**, Alorica
- **Jackie King**, McDonald's of High Point,
Jamestown, & Greensboro
- **Chris Patrick**, Fastenal
- **Royale Wiggin**, Thayer Coggin
- *(vacant seat)*

GUILFORD COUNTY BOARD OF COMMISSIONERS

- Commissioner **Hank Henning**, Brady Services

IMMEDIATE PAST HIGH POINT EDC CHAIR

- **Ken Smith**, Smith Leonard

BUSINESS HIGH POINT–CHAMBER OF COMMERCE

APPOINTEES *(two-year terms end December 31, 2019)*

- **Patrick Chapin**,
Business High Point–Chamber of Commerce
- **Brian Gavigan**, Wyatt Early Harris Wheeler LLP
- **Maurice Hull**, MarketPlace Management
- **Darlene Leonard**, Smith Leonard
- **Carlos Olvera**, SERVPRO of High Point
- **Mark Prince**, Guilford Merchants Association
- **Scott Tilley**, BB&T Scott & Stringfellow

17 non-voting members and liaisons

STATE OFFICIAL

- N.C. Representative **John Faircloth**,
Coldwell Banker Triad

PAST HIGH POINT EDC CHAIRS

- **Owen Bertschi**, Crescent Ford, Inc.
- **Charles Cain**, PL Developments
- **Don Cameron**, Don Cameron & Associates LLC
- **Bill McGuinn**, First Citizens Bank [retired]
- **Jeff Miller**, High Point Regional
UNC Health Care [retired]
- **Jim Morgan**, Morgan, Herring, Morgan,
Green & Rosenblutt LLP
- **Leah Price**, BB&T
- **Nido Qubein**, High Point University
- **Coy Williard**, Williard-Stewart, Inc.

GUILFORD COUNTY MANAGER

- **Marty Lawing**

HIGH POINT EDC PRESIDENT

- **Loren Hill**

ECONOMIC DEVELOPMENT ALLIES

- **Brent Christensen**,
Greensboro Chamber of Commerce
- **Tom Conley**, High Point Market Authority
- **Ray Gibbs**, Forward High Point
- **Randy Parker**,
Guilford Technical Community College
- **Jim Wehrley**, High Point University
- *(Leah Price, who is on the board as a past chair of the High Point EDC, also serves in 2018 as the High Point Convention & Visitors Bureau liaison)*

CITY OF HIGH POINT

AGENDA ITEM



Title: Authorize Issuance of Series 2018 General Obligation Public Improvement (2/3) Bonds

From: Jeffrey A Moore, Financial Services Director

Meeting Date: August 6, 2018

Public Hearing: No

Advertising Date /
N/A

Advertised By:

Attachments: Form of Proceedings

PURPOSE:

The Financial Services Department recommends that the City Council take the first steps to authorize the issuance of \$6,600,000 Series 2018 General Obligation Public Improvement (2/3) Bonds. Actions requested include authorizing the application for the issuance of the bonds and secondly, adopting a preliminary order to issue public improvement bonds in the amount of \$6,600,000 and establishing a public hearing, the notices for which will be published in the High Point Enterprise.

BACKGROUND:

As shared previously with Council, staff has identified existing property that is suited to fulfill the needs identified for a municipal facility and proposes the use of eligible two-thirds bonds to pay and renovate the property. The proposed resolutions, prepared by the City's bond attorneys, provide staff the authorization to make application to the Local Government Commission.

These are necessary legal proceedings for the issuance of bonds.

BUDGET IMPACT:

Funds for the proposed repayment of the new bonds were included with the adopted FY2018-2019 Annual Budget.

RECOMMENDATION / ACTIONS REQUESTED:

1. City Council is requested to approve the attached "Resolution Making Certain Findings and Determinations and Authorizing and Ratifying the Filing of an Application with the Local Government Commission in Connection with the Proposed Issuance of Municipal Building Bonds by the City of High Point."
2. City Council is requested to adopt the attached "Order Authorizing \$6,600,000 Municipal Building Bonds"
3. City Council is requested to establish a public hearing on August 20, 2018 at 5:30pm as required by state law on the issuance of the referenced 2/3 bonds

The City Council of the City of High Point, North Carolina met in a regular meeting in the Council Chambers of the Municipal Building located at 211 South Hamilton Street in High Point, North Carolina, the regular place of meeting, at 5:30 p.m. on August 6, 2018.

Present: Jay W. Wagner, presiding, and Council Members

Absent: Council Members

Also Present: _____

* * * * *

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

RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AND AUTHORIZING AND RATIFYING THE FILING OF AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION IN CONNECTION WITH THE PROPOSED ISSUANCE OF MUNICIPAL BUILDING BONDS BY THE CITY OF HIGH POINT, NORTH CAROLINA

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

Section 1. The City Council does hereby find and determine that:

(a) Preliminary studies have been completed to demonstrate the need for the acquisition, construction, renovation, equipping and furnishing of buildings and facilities to be used by the City for various governmental purposes, including, without limitation, a police and public safety facility.

(b) The City Council wishes to commence the procedures for the issuance of not to exceed \$6,600,000 Municipal Building Bonds at this time for the purpose of providing funds, together with any other available funds, to pay the costs of the projects described above.

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

Section 2. The filing of an application of the City with the North Carolina Local Government Commission for approval of the issuance of said Municipal Building Bonds of the City is hereby authorized, ratified and approved.

Section 3. The law firm of Womble Bond Dickinson (US) LLP is hereby appointed to serve, but solely at the pleasure of the City Council, as bond counsel to the City in connection with the authorization, sale and issuance of the said bonds.

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

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

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing resolution entitled "RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AND AUTHORIZING AND RATIFYING THE FILING OF AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION IN CONNECTION WITH THE PROPOSED ISSUANCE OF MUNICIPAL BUILDING BONDS BY THE CITY OF HIGH POINT, NORTH CAROLINA" was adopted by the following vote:

Ayes: _____

Noes: _____

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

**ORDER AUTHORIZING
\$6,600,000 MUNICIPAL BUILDING BONDS**

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

1. That pursuant to the Local Government Bond Act, as amended, the City of High Point, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue Municipal Building Bonds in an aggregate principal amount not exceeding \$6,600,000 for the purpose of providing funds, together with any other available funds, to acquire, construct, renovate, equip and furnish buildings and facilities to be used by said City for various governmental purposes, including, including, without limitation, a police and public safety facility.

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

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

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people within 30 days after the date of its publication as

introduced as provided in G.S. 159-60, in which event it will take effect when approved by the voters of said City at a referendum as provided in said Act.

5. That this order is adopted pursuant to the provisions of G.S. 159-49, which authorizes the issuance of bonds without a vote of the people for the purposes specified therein in an amount not exceeding two-thirds of the amount by which the outstanding indebtedness of said City has been reduced in the preceding fiscal year.

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing order entitled "ORDER AUTHORIZING \$6,600,000 MUNICIPAL BUILDING BONDS" was adopted upon introduction by the following vote:

Ayes: _____

Noes: _____

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

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

Thereupon, the City Council fixed 5:30 p.m., August 20, 2018, in the Council Chambers of the Municipal Building located at 211 South Hamilton Street in High Point, North Carolina, as the hour, day and place for the public hearing upon the order entitled “ORDER AUTHORIZING \$6,600,000 MUNICIPAL BUILDING BONDS” and directed the City Clerk to publish said order, as required by The Local Government Bond Act, as amended, once in the High Point Enterprise not later than the sixth day before said date.

* * * * *

I, Lisa B. Vierling, MMC, City Clerk of the City of High Point, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of the City Council of said City at a regular meeting held on August 6, 2018, as it relates in any way to the adoption of the foregoing resolution and bond order authorizing general obligation bonds of said City and the calling of a public hearing thereon and that said proceedings are to be recorded in the minutes of said City Council.

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

WITNESS my hand and the official seal of said City this 6th day of August, 2018.

City Clerk

[SEAL]

TO THE PUBLISHER OF THE HIGH POINT ENTERPRISE:

Please publish the following once in the High Point Enterprise on Friday, August 10, 2018:

**ORDER AUTHORIZING
\$6,600,000 MUNICIPAL BUILDING BONDS**

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

1. That pursuant to the Local Government Bond Act, as amended, the City of High Point, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue Municipal Building Bonds in an aggregate principal amount not exceeding \$6,600,000 for the purpose of providing funds, together with any other available funds, to acquire, construct, renovate, equip and furnish buildings and facilities to be used by said City for various governmental purposes, including, including, without limitation, a police and public safety facility.

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

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

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people within 30 days after the date of its publication as introduced as provided in G.S. 159-60, in which event it will take effect when approved by the voters of said City at a referendum as provided in said Act.

5. That this order is adopted pursuant to the provisions of G.S. 159-49, which authorizes the issuance of bonds without a vote of the people for the purposes specified therein in an amount not exceeding two-thirds of the amount by which the outstanding indebtedness of said City has been reduced in the preceding fiscal year.

The foregoing order has been introduced and a sworn statement of debt has been filed under the Local Government Bond Act showing the appraised value of the City of High Point, North Carolina to be \$9,595,960,388 and the net debt thereof, including the proposed bonds, to be \$73,101,462. The Financial Services Director of said City has filed a statement estimating that the total amount of interest that will be paid on the proposed bonds over the expected term of the bonds, if issued, is \$3,211,725. The estimate is preliminary, is for general informational purposes only, and may differ from the actual interest paid on such bonds. Such statement of estimated interest includes certain assumptions upon which such estimate is based, and there is no assurance that the circumstances included in such assumptions will occur. The validity of the proposed bonds is not subject to challenge on the grounds that the actual interest cost on the bonds when issued is different than the estimated interest amount set forth above.

A tax may be levied to pay the principal of and interest on the bonds if they are issued. Anyone who wishes to be heard on the questions of the validity of the bond order and the advisability of issuing the bonds may appear at a public hearing or an adjournment thereof to be held at 5:30 p.m. on August 20, 2018, in the Council Chambers of the Municipal Building located at 211 South Hamilton Street in High Point, North Carolina.

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

**HIGH POINT CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING
July 16, 2018 – 5:30 P.M**

ROLL CALL, MOMENT OF SILENCE, AND PLEDGE OF ALLEGIANCE

Mayor Wagner called the meeting to order at 5:30 p.m.

*Upon call of the roll, the following Council Members were **Present**:*

Mayor Jay W. Wagner, Mayor Pro Tem Chris Williams (Ward 2); Council Member Britt Moore (At Large); Council Member Don Scarborough (At Large), Council Member Jeffrey Golden (Ward 1), Council Member Monica Peters (Ward 3), Council Member Wesley Hudson, (Ward 4), Council Member Victor Jones (Ward 5) and Council Member Jason Ewing (Ward 6)

Mayor Wagner called for a Moment of Silence. The Pledge of Allegiance followed.

STRATEGIC PLAN UPDATE

2018-257

Council will receive an update on the Strategic Plan from Council

Council Member Jeff Golden, Chair of the Community Housing, Neighborhood Development and Public Safety Committee and Council Member Jason Ewing, Chair of the Prosperity & Livability Committee.

Community Housing, Neighborhood Development & Public Safety Committee Chair Council Member Golden provided an update on some numbers as they relate to the Code Enforcement efforts regarding blight in the city. He then shared numbers for the June 2018 activities as follows:

- ✓ 34 New Minimum Housing Complaints
- ✓ 277 Active Minimum Housing Cases
- ✓ 180 New Public Nuisance Complaints
- ✓ 208 Active Public Nuisance cases
- ✓ 87 Signs collected

The department is now fully staffed with six code enforcement officers.

Lori Loosemore, Local Codes Enforcement Supervisor, then shared some photographs of some ongoing Code Enforcement activities for the month of June 2018.

Connect HP

Prosperity & Livability Chairman Jason Ewing reported that Connect HP has been active and reported that they had a successful public forum with Forward High Point's Executive Director Ray Gibbs that took place at the High Point Theatre regarding some of the downtown development. They will also be promoting a viewing party for Chef Daniel (aka

Chef Monkenjay), a High Point young professional, who is a finalist on Chopped, a food show on the Food Network. The event is scheduled for Tuesday between 8:00 p.m. and 10:00 p.m. at the High Point Theatre. Later in November, Connect HP will host another Young Professionals Summit and will partner with Business High Point in hopes of attracting 200-400 young professionals. Taz Ameen, Connect HP Chairman, will be in attendance at the August Council Meeting to provide an update to Council at that time.

PUBLIC COMMENT PERIOD

2018-258

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.

The following persons addressed Council during the Public Comment Period.

Elizabeth Brauns, a resident at 810 E. Farris Avenue, addressed Council regarding an Encroachment Agreement that the City of High Point granted to High Point University to erect a fence on the greenway that runs through the HPU campus. She shared that she was informed by Lee Tillery, Director of Parks & Recreation, that the current plans completely close in the greenway restricting public access. She pointed out the perimeter is from the 800 to 900 block of E. Farris Avenue and there would be no way in and no way out except from the Kirkman Park School entrance, which is on the other side of Centennial. Ms. Brauns felt the crime statistics that she obtained for the area do not warrant a fence, pointing out there have only been ten occurrences or less in six years on the greenway. She requested discovery and an extension of time to have this matter fully studied, looked at from a safety standpoint, and felt the City Council should have control on what happens in and around the greenway, not the university.

Barry Kitley, 4114 Ponce De Leon Drive in High Point, responded to Ms. Brauns' claim and advised that no access has been denied to any citizen to the greenway. He shared the timeline for the approvals that were obtained beginning in 2013 with the last approval being obtained in 2017 when the road was closed and reminded Council that it was done in three different segments with no opposition at any time during the public hearings when these matters were presented to Council. He agreed to continue dialogue with Ms. Brauns to ensure that all the neighbors are happy.

Courtney Michelle Holder, a resident at 109 Chestnut Street in High Point, addressed Council regarding livability matters in High Point. She shared that she has experienced a

number of ongoing issues that have an effect on the whole community. She reported one of the biggest challenges she faces is unwanted, unsolicited help. Other issues of concern mentioned by Ms. Holder were mis-gendering, rudeness, lack of response when she emails the city, leaving voice mail messages and not getting any response, getting hung up on in the middle of a telephone conversation.

Terry Mitchell, a resident at 6465 Allendale Drive in High Point and Pastor at Grace Point Church, issued a personal invitation to the City Council to attend and participate in a back-to-school bash that they will be hosting on August 25th at Festival Park on Eastchester Drive from 11:00 a.m. to 2:00 p.m. He shared that they would be giving away bookbags, school supplies, free haircuts, food, beverages, etc.... A community prayer is scheduled at the conclusion of the event to pray for the students before they return to school.

There being no one else to speak, the Public Comment Period was closed.

FINANCE COMMITTEE - Council Member Moore, Chair
Committee Members: Moore, Hudson, Ewing, and Jones

CONSENT AGENDA ITEMS

Finance Committee Chairman Moore reported that the Finance Committee did meet on July 12, 2018 and recommended all finance-related items be placed on the Consent Agenda with a favorable recommendation.

Council Member Williams then moved approval of the finance-related items on the Consent Agenda. Council Member Ewing made a second, which carried unanimously.

Note: Although one motion was made to approve/adopt these matters under the Finance Committee Consent Agenda, action on all of these matters will be reflected throughout the Consent Agenda portion of these minutes as being made and seconded by the same persons.

2018-223 Contract - Truck Mounted Vacuum (Debris Collector)

City Council is requested to approve a contract with Old Dominion Brush, Inc. in the amount of \$192,838.95 for the purchase of a Vacuum Debris Collector for use by the Stormwater Division of the Public Services Department.

Approved a contract with Old Dominion Brush, Inc. in the amount of \$192,838.95 for the purchase of a Vacuum Debris Collector.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this matter be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-224 Contract- Rear Loading Refuse Truck

City Council is requested to approve a contract with Amick Equipment Company in the amount of \$183,934.41 for the purchase of a 2018 Freightliner truck with a New Way Rear Loading Refuse body to replace a vehicle that is no longer useful. Council is also requested to declare the old truck as surplus and authorize staff to dispose of through the online auction process.

Approved a contract with Amick Equipment Company in the amount of \$183,934.41 for the purchase of a 2018 Freightliner truck with a New Way Rear Loading Refuse body; declared the old truck as surplus; and authorized staff to dispose of the equipment through the online auction process.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this matter be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-225 Contract - Side-Loading Refuse Trucks

City Council is requested to approve a contract with Amick Equipment Company in the amount of \$822,117.87 for the purchase of three (3) Peterbilt New Way side loading refuse bodies for use by the Environmental Services Division of the Public Services Department.

Approved a contract with Amick Equipment Company in the amount of \$822,117.87 for the purchase of three (3) Peterbilt New Way side loading refuse bodies.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this matter be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-226 Contract - Automatic Tarping Machine

City Council is requested to approve a sole source purchase of an automatic Tarping Machine in the amount of \$77,487.00 from Tarpomatic, Inc., for use by the Landfill Operations Division of the Public Services Department.

Approved a sole source purchase of an automatic Tarping Machine in the amount of \$77,487.00 from Tarpomatic, Inc.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this matter be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-227 Contract - Water and Sewer Emergency Repairs

City Council is requested to approve a contract with Breece Enterprises, Inc., in the amount of \$402,360.00 for on-call emergency repairs of water and sanitary sewer utilities.

Approved a contract with Breece Enterprises, Inc. in the amount of \$106,425.00 for on-call emergency repairs of water and sanitary sewer lines.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this matter be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-228 Contract Renewal - Concrete Supplier City Wide

City Council is requested to renew contract with Hartley Ready Mix in the amount of \$106,425.00 as the supplier for concrete to city crews when needed for maintenance functions that require concrete.

Approved a renewal to the contract with Hartley Ready Mix in the amount of \$106,425.00 as the supplier for concrete to city crews when needed for maintenance functions that require concrete.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this matter be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-229 Contract - Motorola Radio Purchase

City Council is requested to approve a contract with Motorola Solutions, Inc. in the amount of \$449,764.16 for the replacement radios used by the Police Department, Fire Department and the Park Ranger division.

Approved a contract with Motorola Solutions, Inc. in the amount of \$449,764.16 for the replacement radios used by the Police Department, Fire Department, and the Park Ranger Division.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this matter be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-230 Contract - Core Router Replacement

City Council is requested to approve a contract with 5S Technologies in the amount of \$377,606.46 to purchase two (2) Nexus routers that will be used to provide failover redundancy at our prime site and the City's off-site disaster recovery facility.

Approved a contract with 5S Technologies in the amount of \$377,606.46 to purchase two (2) Nexus routers that will be used to provide failover redundancy at our prime site and the City's off-site disaster recovery facility.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this matter be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-232 Contract - Asplundh Tree Expert Company - FY 2018-2019

Council is requested to continue the existing contract with Asplundh Tree Expert Company in the estimated amount of \$750,000 to provide line clearance tree services (tree trimming) for the FY 2018-2019.

Approved a renewal to the existing contract with Asplundh Tree Expert Company in the estimated amount of \$750,000 to provide line clearance tree trimming services for FY 2018-2019.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this matter be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-233 Contract - Janitorial Services - Parks & Recreation Facilities

City Council is requested to approve a contract with Matt's Janitorial in the amount of \$184,560.00 for custodial services at seven Parks & Recreation Facilities.

Approved a contract with Matt's Janitorial in the amount of \$184,560.00 for custodial services at seven Parks & Recreation facilities.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this matter be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-234 Resolution - Sale of Real Property to NCDOT - Pump Station Road

City Council is requested to adopt a Resolution granting authority for the sale of real property located at 4309 Pump Station Road to the North Carolina Department of Transportation (NCDOT) for the Jamestown Roadway Project.

Adopted a Resolution granting authority for the sale of real property located at 4309 Pump Station Road to the North Carolina Department of Transportation (NCDOT) for the Jamestown Roadway Project.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this matter be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

Resolution No. 1767/18-29

Resolution Book, Volume XX Page 29

Introduced 7/16/2018; Adopted 7/16/2018

2018-235 Budget Ordinance Amendment - Purchase of Property 3710 Waterview Road

City Council is requested to adopt an Ordinance amending the Fical Year 2018-2019 Annual Budget to appropriate funds in the amount of \$185,000.00 for the purchase of property located at 3710 Waterview Road for use by the Parks and Recreation Department.

Adopted an Ordinance amending the FY 2018-2019 Annual Budget Ordinance to appropriate funds in the amount of \$185,000.00 for the purchase of property located at 3710 Waterview Road for use by the Parks and Recreation Department.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this matter be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

Ordinance No. 7427/18-56

Ordinance Book, Volume XX, Page 56

Introduced 7/16/2018; Adopted 7/16/2018

2018-236 Property Acquisition - 3710 Waterview Road - Parks and Recreation Department

City Council is requested to authorize the appropriate City Official to proceed with the purchase of property located at 3710 Waterview Road in the amount of \$182,100. This property is being purchased for use by the Parks and Recreation Department.

Authorized the appropriate City Official to proceed with the purchase of property located at 3710 Waterview Road in the amount of \$182,100.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this matter be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-259 Property Acquisition - 211 East Ray Street

Council is requested to authorize the appropriate City Official to proceed with the purchase of property located at 211 East Ray Street in the amount of \$60,000.00 for future City use.

Authorized the appropriate City Official to proceed with the purchase of property located at 211 East Ray Street in the amount of \$60,000.00 for future City use.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this matter be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-237 Resolution - City Manager Authority to Dispose of Easements

City Council is requested to adopt a Resolution delegating the City Manager authority to dispose of or exchange property interests in easements that are no longer needed by the City of High Point.

Adopted a Resolution delegating the City Manager authority to dispose of or exchange property interests in easements that are no longer needed by the City of High Point.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this matter be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

Resolution No. 1768/18-30

Resolution Book, Volume XX Page 30

Introduced 7/16/2018; Adopted 7/16/2018

2018-238 Contract - Guilford County Schools - School Resource Officers

City Council is requested to adopt a Resolution approving a contract with the Guilford County Schools in the amount of \$532,240.00 for eight (8) School Resource Officers for coverage at the four high schools and four middle schools located within the City limits of High Point. Contract is for the school year 2018 - 2019.

Adopted a Resolution approving a contract with the Guilford County Schools in the amount of \$532,240.00 for eight (8) School Resource Officers for coverage at four high schools and

four middle schools located within the City limits of High Point for the 2018-2019 school year.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this matter be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

Resolution No. 1769/18-31

Resolution Book, Volume XX, Page 31

Introduced 7/16/2018; Adopted 7/16/2018

2018-239 Contract Renewal - The Ferguson Group

Council is requested to authorize the renewal of contract with The Ferguson Group (TFG) for the period of July 1, 2018 - June 30, 2019.

Authorized a contract renewal with The Ferguson Group (TFG) for the period of July 1, 2018 - June 30, 2019.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this matter be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-240 Outside Non-Profit Agency Funding

City Council is requested to finalize the recommendations for the funding of Outside Non-Profit Agencies for FY 2018-2019.

Approved the Finance Committee's recommendations for funding of Outside Non-Profit Agencies for FY 2018-2019.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this matter be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

PENDING ITEMS**2018-169 Amendment to License Agreement - Cingular Wireless PSC, LLC (AT&T)**

City Council is requested to approve an Amendment to the License Agreement with Cingular Wireless PCS, LLC (AT&T) which allows the location of communication equipment at the City's Ward Water Plant; and authorize the City Manager to execute the agreement.

Note: This matter was initially heard by Council on May 21, 2018. At that meeting, action was taken to refer the matter back to the Finance Committee for further discussion.

REGULAR AGENDA ITEMSCOMMUNITY HOUSING, NEIGHBORHOOD DEVELOPMENT AND PUBLIC SAFETY COMMITTEE -

Council Member Golden, Chair

Committee Members: Golden, Peters, Scarborough, and Williams

2018-248 Ordinance - Demolition of Structure - 1508 Lake Village Drive

City Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 1508 Lake Village Drive belonging to James Dobson, Jr.

Lori Loosemore, Local Codes Enforcement Supervisor, reported that this housing case was initiated from a complaint received about the windows being knocked out and the deteriorating condition of the structure. It was inspected on August 12, 2016. A hearing was held on November 3, 2016, but no one appeared for the hearing. An Order to Repair or Demolish was issued on November 4, 2016 with a compliance date of December 12, 2016. Ms. Loosemore advised that staff has had no communication from the owner of the property and pointed out two years of delinquent taxes in the amount of \$7,327.00 are owed on the property.

There was no one present to speak regarding this housing case.

Adopted an Ordinance ordering the housing inspector to effectuate the demolition of a structure located at 1508 Lake Village Drive.

A motion was made by Council Member Golden, seconded by Council Member Ewing, that this Ordinance be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

Ordinance No. 7428/18/57

Ordinance Book, Volume XX, Page 57

Introduced 7/16/2018; Adopted 7/16/2018

2018-249 Ordinance - Demolition of Structure - 1405 East Avenue

City Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 1405 East Avenue belonging to Katie Gill Evans Estate.

Lori Loosemore, Local Codes Enforcement Supervisor, reported this is a housing case that was carried forward from the old software. She advised a new inspection was conducted on November 16, 2017 and it was determined that the repairs exceeded 65% of the property value. A hearing was held on December 20, 2017, but no one appeared. An Order to Repair or Demolish was issued immediately after the hearing on December 20, 2017 with a compliance date of January 29, 2018. Staff has had no contact from the property owners and although taxes are current on the property, no repairs have been made.

There was no one present to speak regarding this matter.

Adopted Ordinance ordering the housing inspector to effectuate the demolition of a structure located at 1405 East Avenue.

A motion was made by Council Member Golden, seconded by Mayor Pro Tem Williams, that this Ordinance be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

**Ordinance No. 7429/18-58
Ordinance Book, Volume XX, Page 58
Introduced 7/16/2018; Adopted 7/16/2018**

PENDING ITEMS**2018-211 Ordinance to Demolish - 308 Fourth Street**

City Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 308 Fourth Street belonging to SHJ Capital LLC.

2018-144 Ordinance - Demolition of Structure - 1505 East Avenue

City Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 1505 East Avenue belonging to SHJ Capital, LLC.

**PROSPERITY & LIVABILITY COMMITTEE - Council Member Ewing, Chair
Committee Members: Ewing, Hudson, Peters, and Golden**

2018-250 Resolution - Interlocal Agreement - Piedmont Discovery Application

City Council is requested to adopt a Resolution authorizing the execution of an Interlocal Agreement between the City of High Point, City of Greensboro, and Guilford County for development of an online park and trail locator application called "Piedmont Discovery".

This agreement provides for a one-time contribution of \$3,000.00 from the City of High Point.

Lee Tillery, Director of Parks & Recreation, provided an update on the Piedmont Discovery app, which is a collaboration between the City of Greensboro, Guilford County, and the City of High Point. High Point's one-time contribution for the app will be \$3,000; Greensboro's portion of the cost will be \$10,000; and Guilford County's portion will be \$3,000. The app will be a great tool used to help promote assets not only in High Point, but in Greensboro and Guilford County as well. The app will aid residents in searching locations of recreational amenities such as parks, trails, etc..... The City of Greensboro will maintain and manage the app and it is anticipated that the app will be released sometime in late fall.

Adopted a Resolution authorizing the execution of an Interlocal Agreement between the City of High Point, the City of Greensboro, and Guilford County for the Piedmont Discovery Online Park and Recreation and Trail Locator application called "Piedmont Discovery".

A motion was made by Council Member Ewing, seconded by Council Member Golden, that this Resolution be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9):

Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

Resolution No. 1770/18-32

Resolution Book, Volume XX Page 32

Introduced 7/16/2018; Adopted 7/16/2018

2018-261

Resolution - BUILD Planning Grant

Council is requested to adopt a Resolution authorizing the City Manager to apply for a U.S. Department of Transportation Better Utilizing Investments to Leverage Development (BUILD) Planning Grant.

Assistant City Manager Randy Hemann explained this was a program through the U.S. Department of Transportation formerly known as the TIGER Grant to help fund transportation improvements. It is now called the BUILD (Better Utilizing Investments to Leverage Development) Planning Grant. Mr. Hemann advised that although the grant requires a local 20% match, the City is proposing a 30% match to produce a more competitive application. The proposed scope of the plan is as follows:

- *Elm Street corridor from the traffic circle at Parkway to West Commerce Avenue; a critical road in need of streetscape, pedestrian, and bike lane improvements connecting the City Core to the High Point Regional Hospital; and*
- *English Road and Martin Luther King, Jr., Drive One-Way Conversions; this vital east-west couplet that accommodates commuters and local trucks, does limit adequate access by vehicle, foot or bicycle to development occurring at the Core. The planned conversion would be from N. Centennial Street to Phillips Avenue; and*
- *Southwest Greenway (Phase I); a conceptually planned bike and pedestrian greenway (rail trail) connecting one of High Point's industrial centers to the Core*

City development. The planned greenway would run from the City's Multi Modal Transportation Facility to Harvell Park/Buzzi Space.

Mr. Hemann noted the City's proposed 30% match is anticipated to be \$403,388 and the Federal Grant, if awarded, would be \$1,344,625.00. Staff is recommending approval.

Adopted a Resolution authorizing the City Manager to apply for a U.S. Department of Transportation Better Utilizing Investments to Leverage Development (BUILD) Planning Grant.

A motion was made by Council Member Ewing, seconded by Council Member Moore, that this matter be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

**Resolution No. 1771/18-33
Resolution Book, Volume XX Page 33
Introduced 7/16/2018; Adopted 7/16/2018**

PENDING ITEMS

2018-100 High Point Area Arts Council Assistance Agreement

City Council is requested to approve an Agreement providing assistance from the City of High Point of up to \$181,324.00 over the next two fiscal years for the satisfaction of a \$362,648 mortgage associated with the High Point Area Arts Council purchase of property located at 121 S. Centennial Street. (This item will be discussed at the July 16, 2018 Council Meeting.)

Transcript

Chairman Ewing: *The final item, we have a pending item for the High Point Area Arts Council Assistance Agreement that we put in pending back in May and it went in Committee last month for discussion. At this time, I'd like to make a motion to bring it out of pending and put it on our current agenda.*

Council Member Hudson: *Second.*

Mayor Wagner: *All those in favor, please say Aye.*

Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing: *Aye.*

Mayor Wagner: *That motion carries unanimously.*

Chairman Ewing: *You all have in front of you the minutes of the discussion that took place in the P & L Committee meeting back on June 6th. We discussed this at great length on how we could make this work. There were a few motions made. There was no recommendation coming out of committee; however, the motion that did get seconded, I believe, Councilwoman Peters made that motion. And it was for a \$90,000 matching grant of private non-grant funds to be allocated in the 2019-2020 FY.*

Does that sound right?

Council Member Peters: *Sounds right.*

Chairman Ewing: *So that was the motion that came from committee. I'm not formally making that motion, but does anyone wish to or have discussion?*

Mayor Wagner: *Okay, then the floor is open for discussion or a motion regarding this matter.*

Council Member Peters: **I'd like to make a motion to approve the funding for the Arts Council.**

Mayor Wagner: *Okay. This would be....I need you to be just a little more specific about the amount and the budget year.*

Council Member Peters: *Okay. So, what I was thinking is the agreement would provide assistance from the City of High Point for up to \$181,320.....whoa, whoa. Wait. We could do the whole \$90,000 in one year. Is that more specific?*

Mayor Wagner: *Which budget year are you talking about? Are you talking about the 2018-2019?*

Council Member Peters: *I believe the 2018-2019 has already closed is that correct?*

Mayor Wagner: *It would require a budget amendment.*

Council Member Peters: **Well, I'd like to amend the budget for it to be included in the 2018-2019 budget.**

Mayor Wagner: *Okay. So, the motion if I'm hearing it correctly is that this will be a \$90,000 matching grant raised from private funds and it would be paid in the 2018-2019 budget year through a budget amendment. Is that correct?*

Council Member Peters: *That's correct.*

Mayor Wagner: *That's the motion then. Do you have a question Madam Attorney?*

City Attorney Carlyle: *There was a discussion about there being a deadline set for that matching grant and I'm just trying to get clarification.*

Mayor Wagner: *Is there a deadline on the raising of the funds?*

Chairman Ewing: *The original agreement had a lot more detail. The original agreement had.....the deadline essentially was the payment. So, I think the original had a two-year deadline where they had to raise half in one year to be paid out and half in the following year.*

Council Member Peters: *But I believe we've already passed that deadline. Is that correct?*

Mayor Wagner: *I believe we have passed the deadline for the first half of what we were talking about originally, but the second half of it I believe was to be raised by the end of 2018.*

It would actually be June 30, 2019. The end of the current fiscal year. So, it would be a \$90,000 matching grant raised from private funds with a deadline of June 30, 2019.

Council Member Hudson: *I'm sorry. I think the match comes as the money comes in. As the match exists, we pay it.*

Mayor Wagner: *Right, but it sunsets on June 30, 2019 if the money's raised or it's not raised.*

Does everybody understand the motion? Is there a second for the motion?

Council Member Hudson: **Second.**

Mayor Wagner: *There's a motion by Ms. Peters, seconded by Mr. Hudson. Is there any discussion on this item?*

Council Member Ewing: *I'd just like to state, again, as I did in Committee. I feel that this sets a dangerous precedent in paying off a non-profit organization's mortgage. There's a lot of non-profit organizations within our city that have notes on their facilities. I know the Arts Council....there is a level of need and appreciation for what they do in the community. But, again, I think it sets a dangerous precedent in paying off the note of a nonprofit and it sends a message to the rest of the community that we're open for business to pay off their notes.*

City Attorney Carlyle: *Councilwoman Peters does your motion include the other terms of the previous draft of the agreement that would tie it to the mortgage.*

Council Member Peters: *I'm sorry. Would you repeat that JoAnne? I couldn't hear you.*

City Attorney Carlyle: *The previous draft of the agreement was very specific as to the duties that were laid out for this Council and the Arts Council. Is it your intention that your motion include that with the \$90,000 match?*

Council Member Peters: *The match needs to come from private donations, correct.*

City Attorney Carlyle: *And the other details.*

Mayor Wagner: *That's your motion.*

City Attorney Carlyle: *It has to be specifically tied to the payoff of the mortgage.*

Council Member Peters: *Yes, yes. Absolutely.*

Council Member Ewing: *And that it be held by the Community Foundation.*

City Attorney Carlyle: *That's what I was trying to narrow down is making sure that the other terms remain as the draft had prior. Now we're talking about up to \$90,000.*

Council Member Peters: *I would like to add one other thing. I totally understand what you're saying Jason about setting a precedent in paying off other nonprofit mortgages, but this nonprofit, they don't use the building for their own personal business. They use it to have programming. The Arts programming with the High Point Community Theatre, the High Point Ballet, Carousel Theatre and those are programs that I feel like are very important to the youth in our community.*

Council Member Ewing: *And I agree that they play an important part. I'll reiterate what I said back in June, you know you look at their financial position based on the audits over the last couple of years and I just don't think that they have the financial ability to maintain a facility like that. I think it would be better utilized in another facility that doesn't have the amount of deferred maintenance. If you look back in the minutes, deferred maintenance is sitting at a couple of hundred thousand dollars right now. So, what happens if we paid a note and they will have some extra money operationally because they will be paying the note down, but what happens if their HVAC system goes out? What about repaving the parking lot? What about some of these deferred maintenance items? Are they going to come back to us because they don't have the cash in their bank account? That's all part of it. We set a precedent paying off a non-profit's note and then when they can't pay for the deferred maintenance, they come back and we support them with that. And then we have pages and pages of other non-profits in the city that are knocking on our door. It's a dangerous proposal.*

Council Member Jones: *I think in the Finance Committee we deliberated over.....120 days over the .03 cents on the dollar that we're allocating to help non-profits already, which is a significant amount of money that we voted on last week. I just don't feel like I can ask the taxpayers that I represent to pay off someone's mortgage.*

Council Member Golden: *I'll repeat what I said in Committee also. We already have a system in place to assist non-profits throughout the city and we try to do that in a fair and just way. When we have people come before us and ask for that extra and when we entertain that and to be personally honest, I think the only reason this Council even entertained this is because we've got so much love and affection for the work they do. But, when we think about it, it goes against everything that we've been sent here to do. We've been charged with managing the city's finances the best we can and when we make exceptions, we are setting a dangerous precedent.*

Mayor Wagner: **Okay, are there any other comments on this item? [none]. Okay, I will then ask for a show of hands on the vote. A vote in favor is a vote in favor of granting**

the \$90,000 grant as stated in Ms. Peters' motion. All those in favor of approval, please raise your hand.

Council Members raising their hands: Mayor Wagner, Council Member Hudson, Council Member Peters, and Council Member Scarborough. [4]

Mayor Wagner: All those opposed? Mayor Pro Tem Williams, Council Member Moore, Council Member Golden, Council Member Jones, and Council Member Ewing. [5 opposed]

Mayor Wagner: The motion fails.

[end of transcript]

A motion was made by Council Member Peters, seconded by Council Member Hudson, that this matter be approved. However, the motion failed by the following 4-5 vote:

Aye (4): Mayor Wagner, Council Member Scarborough, Council Member Peters, and Council Member Hudson

Nay (5): Mayor Pro Tem Williams, Council Member Moore, Council Member Golden, Council Member Jones, and Council Member Ewing

PLANNING & DEVELOPMENT COMMITTEE - *Mayor Pro Tem Williams, Chair*
Committee Members: Williams, Jones, Moore, and Scarborough

2018-251 City Council Initiation of a Zoning Map Amendment Application

A request for the City Council to initiate rezoning for Group 1 of the Comprehensive Zoning Map Amendment project. Group 1 consists of 14 areas to be considered for rezoning.

Heidi Galanti with Planning and Development reminded Council that staff provided a brief presentation to City Council on May 7th on the Comprehensive Zoning Map Amendment project. The purpose of this project is to update the city's Zoning Map and the goal is to encourage development by removing improper and obsolete zoning that may be a barrier to development. This will be a multi-year project and the zoning changes will be initiated in groups. Group 1 consists of 14 acres. Staff is recommending initiation of the Zoning Map Amendment for the areas identified on the map. It is anticipated that this will be heard by the Planning & Zoning Commission in August or September with the public hearing before the City Council afterwards.

Initiated rezoning for Group 1, consisting of 14 acres, for the Comprehensive Zoning Map Amendment project.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Ewing, that this matter be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

PUBLIC HEARINGS - Planning & Development Committee**2018-254 Resolution - Premier Stores, Inc. - Plan Amendment 18-03**

A request by Premier Stores, Inc. to change the Land Use Map classification for approximately 4 acres from the Office classification to the Local/Convenience Commercial classification. The site is bounded by W. Wendover Avenue, Piedmont Parkway and Hickory Grove Road.

The joint public hearing for this matter and related matter 2018-255 Zoning Map Amendment 18-08 was held on Monday, July 16, 2018 at 5:30 p.m.

Heidi Galanti with the Planning and Development Department advised that although staff would be providing a joint presentation of Land Use Plan Amendment 18-03 and Zoning Map amendment 18-08, the matters will require separate votes.

Regarding Plan Amendment 18-03, Ms. Galanti provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings.

The applicant, Premier Stores, Inc. is requesting a change to the Land Use Map classification for approximately 4 acres from the Office classification to the Local/Convenience Commercial classification. The site is bounded by W. Wendover Avenue, Piedmont Parkway and Hickory Grove Road. Ms. Galanti shared and explained the City's current Land Use Plan Map and identified the classifications in the immediate area. She advised that the applicant requested an amendment to classify this area as Local Convenience Commercial, which is intended to support moderate intensity retail or service uses generally serving small, local neighborhoods. Ms. Galanti noted that additionally, the W. Wendover Avenue/Guilford College Road Corridor Plan also directs land use policies for development along the W. Wendover corridor.

The key objectives of this corridor plan are:

- ✓ *To avoid strip development along the W. Wendover Avenue corridor;*
- ✓ *To maintain W. Wendover Avenue as a major traffic carrier by limiting access points, and*
- ✓ *To concentrate higher intensity Community Regional Commercial uses at each end of the corridor, specifically I-40/Wendover and 68/Wendover intersections, and to focus residential, low intensity neighborhood commercial, and office/institutional uses near the intersection of Guilford College Road, W. Wendover Avenue and the Greensboro Western Loop.*

Ms. Galanti shared that this area is between two major nodes and consists of a mixture of residential, office, and local serving commercial uses. The site is unique in that it is situated at the signalized intersection of two major thoroughfares and that it is completely surrounded by public streets. The site is constrained because access is prohibited to Piedmont Parkway and access is restricted to W. Wendover Avenue.

Due to the site's location, configuration, and limited access, the allowance of some limited intensity neighborhood serving commercial uses similar to those across the intersection will

not conflict with the overall objectives of the corridor plan. However, such a policy change is specifically intended for this uniquely situated and constrained land area. Ms. Galanti noted it shall not be interpreted to support expansion of commercial uses to the east or west of the site into the office and residentially designated areas along the corridor, as it would promote strip commercial development and the need for additional access points, which could conflict with the objectives of the corridor plan.

The Planning & Zoning Commission met to review this request at their June 26, 2018 meeting and recommended approval by a vote of 6-0. Staff also recommends approval of the request to change the land use designation for this approximate 4-acre tract to Local Convenience Commercial designation. The request meets the Goals and Objectives of the Land Use Plan and of the W. Wendover/Guilford College Road Corridor Plan by allowing neighborhood commercial on this unique and constrained site.

*Following Ms. Galanti's presentation of Land Use Plan Amendment 18-03, Chairman Williams asked if there were any questions for Ms. Galanti. There being none, Herb Shannon with the Planning and Development Department, approached the podium and proceeded to provide a summary of related matter, **Zoning Map Amendment 18-08.***

The applicant is requesting rezoning to a Conditional Zoning Limited Business District to allow a Moderate Intensity retail commercial use and the applicant desires to develop the site with multiple retail structures. They are looking at approximately 20,000 square feet of development on the site, including a convenience store with gas pumps. The applicant has included conditions with their Conditional Zoning Application that the property be developed to the Gateway Corridor standards.

The applicant has included standards for accessory structures, that the gasoline pump canopy not be located in front of the structure. They've also offered screening requirements for the outdoor mechanical equipment and have dedicated right-of-way for road improvements.

Mr. Shannon proceeded and reviewed some of the factors that were considered. In looking at compatibility with the surrounding development, he noted that zoning conditions limit development of these corridors either to Office Use or to the Limited Business District of the former Development Ordinance; they also restricted use and intensity of commercial development. Based upon the conditions offered by the applicant, the proposed Conditional Zoning under the Business District will be consistent with the Zoning standards that have been granted for those commercial developments on opposite corners.

Staff also looked at any issues that need to be mitigated as far as any adverse impact on adjacent properties. The Wendover Avenue/Guilford College Road Corridor Plan recommends maintaining this corridor as a major traffic carrier. In order to do this, access should be taken from the side streets when available. However, in this situation, it is a corner lot and the applicant has the ability to take access from Hickory Grove Road, and as this is a corner lot, the Corridor Plan does encourage access be from the side street in order to maintain this corridor status as a major traffic carrier.

The applicant also submitted a required Traffic Impact Analysis (TIA), which was reviewed by the High Point Transportation Department to mitigate impact from the proposed

allowable commercial uses of the proposed Limited Business (LB) District. After review, the Transportation Department recommended the following conditions be added to this development in order to mitigate impact from commercial development:

- 1. Prohibit access from Piedmont Parkway,*
- 2. Installation of a directional crossover at the median at Wendover Avenue and Hickory Grove Road,*
- 3. Install westbound right turn lane on W. Wendover Avenue and Hickory Grove Road,*
- 4. Extension of the eastbound left turn on W. Wendover Avenue and Piedmont Parkway to optimize the timing of the signal, and*
- 5. Install a northbound right turn lane on Hickory Grove Road at the site access.*

Staff also looked at minimizing or effectively mitigating any adverse impacts on the enjoyment and use or the value of adjacent lands. The allowable Limited Business (LB) District uses would add additional traffic impacts and the traffic improvements recommended by the High Point Transportation Department would mitigate those impacts.

Finally, staff looked at the development pattern of the area. Mr. Shannon reiterated the uniqueness of the site and pointed out that the site is completely surrounded by public streets. He also reminded Council to keep in mind Ms. Galanti's previous comments that for any zoning approval or support of zoning for commercial use, it is specifically for this site and should not be looked at as support of expansion of commercial uses, so the east or west along this side of W. Wendover as that would be in direct conflict with the Wendover Corridor Plan.

The Planning and Development Department recommends approval of Zoning Map Amendment 18-08 to rezone this property from a Conditional Use Office & Institutional (CU-OI) District to a Conditional Zoning Limited Business (CZ-LB) District subject to approval of the associated Land Use Plan Amendment 18-03 and with inclusion of the recommended Transportation conditions that were proposed by the High Point Transportation Department. The Planning and Zoning Commission reviewed this request at their June public hearing and did include a consistency statement. The Commission stated that upon approval of the Plan Amendment and with the Transportation conditions, the request is consistent with the Land Use Plan and the policy guidance of the W. Wendover Avenue/Guilford College Corridor Plan.

The Planning & Zoning Commission also offered a reasonableness statement that the request is reasonable and in the public interest as the site is at a major intersection corridor on all sides by a public street and adjacent to commercial property on the other side of the intersection with similar zoning. The Planning & Zoning Commission recommended approval of Zoning Map Amendment 18-08 as recommended and submitted by the applicant by a vote of 6-0.

At this time, Mr. Shannon asked Mark McDonald, Director of the High Point Transportation Department to come forward to address the transportation conditions that are outlined in the staff report.

Mark McDonald, Director of the High Point Transportation Department expressed the following concerns regarding this case:

1. *The City has a Traffic Impact Analysis (TIA) Policy that is applied to development projects that meet certain criteria, which this site does;*
2. *The intent of a TIA is to assess the operational and potential traffic safety impacts of a new development on the transportation network and to identify improvements that help to mitigate these impacts;*
3. *The applicant retained a professional traffic engineering firm to conduct the TIA study and the consultant made specific recommendations for improvements around the site;*
4. *The recommendations in the TIA were reviewed by the High Point Transportation staff, who recommended that they become part of the zoning conditions for the development. [these recommendations are listed in the staff report and are included in Table B of the Summary in the Conclusion section of the consultant's executive summary of the TIA, which is attached to the report].*

Mr. McDonald explained that although the applicant sets the conditions to which they wish to comply, the departmental staff can only recommend conditions for consideration and that only the City Council may impose additional conditions, modify conditions that may be seen as too restrictive or not restrictive enough, or eliminate the conditions altogether. He noted in this case, the recommendations are a product of the TIA and expressed dissatisfaction that the Planning & Zoning Commission chose to ignore the High Point Transportation Department's recommendation and chose to ignore the recommendations of a professional engineer hired by the applicant to evaluate the impacts of the development on the surrounding transportation network. On behalf of the High Point Transportation Department, Mr. McDonald asked Council to reconsider the proposed conditions offered by his department, all of which he believes to be warranted, and should be included in the action taken by the City Council.

At this time, Chairman Williams asked the applicant to come forward to present their case.

***Judy Stalder**, 665 N. Main Street, consultant representing the applicant, Premier Stores, Inc., addressed Council. She recognized Mr. Phil Kleinman, President of Premier Stores, Inc., Chuck Truby with CPT Engineering, Clint Cogburn, Attorney with Tuggle Duggins, Robbie Perkins and David Clark, who are the commercial realtors/brokers in this transaction. Premier Stores is a local developer of convenience centers, who has developed the Great Stops stores in the Triad.*

Ms. Stalder advised that the applicant is requesting Council's approval of this request as submitted by the applicant and as recommended unanimously for approval by the Planning & Zoning Commission. She further stated that this property lies at the intersection of two major thoroughfares with retail on two corners and a quarry on the third corner and is surrounded by state-maintained roads. She explained that the property has had an Office designation and has been for sale for a number of years, but it has never been developed as Office.

The applicant is offering prime design standards, the Eastchester Corridor standards with architectural design including a brick building, a gas pump canopy location, landscaping, signage, etc..... Ms. Stalder pointed out the plan was reviewed by the Technical Review Committee and the applicant can meet all the design standards they are proposing. The

applicant did reach out to the neighbors and other businesses in the area and heard from other business owners in the area that liked the plan and wished them well in their development. She noted that although they did make several attempts to reach out to Life Community Church, they were unavailable to actually meet with them, but they did talk to them by phone and by email.

Ms. Stalder noted the development comes down to the details of the transportation improvements on the state-maintained roads and shared that they have been working on this development plan for a while, starting in December with the application submitted in early March. As a means to show that the developer is not trying to avoid responsibility, Ms. Stalder shared that they have agreed to the following:

- ✓ To dedicate right-of-way on W. Wendover and on Hickory Grove Road;*
- ✓ To fully restrict access of right-in only on W. Wendover;*
- ✓ To all of their egress being to Hickory Grove Road*

Ms. Stalder pointed out that W. Wendover at Hickory Grove already has a need for traffic improvements based on the current development. She quoted from the TIA, "Regardless of the proposed development, improvements at the intersection of W. Wendover Avenue and Hickory Grove Road are needed." She noted that Premier Stores, Inc. is taking care of all the recommendations that the development creates to this traffic pattern and reiterated that they are not causing the already existing design problems. She went on to further state that the TIA is not a mandate that the developer correct existing problems for the state and noted that off-site problems have nothing to do with their development.

Having worked diligently in trying to get these issues resolved, Ms. Stalder reiterated that they met with the High Point Transportation Department, the North Carolina Department of Transportation (NCDOT), the High Point Planning Department, and the result of this meeting was a letter they received from Mike Mills, NCDOT Division Engineer, which is included in the packet. The letter states that the TIA revealed that the intersection of Hickory Grove Road and W. Wendover Avenue may require a revision and NCDOT advised that they plan on addressing the new design with the applicant once the driveway permit application has been submitted.

Although it is an existing problem, the applicant is willing to work with NCDOT to help resolve it, but they do not want to agree to any conditions until they are able to have further conversations with NCDOT regarding what might be needed. Ms. Stalder reiterated that the developer will assume responsibility as far as the proposed development regarding site design and transportation improvements directly related to the development but stressed that NCDOT should assume responsibility for the off-site improvements that have nothing to do with this development. She asked for Council's approval of the request as submitted by Premier Stores and as unanimously recommended by the Planning & Zoning Commission.

Following Ms. Stalder's presentation, Chairman Williams opened the public hearing and asked if there was anyone present who would like to speak. There being no one present to comment the public hearing was declared closed.

Chairman Williams then asked for clarification regarding the required votes on both Land Use Plan Amendment 18-03 and Zoning Map Amendment 18-08. Mr. Shannon replied that

Land Use Plan Amendment 18-03 requires a simple majority vote, while Zoning Map Amendment 18-08 would require a consistency statement and a reasonableness statement that staff has offered the language in the staff report for Council's consideration.

Council Member Golden inquired about a timetable on when NCDOT would be addressing the transportation issues. Ms. Stalder replied that NCDOT said they would address these issues at the time that the applicant applies for a driveway permit for the project. Council Member Golden asked Ms. Stalder to clarify "address these issues" and Ms. Stalder presumed that NCDOT would decide what needs to be done and make sure that all the construction takes place at the same time.

Chairman Williams then moved approval of Land Use Plan Amendment 18-03 as outlined in the staff report. Council Member Peters made a second to the motion, which carried by the following unanimous 9-0 vote.

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

**Resolution No. 1771/18-33
Resolution Book, Volume XX Page 33
Introduced 7/16/2018; Adopted 7/16/2018**

2018-255 Ordinance - Premier Stores, Inc. - Zoning Map Amendment 18-08

A request by Premier Stores, Inc. to rezone approximately 4 acres from a Conditional Use Office & Institutional (CU-OI) District to a Conditional Zoning Limited Business (CZ-LB) District. The site is bounded by W. Wendover Avenue, Piedmont Parkway and Hickory Grove Road.

The joint public hearing for this matter and related matter **2018-254 Plan Amendment 18-03** was held on Monday, July 16, 2018 at 5:30 p.m.

Note: For specific comments made at the public hearing for Matter 2018-255 Zoning Map Amendment 18-08, please refer to Matter 2018-254 Plan Amendment 18-03.

Regarding Zoning Map Amendment 18-08, **Chairman Williams moved to adopt the Consistency Statement and the Reasonableness Statement as follows and as identified in the Staff Report under the Planning & Zoning Commission action. Council Member Golden made a second to the motion. The motion carried by a unanimous 9-0 vote as follows:**

Consistency Statement

With approval of Plan Amendment 18-03 and with the transportation conditions, the request is consistent with the Land Use Plan and policy guidance of the W. Wendover Avenue/Guilford College Road Corridor Plan.

Reasonableness Statement

The request is reasonable and in the public interest as this 4-acre site sits at a major intersection, bordered on all sides by public streets and adjacent to a commercial property with similar zoning standards.

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

Mayor Wagner then **moved to approve Zoning Map Amendment 18-08 as submitted by the applicant to include the preceding Consistency Statement and the Reasonableness Statement as identified in the Staff Report under the Planning & Zoning Commission action. Council Member Ewing made a second to the motion, which carried by the following 9-0 unanimous vote.**

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

**Ordinance No. 7431/18-60
Ordinance Book, Volume XX, Page 60
Introduced 7/16/2018; Adopted 7/16/2018**

Adopted an Ordinance rezoning this property from a Conditional Use Office & Institutional (CU-OI) District to a Conditional Zoning Limited Business (CZ-LB) District as submitted by the applicant based on the following Consistency Statement and the Reasonableness Statement as outlined in the Staff Report under the Planning & Zoning Commission Action.

2018-252 Ordinance - Caring Services, Inc. - Zoning Map Amendment 18-07

A request by Caring Services, Inc. to rezone approximately 21 acres from the Single Family Residential-3 (R-3) District and a Conditional Use Institutional (CU-I) District to a Conditional Zoning Institutional (CZ-I) District. The site lies approximately 900 feet north of the intersection of Eastchester Drive and N. Centennial Street, between Eastchester Drive and N. Centennial Street.

Transcript

Chairman Williams: *The next item up is the 2018-252 Ordinance- Caring Services- Zoning Map Amendment 18-07. I think we're doing this as a joint again? So, we'll include item 2018-253 Caring Services- Special Use 18-03 permit. Mr. Shannon.....*

Oh, do I need to do this first?

City Attorney JoAnne Carlyle: *No, I recommend that you do them separately. They'll be presenting the information together I presume.*

Herb Shannon: *Yes.*

City Attorney Carlyle: *Sure, that'll be fine. Yes Sir, if you would go ahead and begin understanding that the actual Zoning Map Amendment will not be part of the quasi-judicial hearing, but the Special Use Permit will. Just be sure to confirm as they step forward as to whether or not they've been sworn, so that it'll be accurate for the record.*

Chairman Williams: *So, I'll do this first and then we'll start with....hang on one second. I'd like to read this statement before we get started because it's a quasi-judicial hearing. "Special Use Hearings are quasi-judicial evidentiary hearings. That means they are like court hearings and the state law sets the procedures and rules concerning how this Council must make its decisions.*

The Council must base its decision upon competent, material and substantial evidence presented during the hearing. If you are speaking as a witness and we're talking about the Special Permit use, please focus on the facts and standards, not personal preference or opinion.

This meeting is open to the public and everyone is welcome to watch. However, only parties with standing have rights to participate fully. Parties may present evidence, call witnesses, and make legal arguments. Parties are limited to:

- *People or entities with ownership or lease interest in the property;*
- *The applicant;*
- *The City of High Point; and*
- *Individuals who can show that they will suffer special damages as a result of the Decision.*

Council will only allow non-party testimony as long as it is relevant to the matter under consideration and limited to the facts and not opinions.

For certain topics, the Council may hear opinion testimony from expert witnesses. Individuals providing expert opinions must be qualified as experts and must provide the factual evidence upon which they have based their opinion."

So, before we get started, I would like to move forward and I'm going to call for everyone that's going to be a witness in the Special Use Permit to be sworn in.

Applicant's Attorney, Tom Terrell: *Mr. Committee Chair. Could I address that very briefly? And JoAnne, I did not see this when you and I spoke earlier. We do have a little bit of an issue here on what the rules are. I think the rules that you read are exactly correct. There is a small problem in that our Zoning Ordinance has rules about how to conduct these hearings. And it says that the City Council may decide for itself to consider all evidence that it deems to be competent and material. The problem is that provision, that's very broad, is inconsistent with state law. I'm going to hand this to our city attorney, but I'd like to tell the Council that I'm reading from General Statute 160A-393. It is the statute governing these types of proceedings in our state and it says the term competent evidence as used in this subsection shall not be deemed to include the opinion testimony of lay witnesses to any of the following. And this is consistent with what you said verbally.*

- a. *The use of property in a particular way would affect the value of other property, and then*
- c. *Matters about which expert testimony would generally be admissible under the rules of evidence.*

Again, this is inconsistent and it would override what is in writing in our ordinance, but if I heard you correctly, I think the rules as you read are correct.

City Attorney Carlyle: *That is the intent, but we're just the lawyers.*

Attorney Tom Terrell: *Do you need to see that?*

City Attorney Carlyle: *No.*

Chairman Williams: *Thank you, Mr. Terrell. Unless there's some objection, I'm going to move forward and go ahead and swear in the witnesses for the....okay, thank you. Anyone that's going to speak on the Special Use Permit, if you would please come forward and all staff members and applicant. If you would please come forward to be sworn in.*

[oaths administered by City Clerk Lisa Vierling]

Herb, I have a couple of things to go through before you start. I appreciate your patience on this.

For disclosure purposes, the parties to this case are entitled to an impartial Council. A Council member may not participate in the hearing if he or she is not impartial. For example, a Council member may not participate if he or she has a fixed opinion prior to the hearing that is not susceptible to change, a financial interest in the outcome of the matter, or a close familial or business relationship with an affected person. Does any Council member have any partiality to disclose or recusal to offer?

Also, Council members must disclose any ex parte communications. Ex parte communication is any communication about the case outside of the hearing. That may include site visits as well as conversations with parties, staff, or the general public. Does any Council member have a site visit, conversation or other communication to disclose?

Council Member Ewing: *I received the same emails that probably most of you have in regards to this so I'll disclose those. If we need to attach them, we can make that available to attach to the notes.*

City Attorney Carlyle: *As long as you feel that you can be impartial in the decision.*

Mayor Wagner: *I received emails from folks seeking to send me information about this, but I did not actually read the information. I just responded and told them because it's quasi-judicial, I was not allowed to look at it, which I did not do.*

Council Member Golden: *And my response to people who contacted me has been that I'm not supposed to talk about it prior to tonight and I'll see you on that night.*

Council Member Peters: *I did have a very brief conversation. A friend of my sister called and I wasn't really sure what was going on and they just made a comment about the sex offender bit and I just told her that we would have to learn what was going on. So, I don't know if that messes me up.*

City Attorney Carlyle: *As long as you can make a partial decision tonight.*

Council Member Peters: *Oh absolutely. Yes.*

Chairman Williams: *Anybody else?*

Council Member Jones: *I've been out there several times, you know, last year to check out the facility and see how the program works and mentored a young man from the organization, but it will not affect my ability to be impartial in any way.*

Chairman Williams: *Anyone else? [none] In that case, then I'll move forward and I guess we'll move forward to the staff presentation. Thank you, Mr. Shannon, for your patience.*

Herb Shannon: *Thank you. Herb Shannon. City of High Point Planning & Development Department. The next two agenda items: Zoning Map Amendment 18-07 and Special Use 18-03 both pertain to the same property. Thus, we are going to do a combined presentation. They both pertain to John Wesley University campus, which lies approximately 900 feet north of the intersection of Eastchester Drive and N. Centennial Street between Eastchester Drive and N. Centennial. These are two separate requests. They must be evaluated separately, voted on separately, and your decision is based on the merit of each individual case.*

I want to start with Zoning Map Amendment 18-07. What you have on the overhead projection is a general location map showing the property that's highlighted in red in the central portion of the city. This is a blow-up of the site. You have Eastchester Drive to the east side. North Centennial Street to the left or the west side of the property. The area that you see highlighted in blue surrounding the property is the John Wesley University campus.

In regards to the zoning, this is a request to expand an existing Institutional zoning that governs development of the site. The current Conditional Use Institutional or CU-I District was established on the campus in 1992. In 2015, the university purchased a .07-acre parcel. That's the area you see highlighted in purple. The university purchased that single-family dwelling. Though it's owned by the university and it's surrounded on three sides by the university, it has never been rezoned. It currently has a Residential zoning designation.

The applicant, Caring Services, is proposing to purchase all the property owned by the John Wesley University campus. So that all their property is governed by the same standards, they are requesting that this .07-acre parcel, the area highlighted in purple, be added to the campus. That it be rezoned to an Industrial zoning district.

As you're aware, we talked about this before, Conditional Use zoning no longer exists. That was a change several years ago. We now have Conditional Zoning. So, what you have before you, the applicant is requesting that the entire campus, the existing CU-I and the single-family dwelling be rezoned from Residential to a Conditional Zoning Institutional District so that the entire property that they are proposing to purchase is governed by the same zoning designation.

The requested CZ-I District does not change any of the allowable uses that were approved in 1992 for the campus. The main purpose is just adding this .07-acre parcel to the campus to

make that Institutional Zoning. As always, we include in the staff analysis various review factors.

One of the items we looked at is compatibility with the surrounding area. The expansion to include this .07-acre parcel does not encroach into the existing residential neighborhood. The same standards that were set as far as the limits of the campus is staying in place in that the Institutional Zoning still lies south of Countryside Drive to the north. The Institutional Zoning will still stay on the east side of N. Centennial Street.

We also looked at in regard to the rezoning, are there any issues that need to be mitigated. Are there any adverse impacts on adjacent properties. The previous zoning conditions that were adopted in 1992 are going to be carried forward into this updated rezoning, so conditions pertaining to right-of-way dedication, vehicle access, are being cared for to mitigate any traffic impacts.

We also looked at are there any issues that we need to mitigate as to enjoyment of the value of adjacent properties with the rezoning of this area all to the Conditional Zoning Institutional District. The area of expansion is minor. It's just that one lot that's currently surrounded by Institutional uses. It does not expand the envelope of Institutional Zoning in this area, as you're still only on the east side of N. Centennial and Institutional Zoning still lies south of Countryside Drive. Therefore, the Planning & Development Department recommends approval of the request to rezone approximately 21 acres to the Conditional Zoning Institutional District.

As conditioned, the requested CZ-I District will be compatible with the surrounding area and in conformance with adopted plans. Now, at the June Planning & Zoning Commission public hearing, the Commission reviewed this zoning request and they recommended approval of this request by a vote of 5-0. As part of the Planning & Zoning Commission's review, they adopted a Consistency Statement. And that statement from the Commission stated that the Institutional Zoning request is generally consistent with the Land Use Plan. Also, the Planning & Zoning Commission adopted a Reasonableness Statement. The Commission stated the request is reasonable as the area of the proposed expansion is currently surrounded on three sides by existing Institutional use and the proposed use, the proposal for Institutional Zoning would not significantly increase development intensity of allowable Institutional uses.

That is just a brief summary of the Zoning portion of this request. As always, the Council must place into the record, a Statement of Consistency. You do have in your cover memo that Consistency Statement and Reasonableness Statement that was offered and adopted by the Planning & Zoning Commission.

Before I proceed forward on the Special Use Permit, are there any questions from Council on the rezoning portion of this application?

Council Member Ewing: *I've got a question. Herb, on the Zoning, Factor 1, you reference the Tier 2 of the Watershed area.*

Herb Shannon: *Yes, this site is in Tier 2 of the Oak Hollow Lake Watershed. That will restrict the intensity of the development to 35% impervious coverage. Impervious coverage*

is anything that water can't go through: a building, pavement, including gravel. Any development of the site is restricted to that impervious. And let me just clarify, that's any new development. I believe several of the structures were adopted prior to the current Watershed Regulations, so any new impervious coverage is going to be restricted to that 35% of the total land area.

Council Member Ewing: *And the current total land area of what is developed and what could be developed, how much could be developed on that site?*

Herb Shannon: *I do not have that information as far as total acreage. The tract that was already there and adding in that new factor. We just note for the record that does limit development intensity of the property under the Institutional Zoning District because it is in that Watershed Critical Area.*

Council Member Ewing: *Thank you.*

Council Member Moore: *So, you're saying it must not have reached the 35% threshold at this point?*

Herb Shannon: *Correct.*

Chairman Williams: *Are there any other questions? Do you want to move forward with the next piece? Well actually, JoAnne, do we? Because I have here where the parties can ask questions.*

City Attorney Carlyle: *That is for the Special Use Permit, as far as the questions.*

Chairman Williams: *Okay. Are there any other questions for Herb on the rezoning? Do we want to go ahead and vote on this now? I mean I'm going to open it up for the public hearing, but I just wanted to ask if we can do this separately.*

City Attorney Carlyle: *It is already open. If there's any questions for staff for right now.*

Herb Shannon: *I just laid out....before we go to the Special Use Permit, and I'll be glad to go over that and you can consider everything in total and just vote on them separately at the end.*

Chairman Williams: *Just move forward then.*

Herb Shannon: *In regards to the Special Use 18-03, we have a new slide. Basically, that includes all of that area outlined in blue, the total land area owned by John Wesley University. The applicant has submitted a Special Use to allow a major Social Service use in the Conditional Zoning Institutional District. The Social Service use falls under the Residential Use classification and is defined as a "facility with support and supervisory personnel that provides temporary room and board, housekeeping, personal care, rehabilitation services for those needing emergency services, post-incarceration services, or drug or alcohol rehabilitation assistance." It does not include those with mental illness who are dangerous to others. Facilities that provide service for seven or more people are*

considered a major Social Service use. A Major Social Service facility requires a Special Use Permit in the Institutional District.

The applicant, Caring Services, is proposing to use the existing structures on the campus for this requested use. Just a summary of the proposal, this is the Sketch Plan that is part of your packet. It is a Special Use Sketch Plan. It is binding. And just a quick summary, the area noted in the middle of this site, Building 1, has an approximate 20,000 square-foot university administrative office and classroom building in the center of the campus. It's proposed under this Special Use Permit to be used for administrative uses, office uses, classes, and counseling services. To the left you see Buildings 2 through 7. The campus has currently four single-family dwellings and a 12-unit multi-family structure. That's Building 2, Building 3, Building 4, and Building 6 are the single-family structures that the university owns and used for housing students. Building 5 is a 12-unit multi-family structure the university used for housing students.

Under this Permit, it is proposed that those buildings, 2, 3, 4, 5, and 6 be used for housing clients. And subject to approval of Zoning Map Amendment 18-07, Building #7 which is a single-family dwelling will also be used for the housing of clients. The North Carolina Building Code will permit up to six persons in each of these former single-family structures. If this is approved, this Special Use Permit/Special Use Plan is binding. It locks the applicant in to this specific layout. If they propose to add any more land to the Special Use Permit, they will have to come back through this Public Hearing process to submit an application and go through the Planning & Zoning Commission and the City Council. If they propose to add a new structure, or if they propose to expand an existing structure, they will have to come through this whole process again. With this Special Use Permit Plan, they can only do, if approved, what's on that plan. Using that central building for their counseling services, using those buildings on the left side for the housing of clients. Any changes requires them to come back through this process.

As always, we do have Findings related to the Public Hearing items. I would note that a Special Use is an additional use to those permitted by right. The Development Ordinance requires certain Findings and those are outlined in your staff report.

I just want to touch base on a few of those Findings.

*We looked at that it **would not materially endanger the public health or safety**. Now, although the property is zoned to permit Industrial uses, the Social Service use is considered a Residential use by the city's Development Ordinance. Staff has not identified any evidence that the Social Service use as compared to other permitted Residential uses or permitted Institutional uses, would endanger public health and safety. Included in the back-up material is a letter from the applicant dated May 31, 2018. I believe that's part of their information they noted in their Neighborhood Meeting Report outlining the scope of their operation. This letter states that housing and supportive services is for those persons enrolled in the program. Clients are required to meet with a counselor, have a sponsor, attend meetings. And it also outlines the operation of the facility and the applicant can give more detail on that. But based on that description, the services and oversight, the requested Major Social Service use is not anticipated to endanger public safety.*

There are also specific standards that a Social Service use have to meet. They have to have at least 50 square-feet of gross floor area for each person being housed. And the operation of the facility is required to provide continuous on-site supervision during the hours of operation. Those are requirements that have to be met. The applicant has noted that they will comply with those requirements.

*We also took into consideration that it **will not substantially injure the value of abutting land.** This current Institutional Zoning on the property allows much more intensive uses. Anytime we look at a Zoning, we just don't look at a specific proposal from the applicant, we look at everything allowed in the Institutional District. Under the Institutional Zoning that governs the majority of this site, multi-family up to 16 units per acre is permitted. That's approximately 350 multi-family units that could be developed. An assembly or auditorium use could be allowed. A school, whether it's an elementary, middle, or high school use, is also permitted. Based upon the information and the evidence provided, staff looked at if this use would be more intensive than those uses permitted by right and we made a determination that the requested Social Service Use as conditioned by their SU Sketch Plan and their conditions would not be of a higher intensity that would substantially injure the value of abutting lands.*

*We also look at **Harmony of the area.** The area is generally occupied by the existing Institutional Use. Changing of the use for a Social Service Use would provide a similar use and intensity as they have proposed in their Conditional or their Special Use Permit as far as how they propose to use the structures. Furthermore, and this goes back to the question that was previously addressed, this site is subject to the requirements of the Oak Hollow Lake Watershed Critical Area which restricts development or impervious surface of 35% of this site. That restriction would further prohibit any major increase of development intensity upon the property. And as I previously noted, if the applicant proposes that, they will have to come back through this process again.*

*Finally, **General Conformity with the City's Adopted Policy.** The current Institutional Use acts as a transition from the Commercial uses along Eastchester Drive. The requested Social Service use would continue to act as a transitional use. And staff has not identified any evidence that the requested Social Service Use as restricted by their Special Use Plan and their Special Use conditions and the standards of the Oak Hollow Watershed Critical Area would conflict with adopted Policy documents. **Therefore, the Planning & Development Department recommends approval of the request to permit a Major Social Service Use Facility in the Conditional Zoning Institutional District and that is subject to the Special Use Permit that is a part of your packet and subject to the Special Use Permit Sketch Plan.***

At the June Planning & Zoning Commission Public Hearing, by a vote of 5-0 the Planning & Zoning Commission forwarded this request to the City Council without any recommendation.

That is a brief summary of the Special Use Permit. Are there any questions of staff on the Special Use Permit request?

Chairman Williams: Any questions from Council?

Council Member Moore: Yeah, I have a couple or at least follow-ups or clarifications. Per house, will you please go back to that last picture? Thanks. Did you state that there are six persons per house? Is that what is being proposed?

Herb Shannon: The North Carolina Building Code would permit up to six persons per house. You may wish to address the applicant as to what they're proposing per house.

Council Member Moore: Okay. And would you go back over briefly when you spoke to Harmony of Use?

Herb Shannon: Based upon the conditions that the applicant has noted, they have a Special Use Permit that says that this Special Use is only for a Major Social Service use. They have submitted this Sketch Plan that limits the intensity of how the site may develop. Basically, you have an existing campus with these structures. They are proposing a Major Social Service Use with these same structures. They're not proposing any additional structures. So, based upon the manner the site is being used today, an administrative building and clients housed—those current clients being students—housed in those structures. The Major Social Service Use, you have that administrative building in the middle and clients being housed in those structures. Staff made a determination that as far as Compatibility, their request would be compatible with the surrounding area as it is similar in intensity.

Council Member Moore: Okay. And when you define surrounding area, are you talking about the property outlined here or the surrounding area as in a couple miles around?

Herb Shannon: Those properties in the immediately vicinity adjacent to the 21 acres.

Council Member Moore: The only other thing that I would like to have seen or had the information to is, I know that you state that it's unlikely that any serious commercial development could happen because of the Watershed issue, but for those of us who, you know we just went through a battle over a non-profit and for those of us who are really high on trying to drive the for-profit sector, it would have been nice to have known how much opportunity there may have been for that impervious surface increase or how much they currently have. Thank you.

Chairman Williams: Alright, are there any other questions for staff? JoAnne, I got it here that I can.....I think I'm just going to open it up for the public comment part for the Zoning first? Is that okay?

City Attorney Carlyle: No, go ahead with the applicant's testimony at this point.

Chairman Williams: Go ahead and move forward with that too? Okay. So, we're going to move forward to the applicant's testimony. I will read a quick statement before you start.

The Council will now ask the applicant to present evidence and legal arguments as a reminder and the evidence and argument must focus on the applicant's standards. The documents and other physical evidence referred to or used by witnesses need to be entered into the record, a copy left with the City Clerk for that purpose. Before you begin, please state your name and address for the record and whether or not you have been sworn in.

Attorney Tom Terrell: Thank you, Chairman Williams, Mayor Wagner, and members of Council. I'm Tom Terrell. My address is 529 W. Parkway Avenue. I'm with the Law Firm of Smith Moore Leatherwood and I'm very proud to be here tonight representing one of High Point's true point's of light, Caring Services.

I've been doing land use and zoning work for well over three decades and I have learned during that time and I think every one of you have probably already seen this dynamic. It's easy to get people to come out and fight something. People like to come out and oppose. You don't even have to beg them, but if you're for something, people just don't come out. No matter what you try to do, they won't come. As I came in here tonight, I learned that this room is packed with community leaders, board members, citizens, people who represent our churches who on their own have come out to support caring services in this rezoning. So, I'd like to ask them to identify themselves. If they're standing if they will raise their hand and if they're sitting would they stand up. [about one-half in the audience stood up]. Thank you.

Before I move to the actual rezoning, I'd like to address Mr. Moore's comment about commercial purposes. This property was on the market for a long time. It was offered to anybody who would buy it. Mr. Troxler is here who can answer that question. It was under contract for a commercial purpose, but that buyer could not find tenants for that site. So, John Wesley College is represented here tonight. They are pleased, and they will speak for themselves to be here selling this to Caring Services.

Council Member Moore: Alright, I appreciate that Mr. Terrell. As someone who has done a little bit of development, I know that the Watershed restrictions are very limiting in their way as well.

Attorney Tom Terrell: Tremendously. For that site, you would have to leave most of it unused as it currently is.

Council Member Moore: I agree with you, but it would have been nice to have known the numbers.

Attorney Tom Terrell: I would like to address the rezoning first and I can do this part briefly. With respect to the rezoning, if you serve on this Council or have served on this Council for a number of years, this is probably one of the least or minimum change you will ever see for a rezoning. It's primarily this. It is changing the old designation, CU PI to the current designation CZ PI. Bringing over and adopting the old standards from the original zoning and all it does is just fold in basically that residential property that was already being used by John Wesley for housing. So, that's all it is. It is a minimal rezoning. It would not be difficult to.....it's not heavy lifting as it were. Now, I know somebody has spoken from the audience about not wanting to be sworn in to speak about the rezoning part. I think that is correct. They don't have to be sworn in or we don't have to follow the rules, but the moment there is somebody straying into the Special Use Permit standards, I would like to say that I will be objecting to them not being sworn and I think they would have to fairly follow the rules. Let me also add that if you approve this Rezoning, it will be coupled with the Special Use Permit. The least intense 21 acres in that area. You cannot find a less intense use than this.

Now, I'd like to move to the Special Use Permit. That's where the meat of this hearing is tonight and I'm going to do it by telling you a personal story. I grew up in High Point on a street called Hayworth Circle. When my wife and I had children, we moved a block and a half away to Laurel Lane, so we could be near my parents and our parents could help us raise our boys. In the mid-90s, Becky Yates and her husband bought a house that was across the street from where I grew up. I knew all those neighbors. For the most part, they were all still there and they hired me to stop what they were calling and everyone considered a halfway house. I did all my research. I came down to the city. I opened the Zoning Ordinance. I either spoke with Lee or I spoke with Jim Boyer, who would have been here at that time. And I determined that that house, at that time it was for up to six women, it did not violate local law. It did not violate state law. They were there existing legally. And I advised my clients that there was nothing they could do. I had been in communication with Ms. Yates. I went to her and I advised her that was my finding and I felt I needed to tell her that I would be walking away from that case. Over the next however many years, three or four years, that Caring Services started their first homes, over the years that they were there, we walked down Hayworth Circle and I can't tell you how many times to visit with my parents. We stayed with my parents during Furniture Market. In that time, we never had a problem with that house. I never heard a complaint from anybody that was opposed to it, about that house. They were not noisy. To my knowledge I never saw a police car go there. They kept to themselves. They went to work. They came home. It was just another house in the neighborhood. You wouldn't know it by looking that it was a home for Caring Services. If there was an issue, I would have known it. And I give that to you as testimony for how their houses are run. And a lot of what you're going to hear tonight is the result of the exact same emotion that I was part of 25 or so years ago.

Now, if we could start, we actually have notebooks with a lot of evidence that I'd like to hand out. I'm going to hand each of you....I'm going to make sure Ms. Vierling and Ms. Carlyle that you have copies. And we're also going to give.....Ms. Carlyle if you don't mind, I think it's appropriate for the community to have access to our evidence, so I'm going to put another one there if anybody wants to have it to see it, they can. It will be right there. Did everybody get a notebook?

I'd like to walk you very quickly for a quick overview to what we have. We have experts who are here who will be addressing their own reports. I won't go into those in any detail, but if you will turn to the Project Narrative. Right behind that open sheet is a list of all the rules. Now Ms. Yates is going to be talking about these rules in a moment, but these are heavily, highly regulated homes that would be on this campus with rules that probably no one in this room will be able to abide by. They are very strict rules. She'll talk about those, but if you want to consult and see them, that's where they are.

I also have a brief overview after that on the law of quasi-judicial proceedings. I do point you to just two things. First, on the second page is a legal presumption that once you put something in your Table of Permitted Uses as being allowed in that Zoning District, it is presumed to be harmonious. There is a legal presumption. You have to bring in evidence to show, substantial evidence in fact by North Carolina cases, to show that it's not in harmony.

And then, finally, on the bottom the limits of lay witness testimony, there's a brand-new case out from the North Carolina Court of Appeals. It's a solar farm case, but it was the first case that actually interpreted that language that I just read to you that said if you are trying to

give an expert opinion on anything or an opinion about something that in the court would require an expert, you'd have to have an expert to come in. The tabs, if you need to consult with what those Special Use Permit standards are, they are right there.

I do also have a running set of objections so that I don't have to be jumping up and down. I may be making some objections at different times during this hearing. I will do them very quickly. These are the objections that we'd like to put before you. I'd like to call on a few of them very quickly. Item #4 on the Property Values. I just read you that statute, but that specifically includes a lay person who was going onto the internet and who thinks that because they have found something on the internet that they can come in and hand that up. I have to have the right to cross examine that witness, the person who offered that story, as to what variables they consider. What were their conclusions? What were their assumptions going in. So that's an important one.

If you'll turn to the next one, Item #8. Very often somebody brings a letter in from a government official that they went out and solicited. That actually does not meet the rules of evidence and that would be somebody that I would need to cross examine. The rest of them you can look at.

If you'll turn to the next one. This one **Additional Conditions** offered, I've had discussions with Ms. Carlyle and Mr. Burnette and Mr. Shannon about this. We have some differences of opinion as to whether we can offer this condition. I'd like to read it to you. And that is that **the applicant shall not have any man or any woman on the property who, after conviction, is listed on the N.C. Registry of Sexual Offenders.** This was not going to happen anyway. We offer this as a very specific condition for this Council to adopt. If there remains a question about whether that can be adopted, maybe there could be a few days of additional research to be done so that we could nail that down. But, we still ask you to consider imposing that standard as an absolute standard. You can do the research and check and come behind Caring Services by sitting at your computers right there and pulling it up. It's the easiest condition you will ever have to be able to enforce.

There is a PowerPoint that we put in your books in the next tab, **Understanding Addiction**. Ms. Yates is going to do this PowerPoint. She'll go through it very quickly. Under the **Health** tab, we have affidavits of both Ms. Yates and Ms. Hinkle. They are here to testify so they can verify everything that's in their affidavits. On the Tab, **Safety**, this is where we address crime. There are two tabs. One is the actual full **Police Reports** from all the incidents that you might hear about from those who are here to oppose the Special Use Permit. There was an abbreviated list that didn't tell people truly what it was at Planning & Zoning and it was handed up for it to be something that it was not. And we have that and we have the full reports. An explanation of what all of those are is at Tab 2. We have a **Market Impact Study** that was done by a Certified Appraiser. This is not something that would be hearsay. This is somebody who has done an actual Market Analysis where the market itself speaks—the free market where people come in and they decide where their dollars will be spent as confirmed and verified by MLS.

The next one is **Public Necessity**. We have several speakers on that topic tonight, but we did, as a placeholder, include the Affidavits again of Ms. Yates and Ms. Hinkle because they address that issue very much.

The next one called **Harmony/Consistency**, we will soon introduce here who was a longtime civic leader in Asheboro. He was the planner, the Lee Burnette of the City of Asheboro for several decades and he is here tonight having done his own study using the Principles of Land Use Planning.

And the final thing is, you have to make **Findings of Fact**. Sometimes you may want to delegate that to your attorney or staff to do after a hearing. I did include some proposed Findings for your consideration tonight. If you were looking for something to adopt and wanted to know where the factual basis was in the record. With having said that, I would like to move.....unless you have questions, I'd like to move to our first speaker. Ms. Rebecca Yates, if you'll come on up. As the founder of Caring Services she has been the face, she has been the moving force of somebody who has made a difference in our community in ways that many people do not know. In ways that have inspired churches and other groups to come forward to help us address issues in our community that seriously need to be addressed. She's going to give you the details on that, but I'd like to introduce you to her.

Rebecca Yates: Thank you for your attention this evening. I apologize that this is going to be consuming a lot of your time, but it's very important. So, again, I thank you for your time and attention. My name is Rebecca Martin Yates. I live at 1713 Windsor Drive and most of the community knows me as Becky Yates or Ms. Becky. I'm a co-founder of Caring Services which is a grass roots non-profit which began as Ferndale Place in 1994 on Ferndale Avenue, the home formerly known as the house with the drink machine on the front porch and to some people as a drug house.

Our interest in helping people with substance abuse disorders came from our concern with a loved one and led us to an understanding of the revolving door which exists when an individual leaves a short-term substance use treatment center or medical facility and is returned to the community with no hope, no home, no job, no money, no food, no opportunity. This was not the case for our loved one, but it was for a larger percentage of the people we served during those early years. It was true. We felt compelled to help, having no idea that the problem of addiction was so prevalent or that the opportunities for help were so scarce.

By the early part of 1995, this was like a year later, people were showing up with plastic bags containing their few remaining possessions and begging for shelter and support. When we realized then that the need for housing and support for those in early recovery was far greater than we could have imagined and we made the decision to set up a non-profit to address those community needs.

While the program was initially only available to males, it soon became apparent that women, too, needed this kind of help and had even fewer resources than the men. The agency has grown to respond to the needs of the community, but we can't fully meet those needs today and it's impossible for us to adequately, from where we are, fulfill the needs to promote long-term recovery and return people to a wholesome lifestyle.

Using a conservative national statistic created by governmental and university research, 10-12% of the entire population of our country has had or will have a substance use disorder with which to deal. Considering that, in this room there is a capacity to seat roughly 120 people, 10-12% will struggle at some point with a substance use disorder. That's between 12 and 14 people in this room and it includes those who are here fighting against us tonight.

Take that into the community at-large, our community, we have a population of roughly 116,000. That means that between 11,600 and 14,000 men and women in our community are currently in need of a program like Caring Services because they are struggling with substance use disorder. If one of those 11,600 people is your loved one, wouldn't you be grateful to know that we were at that location providing care for your loved one?

While today the community has extensive record keeping systems in place, initially we didn't even have records because we didn't see a need for that in the beginning. We were just helping a few people for a short term. So, I can't provide statistics of success for the entire duration of our agency, but I can affirm that over the years we have probably served 6,000 individuals and I estimate that at least half of them have remained in recovery. Most of now whom now have families, jobs, pay taxes, work along side you, worship alongside you, and volunteer through various venues to make High Point a greater place to live. Our program participants are diverse as our community citizens. They represent all classes, races, ages, and they want the same thing that we all want. They want a chance for a good life. An opportunity to work, to be productive, to be respected, and to get the love of their families.

In my 24 years of working with our population, I have never met a person who set out to become addicted, who wanted this kind of stigma associated with them, who wanted to be reviled by an entire community. I have never encountered a person in our program with whom I was afraid, and I have learned to respect the struggle so many of our participants have had dealing in life, and I admire their courage to reach out for help.

The John Wesley University campus will allow Caring Services to take names off the whole waiting list. To expand our ministry to those desperately crying out for help, longing to be free, once and for all from the burden of addiction. This campus is in a less crime-ridden area than we are currently in, would allow our women to walk to on-campus meetings without fear of being offered a ride by a stranger, or being offered drugs by a drug dealer when they walk to a meeting. The natural beauty and the serenity of the campus will enhance opportunities for meditation and for healing.

Caring Services has been at its current location since 2000 and we are in the old Cumby Funeral Home building which is on the corner of Chestnut and MLK. Daily we see, literally face, the people that sit opposite us and drink most of the day. A woman was murdered in the same block as us in April. You will hear later about a computer-aided dispatch number of calls to our agency. Ms. Hinkle, who follows me, will explain how those calls had nothing to do with crimes committed by our residents and she will explain the role we play in helping to keep our community and those we serve safe. I hope that you will realize by the end of this evening that we are not the cause of problems in our community, but rather we are the solution.

So, what do we do at Caring Services? The first thing we do is assess individuals who are requesting admission into the program. We currently have 108 beds for men and women and we have a Veteran specific program that serves 13 men who have served our country. We don't admit everybody who comes into our program. We do have criteria admission. Part of that criteria is that you have to be at least 18 years of age to be in our program. I have fielded frequent calls from parents of a minor child desperate for hope, concerned that their child will die before meeting these criteria. And, as the age of first use continues to fall, this is an on-going concern for us.

Those entering our program must have already been through some form of a detoxification program prior to their coming to Caring Services. We do not accept individuals who have a positive drug screen. They are referred to a higher level of care. Every program participant signs an agreement to abide by an individual or person-centered plan and is required:

- ✓ *to meet regularly with a counselor,*
- ✓ *is subject to random drug screens,*
- ✓ *must attend an intensive outpatient treatment,*
- ✓ *and must comply with a curfew, which is never later than 11:00 p.m. when we have lights out.*

New criminal charges are grounds for dismissal. All participants are required to have a 12 Steps sponsor and to attend 12 Steps meetings. Our staff consists of well-trained social workers and clinicians who are wholly dedicated to serving our participants and the agency is a licensed State Mental Health facility. We have a contract with the Veteran's Administration to serve as the clinical treatment center for the Salisbury VA and we are credited by CARF, the Commission on Accreditation of Rehabilitation Facilities. No one is court ordered into our program. It is an individual choice to seek treatment.

There has been an accusation made by a person opposed to our acquisition of the John Wesley University campus that we don't maintain our properties. If any of you have ever seen the deplorable conditions of the houses we have acquired prior to our ownership, you would most certainly withdraw that claim. Most of our houses were drug houses prior to our acquisition. Nobody cared about their condition or what went on behind those closed doors. Our house on Lexington Avenue is a prime example. When it was a dirty, disgusting drug house next to an elementary school, nobody said anything. When we transformed it through our partnership with Forest Hills Presbyterian Church, there was a huge uproar from the neighbors about our being there. Now, it is one of the most well-preserved older homes in High Point and a joy to ride by.

Present here tonight are members of several communities of Faith who have partnered with Caring Services to support our mission and to be the hands of Christ in our community. They have donated food, clothing, time to volunteer, talents, funding. They have toiled side-by-side with our program participants to rebuild, refurbish, restore some of the oldest houses in High Point. They have hauled out buckets of glass and rotten boards and replaced them with safe and comforting surroundings. They have not been afraid. They have boldly stepped up to help and have learned what the staff has long known. We all want to be loved and respected. We all want to be part of something greater than ourselves. Our program participants demonstrate that they want to be part of something greater than themselves because for years they have faithfully volunteered with the Special Olympics games, the City of High Point Parks & Recreation special events, mobile meals, and Operation Inasmuch.

Caring Services is a program for hope for individuals whose lives have become unmanageable because of chemical dependency. We often and enlighten a caring treatment community in which those affected by addictions can begin a new life. We provide a holistic continuum of care, a much-needed bridge between the devastation of addiction and a successful return to family and society as a clean, sober, and productive community member.

I can say with confidence that Caring Services will not endanger the public health or safety if located on the John Wesley University campus.

I would like to share with you a brief presentation, which further demonstrates my affirmations.

Attorney Tom Terrell: *Before you do that, I want to ask you three questions.*

What happens if a resident in one of your houses so much as threatens violence against another resident, or a member of the community?

Rebecca Yates: *They are subject to discharge from our program.*

Attorney Tom Terrell: *What happens if someone fails a random drug test?*

Rebecca Yates: *They are discharged from our program and referred to a higher level of care.*

Attorney Tom Terrell: *What happens when someone fails a breathalyzer?*

Rebecca Yates: *The same thing. They are discharged from our program and referred to a higher level of care.*

Attorney Tom Terrell: *Are there exceptions to those rules?*

Rebecca Yates: *There are no exceptions.*

Attorney Tom Terrell: *Show that PowerPoint.*

Rebecca Yates: *Thank you.*

As you can see major barriers to treatment do exist, especially to those without private insurance and those that don't qualify for Medicaid. Why care about substance abuse? It contributes to crime, violent crime, injury and death. Illicit drugs are involved in the spread of diseases. Child Welfare cases involve substance abuse almost 80 % of the time. Recovery from addiction is a long-term journey of personal growth and we support our people throughout that process.

Addiction affects old people, young people, families, friends, doctors, lawyers, even the Clergy. Nobody is immune from addiction. Alcoholism and other addictions are highly regarded as evidence of moral weakness and lack of will power. That is not true. We do not house people who use alcohol and drugs. Our residents have chosen to live a life that is free of drug and alcohol addictions.

Emerywood Baptist Church partnered with us. We remodeled a former crack house on Oakwood Street. Everybody was ready to come out and help—young people, old people. It was a blessing for the community. As you can see this house was in really, really bad shape. It was a drug house and it was used by homeless people. We used as much of the original material as possible and this is what it looks like today. This is what happens when the

community steps up and helps. It's a beautiful home. It's a blessing. Our clients are just like that old house on Oakwood. We all see the outside. Few, if any, get to see the beauty inside. But, I can assure you that our folks are beautiful.

We did renovations of our veteran's living quarters in 2010 and this is what our veteran's living quarters look like. This is our white house, which is on Lexington Avenue and this is the day we first worked when one of the neighbors came and laid down in the yard because he was so opposed to our being there. This is what that house looked like the day we started. It was not pretty. And this is what it looks like today. Pretty different.

Our other homes are well-maintained. They are an asset to the community and we do not get complaints from our neighbors. We are the best neighbor you could ever hope to have.

This is one of our houses and more of our houses. This is a house that we did with St. Mary's in 2013 and it is a beautiful, beautiful home to five women and prior to that time, it was also a crack house that had been abandoned for years. It had gigantic holes in the floors and we spent lots and lots of hours hauling out old materials and replacing with beautiful new things.

This is one of our houses. I will say that we are grateful to the citizens of this community, to the churches in the High Point community for their willingness to partner with us in addressing addiction in our community and for being a part of the solution. They make our life a lot easier and the entire community is welcome to partner with us in making the lives of recovering people easier and making us an even greater agency than we already are.

Do you have any questions for me?

Council Member Victor Jones: *What happens to the existing homes and properties should you move to the new location?*

Rebecca Yates: *We're still working on that plan.*

Council Member Jones: *Okay.*

Chairman Williams: *Does any other council member have any questions for this witness?*

Council Member Britt Moore: *Yes. Have any of your properties....you showed us the nice ones, but you currently say that you have 108 beds?*

Rebecca Yates: *We do.*

Council Member Moore: *Okay, and you anticipate how many beds at the new place?*

Rebecca Yates: *Seventy-eight. That's how many beds are currently there now. That's how many students are housed there on that campus.*

Council Member Moore: *Mr. Terrell asked you a few questions. Along the lines of that questioning, how often do you have to eject tenants/clients?*

Rebecca Yates: *How often?*

Council Member Moore: *Yes.*

Rebecca Yates: *Most of our folks leave on their own when they have completed the program. It depends on the client. I mean, if they are not complying with our rules, then they are discharged.*

Council Member Moore: *I'm sorry. I didn't mean for it to be that....In a month's time, none? One year?*

Rebecca Yates: *No. Certainly, more than that. Probably five or six a month.*

Council Member Moore: *And did you folks ever own a house in the Timberlake area?*

Rebecca Yates: *No, we did not.*

Council Member Moore: *Thank you.*

Rebecca Yates: *Any other questions?*

Chairman Williams: *Any other questions from Council?*

Council Member Jones: *So, you would still be able to do the 108, but this new property would allow you to add the 78 to your capacity?*

Rebecca Yates: *Probably not. We probably would eliminate some of our current housing in order to move as many of our folks as possible to our campus where they will be safer.*

Council Member Jones: *There wouldn't be any way to add capacity, it's not necessary about adding capacity, it's about safety?*

Rebecca Yates: *No, it's about being in a safer location.*

Chairman Williams: *Any other questions from Council for this witness? Does any party have a question for this witness?*

Council Member Moore: *Can I ask our counsel a question?*

Chairman Williams: *JoAnne.....*

Council Member Moore: *JoAnne, in this process, is Council allowed to hear or learn any of the financial disclosures in this process?*

City Attorney Carlyle: *With regards to Caring Services and whether they are able to fund?*

Council Member Moore: *Yeah.*

City Attorney Carlyle: *Sure.*

Council Member Moore: Yeah, anything along those lines that we want to ask?

City Attorney Carlyle: Sure, sure.

Council Member Jeff Golden: Which one of those new standards would that fall under? I thought we were held to these standards. As we make our decision, why is financials important at this point?

City Attorney Carlyle: I think it's important because if you're trying to make a decision as to whether or not they can actually follow through with their request and what they're applying for.

Chairman Williams: Alright, Mr. Terrell.

Attorney Tom Terrell: I'd like to introduce Ms. Teresa Hinkle. Ms. Hinkle is a licensed clinical social worker. She has a Master's Degree from UNC- Chapel Hill, which is one of the top 5 rated social work programs in the country. She's worked at Caring Services since 2011 and she is now the Program Director and can speak very knowledgeably on the matters of health and safety, on how the use meets public necessity, and how the campus would harmonize with the community if it were owned by Caring Services.

Chairman Williams: Please state your name and address and you have been sworn in, correct?

Teresa Hinkle: I have been, yes. My name is Teresa Hinkle and my address is 102 Chestnut Drive, High Point, North Carolina, 27262.

Chairman Williams: Thank you.

Teresa Hinkle: As Mr. Terrell so nicely introduced me, I am going to address the issues of health and safety, how the use of the campus meets public necessity, and how these programs harmonize with the community.

So, on the standard of Public Necessity. Caring Services serves people who are seeking a life in recovery from chemical dependency, but who may not be able to afford treatment programs like the Betty Ford Center or even more local treatment programs that can still cost up to \$32,000 a month. As council members, you see and hear reports from your police and first responders every day about how these issues affect every single neighborhood in our community. You know that it's a problem and it's costly to the budget that you adopt and to our businesses and industries that are affected.

For the last two years our programs have worked exclusively on a waiting list and that is only because of the space constraints of our current building. That means that at any given time in the last two years there are people in this community reaching out for help with their substance use who we are telling that they have to wait because there is not space for them. Our goal is to provide treatment to those who are ready to receive it as soon as they decide that they are ready for help. We know that the longer someone has to wait for treatment, the

less likely they are to actually be treated. It is necessary that our agency move into a larger space to accommodate the demand for substance abuse disorder treatment in this community.

Now I know a minute ago we addressed housing, but what we would actually like to expand with this larger campus is our treatment capacity in groups. Right now, we cannot fill our housing because we don't have enough treatment spaces available and that's because we only have one classroom space in our current building.

The North Carolina Medical Society estimated in 2016 that the cost of opiate overdose deaths to the State of North Carolina was \$21 billion—yes, billion dollars. Our program works to treat people who have opiate use disorders and to effectively avoid death by overdose. If that doesn't lend itself to the definition of Public Necessity, I don't know how it could be defined.

On the subject of Safety, I'm going to spend just a moment to address claims that were made by members of the community at the Planning & Zoning hearing. There's a person in this room tonight who handed out a stack of papers that she claimed were police calls to Caring Services over the last few years. She used this information in an attempt to show that our program would be a danger in her neighborhood and to try to show that our residents would endanger the community. What she actually did with that packet was misrepresent the information. I would like to address that now as part of our evidence.

The calls in the packet handed out went back to 2009 and included all EMS, Fire, Animal Control, and follow-up calls to our homes that were there during that period. There was not a single call in that packet that described a crime committed by one of our program participants to a member of the community. Not a single call. And the volume of calls that were represented suggested a problem that does not exist. There were 165 calls represented in that packet. Forty-six of those calls were medical. A number of those calls were not related to Caring Services at all, but were from members of the neighborhood who tend to wander on our property because we're located at a busy intersection and because we're currently known as a safe place in what is a dangerous neighborhood. Thirty-two of those calls were for what is called Criminal Process which sounds bad, but it's actually just when law enforcement attempts to serve a Show Cause Order for someone who has a pending court date. Of those 32 calls, all but four were listed as bad addresses, meaning that the person that they were looking for was not a resident of our program. A good number of those calls were traffic related and unassociated with our agency. So, for an example, when an accident occurs as MLK and Chestnut, our address is the one that's used on the report even though we had nothing to do with the traffic accident.

There were calls about stray animals who happened to be picked up while they were on Caring Services property. There is a high number of stray animals in the neighborhood that we're currently in.

City Attorney Carlyle: *Ms. Hinkle, I apologize for the interruption. I'm just trying to follow along and I'm sure the Council is as well. What document are you referring to?*

Teresa Hinkle: *I believe it's in Tab 2.*

Attorney Tom Terrell: *What she's doing is preemptive testimony, preempting in advance and explaining to Council Members what they are about to hear and giving them the other side of that story.*

City Attorney Carlyle: *But, she's offering testimony on a piece of evidence that hasn't been authenticated.*

Attorney Tom Terrell: *Yes, that is correct, but she is in the process of doing that. She's also testifying about what is in the Police reports and she can testify to that. She's testifying that those Police reports are in the record. I think what you're asking her to do is to authenticate and let me just do that.*

City Attorney JoAnne Carlyle: *I am because it seems to be in reverse order. In order for them to consider her testimony that she's giving on a document that's not been authenticated.*

Attorney Tom Terrell: *Let me handle that. I see where you're coming from.*

Ms. Hinkle, do you know how to pull crime reports and incident reports off of the City of High Point Police Department website?

Teresa Hinkle: *Yes.*

Attorney Tom Terrell: *Have you done it before?*

Teresa Hinkle: *Yes.*

Attorney Tom Terrell: *Is there a difference between what are called computer-assisted reports and the full investigative reports?*

Teresa Hinkle: *My understanding is that computer-assisted reports are short call notes and that the full report is, of course, the full crime report.*

Attorney Tom Terrell: *I'm referring you now to the **Public Safety** tab, **Tab #1**. Would you tell the City Council what these records are?*

Teresa Hinkle: *These are full Police reports from any calls that were associated with our addresses.*

Attorney Tom Terrell: *Are these full reports from the years 2016 through the present?*

Teresa Hinkle: *Yes.*

Attorney Tom Terrell: *And on **Tab 2**, this is where you are addressing evidence that was handed up at the Planning & Zoning Commission?*

Teresa Hinkle: *Correct. What actually starts on page....there are lots of notes. So, yes, what this is actually a rebuttal to what was handed out as **Exhibit 3** at Planning & Zoning.*

Attorney Tom Terrell: *But does this evidence stand itself as a record of Police reports from a public record generated by the City of High Point Police Department?*

Teresa Hinkle: *So, it's my understanding that these are call notes.*

Attorney Tom Terrell: *Okay, but is that from a record generated by the City of High Point?*

Teresa Hinkle: *Yes.*

Attorney Tom Terrell: *And you, yourself, have seen that record?*

Teresa Hinkle: *Yes.*

Attorney Tom Terrell: *I think that's sufficient to identify it. We're glad to answer any questions.*

City Attorney JoAnne Carlyle: *I think it identifies it.*

Under Rule 803....I think it's 6, I can pull the.....under the Rules of Evidence Rule 803, any public record that's kept.....

City Attorney Joanne Carlyle: *I'm not going to argue with you. I'm not sure that she can actually declare that this was generated by the City of High Point. She can say that she got it from the City of High Point website.*

Attorney Tom Terrell: *I think that's what she's doing.*

City Attorney JoAnne Carlyle: *Exactly. Thank you.*

Attorney Tom Terrell: *May we proceed?*

City Attorney JoAnne Carlyle: *Please.*

Attorney Tom Terrell: *Thank you. Go ahead.*

Teresa Hinkle: *Okay, so one of the things I think to point out about these calls is that our clients or our agency was actually the victim in a number of these calls. We've been victims of larcenies. We've been victims of public disturbances. There are many times where we are actually the person that is required to initiate the call in the interest of community safety when there is a public disturbance. But, once again, not a single call had anything to do with the crime that was committed by one of our program participants against any community member in that neighborhood.*

What that packet represented was really the reason we want to move to a new location because we spent an inordinate amount of our time responding to public disturbances, people who wander onto our campus, and that we, then, have to have removed from our campus who are from the neighborhood. We spend an inordinate amount of our time responding to crimes that we are victims of. We need to be in a safer neighborhood. We did not generate the problems that are in our current location and we will not be bringing them with us.

There was one call in the packet in particular that the person who compiled the information emphasized strongly. She made her own notes on the copy she handed up to Planning & Zoning and that call was an ankle-strap tamper by a sex offender. That call was presented as proof that we have dangerous people in our program and that we have little control over them. What was not pointed out were the specific call notes in the full Police report that stated that it was a faulty bracelet and that Probation needed assistance in changing it out.

This is the right moment for me to turn your attention to a subject that generates a lot of strong emotions in people and I do understand that. Caring Services is the only program in the State at our level of care that has agreed to treat people who voluntarily seek treatment for a chemical dependency that are also registered sex offenders. We have one residence that Guilford County Probation has approved for such people to reside in and we typically do not have more than two people with sex offenses in our program at a time. This is effectively less than 2% of our service population. Every person that we bring into our program has a direct correlation between the offense they were convicted of and their chemical dependency. We chose to offer treatment to this population because we felt it was important to Public Safety that people who have committed sexual offenses while they were under the influence of illicit substances have all the tools and support that they need to stay sober.

There has never been a single report by any of our residences or the High Point Police Department of a sexual offense committed by one of our program participants while in our program. I've given you all this information, but I'd like to point out that it is irrelevant to the Zoning and Special Use Permit request because we do not now, nor have we ever planned on having anyone with a sex offense reside on what is now the John Wesley campus. This is a non-issue to this hearing.

*I'm going to talk about one more thing. **Naloxone**. Caring Services has run a Naloxone distribution program since 2015. Naloxone is a drug that will reverse an opioid overdose. When we founded our program, it was to address the frightfully high number of people in High Point that were dying from heroin overdoses. At that time, a large component of our program was community outreach. In the last year, the GC Stop Program which was actually founded as a branch off of ours from UNC-G has taken over this outreach component and Caring Services now offers Naloxone out of our main agency building.*

There was a member of the community that attempted to generate attendance at Planning & Zoning by circulating an email to the community that claimed and I quote, "There will be a daily influx of people with drug addictions coming to the campus to pick up Naloxone kits." In three years, Caring Services has handed out 61 kits from our main office building. I know this number because we closely track each kit that leaves our office. Each kit has its own unique number and because of our close tracking, I also know that the people picking up those kits were not people in active addiction, but their parents, their brothers and sisters, sometimes their children. They are family members that are hoping that they can avoid the preventable death of their loved ones. If you think about it, a Naloxone kit is of no use to a person who has overdosed. They need someone else to administer the Naloxone to them. They need people who are about them to have those kits. Sixty-one kits in three years is not a daily influx. It is not people in active addiction that are coming to our agency to pick those

kits up and family members and loved ones are not a danger to the community. I'm happy to answer any questions that you may have.

Council Member Jason Ewing: *My question is more to the City Attorney. In the testimony regarding the Police calls, that's a lot of reports. Would it be appropriate or permissible for us to refer this back to Committee to give us time to review all these reports that were presented to us tonight?*

City Attorney JoAnne Carlyle: *Would that be a Committee of the Whole?*

Council Member Ewing: *If it would need to be.*

City Attorney JoAnne Carlyle: *A committee does not have the authority to consider the quasi-judicial hearing aspect of this matter; however, I understand your concern about the amount of information received and your responsibility to review it thoroughly. I don't see why you could not. If you want to table this, perhaps, and give Council a chance to look into it. Send it to a Committee of the Whole. I just don't know about a regular committee because if you send it back to a committee and it's not a Committee of the Whole, then somehow you've got to receive that back and it's going to be through testimony.*

Chairman Williams: *I mean even if we were to consider that, I think it would be best if we go ahead and go through the process of the public hearing portion of this. That would be best. That we go ahead and hear all the evidence and testimony and then we can consider that.*

City Attorney JoAnne Carlyle: *That's a good idea. You have everybody here tonight.*

Attorney Tom Terrell: *Thank you. Also, Kenneth Shultz, Chief Shultz is here tonight to verify that these are reports from the High Point Police Department public records website.*

Chairman Williams: *Before she goes, does anybody else have any questions for this witness?*

Council Member Jones: *Ms. Yates said the new facility would not allow you to increase your capacity to house, but you're saying because of the administrative buildings and what-not it would increase your capacity for treatment for the classes and stuff that they need?*

Teresa Hinkle: *Correct. So, we pair housing and treatment together, which means that no one resides in one of our houses that is not also receiving treatment from our program. So, in order to put someone in a house, we have to have a spot in our treatment program. Because of our limited facilities we don't have enough room to open additional treatment groups to fill all the spots.*

Council Member Jones: *But you do have some clients that are not involved in the housing?*

Teresa Hinkle: *Correct. It's a small number. Most people come to our program because they need a combination of housing and treatment.*

Council Member Jones: *Will the Veteran program still be there? Nothing's changing on that?*

Teresa Hinkle: *Yes.*

Council Member Jones: *Nothing's changing on that?*

Teresa Hinkle: *No.*

Council Member Monica Peters: *I have a question. Do you feel confident that you will be able to have access to the funding that it would take to make this facility up to par to your standards and to be able to maintain it at that level?*

Teresa Hinkle: *Sure. So, our funding is very secure as it is now. We do not foresee that moving into this new campus will add any additional strain to our current funding streams.*

Council Member Moore: *You referred to a good amount of your time being dedicated to addressing issues that come upon your campus or campuses, and then earlier you said it was said that this would be an addition and you're under consideration with what you're going to do with the existing properties you have. So, that looks to me like you're going to, at least for a short amount of time until you figure out what you're going to do with the other sites, that you're possibly going to increase that amount of time that we do that.*

Teresa Hinkle: *Our current plan is to move all of our current treatment operations so that the treatment services that we offer, to the administrative building on the John Wesley campus and to also move a number of our residents out of the houses they are currently in and into the houses on the John Wesley campus. So, we may keep the current buildings that we have, but we do not currently foresee immediately offering any additional services in those places. Our services will move to the John Wesley campus.*

Council Member Moore: *And one more thing about your list. You talked about a waiting list. Can you address that?*

Teresa Hinkle: *I can.*

Council Member Moore: *Okay. I remember being told that they have to be 18 years of age and how quick is the turnover? If you've got currently 100 people waiting on the list, how long is it going to take the number 50 to get in?*

Teresa Hinkle: *So, because our program is a two-year program, that means that people are not rotating through our program every 30 days. It changes and varies from month-to-month as to how many people we can get into our program from our waiting list. Sometimes that's one person. Sometimes it's more. But it is not as fast a process as we would like for it to be.*

Council Member Moore: *Are there other criteria that have to be met outside of the fact that they're just 18 years of age?*

Teresa Hinkle: *Yes. They have to have a primary substance use disorder and they have to be willing to seek treatment for that substance use disorder.*

Chairman Williams: *Alright. Any other questions for this witness?*

Attorney Tom Terrell: *I have three very quick questions.*

Ms. Hinkle, I want to ask you the same three questions that I asked of Ms. Yates.

What would happen if a resident in one of your homes so much as threatens violence against another resident or a member of the community?

Teresa Hinkle: *They would be discharged from the program.*

Attorney Tom Terrell: *They would be discharged?*

Teresa Hinkle: *Yes.*

Attorney Tom Terrell: *What would happen if a resident of one of your homes fails a breathalyzer?*

Teresa Hinkle: *They would be discharged from our program and recommended to another program.*

Attorney Tom Terrell: *What would happen if one of the residents in one of your homes fails a random drug screen?*

Teresa Hinkle: *We require abstinence, so they would be discharged from our program and recommended to another program.*

Attorney Tom Terrell: *Are there any exceptions to those rules?*

Teresa Hinkle: *No.*

Chairman Williams: *Any other questions? Does any party have any questions for this witness?*

Council Member Jones: *What's the fear that keeps them from wanting to get discharged? Is it because of criminal implications or do they just really want to be in the program?*

Teresa Hinkle: *Yeah, most people aren't leaving our program or staying in our program because they're fearful of anything. They're in our program because they genuinely desire a better life for themselves. So, we don't have to do a lot of fear-mongering to keep people there. They want to be there.*

Chairman Williams: *Any other questions? Thank you. Mr. Terrell.*

Attorney Tom Terrell: *Thank you. Chief Shultz is here tonight. I'd like to ask him if he would to come forward.*

Chairman Williams: *Well I guess, Chief, you'll state your name and address, but at the same time I didn't see you up there when you were sworn in.*

Chief Shultz: *I was sworn.*

Attorney Tom Terrell: *This community knows Chief Shultz. They know the work that he has done for this community. I have a few questions to ask him and he has some other points to make. I'd like to start with the Special Use Permit standard as to whether or not this type of use is a **Public Necessity** and ask you in that regard, Chief, how bad is alcohol and substance abuse in the High Point community?*

Chief Kenneth Shultz: *That's an interesting question. I'll even give my telephone number. It's 911. [laughter] For anybody that wants to write that down. Sorry about that. What I will say is that narcotics are obviously a big driver of police activity. We have specifically, in the City of High Point, we've been tracking our heroin and opioid overdoses now since 2014 when we actually saw the spike that was sweeping across the country. In High Point, I think that we were one of the first agencies that identified that and if I can I'd like to throw out the fact that since 2014 when we began tracking opioid and heroin overdoses, we now have responded to over 799 of them. Unfortunately, we've had 61 deaths since 2014 as well and I will tell you that I think it's an interesting statistic to know that 76 of those people were responsible for 130 overdoses. So, we have people that are having multiple overdoses from the drug use. So, it is obviously a very on-going problem. That's just from the addiction side. From the medical side in dealing with the families that we also see as well, there's a whole different angle that's not being addressed tonight, which is also the violence and the gang-related activity and the drug dealing that's on the other end of it. It's actually a supply and demand issue. As long as there's demand, which is addiction, there's going to be an opportunity for supply. That's where most of the violence, I think, many of the cities across the State and across the country now are actually seeing the results from that violence associated with the drug-related activities.*

Chairman Williams: *Any members of Council have any questions for this witness? Does any other party have a question for this witness?*

Attorney Tom Terrell: *I'm not finished actually. We were just doing one standard at a time. That was on **Public Necessity**. Chief Shultz, does the High Point Police Department keep a record of every call it makes in the community?*

Chief Shultz: *Yes, we do.*

Attorney Tom Terrell: *Okay. Have you had an opportunity to review the records related to the Caring Services homes for the past two years?*

Chief Shultz: *What we specifically did in response to the request that came down, we ran statistics starting in January of 2017 through the date of the records check which was 6/14/2018. So, just over a year and six months' worth of time for eleven properties that were associated with Caring Services.*

Attorney Tom Terrell: Chief, were you able to find in those records any evidence that a resident of one of the Caring Services homes committed a crime against the property of someone in the neighborhood?

Chief Shultz: No Sir, and I can elaborate on my findings if you'd like.

Attorney Tom Terrell: Alright, please do.

Chief Shultz: What we did, again, we've got the CAD notes which is the computer-generated dispatch where call-takers or officers, callers call in the information, where officers self-initiate calls there. We broke it down followed by alphabetical order for the types of calls and nature of those calls and we also included the disposition on it. What I'll tell you is out of the records that I ran for that time period from January 1, 2017 to June 4, 2018, the calls for service that came back, I've identified two situations where somebody was arrested. In those particular situations were criminal processes. So, that means that somebody on the property and I don't know if it was a resident or somebody else, had warrants for them and we went down and picked them up and served and processed that paperwork. The rest of the time I also looked at it and if my count is right, I've got about seven different incidents where we actually took a report. So, for law enforcement to take a report, there's got to be certain criteria. It's an allegation of a crime, a larceny. I see one where medical assistance turned into a deceased body. But we've got seven different incidents where the reports were actually taken for some type of crime that was committed against the people on that property. That's what it looks like to me. It was a reported process and not an arrest that took place at the time.

Attorney Tom Terrell: Have you found in your research any evidence of a crime committed by a resident of one of these houses against the person? I asked you about property. Now, have you found evidence of crime against a person of somebody in the neighborhood?

Chief Shultz: From the reports I reviewed, again, there were only two arrests that were made. So, I'd have to extrapolate from that that there were no other arrests made. If we had identified somebody that committed a crime, there would have been an arrest. All I can state from the facts is that only two arrests took place which would leave me to find that we only found two people that violated the law that caused us to make those arrests.

Attorney Tom Terrell: So, that would be a violation of law, but you don't have evidence of that being a crime endangering a person's life or body in any way?

Chief Shultz: Again, those were two warrant services and I'd have to look into the specifics of those cases and identify where those warrants came from and what the charges were. It could be anything from a warrant for arrest that was generated. A failure to show up in court. Somebody else going down and swearing out papers from the magistrate.

Attorney Tom Terrell: Okay, you mentioned a body that was found. Isn't it correct that there was no paraphernalia of any kind found near that body?

Chief Shultz: Sir, I didn't read that report. I don't even know if it was a resident there, but I will state that we do use the closest address. The information that's presented—in the event

of like the traffic accidents taking place, we do use the nearest address that's listed there. So, I don't have details on the specifics of the reports. But, the reports are available through the...it's called the P2C, Police to Citizens website. So, that's where the reports that I saw were generated. They don't carry all the investigative notes, but they do have the specifics about that. One thing of importance, whenever you're looking through those is look at the location and occurrence and a lot of the reports I saw in the manual listed different locations of occurrence to show where the crimes may have taken place at or the reports were taking place at and then you can tell whether or not it was a resident that was reporting it as well versus somebody else that was there.

Attorney Tom Terrell: *Has Caring Services been a valuable partner to the High Point Police Department?*

Chief Shultz: *We have strongly partnered with Caring Services as we have with Alcoholic Drug Services. Those are the two primary service providers that we have in High Point and, again, in 2014 when we saw the concerns specifically with the opioids and the heroin, we went to the community and said we needed help and both Caring Services and Alcohol Drug Services stepped up and took the lead on that. If I may, we, as a Police Department, actually initially organized a lot of the response there. We tried pulling together the groups, the service providers. We tried going to the medical community and EMS and I'm pleased to tell you now that they have all taken it back over from us, so we're secondary and we continue to provide information and details. We identify overdose victims so that they can do outreach and they have taken the lead on pursuing treatment opportunities for them.*

Attorney Tom Terrell: *I don't have any further questions for Chief Shultz.*

Chairman Williams: *Thank you, Mr. Terrell. I do apologize for overstepping. I haven't been in the court of law for years and I don't watch a lot of live reality court, so I'm sorry about that. I'll ask Council Members, does anybody have a question for Chief Shultz?*

Mayor Wagner: *I do. Chief, in your opinion, are the services that Caring Services provides a necessity in our community?*

Chief Shultz: *Sir, I told you thewhat I see is a supply and demand issue. As long as I've got a demand out there from addicts, people that are addicted to narcotics, we're always going to have the supply and that's where we're fighting it. We like to look at it as a three-point approach. We really look at the education to try doing the prevention. We need to have the treatment option. Law enforcement is always going to be heavily involved in the enforcement efforts to address that. If you take any one of those three options away, we're not going to have success. So, the only way that I can see where we're going to have success in working on the supply out there is, again, to work towards addressing the demand. I think this role plays a critical aspect in what our service providers do.*

Mayor Wagner: *I just have one follow up then. Do you consider the operation of Caring Services to be a threat to public safety in the city?*

Chief Shultz: *From the reports I reviewed, and, again I looked over the CAD notes for just less than a year and a half. I did not see anything of violence related there or crimes against people that were included. I did see a couple of property crimes. I don't know who the*

victims, or who the suspects were and you had the moped thefts, the motor vehicle thefts, larceny of change—stuff to that effect, but I did not identify violent crimes of that snapshot in that year and a half period.

Chairman Williams: Any other questions from Council? Is there any questions from any other party for the Chief? Thank you, Chief. Mr. Terrell, do you have any more questions?

Attorney Tom Terrell: Chairman Williams, the Chief mentioned that a body was found and that may raise questions. I think it's important to give some evidence as to what that was not. I'm going to ask Teresa Hinkle to step forward and address that. As she's coming up, I'll ask Ms. Hinkle, do you have personal knowledge of this incident?

Teresa Hinkle: Yes, I do.

Attorney Tom Terrell: Will you explain to the Council what you know?

Teresa Hinkle: Sure. I was there that day and I will tell you it was tragic. Ummm, there was a member resident of one of our houses who was found by another resident in that house, as they were leaving that morning, deceased in his car. So, 911 was immediately called and I believe that the initial assumption was that it was from an overdose because we are a treatment program and there is a certain amount of stigma that is related with that. We're still waiting on the autopsy reports. We don't know exactly what happened, but after Police and EMS came out, they searched the area and found that there was no drugs or drug paraphernalia found in the area. I believe in one of the EMS call notes, they actually stated that they believed it was cardia arrest.

Attorney Tom Terrell: You've been working for Caring Services for seven years. Have you had any experience of overdose in any of your houses during that time?

Teresa Hinkle: The only overdose in our houses that I can recall was of a person who had diabetes and accidentally injected themselves with too much insulin. It was considered an insulin overdose, it was not, however, an overdose from an illicit substance.

Attorney Tom Terrell: Thank you.

Chairman Williams: Do you have any more witnesses?

Attorney Tom Terrell: I do have more witnesses. I'd like at this point to call Rev. Joseph Blankenship forward, who can address the issue of **Harmony, Public Necessity, Public Safety**.

Rev. Joe Blankenship: I'm Rev. Joe Blankenship, 1200 Lancaster Place. I've lived three houses down for three years next to his parents, so that Caring Services home was my neighbor as well, with no incident. I'm bringing word to you as co-pastor for Forest Hills Presbyterian Church and my family has lived in that general area for now 17 years. At one time, we did, and you saw a picture of it, had our next door neighbor, was a drug house. What you didn't show, Becky, was the goat that was staked in the middle of the yard. That was their lawn mower. Literally, it was a drug house. We managed to buy this rental house as a church, renovated it and then donated it to Caring Services. We got a lot of flack from

the neighborhood who fought us tooth and nail, but once they saw what Caring Services residents could do to that home and what they did to that home, to transform what was a drug house into a home and to beautify the area around it was just stunning. They maintain it and they're the nicest neighbors you could possibly have and we have a hard time keeping up with their beautification program with our church. We've had no trouble with the residents there. One graduate from the program became....is a member of our church now. We actually have two graduates from their program as members of our church. One of them is currently on our governing board of our church. She is also the manager of that house at the end of our street. Noise and crime have not increased in that area. They have been excellent neighbors. The homes and the residents fit really nicely in our neighborhood. One of the neighbors who initially spoke very strongly against the home fitting in in our neighborhood since came back and personally apologized for his objection to that home after seeing what could be done and what has been done. And, the former principal of the elementary school which we also are adjacent to came in and thanked our church for what we did for the community around his school. Now, as a pastor, I have counseled persons for decades. Some of those people had addiction issues. I know from direct experience as many of you all know that addiction affects the whole community. Rich to poor, old to young, educated to uneducated men and women who are part of otherwise the fabric of our society. So, it is that we at Forest Hills wholeheartedly support the transforming work that Caring Services is doing to our community and we believe that we need more, not less, of what Caring Services offers to this community so that we can create the single most livable, safe and prosperous community in America. Thank you for your time.

Mayor Wagner: *Mr. Terrell.....*

Chairman Williams: *Hang on one second. Is there any member of Council that has any questions. Does any party have any questions? Thank you.*

Mayor Wagner: *Mr. Terrell, how many.....*

Attorney Tom Terrell: *We have five more witnesses. I know Chairman Williams asked that question.*

[several in the audience speaking all at once]

Mayor Wagner: *[gavel] Nothing from the audience please.*

Attorney Tom Terrell: *We have five more witnesses.*

Mayor Wagner: *We're going to need to take a short break.*

Attorney Tom Terrell: *That's fine.*

Mayor Wagner: *So, the time right now is 8:26 p.m. We're going to have a ten-minute recess. We'll reconvene at 8:36 p.m. and I would just remind everyone on Council not to discuss this matter outside of the hearing please. We're in recess for ten minutes. [gavel]*

[Council reconvened at 8:40 p.m.]

Chairman Wagner: We will now return to the testimony and I believe, Mr. Terrell, you still have the floor.

Attorney Tom Terrell: Thank you. Mayor Wagner and Chairman Williams, I have gone around to all the people who we have here and asked them to condense their presentations. Two of them are expert witnesses who I will introduce as experts to address two of the standards.

Chairman Williams: Okay. Just one point and I'm asking this as a question. We were talking about your next witnesses, is it possible that we can really cover just the evidence that we haven't heard already? Does that seem fair?

Attorney Tom Terrell: Yes. I think that's fair. Let's go to them....I want to do....John Wesley College is here through a trustee that wants to address the issue of what that campus is and the veteran services address the **Public Necessity** serving veterans. That has not been addressed and the perspective of John Wesley has not come before you.

I want to get back to the witnesses on the issue of **Harmony** and property appraisers. Then it would be up to you about the remaining, but those witnesses are offering testimony about the homes that they witness to come in and how they were opposed to it and it was not what they thought or they helped to build one of the homes and how it changed what was there. So, if we could go to the John Wesley representative, Mr. Mark Harris.

Mark Harris: Thank you. Good evening. My name is Mark Harris. I live at 3212 Peninsula Drive in High Point. I'm here to speak for John Wesley and John Wesley's interest, both as a veteran and also as the Dean of the High Point campus at GTCC. So, there's a number of things where I feel that Caring Services has helped us tremendously.

As a Dean, I have had students who, especially three homeless vets that I can attest to, who were homeless and students who went through Caring Services, graduated from Caring Services, went through a HUD VASH program where they were given housing after they successfully completed with Caring Services. Then successfully graduated from GTCC. So, I can attest to the fact that their services and what they're doing do help our students and do help our community.

First, as a community advocate and as a veteran, I can state that Caring Services will use this property not to **endanger public safety**. In fact, their use of these 21 acres that John Wesley thinks will enhance the character of the property and greatly improve and increase the role for these much-needed services in our community. Their occupancy will also enhance the surrounding area by their dedication and history of providing a safe environment to their residents, local families, and others in need of counseling.

I believe secondly the use of this facility by Caring Services is a **Public Necessity** and this is the best place for this organization to reside at this time. As a veteran with PTSD, I served 23 years in the Marine Corps and multiple combat tours. Some veterans and community members who suffer from various traumatic experiences may abuse drugs or alcohol. It is also a fact, as we have heard, that High Point has a drug problem and our city has crime problems. The statistics do bear this out. But, I find that Caring Services, in my experiences in working with them, are not the cause of these crimes. They are the cure to them. This

organization is a **Public Necessity** and is a means to address the city's issues. I know Caring Services is there to help my fellow veterans, community members, students, and I've witnessed their work firsthand.

We're soon to start.....I'm also... as Chairman of the Board of the Hero Center and Heal our Heroes, starting a new veteran's center. As you may or may not know, they do provide services to veterans, but they only have limited beds and they are narrowed. So, we are partnering with them and getting information from them to start our own facility so that we can increase veteran services with them and I want to keep this partnership with them going so that we can help more people.

What you may not be aware of is that there is a similar residential counseling organization in North High Point located in Gibson Park at the entrance to the Gibson Park. This is at West Wendover across from the Palladium and it's next to the Nottingham neighborhood. I lived in the Nottingham neighborhood for over ten years. This facility had no impact on our neighborhood that I ever saw. I never felt that it was an endanger to my community as I lived here. That organization has not only integrated into the surrounding properties and enhanced the park area, it has proven to be a tremendous asset to that section of the city. It should serve as an example of what Caring Services can be to Centennial and Eastchester.

In sum, our community needs Caring Services and they need to be at the former John Wesley campus so that they can help more High Point citizens at a much nicer location. I know that this is the proper use for these facilities and Caring Services will carry forth the legacy of giving that John Wesley has started there. Thank you for listening and I appreciate the hard work that all of you do for our city.

Chairman Williams: Thank you. Do you have any questions for the witness before he goes?

Council Member Moore: I do. I have a quick question. You spoke of the facility at the Nottingham neighborhood in which you lived. Describe that facility.

Mark Harris: It is a residential facility. It was managed by Alcohol and Drug Services. I'm not sure who's managing that facility at this time.

Council Member Moore: So, it's not a Caring Services facility?

Mark Harris: It's not Caring Services. My example is that a facility similar to this can survive in an affluent neighborhood in a park where children frequent and would not be a danger to its citizens.

Council Member Moore: And there were approximately how many beds in that unit?

Mark Harris: I'm not sure.

Council Member Jones: Mark, what's your role at the Hero Center?

Mark Harris: My role at the Hero Center is Chairman of the Board.

Council Member Jones: And did they recently get a Special Use Permit similar to this?

Mark Harris: We did get a Special Use Permit for this.

Council Member Jones: With residential right next door.

Mark Harris: Right, in residential right next door. It's on the same street.

Chairman Williams: Any other questions for this witness from Council?

Council Member Moore: Not from this witness, no.

Chairman Williams: Any questions from any party for this witness? Okay, thank you Mr. Terrell.

Attorney Tom Terrell: We're required to present competent material and substantial evidence on several standards. One of which requires expert testimony in an expert study. We have brought before you tonight Tim Ragan. Tim is a Certified North Carolina appraiser. He has been certified for 33 years and he has conducted a study that he will describe for you that is consistent with and fully complies with all the standards of the Appraisal Institute, all of the standards of the North Carolina Appraisal Board, that uses actual data to reach his conclusion. I'm going to tender him as an expert witness. If you have any questions, I'm glad to have him give you more details about his experiences.

Chairman Williams: If you will state your name and address for the record please.

Tim Ragan: Thank you Mayor and Council. My name is Tim Ragan and I reside at 1428 Michael Road in Lexington and I have been certified, or excuse me, a licensed broker for 33 years, but I have not been a certified appraiser for 33 years because the State of North Carolina only started certifying appraisers in 1990.

Chairman Williams: Hang on one second. I apologize. I meant to ask you this before we get started. Were you sworn in?

Tim Ragan: I was. Yes.

Chairman Williams: Thank you.

Tim Ragan: So, I was in the very first class for certified appraisers in North Carolina in 1990. With that being said, I've conducted an Impact Analysis related to the proposed use related to residential rehabilitation facilities and I'm going to try to condense it as much as I can certainly in the interest of time.

The purpose of the assignment was to develop an opinion of the effect of the proposed alcohol and substance abuse rehabilitation facility on abutting land. Let me start out, though, by saying that appraisers are not advocates for either side or any side. All we do is collect the data, analyze it, and report it. That's it. So, that effect could have gone either way, but the data will speak for itself.

Included in the Scope of the Work was, I, of course, inspected all the properties. The campus, all the sales and the other market data, the neighborhoods surrounding the campus and all the properties involved in the Impact Study that you have at your disposal. As Tom said, I follow the standards and practices set forth by the North Carolina Appraisal Board and the Appraisal Institute to analyze the impact on the facility. The methodology used is Paired Sales Analysis basically. So, what would you do in a Market Impact Analysis like this? You say, okay, here's some facilities and here are some properties that sold either adjacent to or in very close proximity to that facility. Then compare that property to other similar properties that are not in close proximity to a facility like this and see what the data says. So, that's what I did. So, what you have and I'm basically going to....and, again, in the interest of time, is to move over to the latter part of the Impact Study that you have. First of all, let's deal with the elements of comparison from the 13th Edition of the Appraisal Institute's publication, the Appraisal of Real Estate. The elements of comparison are the characteristic properties and transactions that help explain the variances and the prices paid for real property.

Council Member Moore: *Mr. Ragan, can you tell me what page you're on so we can follow you?*

Tim Ragan: *I'm sorry. That's Page 23. I went ahead and skipped over all the property description, all the legal description and all that because you already have that.*

Council Member Moore: *Thank you.*

Tim Ragan: *So, I'm moving over to what I'd call the meat and potatoes of the Impact Analysis. Everybody there? So, in other words what you do in a study like this is you simply eliminate all the variables comparing the properties except for the one variable that we're trying to find out the answer to and that's the proximity to the rehabilitation facilities.*

So, with that being said, I gathered the information from.....there are five comparable sales listed. As you move through the report. Number one will be 1401 Kensington Drive, High Point. That's the property that's just on the South side off of West Lexington Avenue and it is diagonally across the street from the rehabilitation facility that you have already been made aware of at 1824 B West Lexington Avenue in High Point. So, it's diagonally across the street.

So, the next page on 25, you'll see the sales and comparison grid where all these other variables are eliminated except for proximity to a rehabilitation facility. So, those comparisons were made. This property sold for \$215,000. Sale #1 for \$185,000. Sale #2 for \$216,900. Sale #3 for \$234,900. The adjustments were made to eliminate all the other variables and the adjusted sales price for this ended up being \$215,400, \$212,600, and \$216,600, in other words, in the range where someone could reasonably conclude that the sales price of that property on Kensington is essentially the same when all other things were being made equal to sales that occurred away from the rehabilitation facility. That one closed in 2014, but let's remember that and I think it's already been stated tonight that that facility was already there. I think it opened in 2011. Was that right? Something like that. So, it had been there for three years prior to this sale. So, the market had plenty of time to react to that. So, that shows that particular sale.

The next page on 26 shows you the proximity of that sale on Kensington to the West Lexington Avenue facility and then the next page on 27 shows you the location map showing the other sales in relation to the Kensington property. You'll see that they were a mile to, well a little more than a mile away from that. Far enough away from the rehabilitation facility to know that they were not directly affected by that.

If we move to the second one, that's 3303 Whiterock Road in Greensboro. This property is directly behind Fellowship Hall on Hicone Road and it adjoins the campus on the backside. So, again, the same kind of analysis was done. Three sales were found that were not in close proximity to the facility and I do want to make one correction in the Report. The Hicone Road Sale #3 is not a Greensboro address, it's McLeansville. It's actually McLeansville.

Council Member Moore: *If I may, just so we keep some clarity or at least for me. You just mentioned the Greensboro property at Whiterock that adjoins the campus—that's the word you used. The campus of a similar facility is what you're saying?*

Tim Ragan: *Yes Sir. This is Fellowship Hall on Hicone Road, right off the interchange on 29 there.*

Council Member Moore: *Okay. Your comparables in High Point have to be of single-family residences I'm assuming.*

Tim Ragan: *All these are single-family residences in the entire study.*

Council Member Moore: *But, the facility in Greensboro, when you used the word, campus. Explain to me what's on that campus.*

Tim Ragan: *Well, this would be, and I've never been on the campus of Fellowship Hall, but it's been there for a long time. I believe I have the date there, since 1994. I have a friend that actually stayed there.*

Council Member Moore: *I guess my point....and I'm not trying to contradict or make a stance here, I'm just trying to say is that more comparable to what we're talking about here with the John Wesley campus?*

Tim Ragan: *It would be more comparable. Yes, it would be. Some of you can give better details about Fellowship Hall, but, yes, it is a campus with.....*

Council Member Moore: *Multiple beds and facilities or whatever they do?*

Tim Ragan: *Yes. These ladies know more about the actual facility than I do, but it is a large facility with a.....it seems like their campus was similar in size to this, maybe 15-20 acres, something like that.*

Council Member Moore: *Okay.*

Tim Ragan: *So, it does adjoin that campus and, again, we have single-family sales, we have three sales that were not in close proximity to that campus, but were not very far away, but were certainly close enough or far enough away not to be influenced by anything in relation*

to that campus. So, again, the adjustments were made to equalize those, to eliminate all the rest of the variables. That property sold in 2016 for \$105,000. The adjusted prices or the values of the comparables were \$105,500, \$107,800, and \$115,000. That's down at the bottom of that grid. Again, showing that the price that was paid for the 3103 Whiterock Road property was comparable to other properties that were not in close proximity.

Then on page 30, you will see the location map that will show you the relationship of....that gives you an aerial view of the Fellowship Hall property there and the campus. Then the location of the house, which is right behind it on the lower like southeast side of that campus. The next page on 31 will be the location map showing the relationship of the Whiterock Road property to the other three sales that were used there.

Comparable Sale #3 is in my neck of the woods in Lexington. It's on Colonial Drive and it is.....actually when I went back and looked at the map, there's one tiny corner of this property that actually touches the campus of Path of Hope facility, which is an 8-acre facility in Lexington. It is actually right across the street from the Bob Timberlake Gallery. I have done three appraisals on the Bob Timberlake Gallery including the initial construction appraisal and they built that 20,000+ square foot high end facility right across the street from this facility that was opened in 1987. I actually did the appraisal on this facility when they purchased the property. Then, again, on the Bob Timberlake facility at a later date. So, that group was certainly.....that, in and of itself, is evidence that they had no problems with the facility. They actually paved a small portion of the parking lot across there on the Path of Hope property that they use for overflow parking. If they have an event at the Timberlake Gallery, that's where they have overflow parking.

So, with that being said, the 6 Colonial Drive House sold just in April of this year for \$140,000. It was compared with three other properties no more than a couple of miles away, but far enough away from the facility itself to where it was not influenced in any way by that. So, eliminating those variables again like I did on the other properties, the adjusted prices of the comparables were \$146,400, \$139,000, and \$141,750. That, again, supports the sales price of the property that actually touched the back of the campus there. It sold for just as much as it would have otherwise.

Comparables 4 and 5 are actually in the same area and they're right over on the west side of High Point Central High School. 722 Chestnut Drive is....and we compared that to the facility, and this is a Caring Services facility at Arbordale Avenue which is directly behind that. You'll see a map of that in a moment. Three other sales were.....this property sold in 2016 for \$92,300. And after all these adjustments were made to equalize everything else, the adjusted sales prices were \$94,549; \$94,900; and \$88,900, which, again, supports the fact that the property that was in close proximity. In this case, it's just right behind the Arbordale Avenue property which is directly behind this house on Chestnut. On the aerial on page 38, you'll see the proximity to the high school right there. Then on page 39, you will again see the location map for the relationship of Chestnut to the three sales that were used and they were all in that general neighborhood, about a half mile or so, but far enough away from the Arbordale facility where there was no influence from that whatsoever. So, again, that supports the same conclusion.

Finally, Comparable Sale #5, 708 Rotary Drive, which is right behind the 722 Chestnut Street. Those of you who are familiar with the area would know that. It's just right around

the corner. This is actually not a closed sale, but it is an active listing. So, it was used. The list price was \$148,000 and the other sales that were used.....one was on Rotary Drive just down the street, 730 Ferndale Boulevard and 1107 Clyde Place. All in High Point and, again, from that neighborhood. The adjusted sales prices were \$145,300; \$150,900; \$157,100. Again, supporting even the list price at \$148,000. So, it is an active listing, but you have on page 42, you have the proximity of that to the Arbordale facility. And, again, the comparable sales map on that.

The conclusion that I've drawn from this Impact Analysis, by eliminating all the variables except for proximity to a rehabilitation facility, is that the location adjacent to or near a rehabilitation facility will not substantially damage the value of the surrounding or the abutting properties or even those that are in close proximity. I feel they have no adverse effect at all. So, with that being said that's the short and sweet version. I'll be glad to elaborate and I'm sure Mr. Terrell has a couple of questions.

Attorney Tom Terrell: *I only have one. Well maybe two. When you appraised the Bob Timberlake property three times, who was your client or who were your clients?*

Tim Ragan: *Those were for lending purposes.*

Attorney Tom Terrell: *Like for a bank?*

Tim Ragan: *Yes. The original construction appraisal was a construction loan and then two subsequent appraisals for subsequent refinancings.*

Attorney Tom Terrell: *And, on any of those three times did you find that the facility across the street had a negative impact on the value of the Bob Timberlake Gallery?*

Tim Ragan: *No, I did not. Any questions from the Council?*

Council Member Moore: *Just one. In your current laws....and I'm sure the Mayor or Councilman Ewing might can answer this one too, but under the current laws under which you operate on appraisals to rehabilitation facilities or operations of this that conduct these types of services have to be revealed in the appraisal to the potential buyer?*

Tim Ragan: *Normally you would give a description of the neighborhood. So, if there was a rehabilitation facility in the neighborhood as you're doing an appraisal, you're going to probably mention that. You're going to mention anything in the neighborhood.*

Council Member Ewing: *I think, and correct me if I'm wrong Mr. Moore, but you're talking more about disclosure to perspective buyers?*

Council Member Moore: *Yes.*

Tim Ragan: *There are no disclosure rules that I'm aware of.*

Chairman Williams: *Any other questions for this witness from Council? Thank you. Do you have any questions from this witness from party? Are you sworn?*

Unidentified person in audience: *Are you an expert for this appraisal?*

Tim Ragan: *Yes, related to property values.*

Chairman Williams: *Hang on just a second.*

City Attorney JoAnne Carlyle: *Sir, can you approach the podium please and give your name and address.*

Rex Sokolnicki: *I'm Rex Sokolnicki, 2807 Big Oak Court. My question to you is as being an expert witness, you're using five comps to constitute your expertise so to speak?*

Tim Ragan: *That's correct.*

Rex Sokolnicki: *Are you published? I mean this part of your study, did you have a peer review. Was it scholastically reviewed?*

Tim Ragan: *No. That's not a requirement.*

Rex Sokolnicki: *What I'm saying.....you're probably familiar with "Not In My Back Yard," the Real Estate study that was done in 2014 in Virginia as part of a very elaborate, a very....*

Attorney Tom Terrell: *I'm going to object to that question because what you're about to testify to in your question is classic hearsay that can't be substantiated by the authors of the report.*

Rex Sokolnicki: *Explain that. I don't know what you mean.*

Chairman Williams: *Okay. I'm going to lean on my city attorney on this one.*

City Attorney JoAnne Carlyle: *That is true. I mean I don't know that we've gotten enough out of his testimony right now to determine what he was about to say to be quite honest with you.*

Attorney Tom Terrell: *I didn't catch your last name. I caught Rex. I think as the citizen, who at the Planning & Zoning Commission, waived a report he found off the internet, but who is not himself an appraiser who has done no studies, no appraisals.....*

City Attorney JoAnne Carlyle: *I understand, Mr. Terrell, but right now all he has asked was he familiar with a report, which was out of Virginia, that's as much as we have. Understand that you're welcome to renew your objection when he gets to that point perhaps.*

Tim Ragan: *To answer your question, no, I'm not familiar with that report.*

Rex Sokolnicki: *Well, I'm just wondering, to be considered an expert, to have....and I'm not saying as an appraiser it's a great job, but how can it be an expert witness of only five comps? Would not a larger, much larger study be more of an expert?*

Tim Ragan: *Not necessarily. No.*

Rex Sokolnicki: Please explain that.

Tim Ragan: I will explain it. Alright, a typical residential appraisal on a form has three comparable sales. That's all that's required by the North Carolina Appraisal Board and the Appraisal Institute and Fannie Mae and Freddy Mac and all these institutions. A large sample set of data, if this is hedonic regression analysis, which is just a large computer-generated set of data, I have no idea of what it is and can't render an opinion on what it is. I do know that I would rather have five sales in the area where the market that we're talking about, the High Point, Greensboro, and Triad Region, I would rather have five sales that told me specific data about relationships on properties related on specific rehabilitation facilities in this community. I would rather have that information than some national whatever that is. I don't know what that is.

Rex Sokolnicki: Well, I guess that being the author of your five comps, I would want that too. Now, without you knowing about, and I'm going to introduce this to you guys in a little bit. This study that says something completely different. Okay. I just wanted your background. Just saying that you looked at five comps and I'm not sure, I didn't have the luxury of seeing how close they are in proximity to everything because this has a lot more specifics than I think that maybe you.....because I wasn't privy to it. Okay. When I introduce it..... I don't understand his objection.

City Attorney JoAnne Carlyle: I don't believe it can be introduced as evidence because you are not the individual as Mr. Terrell just stated that can authenticate as we often say. If you wanted to ask him if he's familiar with it, that's fine. He is or he is not, and he can comment, but other than that, it would be hearsay.

Rex Sokolnicki: Okay, if we're going to go on expert witness of 5 comps in this area over a nationally recognized.....

Chairman Williams: It has to....right now we have to question him, then we can work on testimony after.

City Attorney JoAnne Carlyle: I mean I can't question him on your behalf, but I'm not sure that we ever heard his answer to the question of are you familiar with that.

Tim Ragan: My answer was no, I'm not familiar with it.

Council Member Ewing: Would it be appropriate, while we continue it sounds like you have something to say further later, that whatever the binder that's being passed around, maybe he can look at the comparables that are in the binder.

Attorney Tom Terrell: In fact, we put a copy available to the public.

City Attorney JoAnne Carlyle: Planning has that copy right there.

Attorney Tom Terrell: So everybody will have a chance to look at it.

Chairman Williams: Is there any other questions for this witness?

Council Member Jones: *Yeah. These other facilities that we're talking about.....*

[interruption from unidentified party in audience]

Chairman Williams: *You have to be sworn in first.*

Mayor Wagner: *You can be sworn in. I think there's a question on this end right now, then we'll get to you after that.*

Council Member Jones: *My reference earlier about there being some houses, it's just a house, a half-way house that a few people living there, four, five, six people, up to six people. I can imagine that has a certain level of impact, if at all, but how many of these comps.....that facility that they're nearby are to the size and have as many clients as Caring Services?*

Tim Ragan: *I think that Fellowship Hall does. I can't tell you how many clients they have, but that's going to be extremely comparable. I think these ladies can probably answer that relationship as far as the size difference, they probably know the number of patients. Path of Hope in Lexington is also an 8-acre campus with multiple buildings and residents. I don't know their capacity, but it's a reasonably good-sized facility.*

Council Member Jones: *I just want to make sure that we're not comparing a campus such as what we're proposing to one single half-way house with six people. That's a big difference.*

Tim Ragan: *Well, it's still a rehabilitation facility in general and that's what the purpose of my report was. Two of them are probably more comparable than others, but two of them are very comparable.*

Chairman Williams: *Any other questions for this witness? Please, you've got to be sworn in first and then.....*

[oath administered by City Clerk]

Please approach the podium and give your name and address for the record please.

Justin Waxman: *Good evening. My names is Justin Waxman. I'm at 2800 Overview Terrace. To just comment and shed light on Rex's point that was just up here, as an appraiser you're here to give expert testimony in order to shed light on the fact or to give us some comfort that having a facility like this in our neighborhood will not affect the property values, correct?*

Tim Ragan: *That's correct. Will not negatively affect.*

Justin Waxman: *I think what Rex was trying to get at a little bit was that what we're looking at here is we're kind of looking at a cross-sectional research design. We're taking existing facilities and looking at appraisal numbers that are there with facilities that are there. Now that we have this understanding that the disclosure does not need to be provided*

either, it's very different than taking a longitudinal study, a prospective study for an existing neighborhood.

Attorney Tom Terrell: *I'm going to object. This is testimony. There's a time for testimony and this is not a question of this witness.*

Chairman Williams: *It has to be a question to him.*

Justin Waxman: *I'm sorry. Can your lack of correlation imply causation that there's no effect that this facility would have on a neighborhood? Are you able to say that these other properties that are there prior to the facility being put in did not affect their property value in any way, shape, or form?*

Tim Ragan: *I'm not sure I understand exactly what you're asking.*

Justin Waxman: *Okay. I can repeat the question. So, you're saying that you found no correlation, no significant difference between those that were next to a facility and those that were not?*

Tim Ragan: *That's correct.*

Justin Waxman: *And you looked at that cross-sectionally at a certain point in time?*

Tim Ragan: *That's correct.*

Justin Waxman: *But you did not look at that property prior to that facility moving into their neighborhood and what I'm asking is are you able to say that an existing property that has a rehab facility move in within a certain perimeter and a certain period of time, that there will not be any negative effect on that property because you did use the word, time taken to recover in terms of property values when you were laying out that appraisal. So, I would just look at a longitudinal timeline in understanding where that property value is. Just like you see a stock ticker on a daily basis, where it opens, where it closes.*

Tim Ragan: *What I said was that the facilities were already existing and were there prior to, in most cases, several years ahead of time, so the market had time to know that they were there and to react to that. So, the sales that were in close proximity of that facility, the folks that would have been buying them would be buying them and full aware of their proximity to a rehabilitation facility.*

Justin Waxman: *Right, but you were unable to substantiate evidence of cause and effect here.*

Tim Ragan: *I think I have presented evidence of cause and effect. There's nothing that says.... What the market does is it reacts to the proximity and if there's going to be a difference in sales, then that's going to be reflected. If I know there's a facility there and I put my house on the market, and it doesn't sell for two years, I know that something's wrong and you start....brokers get feedback all the time from people who are looking and they say well I don't want to buy that because it's beside a rehab facility.*

Justin Waxman: Have you demonstrated that a rehab facility moving in has no effect on an existing property value?

Tim Ragan: Moving in, no, I haven't demonstrated that. That's not the....we deal with historical facts.

Attorney Tom Terrell: Let me follow up with some clarification on that question and answer.

Mr. Ragan, does the Appraisal Institute require a longitudinal study to reach the conclusion that you reached?

Tim Ragan: No.

Attorney Tom Terrell: Does the North Carolina Appraisal Board require a longitudinal study to reach the conclusion that you have reached?

Tim Ragan: No.

Attorney Tom Terrell: How many times have you testified before local boards or commissions or councils on whether a use would substantially injure the value of adjoining property?

Tim Ragan: Fifteen or twenty a year I guess, or something like that.

Attorney Tom Terrell: Fifteen or twenty over thirty something years?

Tim Ragan: Almost. Almost that time.

Attorney Tom Terrell: In that time, has a City Council, Commissioners, Board of Adjustment or any local government body required you to have done a longitudinal study in order to reach the conclusion that you reached?

Tim Ragan: No.

Attorney Tom Terrell: Of all the banks that you have represented, residential appraisals and commercial appraisals, have any of the lending institutions whose money was on the line, ever required you to do a longitudinal study?

Tim Ragan: No.

Attorney Tom Terrell: Thank you.

Council Member Ewing: Mr. Ragan, one question to something you said in that last dialogue. These comparables address a lot of information. The one thing pertaining to times not in here would be days on market. In your research, did you notice a difference in days on market between subject properties and the comparables?

Tim Ragan: I did not.

Chairman Williams: We have a gentleman who has his hand up for a question of the witness. Did he change his mind? I'm sorry I thought I saw someone with his hand raised.

Okay, if you will come up to the podium. Have you been sworn in?

If you will state your name and address for the record please.

Stacy Hiers: Good evening. My name is Stacy Hiers. My address is 3315 Wedgewood Place in Greensboro. I am a local real estate agent, who has validated the study....

Attorney Tom Terrell: And I'm going to object. If she's a resident of Greensboro, she does not have a dog in this fight.

Stacy Hiers: I sell in the whole area.

Attorney Tom Terrell: I'm sorry?

Stacy Hiers: I sell in the whole area. I sell in the entire Triad.

Attorney Tom Terrell: But, it's not where you live.

Stacy Hiers: It's where I work.

Attorney Tom Terrell: You cannot walk in off the street into a court room. You can't come in from out of state. You have to be someone who is in the vicinity who has special damages in order to participate in a hearing like this.

Chairman Williams: Actually, that's what's here. It's stated that you have to have a stake in this.

Unidentified person in the audience: Right, we live in the neighborhood and she's our expert.

Unidentified person in the audience: She sold me my house that I own.

Chairman Williams: So I would have to ask is even that.....

Mayor Wagner: Is she being tendered by someone as an expert?

City Attorney JoAnne Carlyle: That's what I was getting ready to say, is she being tendered as an expert and this would not be the time for her to offer testimony.

Stacy Hiers: I just had a question. I wasn't giving any.....is it okay? Yes, I have a question for the appraiser. As real estate agents, we often don't know that there's half-way houses or if they are individual homes. It is not a disclosable fact. I mean if we know it, I'd certainly tell it, but driving down you can see that they do take nice care of their properties. I don't think anybody will object to that. So, driving down I don't know if they have a halfway house or a drug rehab house or whatever type of situation at any properties. Since that is not a

disclosable fact, did you contact any of these folks who are in these comps to say did you know in hindsight afterwards if this was a drug rehab center?

Tim Ragan: *No, I didn't contact any individuals. No.*

Stacy Hiers: *Okay. Thank you.*

Attorney Tom Terrell: *I'll follow up with one question.*

In your 33 years, is that standard practice to do that?

Tim Ragan: *No. Just to verify the closing itself with the parties that are directly involved whether it be an MLS public records, buyer/sellers, that type of thing sometimes.*

Chairman Williams: *Thank you. Are there any other questions for this witness? Thank you, Sir.*

Attorney Tom Terrell: *I'd like to bring Ms. Hinkle up to answer one question. I think two of you asked about the Fellowship Hall and if it's truly a comparable. Would you tell them how big Fellowship Hall is and compare it to one of your homes that has six occupants?*

Teresa Hinkle: *I can't speak to the current number of residents that Fellowship Hall has; however, they are a program that has a larger capacity than us. Our program is actually mirrored after the Fellowship Hall model so that when we're talking about are these programs comparable, they are very comparable. Fellowship Hall is larger in that they do serve a more acute population than we serve, as well as the transitional housing population that we serve.*

Councilman Moore: *Excuse me, while you're up there and I'm going to move as quick as I can. I want to go back to the list. The list....first of all, I want to say to those who stayed, thank you for your interest. There was a comment made by Mr. Harris who I appreciate and respect. Just being a citizen here for all of my life, it frustrates me that sometimes a negative leads, but he mentioned that High Point has a drug problem and a crime problem. That makes us exactly like every other city in the country. I just wanted that in the record.*

The list.....to be in the facilities of Caring Services, do they have to be citizens of High Point?

Teresa Hinkle: *No, they do not. However, I will tell you that the vast majority of our program participants are residents of High Point and they were before they came into our program.*

Councilman Moore: *Do they have to prove citizenship in the United States of America?*

Teresa Hinkle: *Yes. They actually have to prove citizenship in Guilford County.*

Councilman Moore: *Thanks.*

Chairman Williams: *Thank you. Mr. Terrell, do you have any other witnesses?*

Attorney Tom Terrell: *I think this might be our final expert.*

[unidentified person in audience raised hand]

Council Member Jones: *Excuse me, is that a last question for that witness?*

Chairman Williams: *Is it for the last witness? Are you sworn in Ma'am.*

Unidentified person in audience: *I'm sorry, yes.*

Chairman Williams: *Alright, if you will approach the podium and give your name and address for the record.*

Kelly Turley: *Hi. My name is Kelly Turley. My address is 4116 Spring Meadow Place, Jamestown. I own a business right down the street from John Wesley College. Sprouts, a child development center, 1027 Eastchester Drive. We're about less than 1,000 feet from this facility.*

My question, and I didn't know that I could ask this earlier, so I apologize if this is the wrong time. But, while she was up here you guys were talking about like how you can monitor everybody and I think you guys did a really great job talking about the end result of your program. Being a teacher, I like totally support that. What I worry about is the process. We have about 100 kids every day. So, as you guys have spoken, the end result is awesome, but not everybody gets that end result. So, I want to know, how, like the.....sorry, but I'm a little nervous. I want to know how you guys monitor and can tell me that my 100 kids that are 980 feet away are going to be safe from the 78 people that are living there. Most of your examples were houses with six people. Well, this obviously has a bigger landscape and is really close to my facility where I.....this is my life, I've been there seven years without any issues. So, I want to know the process of that. You guys have talked about having, like if somebody tests positive for drugs, there's consequences, but as I know with teaching kids, you can't always catch that. Stuff can happen. I know there's not cars, so there will be a lot of walking. I just want to know how that will affect my business and my kids.

Teresa Hinkle: *Okay, so there were a lot of questions in there, so you might have to go back for me a little bit. I'm going to start from the back because that's the one that I remember the most. Some of our residents do have their own transportation. We also provide transportation for our residents.*

Attorney Tom Terrell: *Speak into the mic.*

Teresa Hinkle: *We also provide transportation for our residents, so I don't anticipate that you're going to be seeing any more foot traffic than you do now.*

Kelly Turley: *Okay.*

Teresa Hinkle: *Ummm, there was a question about how do you know that your children are going to be safe from our participants that are going to be living on that campus?*

Kelly Turley: *Yes, without making assumptions in a negative way.*

Teresa Hinkle: *I would generally say that our residents are not dangerous people in the first place, but in addition to that, they have highly structured days. So, they don't have time to just kind of wander around in the community, loiter, and do the things that I think people are worried about. They're in a program.*

Kelly Turley: *Is the program a 24-hour program?*

Teresa Hinkle: *So, our houses are considered 24-hour facilities, but our program runs from 8:00 a.m. to 5:00 p.m. So, there are treatment groups, individual counseling sessions that run during those normal business hours. After those business hours—which I'm sure you have questions about as well—our clients have a number of things that they have to do every day. That includes going to 12-Step Meetings, meeting with their sponsors, doing things like job searches, or going to school themselves. So, we work really hard and it is a large part of every single person in our program's treatment plan to have a daily schedule because one of the things that keeps people sober is being busy and having a structured day. So, that's something that we teach our people to do. So, I don't anticipate that you will see our clients at all while you're running your facility. Any other questions?*

Kelly Turley: *No, you did great. And who monitors those schedules? How is it monitored? Is it a one-to-one ratio? Is it a group ratio?*

Teresa Hinkle: *So, we have 18 employees and each of our houses is monitored by a house monitor and an assistant house monitor. So, when you're talking about ratios I guess the best way to describe it is that each one of our counselors has a case load, each person in our program is on a counselors case load and they monitor schedules.*

Kelly Turley: *Much like in my facility, I have anywhere between 20 to 100 kids depending on the program, and I can tell you where any of those children are. Can you do that with your program?*

Teresa Hinkle: *Yes.*

Kelly Turley: *Okay. Good. Thank you.*

Council Member Ewing: *While you're up there, you brought up something about transportation that caught my attention. You said that some of your clients do have transportation and you provide transportation for others?*

Teresa Hinkle: *Correct.*

Council Member Ewing: *Do any of them take public transportation?*

Teresa Hinkle: *Some do, yes.*

Council Member Ewing: *I know where the facility is that the closest transportation bus stop for PART is sort of around the corner, which along Eastchester there's no sidewalks.*

Teresa Hinkle: *We would love to change that by the way, but that's not the point. [laughter]*

Council Member Ewing: *So, I guess.....*

Mayor Wagner: *Are you willing to put them in?*

Teresa Hinkle: *Sorry....*

[laughter]

Council Member Ewing: *How many of your clients would typically take public transportation on a day-to-day basis?*

Teresa Hinkle: *On a day-to-day basis it would vary. So, I'm going to do this thinking of the number of bus passes that we give out because I think that's my best way to do it. I know that we do not give out more than four bus passes on a day-to-day basis. We provide most of the transportation for our clients. We have a full-time transportation coordinator. They turn in appointment slips. They tell us places that they need to be and times that they need to be there and we do everything in our power to make sure that we're taking them and that they aren't using public transportation. It's just part of how we like to operate.*

Council Member Ewing: *Thank you.*

Chairman Williams: *Any other questions?*

Council Member Moore: *Are they allowed visitation? How does that work for them?*

Teresa Hinkle: *There are visiting hours and I think they're listed in the client rules that are part of your packet. Those visiting hours are on the weekend, so they are not Monday through Friday, and it's a limited number of hours on Friday night, Saturday, and Sunday.*

Chairman Williams: *Any other questions? Thank you. Mr. Terrell.....*

Attorney Tom Terrell: *We have at least two more who represent area churches who can testify about the before and the after and the **Harmony** issue. I do note that it is 9:30 p.m. They can speak, but I'll leave it to your discretion as to how much time would be remaining. Those would be our last ones that were on our list.*

Chairman Williams: *I would say....we're talking about evidence that has not been presented to Council up to this point. If we could limit it to that.*

Attorney Tom Terrell: *Okay. Then we will not present them. Now, there may be people that are here to speak for it that I'm unaware of it that came here, but those are the ones who were going to step forward for our presentation.*

Mayor Wagner: *Obviously you would have the opportunity if you wanted to bring them in as rebuttal witnesses.*

Attorney Tom Terrell: Okay, thank you.

Unidentified person in the audience: I'm going to need to be sworn in. My mom's got Alzheimer's and I've got a babysitter with her at home. I told them I would be there at 8:30. Can I go up next?

Chairman Williams: I'm getting ready to move into that part of it, so I'll take a look at the name and if you've got an emergency....is that okay, JoAnne?

City Attorney JoAnne Carlyle: Yes.

Attorney Tom Terrell: I'm sorry. I apologize. We do have somebody here as a witness to address **Harmony**. Mr. Neely.... It will take four minutes.

[mumbling simultaneously in the audience]

City Attorney JoAnne Carlyle: I thought you had said it would have to be something that has not been addressed.

Attorney Tom Terrell: He is an expert that we brought in to address the issue of what are the land use principles of zoning and planning as they would be applied to this question. And he has done a study that's in the report.

Chairman Williams: Honestly, I thought that we were going to move forward. Just to be fair. I don't mind him in the rebuttal, but.....

City Attorney JoAnne Carlyle: If it is still to the issue of **Harmony**.

Attorney Tom Terrell: It does go to the issue of **Harmony**, but he's addressing it from the standpoint as an expert. If you're willing to look at and accept his report that's in your books as is, then we're okay with that and we can move forward.

Council Member Ewing: Is that under the tab for **Harmony**? [laughter]

Attorney Tom Terrell: That's under the tab for **Harmony & Consistency**. Yes, it is. And we list numerous provisions. Would you allow him to read the Conclusion into the record?

Mayor Wagner: Yeah, I think that's fine.

Chairman Williams: The Conclusion? Okay.

Attorney Tom Terrell: Let me just.....this is Reynolds Neely. Mr. Neely has been a planner for 41 years with the City of Asheboro. He's a consultant with other governmental communities. He is here to address both of those issues and the last standard.

Reynolds Neely: Yes Sir. Thank you. I've sat through a lot of long council meetings and I really feel for you. I'm sorry for both citizens and elected officials. Again, my Conclusion for those points would be as more specifically discussed in the report that you have of mine, having studied Caring Services application, the site in question, and surrounding properties,

reports of experts concerning this application, the City of High Point Land Use Plan, the Zoning Ordinance, and based upon my decades of experience in the Planning profession and training in studies and principles of zoning and land use, it is my professional opinion that the location and character of Caring Services' major Social Service facility if developed according to plans submitted, will be compatible with the existing uses in the area or with any anticipated uses in the area, in harmony with the appearance in the area, which is to be located and in general conformity with the aesthetics of the surrounding properties, and is compatible with the City of High Point Land Use Plan.

The rest of my report will stand in your book.

Chairman Williams: *Thank you. And as law requires, do we have any questions from Council for this witness?*

Unidentified person in the audience: *I just have one thing to say.*

Chairman Williams: *It's got to be a question for this witness.*

Unidentified person in the audience: *It is.*

Mayor Wagner: *Have you been sworn?*

Unidentified person in the audience: *I have been sworn.*

Chairman Williams: *Okay, if you can give your name and address for the record.*

Reynolds Neely: *I didn't do that. My name is Reynolds Neely at 703 Sunset Avenue, Asheboro.*

Amy Heybrock: *My name is Amy Heybrock and I live at 2806 Overview Terrace. I'm just curious why you have a realtor from Guilford County who sells houses in High Point to one of our residents was objected to by Mr. Terrell for speaking. He's brought in expert witnesses from Lexington, and now Asheboro. You know, that just doesn't seem fair.*

Chairman Williams: *She can give testimony as an expert. That just wasn't the time for it. That's all.*

Amy Heybrock: *It just doesn't seem fair to me.*

Mayor Wagner: *She's going to be able to testify.*

City Attorney JoAnne Carlyle: *She'll be tendered at that time.*

Chairman Williams: *Are we done? Okay. Thank you, Mr. Terrell.*

Alright, we're going to move on to the opportunity for the non-party testimony. As a reminder, Council will only allow non-party testimony if it is relevant to the matter and factual and not opinion. Are there any non-party individuals that have a factual testimony or

evidence to offer? So what I want to do is go ahead and let.....let me get your name first, Sir so I can mark you off on the list.

David Zaritzky: *David Zaritzky. 2701 North Centennial Street.*

City Attorney JoAnne Carlyle: *Council members, if I could remind you while he is getting in place here that with regards to the type of evidence that you're considering, it's going to be competent evidence. This shall not be lay witness evidence or testimony that has to do with the use of the property and how that might affect the value of the other property surrounding, increase in traffic, whether or not it's a danger to public safety, or any other matters which only an expert witness could allow testimony.*

David Zaritzky: *So, I'm President of the Lakeside Estates.....*

City Attorney Joanne Carlyle: *I'm sorry, and you have been sworn in?*

David Zaritzky: *Yes, I've been sworn in. I'm President of Lakeside Estates Homeowner's Association, which is near the John Wesley College campus and near the house where they're going to house their clients. Sprouts Daycare Center is at the corner of Lexington and Centennial and there's a State Law that requires....which I've included in your packet, that no resident can be housed, knowingly housed, in a residence within 1,000 feet of a daycare center. It's on Page 3 and 4. I talked with Herb Shannon and we measured the distance between Sprouts Daycare and one of the houses and it was about 930 feet. So, that residence cannot house any sexual offenders. Now, on the first sheet that I gave you there are currently three sexual offenders who are occupants at 402 Steele Street. There's three offenders. And I gave you a newspaper article written by someone in support of Caring Services in the High Point Enterprise on Page 2. It says that Caring Services currently has 108 beds for men and women in recovery and only one registered sex offender, when there was three. And at the Zoning & Planning Meeting, Becky Yates testified that there were no sexual offenders in the Caring homes residences. This was June 26th, but there were two. My concern is the process. That you could have sexual offenders that you wouldn't know and they could be transferred. It's a process problem. Any questions on that?*

Council Member Moore: *Can you speak to the fact in the surrounding area of how many registered sex offenders live within a half mile or within a mile?*

David Zaritzky: *Within a mile there are five based on the.....I'm getting this information from the State of North Carolina Sex Offenders website. None of them are really close. So, that's a concern. See the one thing that we have not talked about is the protection of the children. And one of those sex offenders, the victim was twelve years old. The other problem that has to do with process is that sex offenders, granted there's only going to be four a day going on the bus, some may walk to the Caring Services entrance, there is another daycare centers called You Brothers that's right across the street from the bus stop. So, on that first sheet that I gave you there were two sex offenders who were.....who in the Police reports that I included in there, Police actually notes. We weren't allowed to get the Police report. That had gone to the Caring Services office at 102 Chestnut. So, some sex offenders have come to Caring Services, you know, they're going to be at the main office there. One of the victims of a sex offender that had been at the home before June 28, 2015 was six years old. So, I think that this is a question of risk for children. I think there's going to be.....there is a risk because*

of the process of keeping track of the sex offenders. There's been inconsistencies. And what I did was....cause I just documented in the last half of all those things I gave you, actual reports from the website, the sex offender website and the police notes about the sex offenders coming to the office. So, that's my main concern. Any questions?

Chairman Williams: *Let's start with Council's questions first.*

Council Member Ewing: *I don't have a question. My question would be for one of the applicants and that question is just to validate that these three sex offenders who have been presented to us are currently in the program and if so, why was there a conflict in the statement made in the July 8th article?*

Teresa Hinkle: *So, some of the information that was just presented to you is incorrect. There are currently two sex offenders residing in our program—not three. One of the names on that list is not a person who is a member of our program. At the time of the June 26th hearing, and I think you also included a news article in there that was written on July 8th, there was only one sex offender in our program. We added a second sex offender who came into our program on July 16th, so at the time all this testimony was given, it would have been correct. I'm sorry....was there another.....am I missing a part of your question?*

David Zaritzky: *That's today.*

Teresa Hinkle: *Did I say July? I'm so sorry. June 16th.*

Council Member Ewing: *That article was July 8th.*

Teresa Hinkle: *So, another point that I'm going to make is anyone who is not a person that is a member of our staff does not have access to this information. So, anything that you're getting off of the internet or that someone is writing a news article about is what they can find on the sex offender registry. I'm not sure how you found three that were at our address because we only have two. If there is a third person listed at that address on the registry, that would be something that would have to be addressed with the registry. Ms. Yates is here so she may be able to speak for herself better than I, but we would not have testified that there were no sex offenders in our program. We will, however, testify that there will be no sex offenders residing at the John Wesley campus.*

Council Member Jones: *The main concern is.....*

Teresa Hinkle: *Which I think is the main concern.*

Council Member Jones: *The main concern is these will be living in close enough proximity to the educational facility and you'd have to make sure that there were no sex offenders at this new location.*

Teresa Hinkle: *Correct, and there will not be anyone living at the new location that's on the registry.*

Mayor Wagner: *Do you check as part of your entry procedures for, you know, whether these folks are listed on the registry?*

Teresa Hinkle: We do.

Mayor Wagner: Is that part of the process?

Teresa Hinkle: We do. We screen every person that comes into the program.

Council Member Moore: And then at that point, how do they, so that doesn't prohibit them from becoming a client?

Teresa Hinkle: Correct. I think you're asking how we determine who can come in and who can't come in?

Council Member Moore: Yeah.

Teresa Hinkle: Sure. So, all of our clients that come into our program are given what's called a comprehensive assessment. That is conducted by a person who is a licensed clinical Social worker or a licensed clinical addiction specialist. We are all dually trained to diagnose mental health disorders and substance use disorders. So, what we do, we go through our assessment asking diagnostic questions to assess out is this a person who has pedophilia who would not be allowed to come into our program, or is this a person who's sex offense was related to their chemical dependency.

Chairman Williams: Just for clarity, you're saying that you will still be servicing sex offenders, but off site.

Teresa Hinkle: Correct.

Chairman Williams: Alright, will you have an off-site location that they can report to or do they have to go to the campus there to get their stuff started and then be moved?

Teresa Hinkle: So, the residents will always be off site. They would have to come to the campus to be screened and assessed.

Council Member Jones: So, what I'm gathering is if somebody was a registered sex offender, but still wanted to get treatment through your program, they could be a client. They could not be a resident there, but they could still be a client there for treatment because the law only applies to the residency. It doesn't mean that a sex offender can't go to a place of business within a mile of the school or anything like that. They're just a customer at that point which means where they lay their head down at night, they can't be within that proximity and you guys said that you may still be retaining some of the other properties, but haven't decided what you're going to do with those. So, those clients of yours could essentially still live there, but be treated during the day at your facility.

Teresa Hinkle: Correct.

Council Member Peters: Excuse me, but I might have misunderstood something, so let me just verify. Because I thought you said that staff doesn't know if the clients are sex offenders.

Teresa Hinkle: No, staff absolutely knows. People who are not staff generally would not know.

Council Member Hudson: As I understand it, the law says you can't have sex offenders reside there.

Teresa Hinkle: Correct.

Council Member Hudson: Well, that satisfies me.

Teresa Hinkle: Thank you.

Council Member Golden: I've got an information question. I heard you refer to several diagnoses. Do you guys adhere to the same HIPPA laws that we would at an everyday doctor's office?

Teresa Hinkle: Yes, we do.

Council Member Golden: So, how would just a lay person get a hold of somebody's diagnosis and what they did prior to coming to your program?

Teresa Hinkle: To my knowledge, they would not be able to get a hold of their diagnosis. The North Carolina Sex Offender Registry is however, public record. So that if you had an address or a person's name I believe you could look them up and you could put the two together and you could put the persons name together with our address, but it provides no diagnostic information about that person.

Chairman Williams: Well, we were supposed to be on David's questions.

Teresa Hinkle: I'm sorry.

Chairman Williams: You're fine. Thank you for that. So, are there any questions from Council for this witness? Alright, do you have any questions?

Attorney Tom Terrell: Just a few. Mr. Zaritzky, do you have any evidence that a sexual offender would be housed on this campus?

David Zaritzky: I have no evidence, but in the process, I gave examples of two people that would have been slipped through the cracks to the Council. I've got no evidence, but I'm concerned about the process.

Attorney Tom Terrell: Did you hear Ms. Hinkle testify that that was wrong, that you had a name of somebody that was not even in their program?

David Zaritzky: I gave the Council three, not only three names, but three SBI from the sex offender websites that I clicked on and asked. I gave you the pictures, the crimes, the victims ages. I gave you. There's three of them. I don't know what else I can do.

Council Member Moore: *But there's been testimony that some of that's not true. It's an interesting dilemma.*

David Zaritzky: *It's a dilemma. I mean I haven't gone to the house and checked, but.....*

Council Member Ewing: *Let me clarify my question earlier. Of the three that were presented and you said there's only two of them that are currently in the program, is the third a former person in the program?*

Teresa Hinkle: *Yes.*

Council Member Ewing: *In looking at the data, the last address verified date, one was back in February and one was in April.*

David Zaritzky: *Yeah, actually that is true. But I clicked on the website on that address and it's got them listed as still being there. It's still two sex offenders. The article said there was only one. There were two offenders on June 26th I believe, and they felt there was none. There's a discrepancy there in the process.*

Council Member Jones: *What I'm wondering is whether there would even be an issue if they were living at an address that wasn't in conflict with the laws. So, at that location, there might not have been an issue.*

David Zaritzky: *No, it's not an issue there. We're talking about.....the whole thing is location. It's a great.....Caring Services is a great program. I mean I'm really supportive and I want it here in the community. We're just talking about a location close to daycare centers and traffic. There could be traffic going through of sex offenders. You know, they're pedophiles. They check the kids to see where they're at over a period of time.*

Chairman Williams: *Alright, are there any other questions?*

Council Member Scarborough: *This gentleman over here is about to lose his arm. [laughter]*

Chairman Williams: *Is there a question for this witness?*

David Zaritzky: *Guys, could I be excused? Seriously, could I be excused to go home.*

Unidentified person in audience: *I have a question for you.*

David Zaritzky: *It may be a question for me.... Because I.....*

Mayor Wagner: *It has to be a question to you.*

Chairman Williams: *So, we can keep it moving then. I'm sorry. Ma'am are you sworn in?*

Unidentified person in audience: *Yes.*

Chairman Williams: *You can step up and give your name and address for the record please.*

Debbie Gallemore: *Debbie Gallemore, 1505 Trafalgar Court, High Point. You say sex offenders are pedophiles. Not all sex offenders are pedophiles. So, there's a clarification there and that's an error on your statement.*

David Zaritzky: *Okay, can I just.....*

Debbie Gallemore: *Not now.*

Chairman Williams: *Let her ask the question first.*

Debbie Gallemore: *So, when you're looking at your data because a lot of times, and I have the sex offender registry on my phone and I can look up an address. There are five within a mile of Northwood Elementary. No one seems to be very upset about that. I'm concerned about it. I'm not concerned about Caring Services in my back yard, well across the street. It has not affected my value, so you need to be very careful when you talk about sex offenders and how it is referring to that because there's a difference between.....*

Chairman Williams: *You need to be asking a question.*

Debbie Gallemore: *So, what evidence do you have that these groups have only pedophiles in the group?*

David Zaritzky: *Councilmen, if you want to look at your.....Page 1 with the first one, the victim's age wasn't reported. Okay. With the second person, the victim's age was 12. The third one, the victim's age was 16. The fourth one, the victim's age was 13. A crime against a minor is the actual.....sexual crime with a minor is the definition that the State uses.Oh excuse me, I can't say it.....the fifth person, the victim's age was 6. The sixth person, the victim's age was 14. The seventh person, the victim's age was 15. And on the sheets that I gave you from the sex offender's registry, it actually gives you the crime that they committed.*

Council Member Moore: *What page is that?*

David Zaritzky: *That's my first page that I gave you. If you read the list. Page 1.*

Council Member Moore: *I was following that, but you just said something about it gave what they were convicted of.*

David Zaritzky: *It's on the mug shots in the body of the report. Do you want me to read them here in the meeting?*

Council Member Moore: *No, I've got it.*

Council Member Peters: *I have a question, Sir. So, if you were promised and guaranteed that there were no sexual offenders residing in that property, would that make you feel a little differently about it.....about the situation?*

David Zaritzky: It would, but I still think there would be foot traffic and the bus stops are there and those guys could.....I mean there could be loitering. There could be a delay in the bus stop, you know, in front of the You Brothers and they could walk by. It kind of would attract them. You know the outpatients, the ones that aren't housed. That's the spirit of the law. The letter of the law is that one place, you know, that there would be no sex offenders. But, the spirit of the law is to protect the kids. So, that's the difference between the current location and the location where they're going. There's going to be....well, there's daycares there. That's the difference.

Council Member Jones: That's your only and main concern is the sex offenders?

David Zaritzky: There are other people that are going to share their concerns.

Council Member Jones: As far as your concerns.

David Zaritzky: As far as my concern, It's the main one. Yes.

Chairman Williams: Thank you. Do you have a question? Go ahead.

Attorney Tom Terrell: Do you have any idea how many sex offenders live within a 5-mile radius of the John Wesley campus?

David Zaritzky: Yeah. I looked on the website and five miles is a big area and it includes the same five miles if you take it around the John Wesley, it's the same five miles that's around the current location. It's so large if you take a 5-mile radius, they're the same, same number of sex offenders and I just looked through the 3-mile radius and tried to count them up, and about half were sex crimes with minors and about half of them were sexual assault with people older than age 18. I mean that's what they use as the thing. So, it's the same number. But the one mile.....it was like something like, the three-mile was something like 136 and I just as quickly as I could clicked on it and saw which ones were under age 18 and which ones were over it. So, even the 3-mile is about the same area. So, it's kind of hard to compare. It's the one-mile where there's a big difference.

Attorney Tom Terrell: That's the basis of my question. I'd like to follow up on what Councilman Jones was asking. We've done the same research and we've got those same numbers. I think your data is correct. One hundred thirty-six within three miles. Every single one of them, as long as they're not violating State law, can walk into the McDonalds Restaurant next door to Sprouts, can't they?

David Zaritzky: Yeah.

Attorney Tom Terrell: And every single one of them can walk right into an office right next to your office, can't they?

David Zaritzky: They can, but the spirit of the law is that people walking by attracted to a program would attract people who are sex offenders and they could case the places. They could case.....that's what the....they're going to testify. Sprouts and them. They're worried about people walking by loitering and checking out the kids.

Attorney Tom Terrell: *Can residents, can those sex offenders that you're talking about come and loiter at that Exxon station today?*

David Zaritzky: *Yeah. Sure. Of course they can.*

Attorney Tom Terrell: *We're digressing into a topic and narrative that is steering this to something way away from evidence. I don't want to dwell too much on that, but I think we've heard enough this evening. It's a fear. It's a conjecture. It's a hypothesis. He has no evidence and we'd like to stick with that.*

Chairman Williams: *I've got a gentleman in the back. Do you have a question for this witness?*

Have you been sworn in?

Unidentified person in the audience: *I have not.*

Mayor Wagner: *You need to come forward and be sworn.*

[City Clerk administered oath]

Jason Yates: *My name is Jason Yates. My address is 111 Edgeview Road here in High Point. I just have maybe three questions that I think will hopefully put some minds at ease.*

Do you know when Caring Services was founded, or when we moved into the property where we're located at now?

David Zaritzky: *I know it's been years. You've been there for years.*

Jason Yates: *It was 2000. Do you know how far we are from Ferndale Middle School?*

David Zaritzky: *According to your report, you're close.*

Jason Yates: *About 980 feet. Do you know how many times in 18 years we've had any kind of report of our folks stalking children, assaulting children, scoping out children?*

David Zaritzky: *I don't know.*

Chairman Williams: *Okay. Thank you, Jason. Are there any more questions for this witness?*

David Zaritzky: *Thank you.*

Chairman Williams: *Alright, I'm going to go with Glenda Mabe. [did not speak]*

Okay Rex.....So Rex, we already know that you've been sworn in. Will you come to the podium and give your name and address for the record?

Attorney Tom Terrell: *I'm going to object now to this report that's being handed out.*

Council Member Moore: Say that again, Mr. Terrell.

Attorney Tom Terrell: I object to anything being handed out for Council Members to read. If he wants to try to show that he has personal knowledge of it, that he did the report, that he knows what the variables are, that he knows what the parameters are, that he knows what the external obsolescences were that were studied, if he knows anything about the formula in this report, which I doubt anybody in this room could do, then he could testify. But, he doesn't, I think meet that qualification. That's why I'm going to be objecting.

Chairman Williams: I'm going to lean on our city attorney.

City Attorney JoAnne Carlyle: Objection noted. We're just trying to get a copy of whatever that was.

Rex Sokolnicki: I'm sorry.

Council Member Moore: Here, take this one. I'll share.

Council Member Golden: I heard you say noted. So, is it okay?

City Attorney JoAnne Carlyle: As far as the objection that's on the record.

Council Member Golden: But it's okay to review the information and consider it?

Chairman Williams: And this is just for disclosure. Because of the State law, if it doesn't meet the criteria to be considered as evidence, we can't consider this.

City Attorney JoAnne Carlyle: Unless his name is different or some other evidence he's about to give testimony to, this is hearsay.

Attorney Tom Terrell: I'd like the court to hear this witness about those questions before he presents it.

City Attorney JoAnne Carlyle: Okay, sure.

Attorney Tom Terrell: Are you an appraiser?

Rex Sokolnicki: No.

Attorney Tom Terrell: Are you an expert economist?

Rex Sokolnicki: No.

Attorney Tom Terrell: Is your name Claire LaRoche, Bennie Waller, or Scott Wentland?

Rex Sokolnicki: No.

Attorney Tom Terrell: Do you know anything about this report other than the fact that you found it on the internet?

Rex Sokolnicki: Yes.

Attorney Tom Terrell: You mean you've read it? Is that what you're saying?

Rex Sokolnicki: Is that what I said?

Attorney Tom Terrell: Well, did you conduct these studies?

Rex Sokolnicki: I did not.

Attorney Tom Terrell: Do you know what the formula are on Page 71 of the original, do you know what SP_i equals some funny symbol for P parens X , some letter i , LOCdo you know what that formula even stands for?

Rex Sokolnicki: It says it in the contents of the report.

Attorney Tom Terrell: So, if the report talks about it, do you know how variables like railroads, landfills, other things that could have an effect were isolated?

Rex Sokolnicki: Isolated? What do you mean?

Attorney Tom Terrell: Do you know what it means to isolate an external obsolescence?

Rex Sokolnicki: Yes.

Attorney Tom Terrell: Can you explain that?

Rex Sokolnicki: No. I don't see that as pertinent to this. How is it?

Attorney Tom Terrell: Chairman Williams, the statute that I handed up says very clearly that in North Carolina evidence is not competent on certain issues in a quasi-judicial hearing and one of those issues is whether or not a certain use would have an impact on a nearby property unless it is presented by an expert who has data. Now, that's what the statute says. There are cases out there that say the same thing, but in greater detail. I'll quote one up. I think Ms. Carlyle knows it. *Sun Suites v. the City of Garner* where a realtor came in and offered her opinions about the effect of a hotel in a certain location, but there was no data that she, herself, had accumulated. And our courts have held that's not competent evidence, that's just her opinion. In this case, it's not competent by statute. It's not competent by a case law if you were an expert who had done this study.

Council Member Moore: Ms. Carlyle, are you in agreement with that?

City Attorney JoAnne Carlyle: You know, I said before this meeting began tonight that it would probably set a record for the number of times that Mr. Terrell and I agreed on something and completely.

Council Member Moore: Okay, let me ask you this. Then why did we consider this?

City Attorney JoAnne Carlyle: There was not an objection and that is one of the items that's required. This man, it appears, is trying to give testimony as an expert and one of the three things that I mentioned as well as what Mr. Terrell just did as well, whenever there is evidence being submitted by a lay witness, it cannot be with regards to the value of the property in the surrounding area and in addition to that, there's a second prong that he is hitting in a way that prevents that evidence from coming in and that is he's also looking like he's trying to give testimony as an expert and he is not. Third, I guess it is hearsay as well.

Attorney Tom Terrell: It is hearsay and to further that point and then answer directly what Councilman Moore is asking, what you've got from Mr. Sokolnicki is a public record. The Rules of Evidence are very nuanced, but if someone pulls a government record that is kept in the course of business that appears to be a legitimate record, that person can present that in the court of law. A Police report would fall into that category. To my satisfaction, something off of the registry actually, although I think it skews issues, it is a public record that could be presented.

Council Member Moore: But the real factors for us that aren't the lawyers is that this did not obtain an objection so it was allowed to proceed.

Attorney Tom Terrell: It meets the exception to what we call the hearsay rule.

Council Member Moore: Which means it's a government record.

Chairman Williams: So, in that case we cannot hear, nor consider this?

City Attorney JoAnne Carlyle: That's correct.

Mayor Wagner: Do we make the ruling that it's inadmissible?

City Attorney JoAnne Carlyle: You can.

Rex Sokolnicki: Even though it's in a Scientific journal, a journal of sustainable real estate?

Mayor Wagner: Do we need to vote to make that....

City Attorney JoAnne Carlyle: I think it's sufficiently on record that it's inadmissible for you to consider.

You're welcome to offer other testimony.

Rex Sokolnicki: Okay, so nothing in here, even though it's in a Scientific magazine, and it cannot be....

Mayor Wagner: You'd have to have one of the authors of that here.

Attorney Tom Terrell: *I'd have to be able to cross examine those authors about all the things they did and the biases and they're not here and you're not them. And you're not bringing in the other articles that are out there to the opposite.*

Rex Sokolnicki: *And that's fine with you? Is that what you're saying?*

City Attorney JoAnne Carlyle: *It's fine with.....according to the law of North Carolina. Not for JoAnne Carlyle as much, but, yes, according to the law of North Carolina, which is why I said when you took the stand that unless you're getting ready to tell us that your name is not what you originally said and it matched one of these articles, then it would be admissible.*

Rex Sokolnicki: *You know that's fine. If you don't mind, I'll talk to something about the crime statistics here. I'm going to use another article that I gave you guys. This has nothing to do with home values and I don't think that's applicable to the law.*

Mayor Wagner: *Your hand up is noted. He gets to finish his testimony first and then we'll have an opportunity for you to ask questions.*

Attorney Tom Terrell: *It's the same thing.*

Chairman Williams: *Rex, you said you have something.*

Rex Sokolnicki: *I'll be quick. I just want to address the.....*

Chairman Williams: *I have to ask the question, are we still talking about meeting the criteria?*

Rex Sokolnicki: *It's nothing to do with home values. I think that's what the.....*

City Attorney JoAnne Carlyle: *But it also has to do with the hearsay item that we've been addressing. If you are trying to get into evidence an article that was not written by you and as he said earlier, if no one is here to cross examine, to check the validity, then it can't be admissible.*

Rex Sokolnicki: *Even though it's in a Scientific journal and its peer reviewed and it's accepted by universities, scholastic universities?*

Mayor Wagner: *It's because the author of that study is not here to present it and he is not able to cross examine the author of the study. You're using someone else's words to prove a point and that person is not here to be cross examined.*

Rex Sokolnicki: *Okay, but all the other papers that everybody has got here.....*

City Attorney JoAnne Carlyle: *They are not authored articles that they have received, they are more in line with public records.*

Rex Sokolnicki: *Well, I am going to bring some question into the crimes that have been reported. He said that according to the Police Chief and other stats that they have, the crimes have not been attributed to Caring Services or other places. Because maybe the*

social economic status, it is in a bad neighborhood to begin with, okay. And Caring Services now wants to leave because it's a bad neighborhood. Coming into a better socio-economic neighborhood, that's the thing that is a fear that they'll bring some bad element. If it be a pity crime or anything else, rather than staying in a bad neighborhood where they're at right now. Okay.

Let's see. You stole all my thunder guys. That's pretty much what I have.

Chairman Williams: *Are there any questions for this witness from Council?*

Rex Sokolnicki: *I didn't say anything.*

Chairman Williams: *I've got to ask that part. Seeing none. Thank you, Rex.*

So, Amy Heybrock.

Mayor Wagner: *You might want to wait to hand stuff out.*

Chairman Williams: *You've got to make sure that qualifies. Let the attorney....*

City Attorney JoAnne Carlyle: *If I could have this. The proper way to do it anyway is to give it to the clerk and then we'll hear your testimony.*

Amy Heybrock: *You know, this thing is really one-sided tonight. Mr. Terrell, it seems like he has dragged this thing on and on. So, I don't even know why we're here.*

Attorney Tom Terrell: *I get, by the rules, a copy of everything handed up.*

Amy Heybrock: *That's fine. A couple of Councilmen will have to share. So, that's okay.*

My name is Amy Heybrock and I have lived at 2806 Overview Terrace for almost 30 years. I live in Lakehill Trace, which is a neighborhood with around 50 single-family homes, directly across the street off of North Centennial where the proposed rezoning is taking place. We turn on to Clinard Avenue off of North Centennial to enter our neighborhood. We've enjoyed being neighbors of John Wesley for the entire time that they have been there. The students were well behaved. There was very little congregating outside. No foot traffic and we have never seen a Police presence at the school, nor at the homes. I have never once felt unsafe and I am sad that we are losing them as neighbors. While I believe that Caring Services offers a valuable service, I really, really do. I do not believe that this location is an appropriate place for it. I believe that Caring Services programs will attract criminal activity to our neighborhood. Caring Services has said that their program doesn't increase criminal activity; however, my research shows something different.

I am providing you with call records that I obtained from the High Point Police Department from Judy Brenner, who is a crimes analysis analyst with the Police Department. This is nothing that I pulled off the internet. From January 1, 2017 to June 4, 2018, there were 83 calls. Regardless of what kind of calls they were, there were 83 calls. Two to Caring Services homes. According to Police Chief Kenneth Schultz in an interview with High Point Enterprise, which I have given you copies of, from April 9, 2017....

Attorney Tom Terrell: *For the record, that is a hearsay document also. Handing up of a newspaper article. If the newspaper is quoting an applicant, it could be used to impeach the applicant, but it's not appropriate to hand up something as proof of existence of a fact.*

Amy Heybrock: *Well, can I tell you what the newspaper article said?*

Attorney Tom Terrell: *No, unless you have the author here.*

Amy Heybrock: *Okay, well then according to those records they will be the same. So, there were 57 calls for service to the Caring Services locations between April 9, 2017 and April 10, 2018. A majority of those calls were for Police officers to make an arrest of an individual in one of the Caring Services houses. If you compare, also I've given you the reports that I received from Judy Brenner for the John Wesley College houses for the January 1, 2017 to June 4, 2018. There were seven calls. Only one of them was for a criminal process. The rest were for things such as assists for EMS, a suspicious vehicle on their property, and benign calls where the students were asking for assistance. For the April 9, 2017 to April 10, 2018, the John Wesley homes had only three calls. Becky Yates states in an email to Elaine Brown in Exhibit E in the zoning packet that Police calls are minimal and are typical of other residential locations throughout the city.*

As you can see, the calls to Caring Services are not minimal—regardless of what they are and they are not typical of our neighborhood and they are definitely not typical in the homes for rezoning. Not only will Caring Services be moving clients into our neighborhood, they offer services to people who will not be living in their homes such as the sexual pedophiles or whatever you call them. They were mentioned. They will be coming in, regardless of how many live around our city, they are bringing some in for service. People will be coming in to take advantage of their other classes such as DWI classes and their Naloxone distribution program.

These reports here that we have also been accused in getting off the internet, these were emailed to us from Brian Beasley, who is the Attorney for the High Point Police Department. They can sit there and say they didn't come from their residents, but they did happen. A lot of these addresses says the High Point Caring office and they are things such as public disturbances, intoxicated people, overdoses. There's one for public masturbation and there are some for assaults.

We did a petition around our neighborhood. I don't think that I can present that tonight, but I do have copies of it if I can. We had over 150 residents and business owners sign this along with their addresses opposing the Special Use Petition for the Rezoning. In the letter we state that we believe the Caring Services Program attracts criminal activity. We believe the relocation of Caring Services treatment facilities endangers nearby children, and we believe the increased foot traffic and loitering will diminish a prime business corridor. The evidence presented tonight proves our concerns are valid.

My heart and prayers go out to the people facing addictions. I'm not opposed to Caring Services. It's only the relocation to the John Wesley campus. In the City Ordinance regarding Special Use Permits, Section C, Special Review Standards state:

"A Special Use shall be approved upon a Finding that the applicant demonstrates that the proposed Special Use will not materially endanger the public health and safety if located where proposed."

I think we've proven that the public health and safety of our neighborhood will be endangered if Caring Services is allowed to move their clients into our neighborhood. And, I urge you to vote against the petition for a Special Use exception. If you vote in favor of the petition my question to the Council, who represents us, the citizens and the neighbors, is how are you going to protect us and the children from the public disturbances, the intoxicated people, the overdoses, the public masturbation, the assaults, the prowlers, the trespassers, the suspicious people, the larceny and the motor vehicle thefts? How are you going to keep us safe.

And I have one more question for, I guess Ms. Yates or Ms. Hinkle or whoever. For your residents, do you require Care Plans for them in the homes?

Teresa Hinkle: Yes.

Amy Heybrock: You do. And do you have them set goals?

Teresa Hinkle: Yes.

Amy Heybrock: Okay. And how is medication administered to them?

Teresa Hinkle: Any person who is on medication has to be able to self-administer it.

Council Member Moore: We can't.....I need to hear the exchange.

Amy Heybrock: So, my question to Ms. Hinkle was, are Care Plans required for your residents?

Teresa Hinkle: Yes, we call them Person-Centered Treatment Plans.

Amy Heybrock: And do they have to set goals?

Teresa Hinkle: Yes, they do.

Amy Heybrock: And you said, how are medications administered?

Teresa Hinkle: Anyone who is in our program that takes any medication has to be able to self-administer that medication.

Amy Heybrock: Are your homes licensed?

Teresa Hinkle: Our homes are not required to be licensed.

Amy Heybrock: I did check with the North Carolina Division of Health Service regulations and they said that non-profit homes do not have to be licensed, but that's not a blanket

statement. So, if Care Plans are required, if you require people to set goals, then you are subject to having to be licensed.

Teresa Hinkle: *So, State licenses are required for where those services are being given. We do not provide treatment services out of our houses. We are excluded from having our houses licensed under General Statute 122(c) 9.*

Amy Heybrock: *Well, that's not according to what the Division of North Carolina Health Service regulations said.*

Teresa Hinkle: *The Division of North Carolina Health Services & Regulations actually came out to see us on Thursday. They have not put in their preliminary report yet, so I cannot offer that to you; however, the woman that did come to do the inspection did tell us that she did not feel that our houses were required to be licensed. Our treatment facility is a State licensed treatment facility.*

Amy Heybrock: *And just for the record, I don't have any more questions for you. In the June Zoning Board meeting and I wish it had been recorded because Ms. Yates did get up and say that there were absolutely no sexual offenders living in their homes and she was adamant of that. Her face got red. That there were no sexual offenders living in their homes. I'm done.*

Attorney Tom Terrell: *I'm not.*

Chairman Williams: *Okay, do you have any questions?*

Attorney Tom Terrell: *Council first.*

Chairman Williams: *Any members of Council have any questions for this witness?*

Council Member Golden: *I'm pretty sure I know so I won't be long, but on the disposition part of this list that you gave us, I'm assuming that where it says "unfounded" that once the Police came out there they didn't find anything and where it says "in for assist," they just assisted whoever they were....whatever. And then where it says "arrests" of course there were arrests. Then the rest is reports, right? So, of this list you gave us, this is the 81 that you were referring to?*

Amy Heybrock: *No, there's another sheet that gives the calls to the John Wesley College. That's it. That's the John Wesley College. All of those, all the calls from January 1, 2017 to June 4, 2018.*

Council Member Golden: *I read through it and did the math. You know there were only four arrests out of all of this, right?*

Amy Heybrock: *I'm sorry? My point is they said I couldn't quote who said this, but in the newspaper article it said the majority of the 57 calls for service from April 9, 2017 to April 10, 2018, the majority of them were for Police officers to make an arrest on one of the individuals in the Caring Services houses. But I think if you'll look at that, you'll see*

that....compare the Police presence is going to be in that neighborhood and in our neighborhood now as compared to then when they buy the house as to what it is going to be.

Council Member Golden: *So, you are just concerned with the Police presence, period?*

Amy Heybrock: *I'm sorry?*

Council Member Golden: *So, you're just concerned with the Police presence, period?*

Amy Heybrock: *No, I'm just concerned that a lot of these people, some of them have come from jail. They have drug problems. They're being served with warrants, which if you look up what a criminal process is, a lot of that is people being served with warrants which speaks to the nature of the people who are living in these houses.*

Council Member Golden: *And I brought that up and the Chief will make reference to it. I had a wreck on that corner and they asked me to pull into Caring Services. I'm sure you guys probably have got that on your record, but I'm not a resident there or anything. I just happened to be coming down that street. This lines up with exactly what the Chief said.*

Amy Heybrock: *There's nothing on that list. There might be a couple with traffic, but if it was traffic, it would say.*

Council Member Golden: *I know it's in this time period. I know that's how it works.*

Amy Heybrock: *Well, in this list, I don't really see any for traffic. Intoxicated person, trespassing, suspicious person, public disturbance, tons of criminal processes.*

Council Member Hudson: *As I recall what the Chief said with criminal processes, it's serving of warrants and none of these people were actually residents there.*

Amy Heybrock: *Oh, no, they were residents there. These were at the houses.*

Council Member Hudson: *Not according to the Chief. He said they were serving warrants and they don't live there. That's why there's only two arrests..*

Amy Heybrock: *So, why would they serve warrants at houses to people that don't live there?*

Council Member Hudson: *According to what the Chief said, there were no certain warrants served because the people....*

Amy Heybrock: *He said there were no arrests.*

Mayor Wagner: *Well, most of these say "unfounded."*

Council Member Hudson: *The only two arrests were arrests they unfounded, which means they didn't serve a warrant.*

Amy Heybrock: *Criminal process.*

Council Member Ewing: *Can we get the Chief up.*

Chairman Williams: *To make some clarification.*

Council Member Ewing: *I mean we don't look at these every day, so if you could clarify some of the terminology and how the report is deciphered.*

Amy Heybrock: *And did you quote that article to the High Point Enterprise?*

Chief Kenneth Shultz: *I'm not sure which article you're talking about.*

Amy Heybrock: *Ummm, they have a copy of it.*

Chief Shultz: *I was not interviewed by the High Point Enterprise.*

Council Member Ewing: *On this report, Chief.....*

Amy Heybrock: *Ummm, it says Chief Kenneth Shultz called [the calls] "minimal" and "typical" of other residential areas in the city.*

Chief Shultz: *So, that is in a memo that was directed to the Committee.*

Council Member Moore: *A little louder, Chief.*

Chief Shultz: *She's referring to an article in the High Point Enterprise where she says I was interviewed. It appears that is coming from probably the memo that I received....or I submitted to Caring Services.*

Council Member Moore: *And it says what?*

Chief Shultz: *I'm not sure who Lee Sanderlin is. I've not actually spoken to Mr. Sanderlin.*

Amy Heybrock: *But he got it off that report that you had given him.*

Chief Shultz: *Sometimes I'm quoted from media releases. Sometimes I'm quoted from conversations.*

Amy Heybrock: *Does that say the 57 calls in there?*

Chief Shultz: *No, that actually did not. I didn't get specific on that. The paperwork that I'm talking about refers to your guys' questions. I agree, I did a quick look through it and I saw maybe two arrests for warrant service and, unfortunately, the way warrant service is, we go by whatever information is in our computer records system. So, sometimes people have the misfortune of moving out of the house where somebody that was wanted was living and we're continuously looking for those individuals. Unfortunately, some of our citizens find that we come there several times looking until they can prove that he's no longer there or she's no longer there. And we look at water/sewer bills, whatever, to make sure of that change of address and we put that information into the computer system. But different officers, I've got 255 officers, over half are patrol officers, they work in different shifts, so all different shift*

officers can go out and look in that area for those particular individuals. So, at some time, individuals with these addresses, individuals that were wanted had these particular addresses that are listed. My officers went out there and I see two times where we actually found somebody and arrested them.

Amy Heybrock: Which kind of brings up a good point because at the Zoning Board meeting Ms. Hinkle was asked what their success rate was, which she said is 46% I think, which is roughly 50% of the people. So, let's just say roughly that is 50% of the people. So, when you go to arrest somebody, I guess they wouldn't be there maybe because they didn't make it through the program.

Council Member Ewing: Chief, on the call source where it says "self" is that.....

Chief Shultz: Those are self-initiated activity by the Police officer. On one of the pages you'll see transfers, a phone call, 911, a phone call, that's how those are coming in. And if it's "self," that's self-initiated by the officer where they are self-initiating and go out there and try attempting that service of a warrant in these particular cases.

Council Member Ewing: What's the difference, I assume the ones that say 911 are calls that come through 911.

Chief Shultz: 911 are phone, phone would just refer to the non-emergency line generally speaking about a call that came in from a citizen asking us to check something.

Council Member Ewing: And "transfer," where does that come from?

Chief Shultz: A lot of times that probably means it came from like Guilford County Metro 911 or perhaps Davidson County or one of the surrounding areas and it was transferred into communications downstairs where they assumed responsibility for that call and dispatched us jurisdictionally.

Chairman Williams: Thank you, Chief. Do we have any questions from Council to Ms. Heybrock?

Attorney Tom Terrell: I do.

Is it your position that Caring Services is a good organization, but it should be located elsewhere and not on this campus?

Amy Heybrock: Yes.

Attorney Tom Terrell: Do you have a place in Mr. Hudson's district or his ward that you think it should be located?

Amy Heybrock: No, I think they should be in a more rural area than where they are now. I think they shouldn't be in a neighborhood at all.

Attorney Tom Terrell: So, you think they should move out of the City of High Point?

Amy Heybrock: *No, I think there's rural areas within the City of High Point.*

Attorney Tom Terrell: *Is there a rural area in Ms. Peters district or ward that you can identify?*

Amy Heybrock: *No, it's not my place to do that.*

Attorney Tom Terrell: *You said it should be someplace else and you said rural. I'm just trying to get....is there a place in Mr. Williams' or Mr. Golden's ward that you think it should go?*

Amy Heybrock: *It's none, I don't care where they are as long as they're in a rural area.*

Attorney Tom Terrell: *Not near you?*

Amy Heybrock: *I think based on the testimony that I gave here, I would feel safer if they were not in my neighborhood. You know, they said that they haven't had any complaints from their residents. Well, they're in a neighborhood where people wouldn't give complaints. They said that.*

Attorney Tom Terrell: *Were you trying to tell Council that the term "criminal process" means a crime was committed?*

Amy Heybrock: *Ummm, I'm trying to say that, and I looked it up and I didn't bring it with me, but what I was saying is that it's where a paper was served. I wish I had brought it with me, but, yes.*

Attorney Tom Terrell: *Did you hear the Chief's testimony that he did not see any more than a couple of actual arrests at these houses?*

Amy Heybrock: *That's what he said.*

Attorney Tom Terrell: *Do you have any factual basis to challenge what the Chief of Police testified?*

Amy Heybrock: *No, what I have is the papers that I gave to you and the Council showing the Police calls and the presence in those homes as compared to John Wesley. That's the point I was trying to make.*

Attorney Tom Terrell: *Okay, did you hear Ms. Hinkle testify about all the records that were produced on that report earlier tonight?*

Attorney Tom Terrell: *Sure. Did you hear her testify that she could find no evidence in those records of crime committed against a property or the person in the neighborhood by a resident of one of Caring Services homes?*

Amy Heybrock: *I wouldn't expect her to say anything that was going to be against where she works in trying to get this thing through.*

Attorney Tom Terrell: *I'm asking do you have any evidence to contradict her testimony?*

Amy Heybrock: *I don't know the people who live in the houses. All I have is the Police reports.*

Attorney Tom Terrell: *That's a problem isn't it? Because you don't know the person who's listed as a resident or not, is that correct?*

Amy Heybrock: *How would I know that? I have the Police reports that show where the Police were called to those homes.*

Attorney Tom Terrell: *Let's talk about public masturbation. Are you telling the council members that someone who's a resident of one of these homes was accused or arrested for public masturbation?*

Amy Heybrock: *No, I didn't say that at all. What I said was....and let me find it in here. These are the Police notes from the ummm.....*

Chairman Williams: *Alright, are you....*

Attorney Tom Terrell: *I've got a couple more. She's looking for an answer here.*

Amy Heybrock: *No, what I'm saying is the crimes that are taking place at the Caring Services homes that will now will be taking place at.....I didn't say it was the residence, I said it would be taking place now near our homes.*

Attorney Tom Terrell: *Have you been to the Caring Services headquarters?*

Amy Heybrock: *I've ridden by there.*

Attorney Tom Terrell: *Have you been to the homes on Oakwood Street?*

Amy Heybrock: *I've ridden by there.*

Attorney Tom Terrell: *Do you have any idea how much crime is in that community? Do you have any statistics?*

Amy Heybrock: *I imagine a lot based on the testimony that they gave.*

Attorney Tom Terrell: *Do you have any evidence to contradict Ms. Hinkle's testimony that a vast majority of those calls had nothing to do with someone in that house?*

Amy Heybrock: *I didn't say it was in the house. I said if you look at these reports, they give 102 Chestnut Drive, which is the address for the Caring Services main office. That's what all of this is.*

Attorney Tom Terrell: *Do you have any evidence that somebody in a Caring Services home committed a crime against a member of the community?*

Amy Heybrock: *No, and I'm not talking in just simulation to the houses, I'm talking about the business in itself. The people that come there. They have no control. They can't vet everybody who comes into their business, who comes there for help.*

Attorney Tom Terrell: *If Ms. Hinkle testifies that the public masturbation complaint originated from Caring Services about somebody who was in the neighborhood, would you have any basis to contradict that testimony?*

Amy Heybrock: *Ummm, I'm looking right here and the caller at 102....Caring Services, the Caring Services office saw a black male in a tan shirt that was masturbating next to his truck. What I'm trying to get at is the nature of the people who are going to be coming to that area.*

Attorney Tom Terrell: *Are you saying that the people who live in that part of town would then come over to the John Wesley campus because Caring Services has....*

Amy Heybrock: *No, I'm not saying that. I'm saying that the people who come there for services, people for the DWI classes, for different things....all I'm doing is comparing it to what's there right now, what takes place there, people that come there who have had problems on the steps of the Caring Services office.*

Attorney Tom Terrell: *Ms. Hinkle also testified that you were writing emails to people in the community claiming that there would be a daily influx of drug addicts.....*

Amy Heybrock: *Does she have any proof that I sent an email because I've never sent any emails to anyone saying that.*

Attorney Tom Terrell: *Is your email amyhey@aol.com?*

Amy Heybrock: *Yes. David Zaritzky is my neighbor.*

Attorney Tom Terrell: *Did you send him an email that said there will also be a daily influx of people with drug addictions coming to the campus to pick up Naloxen.*

Amy Heybrock: *I don't remember sending that, but how did you get a personal email that I sent to anybody?*

Attorney Tom Terrell: *Is that your email? Do you identify that as an email that you sent?*

Amy Heybrock: *I might have. But you said I sent emails out to the community. David and I were working on this together. I haven't sent one email to anybody other than our attorney and David Zaritzky.*

Attorney Tom Terrell: *Did you hear Ms. Hinkle's testimony about in three years, they've only given out 61 kits that were numbered and they only go to family members?*

Amy Heybrock: *So, if somebody comes there and they need a Naloxone kit, they're not going to give it to them, they're only going to give it to a family member?*

Attorney Tom Terrell: *Did you hear her testimony? That's my question.*

Amy Heybrock: *I think she said most of them.*

Attorney Tom Terrell: *Well, we can get her back up here and we can find it in the record.*

City Attorney JoAnne Carlyle: *Mr. Terrell.....*

Amy Heybrock: *Does she have proof of that? You know what.....*

Chairman Williams: *Okay, Mr. Terrell....*

Attorney Tom Terrell: *Do you have any evidence.....*

Chairman Williams: *Excuse me, order please.*

City Attorney JoAnne Carlyle: *Can we just consider her thoroughly impeached and move on?*

Attorney Tom Terrell: *I was asking if you have any evidence....and this will be my last question.....any evidence to dispute her testimony?*

Amy Heybrock: *Does she have any evidence to prove that only family members got the Naloxone kits?*

Attorney Tom Terrell: *It has the call sheets, yes, she can testify as to what those records were. I think what is before you with the full Police reports and the Chief's testimony stands.*

Chairman Williams: *Is there any other questions for this witness from the audience, from those that have been sworn in?*

Thank you.

Amy Heybrock: *Thank you.*

Chairman Williams: *Next on is Jim Neely. Alright, if you'll give your name. Are you sworn in, Sir?*

Jim Neely: *Yes.*

Chairman Williams: *If you'll give your name and address please.*

Jim Neely: *My name is Jim Neely. I live at 2711 North Centennial Street. Good evening lady and gentlemen. Or maybe I should say good night. [laughter] This is the longest meeting that I've ever been to. I signed up at 5:00. My wife and I live in a house in Lakeside Estates complex. We're very fortunate that we have Oak Hollow Lake in our back yard, absolutely in our back yard. Boaters come up. And we have a college campus in our front yard. It's been a great experience. Our property manager many times says that Lakeside Estates is the best kept secret in High Point. Both my wife and I are in our late 80s, so we know that when one of us goes, the other is going to have to sell the house. And we feel when*

we put it on the market, it will no longer be the best kept secret in High Point, but it'll be that house next door or across the street from the rehabilitation center.

Chairman Williams: *Forgive me, Mr. Neely. Honestly, and I really need everyone to kind of understand this please. If it doesn't meet the criteria, we cannot consider this. I'm just being as....I hope I can make it as clear as possible. If it's not a matter of the things that fit into this criteria. If it's more leaning to the thing of an opinion without the evidence or the testimony to prove it, it has to be provided, but with evidence presented, then we cannot hear this.*

Jim Neely: *You don't want to hear from just a regular citizen?*

Chairman Williams: *It's not that.*

Council Member Moore: *We've got to follow the law.*

Chairman Williams: *Yeah, to follow the law, it has to fit that criteria.*

Jim Neely: *Then what can I say?*

Mayor Wagner: *It's not a question of that. Your opinion that your value of your house is going to go down and that it's going to be harder to sell—only an expert can testify to that.*

City Attorney JoAnne Carlyle: *And there is the actual State Statute that lays that out clearly.*

Jim Neely: *Okay, I'll go to the next step. Can I go to another step?*

City Attorney JoAnne Carlyle: *Please Sir.*

Mayor Wagner: *We'll see what we can do.*

Jim Neely: *As you know, all these five houses that the university bought will be housing men and women with drug and alcohol problems, addiction. North Centennial is a gateway. It's a gateway to High Point's facilities where we have hundreds of people coming by to use Oak Hollow Golf Course, Oak Hollow Lake, Oak Hollow Tennis Complex, and the Campgrounds. So, we would like to keep that as a nice gateway. I was going to say something about something else, but I guess I'll just go listen to somebody. Thank you.*

Chairman Williams: *I really am sorry. Do we have any questions? Okay. Alright, I'll move on to T. J. Mitchell. Do we have T. J. Mitchell here? Alright, then we'll go with Jeff Heybrock.*

Jeff Heybrock: *[speaking from audience] Is it worth making a statement? I'm not trying to present new evidence, I'm just trying to point out something.*

Chairman Williams: *The only thing....and I'll tell you this. The only thing that you can speak to when it comes to that is maybe when it comes to the zoning, but it can't be to the*

Special Use Permit. Okay. That's just in accordance with State Law. I mean I fully hope y'all can understand that.

Alright, so I will go to....it looks like Donovan.

Donavan Hylarides: *I have been sworn.*

Chairman Williams: *If you'll just state your name and address for the record please.*

Attorney Donovan Hylarides: *My name is Donovan Hylarides. I am an attorney with Wyatt Early Harris Wheeler. Our address is 1912 Eastchester. I'm here in a representative capacity. I represent Oak Hollow Acquisition, LLC. Would it be possible to bring up the staff report photograph of the subject property?*

Thank you, Council. As I mentioned, I represent Oak Hollow Acquisition LLC. That is the shopping center that you see right there immediately adjacent to the subject property. There's a Barberitos, a Chicos, and a haircut place and some other things. Oak Hollow Acquisition owns it and the veteran companies operate that. Our only objection to this is it's really a matter of...there are no sidewalks on Eastchester Drive and we are concerned. As you can see, the way to get to the bus stop which is right there in front of....it's sort of in the middle, it's in front of Barberitos if you know where Barberitos is. But it's sort of in the middle of that shopping center and there is just a natural cut through for that shopping center for folks to go in and out of there. I understand that some of these folks may not have transportation. I will say that some of the testimony earlier about only handing out four bus passes a day is positive, but we are concerned. Again, there are no sidewalks. And this is not really a pedestrian-friendly location. So, that's our major concern and I won't get into property values although we haven't had a chance to look at the appraisal. I haven't been able to look at it. I don't know what's in it. So, to impeach that would be very difficult. I also want to say, just to note, I think it's a little unfair to attack some of these folks who have come up with the Police notes and are raising their concern. They don't have access to the other records that have been admitted into evidence today. We haven't seen those, just like Council hasn't seen those. So, to say, folks, it's not fair, you're mischaracterizing the facts, that's not really fair to them. They have what they have in front of them. They're not Police officers. Mr. Shultz, they don't have the benefit of his knowledge. So, they're just trying to get across their concerns and I think it's a little unfair to attack them on the grounds that they are misrepresenting the facts. They have what they have. And that's what they're trying to present. So, that's it. I know it's late. I'm not going to belabor this any further and if y'all have any questions I'll be more than happy to answer them.

Council Member Jones: *You've got 78-100 possible new residents who have to eat and you've got two places that sell food right there and you've got people that don't have transportation. Wouldn't your clients benefit financially from them walking over there and grabbing lunch?*

Attorney Donovan Hylarides: *Well I don't know that they're....we're exchanging the university for something else, so I don't know that. It's more of a replacement of folks, but I couldn't tell you. I don't know what these folks spend their money on. I don't know what the current residents spend their money on. I haven't studied that issue.*

Council Member Golden: Just outside looking in, I see where sidewalks might be an issue, but I do question did everybody that went to the previous university have a vehicle, or did some of them catch the bus also? And if so, why were sidewalks not an issue until now?

Attorney Donovan Hylarides: Well, I don't know if the folks that were going to the university drove, walked. I have no idea.

Council Member Golden: I just asked because you brought up the sidewalks.

Attorney Donovan Hylarides: It wasn't an issue because we haven't had a rezoning thing like this to come up for us.

Council Member Golden: That's all I've got.

Attorney Donovan Hylarides: Any other questions?

Mayor Wagner: Do you have a question for the witness?

Chairman Williams: Just state your name and address.

Justin Waxman: Justin Waxman. 2800 Overview Terrace. And just as a clarification for the question that came from the Committee, you represent the landowners, the property owners of that building not the individual stores that are in it?

Attorney Donovan Hylarides: That's correct.

Justin Waxman: So, you're more concerned from a property value, from an appraisal value, and not whether an extra person buys a burrito at Barberitos tomorrow?

Attorney Donovan Hylarides: Well, again, we can't get into property values. I haven't been able to look at the appraisal, but I have no study on property values one way or the other.

Justin Waxman: I'm more so just getting to the point that you are more interested, you're here representing the vested interest of the owners of the physical property and the building itself, not the individual businesses that pay a lease in there.

Attorney Donovan Hylarides: We represent the company that owns the buildings, but that company is very concerned about companies that pay a lease.

Justin Waxman: Thank you.

Chairman Williams: Are there any other questions for the witness? Thank you, Sir. Next, I have Debbie Gallemore.

Attorney Tom Terrell: She left.

Chairman Williams: She left. Okay. Karen Katsos. [not here] No?

It looks like I have it looks like Jill Alexander.

Unidentified person in the audience: Jill left.

Chairman Williams: How about Jennie Peacock? [not here] Nancy Little? [not here] And Glenda Mabe.

That concludes the names that I have on the list. Yes, Ma'am if you would.

Have you already been sworn?

Unidentified person in audience: Yes. Am I able to pass these out? These tried to be submitted earlier, but I'm in real estate, so I don't know if I'm able to give these out or not.

City Attorney JoAnne Carlyle: Are you the author of those documents?

Unidentified person in audience: I am not, but I have looked at it.

City Attorney JoAnne Carlyle: It's going to be hearsay.

Unidentified person in audience: That's fine. You know, I'm here to.....

Chairman Williams: Can you state your name for the record.

Stacy Hiers: I apologize. Stacy Hiers. Again, I'm with Remax in Greensboro, but I do sell in the whole Triad area. I just want to say in real estate, we've all heard the phrase that it's all about location, location, location. However, we also need to keep in mind what's just as important as the physical location is what's surrounding the location of the properties. When buyers I work with are looking for homes to raise their families, they investigate the surround area, crime stats, school report cards, proximity to health care, road construction, and so much more. The vast majority don't want to be in what they consider high crime, poor schools, declining areas. In doing research about the impact of property values, well, he's going to object, so I'll take that part out.

Attorney Tom Terrell: Actually, I object to going forward because you're starting to give an opinion on something. She's not been qualified as an appraiser. She's not been qualified as an economist. She's not said she's done any type of studies. She's here to give an opinion about what people think.

Stacy Hiers: No, you haven't let me.

Attorney Tom Terrell: That's precisely what our courts have said over and over and over again. Our courts have applied those principles to land use and zoning cases and this is a blatant effort to attempt to give opinions in the form of facts.

Chairman Williams: Madam Attorney....

City Attorney JoAnne Carlyle: I was already having some questions about whether or not she was leaning towards an expert witness, being tendered as such and by whom.

Stacy Hiers: *My clients have left. They needed to leave. So, you know, I can speak from the point of when I've worked with buyers and when they find, you know, about facilities that are near homes that they are considering. I'm happy to speak in that regard. And I have expert, I mean I've been doing this for 15 years.*

Attorney Tom Terrell: *Did you bring a Market Impact Study with you?*

Stacy Hiers: *No Sir, I didn't because you know I'm a real estate professional. I'm not a lawyer. I'm not an economist.*

Attorney Tom Terrell: *And you're not an appraiser.*

Stacy Hiers: *No, I'm a real estate broker.*

Attorney Tom Terrell: *And you didn't bring a Market Impact Study or any type of factual data from a study?*

Stacy Hiers: *Well, I did, but you won't let me present that because I'm not the author of it.*

Attorney Tom Terrell: *Then I fully object.*

City Attorney JoAnne Carlyle: *Ummmm, okay, I know, I know. If there are some factual statements in the documents that she has that she adopts as her own as an expert and she can lay the foundation.*

Attorney Tom Terrell: *She could, but she still can't offer an opinion as to the effect. It's incompetent as a matter of Statute.*

City Attorney JoAnne Carlyle: *I'm trying.*

Stacy Hiers: *And that's fine. You know, I mean I think everybody here....we're tired, we're hungry, we're ready to go home. You know it's one of those things that, you know, I have experience in this field for over 15 years.*

Chairman Williams: *Ma'am, honestly, that's not the reasoning.*

Stacy Hiers: *I understand. I understand that there's rules. And, again, I've got this data, "Not in My Back Yard." There was a research study done that has been published also by the National Association of Realtors, which is my....*

Attorney Tom Terrell: *Objection.*

Council Member Ewing: *I think, and to agree with what Mr. Terrell is saying and JoAnne is saying, you could qualify as an expert if you have local documentation, which correlated to that study. Is that correct?*

Attorney Tom Terrell: *If she has.....well actually I don't think she can have anything to correlate to that study.*

City Attorney JoAnne Carlyle: Yeah, it would have to be something that tied it directly to your permit that you're considering and her personal expert experience that she would be testifying to.

Attorney Tom Terrell: But still, she'd have to bring in her own data. *The Sun Suites v. the City of Garner* that I mentioned earlier. It's in Statute 160A-383. We can bring that statute back up. I think it's okay to talk about what people do when they're buying or selling a home, but you can't use that testimony to say that it would have an impact.

Stacy Hiers: And in my experience it does. So, you know, you're a lawyer, I'm a real estate professional.

Council Member Golden: With that being said, could we ask her a question anyway? I'm just curious, are you here as yourself, or are you here as a Remax rep?

Stacy Hiers: I am here at the request of some clients that I sold a house to on Clinard.

Council Member Golden: Remax has nothing to do with this?

Stacy Hiers: No, that's the firm that I work with.

Council Member Golden: Okay, I just wanted to make sure.

Chairman Williams: Alright, are there any other questions from Council to this witness?

Council Member Moore: In your 15 years when you're selling to a perspective residential homebuyer, in the review of the appraisal, was there a facility such as this? If you see that, do you declare that to the potential buyer?

Stacy Hiers: I do because I would rather tell everything. I do not believe that it is one of the material facts that we have to disclose, but I always err on the side of caution.

Council Member Moore: I get it. But, by law the appraiser doesn't have to disclose that?

Stacy Hiers: The appraiser may or may not have knowledge of that. Correct. I'm married to an appraiser by fact and he, you know, he knew that I was coming here and he said that they don't normally have to disclose that either.

Chairman Williams: Is there any other questions for this witness from Council? Alright, Sir.

Justin Waxman: Justin Waxman, 2800 Overview Terrace. In your expert opinion, in your experience with customers, when you've given disclosures like that, has there been apprehension in the sale?

Stacy Hiers: Absolutely.

Justin Waxman: Thank you.

Chairman Williams: Are there any other questions?

Council Member Golden: Was that not an opinion?

Attorney Tom Terrell: How many times have you disclosed the presence of a facility like this?

Stacy Hiers: I had one house on Friendly Avenue. It was a group home. I'm not exactly sure what their dynamics were, but I chose to disclose that to a buyer. So, there's one incident.

Attorney Tom Terrell: What was negative about that group home? Did they create noise?

Stacy Hiers: That's not for me to judge. I just disclosed that there is a group home here with multi-family. It may have been a zoning violation. I don't know. It was just my job to disclose that to the potential buyers.

Attorney Tom Terrell: Was there extra traffic coming from it?

Stacy Hiers: I don't know how familiar you are with Greensboro, but Friendly Avenue is a very busy road.

Attorney Tom Terrell: I work in Greensboro. I'm asking you this question. I mean, was there extra traffic that would have caused.....

Stacy Hiers: I didn't sit on the porch of this property and watch how many cars went by.

Attorney Tom Terrell: Was there a pollution caused by that group home just mentioned that created a negative effect?

Stacy Hiers: It's not my decision. As an agent, I have to disclose what I feel my buyers need. It's their decision to determine if pollution is a factor, if extra traffic is a factor, if noise is a factor. That's not a decision that I will make for my client.

Attorney Tom Terrell: But you didn't have those factors to disclose about that home, did you?

Stacy Hiers: They can do their own homework and they can determine what impact they can have. They can sit on the front porch and they can look at the traffic that might impact in and out of their house.

Attorney Tom Terrell: But you don't know of any factors?

Stacy Hiers: I just said that I do not know because that's not what I needed to know.

Chairman Williams: Thank you. Are there any other questions?

Council Member Jones: A quick question for the City Attorney. Just for my own clarification purposes, even if I did not want Caring Services to be there for whatever reason,

the only reason that we can deny it is if someone proves that it would violate one of those things?

City Attorney JoAnne Carlyle: *Yeah, if it doesn't meet those, I think there's five criteria.*

Council Member Jones: *Then we can't deny it. Okay, just to be clear.*

Chairman Williams: *Okay. Since there are no more questions and no more signed witnesses to come, I am going to close.....*

Attorney Tom Terrell: *We do have the right of rebuttal. I think I can skip that if we have the right to take a couple of minutes to close to summarize the evidence that you have. I'll make it very short. Very quick. There's no evidence that this would harm **Public Health or Public Safety**. We presented you the full reports, not just the little cryptic notes that you get. We have Chief Shultz's testimony, which is the best testimony that we have. Ms. Hinkle has also testified. She has gone through all of those reports. There is no evidence of crime committed by anybody in one of these homes against the property of a neighbor or the person of a neighbor. The issue with sexual offenders is what we call a classic red herring where somebody tries to inject a highly emotional issue to create a different narrative and this narrative would be do we think it's bad to have sexual offenders in our society? That is not the issue that you are asked to address tonight. You have standards in your ordinance. For **Property Values**, we brought in a Certified Appraiser who has testified based on actual data that these homes do not have any type of negative impact on their....on abutting land. With respect to **Harmony and Consistency**, of course, you have your own staff's statement on that, but what we showed you is that these homes do not bring crime. People who have gone through it themselves say they were mistaken. They had fears before, but once they had actually lived next to one, those fears because unfounded. And I will say this as my final statement. There were a lot of fears about people coming in here tonight and at Planning & Zoning, but we have testimony that we have a very high percentage of people in our community, our nation, our world that have issues with alcohol and substance abuse. They sit beside you on the pew at church and you may not know it. They are the parents dropping kids off at their child's daycare. They are your neighbors. They are good people. They are your colleagues, your employers, employees. They are good people. These are people who are in the furniture industry, the textile industry, the real estate industry, government, but they're good people and when they have these problems, they need a help to get out. And that's what Caring Services does and this campus would be an outstanding location for that and they've met the standards. We thank you for your time. It has been long, but we ask you to consider the actual evidence and find that this Special Use Permit should be issued. Thank you.*

Chairman Williams: *Thank you, Mr. Terrell. On that note, we will close....*

City Attorney Joanne Carlyle: *No, you're going to leave the Evidentiary Hearing open while Council deliberates in case there are any questions from Council Members or anything else that could be unforeseen at this point.*

Chairman Williams: *Alright, so does Council have any more questions for either of the parties or witnesses before we deliberate? Alright, so hearing no more additional questions, the Council will begin this deliberation. Please note that the Evidentiary Hearing remains*

open so that the Council may ask clarifying questions if needed and as a reminder, Council is tasked with making a decision based on the evidence presented during this hearing. This decision cannot be based on personal preference of Council Members. Council Members are reminded to reference applicable standards and specific evidence in your deliberation. During our deliberation, if the Council should pose a question to party or non-party witnesses, please come back to the podium and respond only to what is asked. I will now call for a MOTION.

Do we need to the Zoning first?

City Attorney Joanne Carlyle: That's what I was going to ask. If you guys want to go ahead and address the Zoning Map Amendment and take care of that.

Chairman Williams: I guess I'll call for MOTION for the Zoning Map Amendment.

Council Member Golden: I MOVE for APPROVAL.

Mayor Wagner: Okay, there's a MOTION for APPROVAL OF Zoning Map Amendment 18-07. Is there a second?

Council Member Hudson: SECOND.

Mayor Wagner: There's a SECOND by Mr. Hudson. Okay, is there any further discussion on the Zoning Map Amendment? This is not the Special Use Permit, but only the Zoning Map Amendment for the single house, I think Building 7. Is there any other discussion? Hearing none, then all those in favor of the APPROVAL of the Zoning Map Amendment, please signify by saying Aye.

Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing: Aye.

Mayor Wagner: Is there anyone opposed? [none] Okay, the Zoning Map Amendment PASSES. [9-0 vote]

Chairman Williams: I guess we make a MOTION on the next item.

Council Member Ewing: I MOVE approval of the Special Use Permit for a period of two years from its activation date.

City Attorney JoAnne Carlyle: There has been a condition that has been offered also by the applicant tonight. I think that issue needs to be addressed.

Mayor Wagner: The condition regarding sex offenders?

City Attorney JoAnne Carlyle: It is regarding the sex offenders.

Council Member Ewing: I'd like to amend the MOTION to include the additional conditions offered by the applicant that Caring Services offers the following **CONDITIONS:**

1. ***That the applicant shall not house any man or woman on the property who, after conviction, is listed on the N.C. Registry of Sexual Offenders.***

City Attorney Joanne Carlyle: That would be in your MOTION and the Special Use Permit would be valid for two years?

Council Member Ewing: Correct.

Council Member Golden: Can I ask why the two years?

Council Member Ewing: I believe that they do provide a valuable service and I think two years would give everyone the ability to see how they fit in with that area. If we have a lot of issues. Eastchester and Centennial, those are two main roadways. So, there's been a lot of concerns brought up tonight and I'd like to have the ability to sort of see how they operate for two years and have them come back to us in two years.

Council Member Golden: Is this a purchase or a lease?

Council Member Moore: Say that again, Jeff.

Council Member Golden: Is this a purchase or a lease? Because, you know, we can't ask somebody to purchase some property and then in two years come back and say, oh, by the way we don't like how you're doing business, so get out. I mean we're either doing this thing or we're not.

Council Member Ewing: In two years, it be the same here.

Mayor Wagner: Is there a SECOND for this MOTION?

Council Member Golden: I'll make a **SUBSTITUTE MOTION** without the....

Mayor Wagner: Well there's no SECOND, so that MOTION has DIED.

Council Member Moore: Alright. Go back and resubmit that.

Mayor Wagner: Hold on just a moment. Let's see what.....our City Attorney is digging for some information over there. Let's find out what's going on. Ms. Carlyle, do you have some information for us?

[City Attorney JoAnne Carlyle is deliberating with the Planning staff, along with Attorney Tom Terrell]

City Attorney JoAnne Carlyle: Okay. So, the conversation with the Planning Department or began with the Planning Department and began to involve Mr. Terrell as well. With regards to the limitation of the two-year period, there has to be some legitimate reason based on one of the five criteria that that limitation could be placed upon. There's also a question in my mind if indeed the Council arrives at a CONCLUSION on one of those criteria for some form of limitation as to when the clock would begin because the applicant, remember, has 18

months to begin to get everything in place. There has been some discussion, instead of there being some form of limitation in the manner in which your motion was phrased, to consider a revocation within a certain period of time. But I tell you all of that because out of those five criteria, if you're going to have some form of a limitation, it has to be based on that. I have the expert planner here, Mr. Burnette, that I said if you want to address this more specifically, then Lee can certainly weigh in, but I think that's kind of it in a nutshell. And, of course, the applicant has issues of the financing and being able to finance if there is a limitation set on it because they're in the process of purchasing the property.

Council Member Moore: So, this is going to be a purchase?

City Attorney JoAnne Carlyle: Yes, which might result in it being a moot point that you even gave them the SUP tonight.

Mayor Wagner: Well, then I would say that Mr. Ewing's MOTION DIED from the lack of a SECOND.

City Attorney JoAnne Carlyle: It's dead. It's gone.

Attorney Tom Terrell: I will add, as we discussed, if at any time, not just over a period of time, that there is a violation of the Zoning Ordinance, any Certificate of Occupancy can be revoked if, under certain circumstances, you fail to abide by what the local laws are.

City Attorney Joanne Carlyle: And, Mr. Burnette, tell me if I'm phrasing this correctly. There are occasions where you can place a limitation similar to what your motion is; however, especially at this late hour tonight and the volume of information that you have received, I'm not sure that you are able to do that tonight and do it accurately in such that it would withstand any challenge. I would have preferred to have said that to my client in closed session, but here we are.

Council Member Ewing: But if relocation is an option down the road, if there are concerns that slip by that do show violation of the ordinance, I think that's something we can address at that time.

Mayor Wagner: It's a permit that can be revoked. Correct?

Planning Director Lee Burnette: It's a permit that can be revoked on the Council's finding that there's a violation and the violation can be a violation of the ordinance, a violation of the condition of approval.

City Attorney Joanne Carlyle: Otherwise, you know that it runs with the land.

Council Member Moore: Which would be these five things that we've been talking about that they have to meet?

City Attorney JoAnne Carlyle: Yes.

Mayor Wagner: So, for instance if, at a later time, we determine that the use on the property was a threat to the public health and public safety....

City Attorney Joanne Carlyle: *Harmony or any of those.*

Mayor Wagner: *On any of those, we would have the grounds to revoke. If a majority of the Council determined that.*

City Attorney Joanne Carlyle: *Right, based on the facts that you would receive at that time.*

Mayor Wagner: *Is there a MOTION regarding this matter?*

Council Member Golden: *Yes. I MOVE for APPROVAL.*

Mayor Wagner: *Okay, there's a MOTION for APPROVING the Special Use Permit. Is there a SECOND?*

City Attorney JoAnne Carlyle: *It does include the condition?*

Council Member Golden: *Yes, absolutely.*

Council Member Hudson: *SECOND.*

Mayor Wagner: *There's a MOTION and a SECOND for APPROVAL of Special Use Permit 18-03. Is there any further discussion?*

Council Member Moore: *This is for confirmation. There will be no resident in this property with a sexual offense?*

Chairman Williams: *That's what that condition is.*

Council Member Moore: *Okay.*

Mayor Wagner: *Is there any further discussion?*

Council Member Peters: *I'd like to make one quick comment. You know any time we make a decision, there's some people that are going to be happy and some that are not going to be happy. I truly understand everyone's concerns about safety and everything, but on West Lexington, there's a Caring Services house right near my house and on Kensington and they have kept excellent care and I've not seen any problems.*

Council Member Jones: *I'm going to echo what Monica is saying. This is a tough one and knowing what's coming up, I definitely prayed about it and was open minded and I came here tonight even though I know about Caring Services, I was open to the fact that there may be some evidence that proved to me that we might not be able to afford them the Special Use Permit. That was a possibility. And we have to realize that and respect it, but to this point I don't feel like anything insufficient has been proven to me that those criteria would be violated by them locating there.*

Mayor Wagner: *Is there any further discussion?*

Council Member Ewing: *I have one thing to ask Caring Services. To evaluate from a public safety standpoint, we spoke about the bus stop there and no sidewalks. Try to evaluate how many clients you have on a day-to-day basis so that we can address the need. Because we have a sidewalk assessment, especially connectivity to a bus stop like PART. There might be some partnerships there and some funding capabilities that we can partner with PART and DOT to create sidewalks.*

Mayor Wagner: *I think the instructions from our attorney state that it is important that we address the issues of the required FINDINGS.*

City Attorney JoAnne Carlyle: *That can be done through the adoption of the staff report.*

Mayor Wagner: *Should we have a friendly amendment then?*

City Attorney JoAnne Carlyle: *Yes.*

Mayor Wagner: *We'll accept a FRIENDLY AMENDMENT to adopt the FINDINGS in the staff report.*

Council Member Golden: *I accept.*

Mayor Wagner: *Okay, is there any further discussion of this item? Hearing none, then all those in favor of **APPROVAL OF SPECIAL USE PERMIT 18-03** please signify by saying Aye.*

Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing: *Aye.*

Mayor Wagner: *Is there anyone opposed? [none] **That MOTION PASSES.** [9-0 vote]*

The written Order of the Decision of the Council will be provided to the applicant and all other parties with a right to such notice as required by state law. Parties have 30 days from receipt of the Order to appeal this decision to Superior Court.

This hearing is now concluded.

[end of transcript]

Adopted an Ordinance approving Zoning Map Amendment 18-07 to rezoning approximately 21 acres from the Single Family Residential-3 (R-3) District and a Conditional Use Institutional (CU-I) District to a Conditional Zoning Institutional (CZ-I) District based on the following Consistency Statement and Reasonableness Statement as outlined in the Staff Report.

Consistency Statement

The institutional zoning request is generally consistent with the Land Use Plan map.

Reasonableness Statement

The request is reasonable as the area of the proposed expansion is currently surrounded on three sides by an existing institutional use and the proposed use will not significantly increase development intensity of allowable institutional uses.

Ordinance No. 7430/18-59

Ordinance Book, Volume XX, Page 59

Introduced 7/16/2018; Adopted 7/16/2018

2018-253 Caring Services, Inc. - Special Use 18-03

A Special Use request by Caring Services, Inc. to allow a Major Social Service Facility use in a Conditional Zoning Institutional (CZ-I) District. The site lies approximately 900 feet north of the intersection of Eastchester Drive and N. Centennial Street, between Eastchester Drive and N. Centennial Street.

The joint public hearing for this matter and related Matter **2018-252 Caring Services, Inc.- Zoning Map Amendment 18-07** was held on Monday, July 16, 2018 at 5:30 p.m.

*Note: For a full transcript of the proceedings regarding Matter 2018-253 Special Use 18-03, please refer to **Matter 2018-252 Zoning Map Amendment 18-07**.*

Approved Special Use 18-03 and adopted the FINDINGS as outlined in the Staff Report with the inclusion of the following additional Condition:

- 1. The applicant shall not house any man or woman on the property who, after conviction, is listed on the N.C. Registry of Sexual Offenders.**

A motion was made by Council Member Golden, seconded by Council Member Hudson, that this matter be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

GENERAL BUSINESS AGENDA**2018-241 Boards & Commission - Reappointment - Board of Adjustment**

Mayor Wagner is recommending the reappointment of Deborah Davis to the Board of Adjustment. Reappointment will be effective immediately and will expire July 1, 2021.

A motion was made by Mayor Wagner, seconded by Council Member Ewing, that this reappointment be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-242 Boards & Commissions - Appointment/Reappointments - Citizens Advisory Council

Mayor Wagner is recommending the reappointment of Donald Belton to the Citizens Advisory Council and Mayor Pro Tem Williams is recommending the appointment of Cyril Jefferson. Both appointments are effective immediately and will expire May 31, 2020. Council Member Golden is recommending the reappointment of Willie Davis as the Ward 1 appointment. This appointment will be effective immediately and will expire May 31, 2021.

A motion was made by Mayor Wagner, seconded by Council Member Ewing, that these appointments/reappointments be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-243 Boards & Commission - Reappointment - Guilford County/City Insurance Advisory Committee

Mayor Jay Wagner is recommending the reappointment of Rudy Hinnant to the Guilford County/City Insurance Advisory Committee effective immediately term expiring December 22, 2020

A motion was made by Mayor Wagner, seconded by Council Member Ewing, that this reappointment be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-244 Boards & Commissions - Reappointment - Historic Preservation Commission

Council Member Britt Moore is recommending the reappointment of Janet Catania as the At-Large appointment. Council Member Hudson is recommending the reappointment of Mary Powell DeLille as the Ward 4 appointment. Both reappointments will be effective immediately and will expire July 1, 2021.

A motion was made by Mayor Wagner, seconded by Council Member Ewing, that these reappointments be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-245 Boards & Commissions - Reappointments - Library Board of Trustees

Mayor Pro Tem Williams is recommending the reappointment of Forrest Littleton as the Ward 2 appointment term expiring November 1, 2019; Council Member Britt Moore is

recommending the reappointment of Philip Flynt as the At-Large appointment term expiring November 1, 2020; Council Member Victor Jones is recommending the reappointment of Dorotea Evans as the Ward 5 appointment term expiring November 1, 2020.

A motion was made by Mayor Wagner, seconded by Council Member Ewing, that these reappointments be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-246 Boards & Commissions - Reappointment - Parks & Recreation

Mayor Pro Tem Chris Williams is recommending the reappointment of Jerry Archie as the Ward 2 appointment and Council Member Victor Jones is recommending the reappointment of Gary Ollis as the Ward 5 appointment; both reappointments are effective immediately with terms expiring July 1, 2021.

A motion was made by Mayor Wagner, seconded by Council Member Ewing, that these reappointments be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-247 Boards & Commissions - Reappointments - Planning & Zoning Commission

Council Member Britt Moore is recommending the reappointment of Tom Kirkman as the At-Large appointment and Council Member Peters is recommending the reappointment of James Armstrong as the Ward 3 appointment; both reappointments are effective immediately with terms expiring July 1, 2021.

A motion was made by Mayor Wagner, seconded by Council Member Ewing, that these reappointments be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-260 Boards & Commissions - Reappointments - Theatre Advisory Board

Council Member Wesley Hudson is recommending the following for reappointment to the Theatre Advisory Commission: Tom Blount, Nho Bui, Clay Fielding and Nikki Lee. Reappointments are effective immediately with terms expiring on June 1, 2021.

A motion was made by Mayor Wagner, seconded by Council Member Ewing, that these reappointments be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018-256 Approval of City Council Minutes

High Point City Council Special Meeting; Wednesday, June 13th @ 3:00 p.m.

Finance Committee Meeting; Thursday, June 14th @ 4:00 p.m.

High Point City Council Special Meeting; Monday, June 18th @ 4:30 p.m.

High Point City Council Regular Meeting; Monday, June 18th @ 5:30 p.m.

A motion was made by Mayor Wagner, seconded by Council Member Ewing, that these minutes be approved as submitted by the City Clerk. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Ewing

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 11:24 p.m. upon motion duly made and seconded.

Respectfully submitted,

Jay W. Wagner, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk

Profile

Jeffrey

First Name

Mittelstadt

Last Name

jeff@wildsides.org

Email Address

1218 Westminster Drive

Street Address

Suite or Apt

High Point

City

NC

State

27262

Postal Code

What district do you live in? *

☒ Within High Point Corporate Limits

Mobile: (919) 308-9187

Primary Phone

Home:

Alternate Phone

WildSides, Inc.

Employer

Which Boards would you like to apply for?

Theatre Advisory Commission: Submitted

3

Ward you reside in?

Interests & Experiences

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

I would be absolutely honored to serve on the Theatre Advisory Commission! Everywhere I have lived I prioritize getting involved in my community. I think this would be a perfect match for me to get involved in High Point. When I lived in Davidson, NC (from where I moved to High Point) I was on the board of an entrepreneurial start-up incubator and on the board of the Davidson Farmer's Market. These positions are listed toward the end of my full CV (attached), under the heading "Select Volunteer Experience". More specifically, my work in film and media fits very well with the mission and function of the High Point Theatre. The detailed description of my work for my start-up, non-profit production company starts on the first page of the CV and my awards/honors are listed on page eight (I included some of them below). My master's degree in journalism, from The University of North Carolina at Chapel Hill, concentrated in video and multimedia journalism. Finally, I also have experience with fundraising and grants. I provided a list of those with details on page ten of the CV. I am happy to answer any questions or comments. Please feel free to contact me at any time! Many Thanks & Best Wishes, Jeffrey Mittelstadt

Sample of Honors:
HONORS FOR FEATURE DOCUMENTARY FILM: STARING DOWN FATE, WILDSIDES, INC. · Official Selection and Winner of Best Feature Film, August, 2017 Sunrise 45 Film Festival, Alpena, MI · Official Selection, Winner of Atman Award for Diversity, and Nominated for Best Feature Documentary and Best Southern States Film, January, 2018 Southern States Indie FanFilmFest, Biloxi, MS · Official Selection and Honorable Mention (2nd Place) Feature Documentary, November, 2017 Southern City Film Festival, Aiken, SC · Official Selection, October, 2017 The Awareness Film Festival, Los Angeles, CA · Official Selection, June, 2017 Canadian Diversity Film Festival

[20180703_Mittelstadt_Jeffrey_CV.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:

Gender

☒ Male

JEFFREY MICHAEL MITTELSTADT
1218 Westminster Dr. ♦ High Point, NC 27262
(919) 308-9187 ♦ jeff@wildsides.org

EDUCATION

THE UNIVERSITY OF NORTH CAROLINA

Chapel Hill, NC

SCHOOL OF JOURNALISM AND MASS COMMUNICATION

Master of Journalism and Mass Communication, May 2012.

Concentration in Visual Communications - Photojournalism, Video, Multimedia Storytelling.

Thesis: *WildSides: A Nonprofit Environmental Start-Up*.

Committee: Penelope Muse Abernathy (Chair), Victor Flatt, and Chad Stevens.

Multiple short documentary films and articles published.

THE UNIVERSITY OF NORTH CAROLINA

Chapel Hill, NC

KENAN-FLAGLER BUSINESS SCHOOL

Master of Business Administration, May 2007.

Concentrations in Entrepreneurship and Sustainable Enterprise.

Vice President, Entrepreneurship Club.

Developed and wrote business plan and provided financial modeling for successful Nigerian radio station to teach business, entrepreneurship, and health awareness to individuals and communities in rural Nigeria.

DUKE UNIVERSITY

Durham, NC

NICHOLAS SCHOOL OF THE ENVIRONMENT AND EARTH SCIENCES

Master of Environmental Management, May 2003.

Concentration in Resource Economics and Policy.

Master's Project: *Cost-Benefit Analysis of \$30.3M Nigerian Water Privatization Project*.

Committee Chair: Randall Kramer.

DAVIDSON COLLEGE

Davidson, NC

Bachelor of Arts, Psychology, May 1999.

Semester abroad at Lancaster University, Lancaster, UK.

PROFESSIONAL EXPERIENCE

WILDSIDES, INC., Boston, MA - High Point, NC

2012 - Present

President, Founder and Filmmaker. Nonprofit organization producing documentary and educational media about human-wildlife conflict issues and the human stories on all sides of those issues.

- Developed business plan and manage on-going business model for educational and documentary media, community engagement, presentations, and more.
- Fundraise for films and educational media projects.
- Design, create and maintain the WildSides website and podcasts: www.WildSides.org.
- Manage, implement and adjust marketing strategy for media projects and organization.
- Manage financials and accounting with help of the Treasurer from our Board of Directors.

- Organize and manage Board of Directors and Board of Advisors.
- Develop and manage partnerships and industry relationships in media, educational institutions, science, government, non-profit sector and more.
- Provided an independent study in merging scientific, journalistic and creative writing for a student at Alma College in Michigan.
- Development, design, marketing, fundraising, production, recording, filming and editing of WildSides' summer 2018 journalism and education multimedia project titled *Red Wolf Conflict Untangled*. <http://www.WildSides.org/red-wolf/>
- Development, design, management and implementation of WildSides' youth initiative titled *WildSides Youth Storytelling for Empowerment, WYS(e)*. www.WildSides.org/youth-storytellers/
- Produced, wrote, filmed, edited and directed award-winning feature-length documentary film, *Staring Down Fate*. www.StaringDownFate.com.
- Managed and directed student interns, co-storyline editor, support cameras and more-*Staring Down Fate*.
- Developed pro bono support relationship with Mandy Barrett Design, Inc. which developed WildSides' logo and *Staring Down Fate's* movie poster.
- Hired and managed five student contractors to create motion graphics and an acclaimed filmmaker, Bobby Bailey, as co-story line editor for *Staring Down Fate*.
- Developed short films about the endangered red wolf: wildsides.org/redwolf for 2012 prototype endangered species-human conflict site: <http://jeffmittlestadt.com/wildsides.org/RedWolf/MASTER/>. Revising these short films and their presentation for updated release in 2018.
- Developed short films about whale conservation efforts on the eastern coast of the U.S.
- Produced, wrote, filmed, edited and directed an award-winning short educational film about the threats to an endangered whale species: *Plight of the North Atlantic Right Whale*.
- In addition to the film festivals listed in the Selected Honors and Awards section below, *Plight of the North Atlantic Right Whale* played in the New Bedford Whaling Museum and the Audubon Society of Rhode Island's Environmental Education Center.

DAVIDSON COLLEGE, Davidson, NC

2012 - 2015

Founding Director of Sustainability. *Organized and led Davidson College's sustainability efforts.*

- Taught most divisions and departments of Davidson College about what the triple bottom line of sustainability is: the confluence of environmental integrity, social equity and economic prosperity. Presented about the opportunities created by utilizing the triple bottom line.
- Worked with all divisions and departments of Davidson College to determine ways sustainability can help them meet their goals, go beyond their immediate goals and create new opportunity.
- Implemented use of the Design Thinking process for creating, identifying, implementing and refining sustainability solutions and multimedia communications across myriad topics and issues.
- Taught and trained students how to implement and use the Design Thinking process for sustainability, multimedia design and communications, and entrepreneurship.
- Worked with Career Services to develop guidance for students looking for careers in sustainability or for students who want to supplement their careers with sustainability-based goals.

- Worked with College Relations, Development, Admissions, Investments, Auxiliary Services (including Dining Services and Catering), Facilities (including Farm, Composting, Energy, Water, Grounds, Athletics, etc.) and other offices on sustainability-related activities.
- Hired and managed a Sustainability Fellow each year. This is a recent Davidson College graduate who is hired for a full-time position to support all the work of the sustainability office. Taught the Sustainability Fellow leadership, management, sustainability, entrepreneurship, multimedia design and speaking skills.
- Hired and managed STARS (Sustainability, Tracking, Assessment & Rating System), Environmental Justice, Federal work-study and Sustainability in Sports student interns during the academic year in the Office of Sustainability. Expanded from six to 18 student interns, managing their hours, overseeing their projects and providing training in design thinking, multimedia communications and sustainability. Placed interns on work teams organized by topic like water, energy, waste, food and farm, athletics, business/investment/entrepreneurship, etc.
- Developed and ran a program with more than ten student interns as well as multiple existing courses to create a Food and Sustainability digital education and multimedia environment for educational, awareness and best practice-sharing purposes. This “environment” included a website, an internal portal for local restaurants to input sustainability information, and an entrepreneurship internship program to develop a mobile app from design to implementation for students, local residents and visitors to learn about sustainability information related to local restaurants. Implemented the Design Thinking process for all components of the initiative. The purpose of this program was to document and share information about local, national and global food systems through multimedia narratives, information graphics, motion graphics, writing, photo essay, data-sharing and more. food.davidson.edu.
- Began first ongoing effort to gather data for The Sustainability Tracking, Assessment & Rating System (STARS), which is a self-reporting process for colleges and universities to measure their sustainability baseline, performance and plan improvements. Used this as a teaching opportunity for data collection, data analysis and sustainability communications.
- Developed, began and implemented Davidson College’s Sustainability in Sports Initiative. This initiative used sports as a lens to discuss sustainability issues within the triple bottom line context of social equity, environmental integrity and economic prosperity. The initiative included fostering conversation about sustainability in sports throughout the community, hosting a national business plan competition, and creating and supporting the Student Athlete Sustainability Coalition at Davidson College.
- Created, marketed nationally, implemented and managed The Next Play Venture Tournament for Sustainability and Sports. The Next Play was a national competition for student-led business plans that aim to make the sports industry more sustainable and provide solutions that utilize sports to drive engagement in sustainability issues. In April 2014, this first-of-its-kind business plan competition hosted 10 teams of undergraduate and graduate students from around the United States to pitch their ventures at Davidson College. The competition grew to 14 teams in 2015. In order to cover the Triple Bottom Line of sustainability, the tournament accepted ventures in these tracks: facilities, products and non-profits.
- Led, marketed and managed Davidson College’s summer Sustainability Scholars internship program placing students with organizations (for-profit and non-profit) to work on sustainability-related projects. Students live together to learn about sustainable and community living. Produced and led community sustainability learning opportunities for students during this program. Applied for and received funding, along with other Davidson College programs, to expand the program to its first satellite location in The

Triangle area of North Carolina growing the program from ten scholars to 15 scholars in 2015. <http://sustainabilityscholars.com>.

NEWS21 POWERINGANATION.UNC.EDU, Chapel Hill, NC

Summer, 2011

Carnegie-Knight Fellow. Roles on this ten-week journalism project included copy editor, writer, researcher, videographer and photographer for the interactive multi-media project *Coal: A Love Story*.

- Our team spent 10 weeks developing an award-winning journalism multimedia project that showed the complexities of our relationship with coal. The finished product showed how coal powers our lives and provided a sense of what that means for people on different sides of the issue.
- The resulting website, <https://coalalovestory.unc.edu>, includes short documentary films, motion graphics, interactive graphics and other media to provide a glimpse into the lives of people on multiple sides of issues related to coal, to educate the viewer about coal issues and to provide personalized information about coal based on the geography of the viewer.
- Researched all economics, health, social and environmental impacts of coal mining, coal transportation and coal-fired power plants. Communicated this information in a digestible and understandable manner for people with all educational backgrounds across the United States.
- Copy edited all portions of the *Coal: A Love Story* multimedia project.
- Conducted on-location research, story development and filming in Montana and Wyoming.
- Interviewed cattle ranchers, coal miners, citizens and politicians in the Powder River Basin, which includes the mining operations and coal reserves throughout Wyoming and southeastern Montana.
- Provided all energy and industry research connecting mines with coal-fired power plants, including organization of all coal purchase/transaction receipts, company research and more.

NATIONAL COUNCIL FOR ADVANCED MANUFACTURING, Washington, DC

2008 - 2010

Vice President, Sustainable Manufacturing and Business Development. Responsible for strategy development, sustainable manufacturing efforts, and National Council for Advanced Manufacturing (NACFAM) business development.

- Designed, implemented and managed all of NACFAM's sustainable manufacturing efforts.
- Developed a Sustainable Manufacturing Hub website for sustainability information, data and stakeholder information and best practices exchange.
- Developed a sustainable manufacturing newsletter for NACFAM membership and partners to highlight news, events, and information related to sustainable manufacturing, green jobs in manufacturing, and environment.
- Managed Green Jobs in Manufacturing activities including writing a white paper posted by the Department of Labor on their workforce development website and an article titled *Green Jobs in Manufacturing* specifically targeting the manufacturing workforce development and green jobs program development communities in Global Corporate Xpansion – Winter 2009 Issue.
- Developed marketing brochures, surveys and enhanced NACFAM's business model to increase revenue, membership and reputation in Washington, D.C.
- Developed sustainability lifecycle business decision-making framework model addressing environmental impacts, energy, waste, financial and other sustainability indicators for three Fortune 100 NACFAM-

member companies. Received large grant from the National Institute for Standards and Technology to finish the model and make it applicable to and usable by all sizes of manufacturers.

- Provided feedback on bills to Senate staff during policy drafting; e.g. Senate bill 661 in 2009.
- Met with and provided feedback to President Obama's point person for manufacturing and the Assistant Director for Advanced Manufacturing in the Executive Office of the President – Office of Science and Technology Policy.
- Developed and managed Regional Sustainable Network Centric Manufacturing initiative focusing on closing resource loops within a region, developing community-based green jobs, and repurposing manufacturers into greener sustainable product markets.
- Set up, managed, and participated in NACFAM's annual policy conference in Washington, D.C. October 6 and 7, 2009. This conference brings together Federal Government, workforce development, research university, community college and manufacturing industry representatives.

BANK OF AMERICA, Charlotte, NC

2007 - 2008

Vice President; Senior Analyst, Corporate Workplace (CW). *Manage sustainability initiatives covering Bank of America's 98 million square foot corporate real estate portfolio.*

- Introduced green cleaning into contracts covering over \$70M of the cleaning/janitorial spend across the United States.
- Analyzed financial feasibility of and helped drive over 300 KW of potential solar panel installations on Bank of America rooftops representing multi-million dollar investments and long-term savings.
- Secured a channel to realize tax credits for Bank of America CW renewable energy property, beginning with over \$200,000 in tax credits.
- Streamlined the Renewable Energy Certificate (REC) purchasing process for projects striving for Leadership in Energy and Environmental Design (LEED) certification. Over 15,000 MWh had been purchased by my departure date.
- Developed portfolio-wide policies (e.g. sustainable purchasing, water efficiency, REC purchasing, etc.) to reduce environmental impact without increasing costs.
- Developed and managed pilot *LEED for Existing Buildings* program covering more than 2 million square feet of large office buildings, including corporate HQ.
- Created a process to capture a projected \$1 million or more in energy efficiency rebates for capital projects and for planning an energy project roll-out plan.
- Organized and led teams to develop a Return on Investment (ROI) model and investigate the market value of LEED to inform transactions and investments.
- Led efforts to quantify environmental benefits of commute reduction from Bank of America's flexible work program titled *My Work*.
- Led compliance with trip reduction ordinances in regions within Bank of America's real estate footprint to reduce environmental impacts of commuting.

CSE CONSULTING, Chapel Hill, NC

2006

Associate. *Performed environmental, sustainability, and business consulting.*

- Project manager for team of eight on a successful environmental footprint and business analysis project with Bank of America. Identified environmental impacts of internal domestic operations and provided a

decision-making process for environmental initiatives. Developed environmental and financial decision-making models and written report to compare initiatives.

- Identified and developed senior management level environmental metrics to facilitate environmental decision-making for Progress Energy, Inc.
- Performed scenario analyses and feasibility study for a \$250M waste-to-energy start-up facility.

NATIONAL COUNCIL FOR ADVANCED MANUFACTURING, Washington, DC

2006

Consultant. *Led strategic efforts to develop a sustainable manufacturing initiative.*

- Researched, organized and led sustainable manufacturing roundtable discussion for industry leaders with industry, government, education, environmental, and Congressional representation.

US EPA – OFFICE OF INSPECTOR GENERAL, Research Triangle Park, NC

2003 - 2005

Program Analyst (GS-II). *Reviewed and provided recommendations for EPA air programs.*

- Evaluated implementation of a \$16.5M national air toxics monitoring network of 39 sites; including analysis of network plan, funding, monitoring and technical issues for 188 air toxics. Resulted in evaluative report to EPA, Congress, and the public titled *Progress Made in Monitoring Ambient Air Toxics, But Further Improvements Can Increase Effectiveness*.
- Analyzed potential consequences of EPA rule change addressing coal-fired power plants. Final report, titled *New Source Review Rule Change Harms EPA's Ability to Enforce Against Coal-fired Electric Utilities*, was highly publicized, receiving national press coverage.
- Acted as liaison between Office of Program Evaluation (OPE) personnel in North Carolina and the Assistant Inspector General for OPE in Washington, DC.

DUKE UNIVERSITY, Durham, NC

2001 - 2002

Environmental Policy Research Assistant. *Researched private environmental governance.*

- Analyzed international and national environmental certification institutions for multiple industries; such as the global chemical production industry.
- Helped organize a colloquium at Duke University's Law School on environmental and social certification institutions and private governance.

UNIVERSITY OF SOUTH FLORIDA, Tampa, FL

2000 - 2001

Conference Organizer and Research Assistant. *Organized conference and performed visual cognition research.*

- Organized and managed first annual Vision Science Society conference for over 700 visual cognition and perception researchers and edited conference proceedings book.
- Designed and ran experiments, which led to published abstract in *Human Visual Cognition* and a paper titled *How High is Visual Short Term Memory Capacity for Object Layout* published in the journal *Attention, Perception, & Psychophysics*.

NATIONAL COUNCIL FOR ADVANCED MANUFACTURING (NACFAM), Washington, DC

2000

Communications/Project Assistant. *Conducted communications and industry policy research.*

- Worked collaboratively with businesses, labor unions, educational institutions, and nongovernmental organizations that developed the first voluntary national skill standards for the manufacturing sector.

GUEST LECTURES, WORKSHOPS AND COURSES TAUGHT

- **Guest Lecturer** on Sustainability, Environment and Neurodegenerative Disease, The Endangered Red Wolf, and Sustainability Career Tracks, St. Mary's University **January, 2018**
- **Guest Lecturer** on Endangered Species Law, Predator Management and Stakeholder Perspectives: The Red Wolf, Boston College Law School **March, 2016**
- **Guest Lecturer** about Conservation and the Art of Storytelling: Conflict About Red Wolves, Science and Stakeholder Perspectives, North Carolina State University Applied Ecology (AEC) **February, 2016**
- **Guest Lecturer** on Endangered Species Conservation and Stakeholder Perspectives: The Red Wolf, Davidson College **February, 2016**
- **Speaker** on Endangered Species Act, State vs. Federal, Stakeholder Perspectives: The Red Wolf, Georgetown Law Environmental Law Society **October, 2015**
- **Workshops and Training**, Davidson College **Fall, 2012 - Fall, 2015**
Developed, led and taught workshops, training and other programming for students to foster understanding, research and application of sustainability frameworks and the triple bottom line, entrepreneurship and Design Thinking. Also created tailored educational presentations and demonstrations for students, staff and faculty about issues that were specific to their departments, types of work, and more.
- **Guest speaker/teacher** for 3rd grade class, Davidson Elementary in Davidson, NC **Spring, 2015**
Utilized red wolf videos to teach approximately 40 third grade students third grade level basics about wildlife and environmental conservation, basic animal behavior concepts, endangered species, basic ecology concepts, and understanding different stakeholder perspectives.
- **Sustainable Patterns of Food Production & Consumption in China**, Davidson College **Summer, 2014**
In partnership with Dr. Eriberto Lozada of the Davidson College Anthropology Department, we brought six undergraduate students to Shanghai, China to study food and sustainability. I taught documentary and ethnographic film techniques, strategy and implementation; triple bottom line sustainability concepts; stakeholder understanding, food and business. The trip and on-going results were shared on the Davidson College Food & Sustainability website: food.davidson.edu. I created a video after the first two weeks of the month-long trip to highlight our work: <https://vimeo.com/99968039>.
- **Professor Food and Sustainability (ANT 267, full semester course)**, Davidson College **Spring, 2014**
Taught this full semester course to introduce how food practices shape societies and their environmental and economic impacts on the world. Foodways were examined from the perspective of sustainability; this was not a survey of nutritional or dietetic sciences. The course began with a general overview of food studies and sustainability literature from an interdisciplinary perspective. The course was structured along the lines of community-based learning. Students applied the lessons learned from the classroom to issues that affect our local community. In groups, they worked with community leaders to develop and execute various projects. This experiential learning reinforced the understanding of theoretical and methodological issues, while also benefitting the community. Community organizations/leaders included a local family farm, the Davidson Farmer's Market, Davidson College Dining Services, Sow Much Good, and The Farm at Davidson College.

- **Speaker** on Endangered Species Act, State vs. Federal, Stakeholder Perspectives: **Fall, 2012**
The Red Wolf, University of North Carolina at Chapel Hill School of Law
- **Guest Lecturer** on Endangered Species and Predator Management: **Fall, 2012**
The Case of the Red Wolf, North Carolina State University College of Veterinary Medicine
- **Speaker** on Finding Similarities in the Endangered Red Wolf Conflict, Davidson College **Spring, 2012**
- **Teaching Assistant, Digital Media Economics (551.01)** with Penelope Abernathy, School of Media and Journalism at The University of North Carolina at Chapel Hill **Fall, 2010 - Spring, 2012**
Three credit hour course for advanced undergraduates (including journalism, advertising and public relations majors) and graduate students. Introduction to basic concepts of finance, accounting, marketing and strategy development. These skills and accompanying critical thinking are based on what would be taught in a first-year MBA program. Heavy use of Harvard case studies designed for the Master's level. At the end of the course students produce a sell-side analyst's report on a major publicly-held media company. Also provided additional group help sessions on accounting and finance.
- **Teaching Assistant, Leadership in a Time of Change (552.01, 752.01)** **Fall, 2010 - Spring, 2012**
Graduate Assistant for Penelope Abernathy at the School of Media and Journalism, The University of North Carolina at Chapel Hill. Three credit hour seminar course for graduating seniors (who have taken the pre-requisites) and Master's and Ph.D. students. Focused specifically on strategy development/implementation work and organizational behavioral understanding that is typically taught during a second-year MBA program. Some senior Army officers also took the course through the National Security Fellowship Program. Provide in-field expertise and experience researching issues confronting news organizations and working side-by-side with publishers and owners of community news organizations (including the Washington Daily News, The Wilkes Journal-Patriot, and the Whiteville News Reporter) to create and implement new strategies.
- **Graduate Assistant** for grading exams in MBA-level Marketing Course, **Fall, 2006**
Kenan-Flagler Business School at The University of North Carolina at Chapel Hill

SELECT PROFESSIONAL HONORS AND AWARDS

HONORS FOR FEATURE DOCUMENTARY FILM: STARING DOWN FATE, WILDSIDES, INC.

- **Official Selection and Winner of Best Feature Film** **August, 2017**
Sunrise 45 Film Festival, Alpena, MI
- **Official Selection, Winner of Atman Award for Diversity, and Nominated for Best Feature Documentary and Best Southern States Film** **January, 2018**
Southern States Indie FanFilmFest, Biloxi, MS
- **Official Selection and Honorable Mention (2nd Place) Feature Documentary** **November, 2017**
Southern City Film Festival, Aiken, SC
- **Official Selection** **October, 2017**
The Awareness Film Festival, Los Angeles, CA
- **Official Selection** **June, 2017**
Canadian Diversity Film Festival

HONORS FOR THE SHORT DOCUMENTARY FILM: PLIGHT OF THE NORTH ATLANTIC RIGHT WHALE, WILDSIDES, INC.

- **Official Selection and winner of Best Conservation Film** **August, 2013**
Beneath the Waves Film Festival, Savannah, GA
Through Beneath the Waves Film Festival it also screened in Lisbon, Portugal; Santa Cruz, CA; Boston, MA; Coastal Carolina University in Conway, SC; University of South Dakota in Vermillion, SD; Brewster, MA; Providence, RI.
- **Official Selection** **October, 2013**
Wildlife Conservation Film Festival, New York, New York
- **Selected for Sea Change Ocean Conservation Film Series at the Wellfleet** **January, 2013**
Harbor Actors Theatre in Wellfleet, MA

HONORS FOR COAL: A LOVE STORY, NEWS21 POWERINGANATION.ORG **2011**

- **Award of Special Merit**, 2012 Grantham Prize for Environmental Journalism
- **Awarded silver prize** student work in Society for News Design's Best Digital News Design
- **Society for News Design's "Make an Impression" Design Awards**: First place in Digital Story Telling; first place, second place and third place in Standalone Media;
- **1st place** Green Dot Award in media category
- **Named to Los Angeles Times Best of the Web** on July 29, 2011

APPOINTED U.S. REPRESENTATIVE TO OECD ADVISORY GROUP

- **Appointed U.S. Representative** **2008 - 2010**
U.S. Department of Commerce International Trade Administration's Manufacturing and Services (MAS) section appointed me as a representative for the United States on the Organisation for Economic Co-operation and Development (OECD) Advisory Expert Group on Sustainable Manufacturing and Eco-Innovation.

SELECT ACADEMIC HONORS AND AWARDS

- **Roy H. Park Fellow**, University of North Carolina at Chapel Hill **2010 - 2012**
- **Awards for Coal: A Love Story**, News21 Poweringnation.org **2011**
Won best school/university website in Horizon Interactive Awards
Won 1st place College Photographer of the Year for large group multimedia project.
South by Southwest (SXSW) Interactive Awards champion in student category.
- **Award for Best Market**, University of Texas McCombs School of Business Moot Corp **2007**
Developed and wrote business plan for renewable energy development private equity structure. University of Texas McCombs School of Business Moot Corp competition, now titled Venture Labs Investment Competition, is referred to as "The Super Bowl of Investment Competitions".
- **First Place**, Sustainable Venture Capital Investment Competition **2006**
Kenan-Flagler Business School at University of North Carolina at Chapel Hill
Member of first place team in inaugural Sustainable Venture Capital Investment Competition hosted by the Kenan Institute's Center for Sustainable Enterprise.
- **Second Place**, Wake Forest MBA Net Impact Case Competition **2006**
Kenan-Flagler Business School at University of North Carolina at Chapel Hill
Member of 2nd place team
- **Stanback Internship**, Nicholas School of the Environment at Duke University **2002**

- Competitive funding for internship with the environmental non-profit Friends of the Earth. Researched international corporate responsibility and trade.
- **First recipient of International Paper Business & Environment Scholarship** **2001**
Nicholas School of the Environment at Duke University
- **National Dean's List, Davidson College** **1998 - 1999**

FUNDRAISING AND GRANTS

- **Raised over \$55,000 through direct fundraising and crowdfunding, WildSides, Inc.** **2016 - 2017**
Funding raised from 279 individual donors through the crowdfunding site Indiegogo for post-production and production-related costs for WildSides' award-winning feature-length documentary film, *Staring Down Fate*.
- **Grant for Sustainability Internships in China, Davidson College** **2015**
Helped Dr. Eriberto Lozada with program design and successful application for a grant to create summer sustainability internships for Davidson College students in Shanghai, China.
- **\$150,000 grant from The Duke Endowment, Davidson College** **2014 - 2015**
The purpose of this grant was to develop a Food and Sustainability digital education, documentary and multimedia environment for educational, awareness and best practice-sharing purposes. This "environment" included a website, an internal portal for local restaurants to input sustainability information and a mobile app for students, local residents and visitors to learn about sustainability information related to local restaurants. Implemented the Design Thinking process for all components of the initiative. The purpose of the digital environment was to document and share information about local, national and global food systems through multimedia narratives, information graphics, motion graphics, writing, photo essay, data-sharing and more. food.davidson.edu.
- **\$39,780 from The Freeman Foundation, Davidson College** **2015**
In partnership with Dr. Eriberto Lozada of the Davidson College Anthropology Department, applied for and received \$39,780 from The Freeman Foundation to bring six undergraduate students to Shanghai, China to study food and sustainability. The trip and on-going results were shared on the Davidson College Food & Sustainability website: food.davidson.edu. Created a video after the first two weeks of the month-long trip to highlight our work: <https://vimeo.com/99968039>.
- **Raised \$35,000 from corporate and non-profit sponsors: cash prizes and in-kind support** **2015**
The Next Play Venture Tournament for Sustainability and Sports at Davidson College. This competition grew to 14 teams of undergraduate and graduate students from colleges and universities across the country in 2015.
- **Raised \$35,000 from corporate and non-profit sponsors: cash prizes and in-kind support** **2014**
Created, implemented and managed the first iteration of The Next Play Venture Tournament for Sustainability and Sports at Davidson College. The Next Play was a national competition for student-led business plans that aim to make the sports industry more sustainable and provide solutions that utilize sports to drive engagement in and solutions for sustainability issues. We hosted 10 teams of undergraduate and graduate students from around the United States to pitch their ventures.
- **\$25,000 grant from National Institute for Standards and Technology** **2009**
While at NACFAM, applied for and received large grant from the National Institute for Standards and Technology of the U.S. Department of Commerce to finish a sustainability lifecycle business

decision-making framework model and make it applicable to and usable by all sizes of manufacturers.

- **Raised \$75,000 from corporate sponsors to initiate sustainable manufacturing initiative 2008**
Develop sustainability lifecycle business decision-making framework model addressing environmental impacts, energy, waste, financial and other sustainability indicators from material extraction to end of product useful lives utilizing three projects involving three different Fortune 100 NACFAM-member companies.

SELECT PRESENTATIONS AND CONFERENCES

- **Speaker at Muscular Dystrophy Association Toast for the Cure, High Point, NC February 6, 2018**
At each screening
- **Presentations about and screenings of *Staring Down Fate*, United States 2017 - 2018**
At each screening of *Staring Down Fate*, I have provided and led post-screening discussions and presentations in Chicago, IL; in private viewings in San Francisco, CA and Nags Head, NC; at Sunrise 45 Film Festival in Alpena, MI; at the Awareness Film Festival in Los Angeles, CA; at Zoo Atlanta in Atlanta, GA; and at Southern City Film Festival in Aiken, SC. I am in the process of planning more presentations, guest lectures, screenings and discussions on campuses and in communities throughout the U.S.
- **Presenter at Jamestown Rotary Club, Jamestown, NC October 17, 2017**
Presented for the Jamestown Rotary Club about WildSides' work to utilize documentary and educational multimedia about people on all sides of human-wildlife conflict issues to help people and organizations in all industries learn to rise above conflict and understand stakeholders on all sides of an issue. Also presented about the film *Staring Down Fate*, its successes and the issues covered by the film.
- **Panelist: Art as Environmental Activism, Charlotte, NC March 3, 2017**
Presented about WildSides' work and the film *Staring Down Fate* at this evening panel discussion with the Charlotte community about "Art as Environmental Activism," co-hosted by University of North Carolina at Charlotte's College of Arts + Architecture and the Carolina Raptor Center.
- **Presentation and Community Discussion for The Project for Innovation, Energy and Sustainability (PiES), Davidson, NC May 26, 2016**
Presented to the local professional community about WildSides' work on finding similarities across stakeholders in human-wildlife conflict by telling human stories. Showed trailer for and talked about the film *Staring Down Fate*. Discussed the film, environmental correlations with ALS and other neurodegenerative diseases, and the endangered red wolf issue.
- **Panelist: Exploring Innovative Solutions, Nicholas School of the Environment at Duke University, Durham, NC April 14, 2016**
Panelist for the 20-year celebration of The Nicholas School of the Environment's Stanback Internship Program. Spoke about and discussed WildSides' work; *Staring Down Fate*; and new science, technology and policy that explores using innovative solutions to solve pertinent challenges in the environmental field.
- **Speaker, Guest Lecturer and Presenter, Davidson College, Davidson, NC 2012 - 2015**

Spoke, lectured and presented to innumerable classes, faculty teams and academic departments, administrative departments and offices, student groups and clubs, athletes, and more on almost a weekly basis while serving as the Director of Sustainability at Davidson College.

- **Speaker at Green Sports Alliance Annual Summit**, Chicago, IL **July 1, 2015**
 Speaker during a session titled, “Storytelling Session - Empowering Future Leaders: Students Tackling Sports & Sustainability”. I presented about *The Next Play* business plan competition I created and ran while Director of Sustainability at Davidson College.
- **Mediator, Davidson College Role in Combatting Climate Change**, Davidson, NC **April 16, 2015**
 Mediator for campus-wide discussion among Davidson College trustees, students, faculty and staff about Davidson College’s role in combatting climate change; including impact of physical campus, education-related activities, investments and divestment potential, educational and institutional travel, and more.
- **Presentation and Community Discussion for The Project for Innovation, Energy and Sustainability (PiES) in Davidson, NC** **October 30, 2014**
 Presented to the local professional community about The Next Play, a sports and sustainability-focused venture challenge I led through my Office of Sustainability at Davidson College. Spoke about involvement of professional leadership as judges for the competition. Led discussion about innovation and sustainability in our colleges and universities across the country.
- **Panelist: Art, Manufacturing, Sustainability**, Charlotte, NC **April 5, 2014**
 Presented about business, manufacturing, engaging college students and filmmaking for sustainability at the Integrated Network for Social Sustainability Conference. Highlighted, discussed and noted ways to measure the social equity and justice components of the triple bottom line of sustainability.
- **Keynote Speaker at the Scientists as Story**, Chapel Hill, NC **November 30, 2012**
 Showed *Plight of the North Atlantic Right Whale* and spoke about communicating science through story and film. Science as Story was a two-day event that explored then integration of science and digital media.
- **Speaker at National Defense Industries Association**, Washington, DC **November 4, 2009**
 Presented to the National Defense Industries Association about the concept of sustainable manufacturing, NACFAM’s policy recommendations for a comprehensive manufacturing strategy, and NACFAM’s involvement with Congress and the President of the United States’ point person on manufacturing.
- **Panelist at Workshop on Sustainable Manufacturing**, Washington, DC **October 14, 2009**
 Panelist for discussion of the industrial perspective on sustainable manufacturing and standards at the U.S. Department of Commerce National Institute of Standards and Technology Workshop on Sustainable Manufacturing: Metrics, Standards, and Infrastructure.
- **Speaker at Workshop on Sustainable Manufacturing**, Washington, DC **October 14, 2009**
 Presented on sustainable manufacturing, profitability improvement opportunities through sustainable manufacturing and the Sustainability Framework Model that I created utilizing financial and environmental metrics to facilitate sustainable manufacturing decision-making for manufacturing workers, managers, and strategists. U.S. Department of Commerce National Institute of Standards and Technology Workshop on Sustainable Manufacturing: Metrics, Standards, and Infrastructure.
- **Session Chair at Workshop on Sustainable Manufacturing**, Washington, DC **October 14, 2009**

Session Chair on Non-Governmental Organization research in sustainable manufacturing. U.S. Department of Commerce National Institute of Standards and Technology Workshop on Sustainable Manufacturing: Metrics, Standards, and Infrastructure.

- **Presenter at NACFAM Annual Meeting, Washington, DC** **October 6, 2009**
Presented on sustainable manufacturing and green jobs at NACFAM's annual policy conference in Washington, D.C. to an audience consisting of Federal government agencies, workforce development organizations, research universities, community colleges and manufacturing industry representatives.
- **Moderator at NACFAM Annual Meeting, Washington, DC** **October 6, 2009**
Moderated manufacturing policy panel on Capitol Hill with four senior staff members from the Senate, including the Senate Committee on Energy and Natural Resources.
- **Presenter at Charlotte Chapter of the U.S. Green Building Council, Charlotte, NC** **June 10, 2009**
Presented about the definition of green jobs, the state of green jobs policy in Washington D.C., green jobs in manufacturing, sustainable manufacturing, and purchasing products manufactured sustainably for use in buildings.
- **Guest Speaker for Dakota County Technical College** **March 17, 2009**
Presented remotely via webcam to a group of 50 educators, industry representatives and Government representatives in Minnesota, hosted by Dakota County Technical College about the definition of green jobs, the state of green jobs policy in Washington D.C., green jobs in manufacturing, and sustainable manufacturing.
- **Presenter at Making Energy Work, Raleigh, NC** **February 3, 2009**
Presented to attendees of the Making Energy Work conference about Network Centric Manufacturing for repurposing small and medium manufacturers into renewable energy and sustainable product manufacturing industries through inter-company and inter-industry collaboration.
- **Presenter at Tar Heel Bus Tour, Charlotte, NC** **May 17, 2007**
Presented to 34 new University of North Carolina at Chapel Hill faculty about the consulting project I did with CSE Consulting to calculate the environmental footprint of Bank of America's activities throughout the United States and to provide business-based recommendations to reduce Bank of America's environmental impact.

PUBLISHED WORKS, RESEARCH AND PUBLIC REPORTS

- ***Staring Down Fate, WildSides, Inc.*** **2017**
Produced, filmed, edited, directed this award-winning feature-length documentary film (102 mins.) that explores humans' relationship with nature, environmental connections to neurodegenerative disease (mainly Amyotrophic Lateral Sclerosis, ALS), and finding meaning in life and mortality.
- ***Wildlife Conflict Untangled, WildSides, Inc.*** **2016**
The first three episodes of this podcast series concentrate on the endangered red wolf in northeastern North Carolina. I explore a new place and immerse myself in experiencing life in northeastern North Carolina, learn from amazing people with differing opinions surrounding the conflict over red wolves and begin to navigate the federal evaluation that will determine the future of the only wild red wolf population in the world.
- ***Plight of the North Atlantic Right Whale, WildSides, Inc.*** **2012**
Produced, wrote, filmed, edited and directed the award-winning short educational documentary film (8 minutes 47 seconds) about the threats to an endangered whale species.

- ***I'm No Coyote, I'm a Wolf! (& I'm in Trouble)*, Elephant Journal** **June 2, 2012**
Produced, wrote, filmed, and edited this story about the conflict over coyote hunting in the 1.7 million acre endangered red wolf recovery area in northeastern North Carolina. <https://www.elephantjournal.com/2012/06/im-no-coyote-im-a-wolf-and-im-in-trouble-jeff-mittelstadt/>
- ***Bat Killing Disease Hits North Carolina*, Reese News** **May 20, 2011**
Produced, wrote, filmed, edited and photographed this story about white-nose syndrome in bats finding its way to North Carolina. <https://vimeo.com/23852351>; <https://vimeo.com/24003140>
- ***Red Wolf Restoration: Captive Breeding*, Carolina Photojournalism** **April 25, 2011**
Produced, wrote, edited and photographed this story about the endangered Red Wolf and the captive breeding program that brought it back from biological extinction. <https://vimeo.com/22841350>; <https://vimeo.com/22840630>
- ***Divergent Similarities: The Florida Panther Complex*, Reese News** **April 19, 2011**
Produced, wrote, filmed, edited and photographed this story about different perspectives on the conflict among Florida Panthers, cattle ranchers, government agencies and Florida Panther supporters in southwest Florida. <https://vimeo.com/21122937>; <https://vimeo.com/22637965>
- ***Triangle Dance Festival for AIDS: Coming Together*, Reese News** **April 19, 2011**
Produced, wrote, edited and photographed this story about the Triangle Dance Festival for AIDS. <https://vimeo.com/21802223>; <https://vimeo.com/22627411>
- ***Green Jobs in Manufacturing, Global Corporate Xpansion*** **Winter, 2009**
Wrote this article specifically targeting the manufacturing workforce development and green jobs program development communities in Global Corporate Xpansion – Winter Issue. <http://www.gcx-digital.com/gcx/2009winter/?u1=texterity>
- ***Green Jobs in Manufacturing: A Roadmap for Progressively Greener Solutions through a Sustainable and Green Workforce*, NACFAM** **December 23, 2008**
Wrote this policy white paper, which was cited by the U.S. Department of Labor on their workforce development website, as well as many other papers and plans like “The Greening of Mississippi’s Economy” and “The Greening of Louisiana’s Economy” among others. http://www.nacfam.org/Portals/0/Sustainable%20Manufacturing/NACFAMGreenJobs_12.23.08.pdf
- ***Progress Made in Monitoring Ambient Air Toxics, But Further Improvements Can Increase Effectiveness*, U.S. EPA Office of Inspector General** **March 2, 2005**
Evaluative report to EPA, Congress, and the public. Michael Young, Jeff Mittelstadt, Erica Hauck, James Hatfield, Rick Beusse. <https://www.epa.gov/sites/production/files/2015-12/documents/20050302-2005-p-00008.pdf>
- ***New Source Review Rule Change Harms EPA’s Ability to Enforce Against Coal-fired Electric Utilities*, U.S. EPA Office of Inspector General** **September 30, 2004**
Evaluative report to EPA, Congress, and the public. Rick Beusse, Patrick Milligan, Frank Martinsky, Dan Howard, Jeff Mittelstadt. <https://www.epa.gov/sites/production/files/2015-12/documents/20040930-2004-p-00034.pdf>
- ***How High is Visual Short Term Memory Capacity for Object Layout*** **May, 2010**
Paper published in 2010, from work at University of South Florida, in *Attention, Perception, & Psychophysics*. Sanocki T, Sellers E, Mittelstadt J, Sulman N. Researched in 2000 - 2001 with abstract published in *Human Visual Cognition*. <http://shell.cas.usf.edu/~sanocki/SanockietalVSTMLLayout2010.pdf>

SELECT VOLUNTEER EXPERIENCE

- **Board member**, Project for Innovation, Energy & Sustainability (PiES), Davidson, NC **2012 - 2015**
PiES is a public-private partnership in Davidson, NC. It is an entrepreneurship/start-up incubator that provides assistance to local entrepreneurs in the commonly needed realms of business growth and development; technical assistance; funding and marketing. The incubator focuses on start-up businesses with a focus on sustainability and/or energy.
- **Board Member**, Davidson Farmer's Market in Davidson, NC **2013 - 2015**
Volunteer board member for a producer-only, year-round farmer's market in Davidson, NC featuring more than 35 farmers and local producers from within a 100-mile radius.
- **Volunteer Sustainability Council Member**, Davidson College **2010 - 2012**
Member of a volunteer team that provided feedback and guidance for the Davidson College Climate Action Plan. Also provided feedback and mentorship to Davidson College students.
- **Volunteer**, Carolina Raptor Center, Huntersville, NC **2009 - 2010**
Volunteered at least 4-8 hours per week in raptor rehabilitation. This work consists of preparing and delivering food, medicines, and vitamins to sick, injured and healing raptors. I also cleaned the rehabilitation center and grounds. I provided research and suggestions for marketing and business development to help in a tough economy.
- **Co-Founder/Co-President**, Charlotte Professional Chapter of Net Impact, Charlotte, NC **2008 - 2009**
Led group to build partnerships with Charlotte Center City Partners and Hands on Charlotte to spearhead efforts to recycle, compost, help monitor water management, and more at public events in Uptown Charlotte. Our biggest event was Blues, Brews & BBQ in 2008, with 70,000 attendees throughout the weekend. All of us worked to pull recyclables from trash bins throughout the city and collecting recycling throughout the weekend-long event. We also helped the 2009 Blues, Brews & BBQ event, increasing recycling 3.26% including 1,780 lbs. (0.89 tons) of bottles and cans and 1.36 tons of cardboard.

REFERENCES

- **Penny Abernathy**, Knight Chair in Journalism and Digital Media Economics, University of North Carolina at Chapel Hill
Email: pennyma@email.unc.edu Phone: 919-843-8301 (this phone number is for Penny's current senior researcher, Erinn Whitaker. Erinn will be able to get the correct number at time of calling because Penny is away from Chapel Hill right now finishing her next book.
<http://mj.unc.edu/directory/faculty/penny-abernathy>
- **Ed Kania**, Vice President for Finance and Administration, Davidson College; Transitioning to Chief Financial Officer, Rollins College.
Email: ekania@rollins.edu Phone: 704-302-4559
- **(Eriberto) Fuji Lozada**, Professor of Anthropology, Davidson College; Adjunct Professor of Anthropology, Fudan University, Shanghai; President, Society for East Asian Anthropology.
Email: erlozada@davidson.edu Phone: 704-894-2035
<https://www.davidson.edu/academics/anthropology/faculty-and-staff/fuji-lozada>

**CITY OF HIGH POINT, NORTH CAROLINA
SWORN STATEMENT OF DEBT MADE PURSUANT TO THE
LOCAL GOVERNMENT BOND ACT, AS AMENDED**

I, Jeffrey A. Moore, Financial Services Director of the City of High Point, North Carolina, having been designated by the City Council of said City to make and file with the City Clerk a statement of the debt of said City pursuant to The Local Government Bond Act, as amended, DO HEREBY CERTIFY that the following is a true statement as shown by the books in my office, not taking into consideration any 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 and refunding bonds:

(a) GROSS DEBT

a(1) Outstanding debt evidenced by bonds:

Public Improvement Bonds, Series 2010B	\$15,270,000
Refunding Bonds, Series 2010C	5,370,000
Public Improvement Bonds, Series 2012	4,045,000
Refunding Bonds, Series 2012	10,160,000
Refunding Bond, Series 2013	1,485,000
Public Improvement Bonds, Series 2014	4,880,000
Refunding Bonds, Series 2014	8,325,000
Refunding Bonds, Series 2016	<u>19,555,000</u>
Total	<u>\$69,090,000</u>

**a(2) Bonds authorized by orders introduced,
but not yet adopted:**

Municipal Building Bonds	\$6,600,000
Total	<u>\$6,600,000</u>

a(3) Unissued bonds authorized by adopted orders:

Refunding Bonds (2016)	\$4,630,000
Total	<u>\$4,630,000</u>

a(4) Outstanding debt, not evidenced by bonds: \$ -0-

(a) GROSS DEBT, being the sum of a(1), a(2), a(3) and a(4):
\$80,320,000

(b) DEDUCTIONS

b(1)	Funding and refunding bonds authorized by orders introduced but not yet adopted:	\$ <u> -0-</u>
b(2)	Funding and refunding bonds authorized but not yet issued:	<u>\$4,630,000</u>
b(3)	The amount of money held in sinking funds or otherwise for the payment of any part of the principal of gross debt other than debt incurred for water, gas, electric light or power purposes or sanitary sewer purposes (to the extent that the bonds are deductible under G.S. 159-55(b)):	\$ <u> -0-</u>
b(4)	Bonded debt included in gross debt and incurred, or to be incurred, for water, gas, electric light or power purposes:	<u>\$2,588,538</u>
b(5)	Bonded debt included in gross debt and incurred, or to be incurred, for sanitary sewer system purposes (to the extent that said debt is made deductible by G.S. 159-55(b)):	\$ <u> -0-</u>
b(6)	Uncollected special assessments heretofore levied for local improvements for which any part of the gross debt (that is not otherwise deducted) was or is to be incurred to the extent that such assessments will be applied, when collected, to the payment of any part of the gross debt:	\$ <u> -0-</u>
b(7)	The amount, as estimated by the Financial Services Director, of special assessments to be levied for local improvements for which any part of the 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 the gross debt:	\$ <u> -0-</u>
(b)	DEDUCTIONS, being the sum of b(1), b(2), b(3), b(4), b(5), b(6) and b(7):	<u>\$7,218,538</u>

(c) NET DEBT

(c)	NET DEBT, being the difference between the GROSS DEBT (a) and the DEDUCTIONS (b):	<u>\$73,101,462</u>
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(d) ASSESSED VALUE

- (d) ASSESSED VALUE of property subject to taxation by the City, as revealed by the City tax records and certified to the City by the assessor:

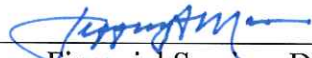
\$9,595,960,388

(e) PERCENTAGE

- (e) Percentage which the NET DEBT (c) bears to the ASSESSED VALUE (d):

0.76%

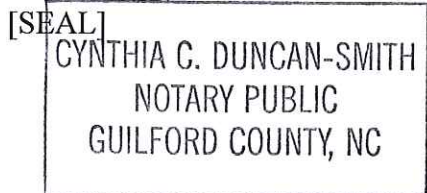
The foregoing statement is true.



Financial Services Director

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

Subscribed and sworn to before me this ____ day of August, 2018.





Notary Public

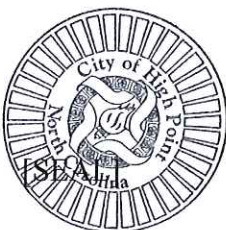
Printed Name: Cynthia C. Duncan-Smith

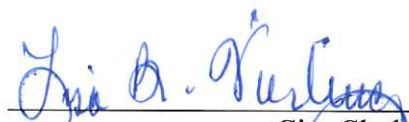
My Commission Expires: 1/18/2020.

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I, Lisa B. Vierling, MMC, City Clerk of the City of High Point, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of a statement which was filed with me at a meeting of the City Council of said City held on August 6, 2018, after the introduction of an order authorizing general obligation bonds of said City and before the public hearing thereon, and that said statement is open to public inspection in my office.

WITNESS my hand and official seal of said City this 6th day of August, 2018.





City Clerk



FINANCE COMMITTEE

Chaired by Council Member Moore

Members: Moore, Hudson, Ewing, and Jones

July 12, 2018 – 4:00 P.M.

Third Floor Lobby Conference Room

MINUTES

Present: Chair Britt Moore: Committee Members: Wesley Hudson, Victor Jones and Jason Ewing

Also Present: Council Members Don Scarborough (at large) and Monica Peters (Ward 3)

Staff: Greg Demko, City Manager; Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; JoAnne Carlyle, City Attorney; Garey Edwards, Electric Utilities Director; Steve Lingerfelt, Comm. & Information Services Director; Erik Conti, Purchasing Manager; Chris Blackwell, Fleet IS Specialist; Gary Smith, Fleet Services Director; Jeron Hollis, Community and Public Engagement Director; Jeff Moore, Financial Services Director; Terry Houk, Public Service Director; Robby Stone, Public Service Assistant Director; Trevor Spencer, Public Service Projects Engineer; Lee Tillery, Parks and Recreation Director and Sandra Keeney, Deputy City Clerk

News Media: Pat Kimbrough, High Point Enterprise

Chairman Britt Moore called the meeting to order at 4:00 p.m. and welcomed everyone to the first Finance Committee of the new Budget year.

2018-223 Contract – Truck Mounted Vacuum (Debris Collector)

City Council is requested to approve a contract with Old Dominion Brush, Inc. in the amount of \$192,838.95 for the purchase of a Vacuum Debris Collector for use by the Stormwater Division of the Public Services Department.

Gary Smith, Fleet Services Director, gave the staff report on this item explaining this truck is replacing three of the pull behind type leaf collectors, which are being eliminated. He stated these types trucks are safer and require less manpower. This truck is on the National NJPA contract which is a national purchasing contract. Committee Member Jones asked how many people have to staff the pull behind? Robbie Stone, Public Services Assistant Director, explained the pull behind trucks could require up to six people. Chairman Moore asked would there be elimination of

personnel because of these new trucks? Mr. Smith answered no, those personnel would be performing other duties. Committee Member Ewing asked how many of these type trucks are currently in operation within the City? Mr. Smith stated there were currently six and this truck would make seven. Committee Member Jones asked what is the life span of these trucks? Mr. Smith stated about 10 years.

A motion was made by Committee Member Ewing, seconded by Committee Member Jones, that this matter be forwarded to the City Council and recommended for approval, consent agenda. The motion carried with the following unanimous 4-0 vote:

Aye: (4) Council Member Moore, Council Member Hudson, Council Member Jones, and Council Member Ewing

2018 224 Contract Rear Loading Refuse Truck

City Council is requested to approve a contract with Amick Equipment Company in the amount of \$183,934.41 for the purchase of a 2018 Freightliner truck with a New Way Rear Loading Refuse body to replace a vehicle that is no longer useful. Council is also requested to declare the old truck as surplus and authorize staff to dispose of through the online auction process.

Chris Blackwell, Fleet IS Specialist, gave the staff report on this item. He explained this garbage truck would replace a 2005 rear loading truck due to age and hour. Committee Member Ewing asked if the old truck would be sold. Mr. McCaslin stated part of this item is to declare the old truck surplus and would be placed on the online sales. Chairman Moore requested in the future that the Committee be made aware of the arrival of the new equipment.

A motion was made by Committee Member Jones, seconded by Committee Member Hudson that this matter be recommended to the City Council for approval, consent agenda. The motion carried with the following 4-0 unanimous vote:

Aye: (4) Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2018-225 Contract – Side-Loading Refuse Trucks

City Council is requested to approve a contract with Amick Equipment Company in the amount of \$822,117.87 for the purchase of three (3) Peterbilt New Way side loading refuse bodies for use by the Environmental Services Division of the Public Services Department.

Chris Blackwell, Fleet IS Specialist, gave the staff report on this item. He explained there are 2010 Auto, car, trucks that need replacing due to age and hours. He stated the new trucks are for residential use for day-to-day operations by the Sanitation Department. Chairman Moore questioned if the old trucks would be declared surplus. Gary Smith, Fleet Service Director, stated they would take the three worst trucks and hold the best one for spare parts and surplus the rest. Chairman Moore questioned where the funds from the sale of the equipment goes. Mr. Smith replied that the revenue goes into Fleet line item as part of balancing the budget.

A motion was made by Chairman Moore, seconded by Committee Member Ewing, that this matter be forwarded to the City Council and recommended for approval, consent agenda. The motion carried with the following 4-0 unanimous vote:

Aye: (4) Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2018-226 Contract Automatic Tarping Machine

City Council is requested to approve a sole source purchase of an automatic Tarping Machine in the amount of \$77,487.00 from Tarpomatic, Inc., for use by the Landfill Operations Division of the Public Services Department.

Gary Smith, Fleet Service Director, gave the staff report on this item. He explained the current automatic tarping system has maintenance issues, and as a result a Tarpomatic brand 40' automatic tarping machine is being recommended to cover the trash at night in place of using dirt. He stated instead of selling the old one, it is requested that the old one be retained and used for parts. Chairman Moore asked if the landfills were tarped and covered every night. Mr. Smith stated yes, instead of using dirt. It saves landfill space and money because dirt is expensive. Mr. McCaslin stated that state environmental regulations require that the garbage on the landfills be covered.

A motion was made by Chairman Moore, seconded by Committee Member Ewing, that this matter be recommended to the City Council for approval, consent agenda. The motion carried unanimously with the following 4-0 vote:

Aye: (4) Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2018-227 Contract Water and Sewer Emergency Repairs

City Council is requested to approve a contract with Breece Enterprises, Inc., in the amount of \$402,360.00 for on call emergency repairs of water and sanitary sewer utilities.

Terry Houk, Public Services Director, gave the staff report for this item. He reported that this is a standard emergency repair contract issued about once a year. He said this was actually two contracts; one is emergency repair and the other is scheduled emergency maintenance repair. Chairman Moore asked how does it work? Mr. McCaslin stated this is an annual contract and it is based on the hours the contractor works. Council Member Ewing asked if there were many companies bidding on these. Mr. Houk stated because Breece Enterprises, Inc. is typically substantially lower in price, that other companies do not bid. Jeff Moore, Financial Services Director, stated in the next year it would be placed on the state website to try to generate additional bids.

A motion was made by Chairman Moore, seconded by Committee Member Jones, that this matter be recommended to the City Council for approval, consent agenda. The motion carried unanimously with the following 4-0 vote:

Aye: (4) Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2018-228 Contract Renewal Concrete Supplier City Wide

City Council is requested to renew contract with Hartley Ready Mix in the amount of \$106,425.00 as the supplier for concrete to city crews when needed for maintenance functions that require concrete.

Terry Houk, Public Services Director, gave the staff report on this item. He stated this contract with Hartley Ready Mix, Inc. was bid in March 2016 and was the low bid at that time. The contract can be extended for two years and this would be the last year to extend it. Public Service is requesting the contract be extended in the amount of \$106,425.00.

A motion was made by Chairman Moore, seconded by Committee Member Hudson, that this matter be recommended to the City Council for approval, consent agenda. The motion carried by the following unanimous 4-0 vote:

Aye: (4) Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2018-229 Contract Motorola Radio Purchase

City Council is requested to approve a contract with Motorola Solutions, Inc. in the amount of \$449,764.16 for the replacement radios used by the Police Department, Fire Department and the Park Ranger division.

Steve Lingerfelt, Communications and Information Service Director, gave the staff report on this item. He stated this is part of the annual replacement program in which they replace 1/8th of the inventory each year. This year they are requesting the purchase of ninety- three (93) portable radios and nine (9) mobile radios. The radios purchased, will be replacing radios in the Police Department, Fire Department, and Park Rangers Division.

A motion was made by Chairman Moore, seconded by Committee Member Jones, that this matter be recommended to the City Council for approval, consent agenda. The motion carried unanimously with the following 4-0 vote:

Aye: (4) Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2018-230 Contract Core Router Replacement

City Council is requested to approve a contract with 5S Technologies in the amount of \$377,606.46 to purchase two (2) Nexus routers that will be used to provide failover redundancy at our prime site and the City's off-site disaster recovery facility.

Steve Lingerfelt, Communications and Information Services Director, gave the staff report for this item. He stated this router will replace the current router that is at the end of its life. He stated it is requested to purchase 2 Nexus routers that will be located at City Hall to provide failover redundancy and noted the existing device will be moved to the off-site disaster recovery facility. Chairman Moore asked what is the life of these routers? Mr. Lingerfelt replied the last one that was purchased six or seven years ago. Committee Member Jones asked if currently there is only one router. Mr. Lingerfelt stated there is one here at City Hall and one at the disaster recovery center.

A motion was made by Chairman Moore, seconded by Committee Member Ewing, that this matter be recommended to the City Council for approval, consent agenda. The motion carried unanimously with the following 4-0 vote:

Aye: (4) Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2018-232 Contract Asplundh Tree Expert Company FY 2018 2019

Council is requested to continue the existing contract with Asplundh Tree Expert Company in the estimated amount of \$750,000 to provide line clearance tree services (tree trimming) for the FY 2018 2019.

Garey Edwards, Electric Utilities Director, gave the staff report on this item. He stated the City participates in the ElectriCities Joint Purchasing Agreement. He felt this is a reasonable price and advised the contract can be extended year to year, if both parties wish to continue. Mr. McCaslin stated this is the annual contract that the City has with them each year for tree trimming city-wide.

A motion was made by Committee Member Ewing, seconded by Committee Member Jones, that this matter be recommended to the City Council for approval, consent agenda. The motion carried unanimously with the following 4-0 vote:

Aye: (4) Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2018-233 Contract Janitorial Services Parks & Recreation Facilities

City Council is requested to approve a contract with Matt's Janitorial in the amount of \$184,560.00 for custodial services at seven Parks & Recreation Facilities.

Lee Tillery, Director of Parks and Recreation, gave the staff report on this item. He stated this is a renewal of a contract with Matt's Janitorial service. He said contract initiations were done in July 2017 for several locations. They selected two different companies to split the seven locations and reserved the right to renew each year. It is recommended to move forward with Matt's Janitorial Services for all locations as they submitted the lowest bid and the work has been satisfactory. Chairman Moore asked prior to contracting these services what was the standard? Mr. Tillery answered prior to the contractor, services were provided by custodial staff, in which there was a problem with personnel turnover.

A motion was made by Chairman Moore, seconded by Committee Member Hudson that this matter be recommended to the City Council for approval, consent agenda. The motion carried unanimously with the following 4-0 vote:

Aye: (4) Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2018-234 Resolution Sale of Real Property to NCDOT Pump Station Road

City Council is requested to adopt a Resolution granting authority for the sale of real property located at 4309 Pump Station Road to the North Carolina Department of Transportation (NCDOT) for the Jamestown Roadway Project.

JoAnne Carlyle, City Attorney, gave a presentation on this item. She stated the City owns 60 acres on Pump Station Road and in order for the Jamestown Bypass Roadway Project to be completed the North Carolina Department of Transportation (NCDOT) needs around 6 acres of the 60 acres. Committee Member Ewing asked if the City has plans for the land. Mr. McCaslin stated this road will dissect it almost in half. The back part is an active pump station and the front part in the future might be city park land, but there is no time frame for those plans.

A motion was made by Committee Member Ewing, seconded by Committee Member Jones, that this matter be recommended to the City Council for approval, consent agenda. The motion carried unanimously with the following 4-0 vote:

Aye: (4) Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2018-235 Budget Ordinance Amendment Purchase of Property 3710 Waterview Rd

City Council is requested to adopt an Ordinance amending the Fical Year 2018 2019 Annual Budget to appropriate funds in the amount of \$185,000.00 for the purchase of property located at 3710 Waterview Road for use by the Parks and Recreation Department.

Mr. McCaslin stated the next two items were together. This is the Budget Amendment to purchase property located at 3710 Waterview Road (item 2018 236). Lee Tillery, gave a staff report on this item. He noted a map which locates the intended property acquisition noting the land is adjacent to the land already owned by the City at the Oak Hollow Lake Complex. He stated offices are needed for the Park Rangers as well as better accessibility to the lake for the Park Rangers. Committee Member Hudson asked about the house that is currently on the property. Mr. Tillery stated it is in good condition and would be utilized.

A motion was made by Committee Member Ewing, seconded by Committee Member Jones that this matter be recommended to the City Council for approval, consent agenda. The motion carried unanimously with the following 4-0 vote.

Aye: (4) Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2018-236 Property Acquisition - 3710 Waterview Road - Parks and Recreation Department

City Council is requested to authorize the appropriate City Official to proceed with the purchase of property located at 3710 Waterview Road in the amount of \$182,100. This property is being purchased for use by the Parks and Recreation Department.

A motion was made by Committee Member Ewing, seconded by Committee Member Hudson, that this matter be recommended to the City Council for approval, consent agenda. The motion carried with the following unanimous 4-0 vote:

Aye: (4) Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2018-259 Property Acquisition 211 East Ray Street

Council is requested to authorize the appropriate City Official to proceed with the purchase of property located at 211 East Ray Street in the amount of \$60,000.00 for future City use.

Mr. Randy McCaslin, Deputy City Manager, gave the staff report on this item. He stated this property is adjacent to the City owned Parks and Recreation Senior Center and other city-owned property. He noted that this property is the only piece of property on that section of Ray Avenue that the City does not own. Council Member Peters asked if there are any thoughts of usage for the land. Mr. McCaslin stated there are needs regarding both the Senior Center as well as the cemetery, but exact usage of the property has not been determined at this time.

A motion was made by Committee Member Ewing, seconded by Committee Member Jones, that this matter be recommended to the City Council for approval, consent agenda. The motion carried by the following unanimous 4-0 vote:

Aye: (4) Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2018-237 Resolution City Manager Authority to Dispose of Easements

City Council is requested to adopt a Resolution delegating the City Manager authority to dispose of or exchange property interests in easements that are no longer needed by the City of High Point.

JoAnne Carlyle, City Attorney, gave the staff report for this item. She reminded the Committee of previous conversations held regarding considering giving the City Manager authority to dispose of certain easements. In the past all easements have come before Council, even though it is clear they are no longer needed by the City. This item amends the City's charter to give the City Manager that authority. She noted there is still an internal process including approval by TRC. Chairman Moore

asked if this practice is unusual. Ms. Carlyle replied that this is not unusual at all, that a number of cities have had this practice in place for a number of years. Committee Member Ewing questioned a section of the Resolution second paragraph "dispose or exchange." He asked if that is just for the adjacent property owners. Ms. Carlyle stated that would be up to the City Manager to make that determination, noting it did not have to be only adjacent property owners.

A motion was made by Chairman Moore, seconded by Committee Member Hudson, that this matter be recommended to the City Council for approval, consent agenda. The motion carried unanimously by the following 4-0 vote:

Aye: (4) Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2018-238 Contract Guilford County Schools School Resource Officers

City Council is requested to adopt a Resolution approving a contract with the Guilford County Schools in the amount of \$532,240.00 for eight (8) School Resource Officers for coverage at the four high schools and four middle schools located within the City limits of High Point. Contract is for the school year 2018-2019.

Randy McCaslin, Deputy City Manager, gave the staff report on this item. He stated this is an annual contract the City has with the school system to provide eight School Resource Officers. He noted that the School Board would reimburse the City \$532,240.00 for salaries, equipment and cars etc. Chairman Moore asked if these Officers would be in the High School and Middle Schools. Mr. McCaslin stated yes, they are placed in both.

A motion was made by Chairman Moore, seconded by Committee Member Ewing, that this matter be recommended to the City Council for approval, consent agenda. The motion carried by the following unanimous 4-0 vote:

Aye: (4) Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2018-239 Contract Renewal the Ferguson Group

Council is requested to authorize the renewal of contract with The Ferguson Group (TFG) for the period of July 1, 2018-June 30, 2019.

Randy McCaslin, Deputy City Manager, gave the staff report for this item. He stated this is an annual contract with The Ferguson Group for \$80,000 for lobbying expenses, and not to exceed \$5,000 annually for other expenses. He noted this is the same amount as last year.

A motion was made by Committee Member Ewing, seconded by Committee Member Jones, that this matter be recommended to the City Council for approval, consent agenda. The motion carried by the following unanimous 4-0 vote:

Aye: (4) Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2018-240 Outside Non-Profit Agency Funding

City Council is requested to finalize the recommendations for the funding of Outside Non-Profit Agencies for FY 2018 2019.

Chairman Moore distributed his recommendations for the Non-Profit Agency Funding. He stated an asterisk was placed on some agencies where overages were placed giving an example of item 2, Macedonia Family Resource Center. He asked the Committee to take a few minutes to review his proposals and opened the floor for discussion.

After a thorough discussion regarding funding for the Non-Profit Agencies, Chairman Moore made a motion, seconded by Committee Member Hudson, to approve his recommendations as submitted. The motion carried with the following unanimous 4-0 vote:

Aye: (4) Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

PENDING ITEMS**2018-100 High Point Area Arts Council Assistance Agreement**

City Council is requested to approve an Agreement providing assistance from the City of High Point of up to \$181,324.00 over the next two fiscal years for the satisfaction of a \$362,648 mortgage associated with the High Point Area Arts Council purchase of property located at 121 S. Centennial Street. (This item will be discussed at the July 16, 2018 Council Meeting.)

Note: No discussion or action took place regarding this item.

2018-169 Amendment to License Agreement Cingular Wireless PSC, LLC (AT&T)

City Council is requested to approve an Amendment to the License Agreement with Cingular Wireless PCS, LLC (AT&T) which allows the location of communication equipment at the City's Ward Water Plant; and authorize the City Manager to execute the agreement.

Note: No discussion or action took place regarding this item.

ADJOURNMENT

There being no further discussion, the meeting adjourned at 4:54 p.m. upon motion by Committee Member Ewing and seconded by Committee Member Jones.

Sandra Keeney
Deputy City Clerk

Britt Moore, Chairman

Profile

Leessa

First Name

Black

Last Name

blackl2@gcsnc.com

Email Address

201 Stapleton Way

Street Address

Suite or Apt

High Point

City

NC

State

27265

Postal Code

What district do you live in? *

☒ Within High Point Corporate Limits

Home: (336) 259-8115

Primary Phone

Home: (336) 819-2935

Alternate Phone

Guilford County Schools

Employer

Which Boards would you like to apply for?

Board of Alcoholic Control: Submitted
Citizens Advisory Council: Submitted
Historic Preservation Commission: Submitted
Housing Authority Board: Submitted
Human Relations Commission: Submitted
Library Board of Trustees: Submitted
Parks and Recreation Commission: Submitted
Guilford County Historic Preservation Commission: Submitted
Economic Development Corporation: Submitted
Firefighter's Relief Fund Board: Submitted
Piedmont Triad Airport Authority: Submitted

H05

Ward you reside in?

Interests & Experiences

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

Chairman Society and Board Member-Boys and Girls Club of Greater High Point, Former Housing Authority Commission, Human Relations Commissions, Salvation Army Boys & Girls Club Board Member, High Point Community Hero (2 times elected) Woman and Youth Award by Salvation Army, Treasurer PTA's, Treasurer Guilford County Schools, V.P of Operation Kemp Furniture.

[Leessa Black-resume_July_2017_-2.doc](#)

Upload a Resume

Have you participated in Leadership High Point?

☒ Yes ☐ No

Graduate 1999

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

Gender

☒ Female

Leessa G. Black
201 Stapleton Way - High Point, NC 27265
Phone: 336.887.8045 (H) - 336.259.8115 (C)
leessa@northstate.net

SUMMARY

Highly accomplished Commercial Credit Manager including domestic and international retailers. Results-oriented, decisive leader with proven success in credit and collections, accounts receivable, cash posting, mergers and acquisitions, and planning with both startup and growth organizations. Proven record of accomplishment in: problem-solving, communication with customer's sales representatives, and leadership management and supervision. Additional skills include:

- **TRAINING COACH**
- **NOTARY PUBLIC**
- **MICROSOFT OFFICE 2010**
- **CHANGE MANAGEMENT**
- **ACCOMPLISHED SPOKESPERSON**
- **SAP /AS400/FRONTIER/SOFTWARE**

EXPERIENCE

Guilford County Schools, Penn Griffin School for the Arts

Treasurer

2012-Present

- Under general supervision serves as program assistant performing a variety of complex bookkeeping, administrative and secretarial duties requiring an awareness of virtually everything happening in a school environment.
- Work involves independently preparing routine correspondence; compiling information for reports; maintaining complex computer-based accounting systems; performing technical accounts payable functions.
- Responsible for maintaining school-related files of a variety of records, reports, documents, and correspondence using a variety of computer driven word processing, spread sheet and file maintenance programs and assimilating information from a variety of sources to compose letters, generate reports and provide informational data.
- Maintains an accurate record of absences for school-based employee's payroll.
- Responsible for front-office; registers new students, greets and directs visitors; and answers calls for student records regarding transfers.
- Maintains records for county allotment; types requisitions for orders to purchasing department, maintains log of purchase orders and processes orders for school using procurement cards.

Schnadig International Corporation, Greensboro, NC

Senior Credit Manager

2009-2011

- Established credit policy /procedures for newly acquired Furniture Company.
- Managed daily operations of credit department, worked closely with sales to generate new business, set up new bank accounts, lock box, credit cards/fax checks procedures.
- Supervised cash posting and reconciled A/R at month end.
- Insured, monitored, declared invoices, requested payments from Sinosure Insurance of China.
- Established membership with furniture credit agencies, attended monthly credit meetings, worked with collection agencies on bad debt accounts.
- Processed invoices/ credit memo's approved open orders, contacted delinquent accounts by both telephone and visits.
- Responsible for inter office petty cash.

Kemp Enterprises/B.K. Home Furniture, LLC, High Point, NC

Sr. V.P. Administration /Warehouse Operations

2006-2009

- Duties included human resources, credit and collection, payroll, supervised customer service department, accounting department and warehouse operations. Assured set up of furniture showroom and office construction for this new furniture importer with \$20 million annual sales.
- Responsible for assisting with closing the owner's former company, Kemp Enterprises and for opening his new company, B.K Home Furniture L.L.C.

Whitewood Industries, Thomasville, NC

Corporate Director of Credit

2000-2006

- Developed a credit department, set up policy and procedures used to secure credit line with the bank.
- Daily collection calls to customers, responsible for making credit decisions for this \$36 million unfinished furniture company.
- Obtained membership in two major furniture credit-reporting associations
- Worked closely with company attorney regarding filing of UCC security agreements, personal guarantees, bad debt collection and bankruptcies.
- Maintained accounts receivables daily while keeping DSO at 45-50 days.

Rightlinx Group Inc., High Point, NC

Office Manager

1999-2000

- Assisted owner as office manager in a new startup (dot.com) business, responsible for entire operations from hiring personnel to everyday operations of office, including payroll, obtaining contractor's for construction of the office, purchasing, maintaining the owners meeting and travel agenda, and processed the firms accounts receivable and payables.

Universal Furniture, High Point, NC

SR. National Accounts Credit Manager

1987-1999:

- Promoted to National Accounts Credit Manager in 1997 as the main credit contact for the companies major and largest accounts.
- Traveled to customers throughout the United States to resolve sensitive credit issues along with Universal's top management.
- Served 10 years as Credit Manager for the northeast region of the United States. Responsible for the collection of delinquent accounts, research and set up of new accounts, attend credit agency meetings, worked with sales representatives and customer service to resolve chargeback issues.

EDUCATION •

AFFILIATIONS

•

VOLUNTEER ACTIVITIES

- Graduate TW Andrews High School
- Completed Accounting Principles- GTCC Jamestown, NC
- Extensive training and certifications in finance- Dun and Bradstreet
- Member in good standing-Furniture Manufacturers Credit Assoc.
- Recognized as Credit Manager of the Month by NCM Magazine 2001
- Board Member Salvation Army Boys and Girls Club
- Voted as High Point Community Hero by The United Way
- Founding Board Member/Chairperson, Boys & Girls Club of Greater
- Commissioner High Point Human Relations Commission
- Commissioner High Point Housing Authority
- Graduate High Point Chamber of Commerce Leadership High Point Class of 1999

- References attached

CITY OF HIGH POINT

AGENDA ITEM



Title: 2018-19 Urgent Repair Policies

From: Michael E. McNair, Director

Meeting Date: August 6, 2018

Public Hearing: N/A

Advertising Date: N/A

Advertised By: N/A

Attachments: URP 18 Procurement and Disbursement Policy
URP 18 Assistance Policy

PURPOSE:

To seek Council approval of Urgent Repair Program (URP) policies and procedures required by the North Carolina Housing Finance Agency.

BACKGROUND:

NCHFA requires URP grant recipients to adopt policies and procedures defining to procurement and assistance protocols.

BUDGET IMPACT:

N/A. Funding for URP18 approved in 2018-19 Annual Action Plan

RECOMMENDATION / ACTION REQUESTED:

The Community Development and Housing Department recommends approval of the URP 18 Procurement and Disbursement Policy and the URP 18 Assistance Policy and that the appropriate City official and/or employee be authorized to execute all necessary documents.



City of High Point

Procurement and Disbursement Policy

2018 URGENT REPAIR PROGRAM

PROCUREMENT POLICY

1. To the maximum extent practical, the City of High Point (the City) promotes a fair, open and competitive procurement process as required under the North Carolina Housing Finance Agency's Urgent Repair Program (URP). Bids are invited from Contractors who are part of the City's approved contractor registry. (To be on the registry, a contractor must complete an application, have their recent work inspected, reviewed and approved by the Project Manager and submit proof of insurance.) Any contractor listed with and approved by the City will receive automatic approval status on the contractor registry.
2. At least three eligible contractors on the City's approved contractor registry shall be invited to bid on each job and the lowest responsive and responsible bidder shall be selected for the contract. "Responsive and responsible" means (a) the contractor is deemed able to complete the work in a timely fashion, (b) that the bid is within 15% on the low end of the City's nominal amount or 15% on the high end of the City's nominal amount and that (c) there is no conflict of interest (real or apparent).
3. Although bid packages may be bundled for multiple job sites, the bids for multiple job sites may be considered separate and apart when awarded and may be awarded to the lowest responsive and responsible bidder(s) for each job site.
4. Bid packages shall consist of an invitation to bid, work write up(s) and bid sheet(s) for each job.
5. Bids must include a cost-per-item breakdown with line item totals equaling the submitted bid price. Discrepancies must be reconciled prior to a contract being awarded.
6. Any change to the original scope of work must be reduced to writing in the form of a change order to be agreed upon and signed by all parties to the original contract and two

representatives of the City. The change order must also detail any changes to the original contract price.

7. No work may begin prior to a contract being awarded and executed and a written order to proceed provided to the contractor. In addition, a pre-construction conference and “walk thru” shall be held at the work site prior to commencement of repair work.
8. The City reserves the right to reject any or all bids at any time during the procurement process.
9. In the event of a true emergency situation, the City reserves the right to waive normal procurement procedures in favor of more expedient methods, which may include seeking telephone quotes, faxed bids and the like. In the event phone bids are used, the City of High Point will call the first three responsive contractors on the approved contractor registry. The City will track who has been called and responsive and will rotate through the list before starting through the rotation again. Should such methods ever become necessary, the transaction will be fully documented.
10. If the nature of a repair is such that the repair can be made during the contractor’s initial inspection, or service or diagnostic call and the repair is less than \$500, no write-up, quotes or bids will be required. Should this method of repair be used, the transaction will be fully documented.
11. All sealed bids will be opened publicly at a time and place to be announced in the bid invitation. All bidders are welcome to attend.
12. The City of High Point is an equal opportunity employer, implements non-discriminatory practices in its procurement/disbursement and will make special outreach efforts to include M/WBE (Minority/Women Business Enterprise) businesses within its contractor and subcontractor pool.

DISBURSEMENT POLICY

1. All repair work must be inspected by (a) the City’s Project Manager, (b) the homeowner, and (c) the building code inspector as appropriate for the project prior to any payments to contractors. If all work is deemed satisfactory and all other factors and written agreements are in order, payment shall be issued upon presentation of an original invoice from the contractor. Contractor should allow 21 business days for processing of the invoice for payment.
2. If any of the work is deemed unsatisfactory, it must be corrected prior to authorization of payment. If the contractor fails to correct the work to the satisfaction of the City’s Project Manager, payment may be withheld until such time as the work is deemed satisfactory. (Contractors may follow the City’s Urgent Repair Program Assistance Policy complaint process if a dispute occurs; however, contractors shall abide by the final decision as stated in the policy).

- 3. The City assures, through this policy, that adequate funds shall be available to pay the contractor for satisfactory work.
- 4. All contractors, sub-contractors and suppliers must sign a lien waiver prior to disbursement of funds.

The Procurement and Disbursement Policies, are adopted this the _____ day of _____ 20____.

City of High Point

BY: _____

ATTEST: _____

CONTRACTORS STATEMENT:

I have read and understand the attached Procurement and Disbursement Policy.

BY: _____

COMPANY NAME: _____

WITNESS: _____



Assistance Policy

Urgent Repair Program – 2018 Cycle

What is the Urgent Repair Program? The City of High Point has been awarded \$50,000 by the North Carolina Housing Finance Agency (“NCHFA”) under the 2018 cycle of the Urgent Repair Program (“URP18”). The City shall contribute an additional \$10,000 from General Funds that are allocated toward affordable housing on an annual basis to supplement URP18 project activities. This program provides funds to assist very-low and low-income households with special needs in addressing housing conditions which pose imminent threats to their life and/or safety or to provide accessibility modification and other repairs necessary to prevent displacement of very-low and low-income homeowners with special needs such as frail elderly and persons with disabilities. A total of 10 households are projected to be assisted under URP18.

This Assistance Policy describes who is eligible to apply for assistance under URP18, how applications for assistance will be received, what the form of assistance is and how the repair/modification process will be managed. The City has tried to design this URP18 project to be fair, open, and consistent with the City’s approved application for funding and with NCHFA’s URP Program Guidelines.

The funds provided by NCHFA come from the North Carolina Housing Trust Fund.

Eligibility: To be eligible for assistance under URP18 applicants must meet the following requirements.

- 1) Must reside within the City of High Point and own and occupy the home in need of repair.
- 2) Must have a household income which does not exceed 50% of the State median income for the household size (see income limits below).
- 3) Must have one or more fulltime household members with special needs (i.e., be elderly (≥ 62 years old), handicapped or disabled, a single parent household with at least one dependent child in residence, a large family with ≥ 5 household members, a household with a child below the age of six with an elevated blood lead level (between 10 $\mu\text{g}/\text{dl}$ and 20 $\mu\text{g}/\text{dl}$) or a military veteran who was discharged or released under conditions other than dishonorable).

- 4) Must have urgent repair needs, which cannot be met through other state or federally- funded housing assistance programs.

**URP18 Income Limits
(Statewide non-Metro)***

<i>Number in Household</i>	<i>30% of Median Income (very low income)</i>	<i>50% of Median Income (low income)</i>
1	\$13,300	\$22,150
2	\$15,200	\$25,300
3	\$17,100	\$28,500
4	\$19,000	\$31,650
5	\$20,500	\$34,200
6	\$22,050	\$36,700
7	\$23,550	\$39,250
8	\$25,050	\$41,800

**Income limits are subject to change based on annually published HUD income limits.*

Outreach Efforts of the Urgent Repair Program: The City of High Point will advertise or publish an article about the Urgent Repair Program in the local newspaper serving the City (The High Point Enterprise), at senior centers throughout the City, with veteran's organizations that serve City residents, and on the City's website.

Selection of applicants: The City shall select recipients on a first-come, first-served based on applications received from eligible applicants. NOTE: For a true emergency situation (e.g., tree falls on roof, sewer backup, etc.), the application and eligibility assessment shall be expedited and work shall begin as soon as feasibly possible (see Item #10 of Procurement Policy for more information).

The NCHFA Program guidelines require that a minimum of 50% of the households assisted must have incomes which are less than 30% of the area median income for the household size, and no household with an income exceeding 50% of the area median income will be eligible. This guideline will be adhered to strictly and will be a key factor in selection of those households served under the grant.

Recipients of assistance under the URP18 will be chosen by the above criteria without regard to race, creed, sex, color, or national origin.

The definitions of special needs' population under the URP18 are as follows:

- Elderly: An individual aged 62 or older.
- Disabled: A person who has a physical, mental or development disability that greatly limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment.
- Large Family: A large family household is composed of five or more individuals, with at least four being immediate family members.

- Head of Household: The person or persons who own(s) the house.
- Household Member: Any individual who is an occupant (defined below) of the unit to be rehabilitated shall be considered a “household member” (the number of household members will be used to determine household size and all household members are subject to income verification).
- Occupant: An occupant is defined as any immediate family member (mother, father, spouse, son/daughter of the head of the household, regardless of the time of occupancy); or non-immediate family member who has resided in the dwelling at least three months prior to the submission of the family’s application.
- Child with elevated blood lead level: A child below the age of six with an elevated blood lead level between 10 µg/dl and 20 µg/dl.
- Veteran: A person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.
- Emergency: A situation where a household member has an immediate threat of being evicted or removed from a home due to health or safety issues within a time frame that the program can complete a repair to stop eviction or removal.

Client Referral and Support Services: Many homeowners assisted through the Urgent Repair Program may also need other services. When City staff meet the homeowner during the in-take and work write-up process, they will discuss the resources and programs available in the City and provide pamphlets and agency contact information when appropriate.

What is the form of assistance under URP18? The City will provide assistance to homeowners, whose homes are selected for repair/modification in the form of a loan. Homeowners will receive an unsecured deferred, interest-free loan, forgiven at a rate of \$1,000 per year, until the principal balance is reduced to zero.

What is the amount of the loan? The amount of the loan will depend on the scope of work necessary to address the identified imminent threats to life and/or safety, and that will be determined by the City’s rehabilitation specialist. There is no minimum to the amount of the loan; however, the maximum life-time limit according to the guidelines of the City’s program is \$8,000.

What kinds of work will be done? Only repairs that alleviate housing conditions which pose an imminent threat to the life and/or safety of occupants of the dwelling unit or accessibility modifications will be performed under the City’s URP. It should be noted that all deficiencies in a home may not be rectified with the available funds.

All work that is completed under URP18 must meet or exceed NC State Residential Building Code standards and be done in compliance with all state or local permitting, inspections, licensing and insurance requirements.

Who will do the work on the homes? The City is obligated under URP18 to ensure that quality work is done at reasonable prices and that all work is contracted through a fair, open and competitive process. To meet those very difficult requirements, the City will invite bids only from contractors who are part of an approved contractors’ list. Please request a copy of the City’s

Procurement and Disbursement Policy for further information.

A minimum of three approved contractors will be invited to bid on each job, and the lowest responsive and responsible bidder will be selected for the contract. "Responsive and responsible" is described in the Procurement and Disbursement Policy.

The City has an existing approved contractors' list for its existing rehabilitation programs. If other contractors wish to apply they are welcome to do so through the following process:

- 1) Fill out a contractor's questionnaire form which includes references, financial information, and recent jobs completed (contact: Ed Brown @ 336-883-8522).
- 2) Provide appropriate documentation, including licenses and liability insurance.

The City of High Point is an equal opportunity employer, implements non-discriminatory practices in its procurement/disbursement and will make special outreach efforts to include M/WBE (Minority/Women Business Enterprise) businesses within its contractor and subcontractor pool.

What are the steps in the process, from application to completion? Now that you have the information about how to qualify for the City of High Point's URP18, what work can be done, and who will do it, let's go through all the major steps in the process:

- 1) **Completing an Application form:** Homeowners who wish to apply for assistance should call (336) 883-3349 or visit the City's website at www.highpointnc.gov/cd. Proof of ownership and income will be required. Those who have applied for housing assistance from the City in the past will not automatically be reconsidered. A new application will need to be submitted.
- 2) **Preliminary inspection:** The City's Project Manager will visit the homes of applicants to determine the need and feasibility of repairs/modifications.
- 3) **Screening of applicants:** Household income will be verified for program purposes only (information will be kept confidential). Ownership of property will be verified along with other factors.
- 4) **Applicant interviews:** Approved applicants will be provided detailed information on assistance, program repair/modification standards and the contracting procedures associated with their project at this informational interview.
- 5) **Work write-up:** The City's Project Manager will visit the home again for a more thorough inspection. All parts of the home must be made accessible for inspection, including the attic and crawlspace, if any. The owner should report any known problems such as electrical short circuits, blinking lights, roof leaks and the like. The Project Manager will prepare complete and detailed work specifications (known as the "work write-up"). The Project Manager shall review the work write-up with the homeowner and obtain written

acceptance of the work write-up from the homeowner. A final cost estimate will also be prepared by the Project Manager and held in confidence until bidding is completed.

- 6) **Bidding:** The work write-up and bid documents will be sent to a minimum of three contractors on the Approved Contractors' Registry who will be given one week in which to inspect the property and prepare bid proposals. Each will need access to those areas of the house, in which work is to be performed, in order to prepare a bid. Bids will be opened in the City's Community Development & Housing Department.
- 7) **Contractor selection:** Within 24 hours of the bid opening, after review of bid breakdowns and timing factors, the winning bidder will be selected. All bidders and the homeowner will be notified of (1) the selection, (2) the amount, (3) the amount of the City's cost estimate, and (4) if other than the lowest bidder is selected, of the specific reasons for the selection.
- 8) **Execution of loan and contract:** The loan will be executed as well as the repair/modification contract. This contract will be between the contractor and the homeowner, with the City serving as the homeowner's agent. The total loan amount will never exceed \$8,000 for project hard costs.
- 9) **Pre-construction conference:** A pre-construction conference will be held at the home. At this time, the homeowner, contractor and program representatives will discuss the details of the work to be done. Starting and ending dates will be agreed upon, along with any special arrangements such as weekend or evening work hours and disposition of items to be removed from the home (such as old plumbing, etc.). Within 24 hours of the pre-construction conference, the City will issue a "proceed order" formally instructing the contractor to commence by the agreed-upon date. NOTE: A "proceed order" will not be issued until the contract between the contractor and the homeowner has been executed.
- 10) **Construction:** The contractor will be responsible for obtaining any required building permits for the project before beginning work. The permit must be posted at the house during the entire period of construction. Program staff will closely monitor the contractor during the construction period to make sure that the work is being done according to the work write-up (which is made a part of the rehabilitation contract by reference) and in a timely fashion. The project manager will inspect new work for compliance with the State Building Code as required by the guidelines of URP18. The homeowner will be responsible for working with the contractor toward protecting personal property by clearing work areas as much as practicable.
- 11) **Change Orders:** All changes to the scope of work must be reduced to writing as a contract amendment ("change order") and approved by all parties to the contract: the owner, the contractor, the Project Manager and the City's Community Development and Housing Director (or his designee). If the changes require an adjustment in the loan amount, a loan modification stating these changes in the contract amount must be completed by the City, and executed by the owner. If the changes result in a decrease in the loan amount, an estoppel informing the homeowner of these changes in the contract amount will be

completed by the City and conveyed to the owner.

12) Payments to contractor: The contractor will be paid following the inspection and satisfactory completion of all items on the work write-up as well as the receipt by the City of the contractor's invoice and a release of liens, signed by all sub-contractors employed on the job and by all material suppliers from whom materials for the job were purchased. Please request a copy of the City's Procurement and Disbursement Policy for further information.

13) Post-construction conference: Following construction the contractor and the Project Manager will sit down with the homeowner one last time. At this conference the contractor will hand over all owner's manuals and warranties on equipment. The contractor and Project Manager will go over operating and maintenance requirements for any new equipment installed and discuss general maintenance of the home with the homeowner. The homeowner will have the opportunity to ask any final questions about the work.

14) Closeout: Once each item outlined in section 12 has been satisfied and the homeowner has signed a Certificate of Satisfaction, the job will be closed out.

What are the key dates? If, after reading this document, you feel that you qualify for this program and wish to apply, please keep the following dates in mind:

- Applications shall be available to the public starting on the date the NCHFA URP18 Funding Agreement is executed. It is anticipated that the execution of the Funding Agreement will occur on or before October 1, 2018.
- Resources for this program shall be available through November 30, 2019 or when resources have been spent, whichever occurs first.

How do I request an application? Please contact:

April Jones, Administrative Specialist
City of High Point, Community Development and Housing Department
211 S. Hamilton Street, Room 312
High Point, NC 27260
336-883-3348 OR april.jones@highpointnc.gov

Is there a procedure for dealing with complaints, disputes and appeals? Although the application process and repair/modification guidelines are meant to be as fair as possible, the City of High Point realizes that there is still a chance that some applicants or participants may feel that they are not treated fairly. The following procedures are designed to provide an avenue for resolution of complaints and appeals.

During the application process:

- 1) If an applicant feels that his/her application was not fairly reviewed and would like to

appeal the decision made about it, he/she should contact Richard Fuqua, Affordable Housing Manager, within five days of the initial decision and voice their concern. If the applicant remains dissatisfied with the decision, the detailed complaint should be put into writing.

- 2) A written appeal must be made within 10 business days of the initial decision on an application.
- 3) The City of High Point will respond in writing to any complaints or appeals within 10 business days of receiving written comments.

During the repair/modification process:

- 1) If the homeowner feels that repairs or modifications are not being completed according to the contract, he/she must inform the contractor and the Project Manager.
- 2) The Project Manager will inspect the work in question. If he finds that the work is not being completed according to the contract, the Project Manager will review the contract with the contractor and ask the contractor to remedy the problem.
- 3) If problems persist, a mediation conference between the homeowner and the contractor may be convened by the Project Manager and facilitated by the City's Community Development and Housing Director ("Director") or his designee.
- 4) Should the mediation conference fail to resolve the dispute, the Director will render a written final decision.
- 5) If the Project Manager finds that the work is being completed according to the contract, the complaint will be noted and the Project Manager and the homeowner will discuss the concern and the reason for the Project Manager's decision.

Will the personal information provided remain confidential? Yes. All information in applicant files will remain confidential. Access to the information will be provided only to City employees who are directly involved in the program, the North Carolina Housing Finance Agency and auditors.

What about conflicts of interest? No officer, employee or other public official of the City, or member of the City Council, or entity contracting with the city, who exercises any functions or responsibilities with respect to URP18 shall have any interest, direct or indirect, in any contract or subcontract for work to be performed with program funding, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter. Relatives of City employees, Council Members and others closely identified with the City, may be approved for rehabilitation assistance only upon public disclosure before the City's Community Development and Housing Director and written permission from NCHFA.

What about favoritism? All activities under URP18, including the review of applications, inviting bids, selecting contractors and resolving complaints, will be conducted in a fair, open and non-discriminatory manner, entirely without regard to race, color, religion, national origin, sex, familial status and disability.

Who can I contact about URP18? Any questions regarding any part of this application or program should be addressed to:

Thanena S. Wilson
Assistant Director, CD&H Department
211 S. Hamilton St., Rm. 312
High Point, NC 27260
336-883-3351
thanena.wilson@highpointnc.gov

This Assistance Policy is adopted this _____ day of _____ 2018.

Mayor Jay W. Wagner _____

ATTEST: _____

******TO BE PLACED IN PROJECT FILE******

Acknowledgement of Receipt

I acknowledge receipt of a copy of the URP18 Assistance Policy and was provided the opportunity to review the document with City staff.

Owner

Date

Profile

Ken

First Name

Mickey

Last Name

kennshp@northstate.net

Email Address

1217 Westminster Dr

Street Address

Suite or Apt

High Point

City

NC

State

27262

Postal Code

What district do you live in? *☒ Within High Point Corporate Limits

Mobile: (336) 408-0551

Primary Phone

Home:

Alternate Phone

Self

Employer

Which Boards would you like to apply for?

Theatre Advisory Commission: Submitted

3

Ward you reside in?

Interests & Experiences

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

I'm a performing songwriter and work locally and state wide promoting music and songwriters. I have given free lectures on guitar playing at High Point Public Library with my "Fun with Guitar" series. I teach guitar and music and Westchester Country Day School and am the audio engineer for three plays each year for grades K-12. I host a weekly Open Mic for triad songwriters at WiFi Wine Shoppe in High Point.

[Ken_Mickey_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:

Gender

☒ Male

Ken Mickey
1217 Westminster Dr.
High Point, North Carolina, 27262 (336) 408-0551
kmguitar@gmail.com

Education

Northeast Community College, Norfolk, Nebraska. Graduated - July 1995

Audio and Recording Technology

Recorded and mixed audio in studio and live sound environments. Captured bands and musicians in studio and worked to reinforce live performances in theaters and concert halls. Earned an A.A.S. in Audio and Recording.

Employment History

Westchester Country Day School, High Point, North Carolina. August 2010 - Present

Instructor

Teach private guitar lessons, and I lead and instruct the contemporary music ensemble.

Mojo Musical Supply, Burgaw, North Carolina. July 2000 - July 2005

Internet Sales

Sold surplus guitar amplifier parts and equipment.

American Multimedia International, Burlington, North Carolina. July 1995 - June 2000

Audio technician

Repaired and maintained audio manufacturing equipment.

Hobbies & Interests

Canoe paddling and fishing.

References

Jack Gorham Collector's Antique Mall (336) 689-2274

jacksjunkandmusic@gmail.com

David Thrower U.N.C. Chapel Hill (919) 717-2377

davidthrower@yahoo.com

City Clerk's Office

Sandra Keeney

DEPUTY CITY CLERK



August 7, 2018

Todd Nifong
Otteray Avenue
High Point, NC 27262

RE: Reappointment – Parks & Recreation Commission

Dear Todd Nifong:

During an official meeting of the High Point City Council held on August 6, 2018, you were unanimously reappointed to serve as a member on the Parks & Recreation Commission. Your reappointment will be effective immediately and will expire July 1, 2021.

Our Boards and Commissions play an important role in our community, and in order to carry out this role, we need interested volunteers such as yourself who are willing to give of their time and talents while carrying out the duties and responsibilities they assume as members.

We sincerely appreciate your willingness to serve as a Member of this very important Board. If I can be of any further assistance to you, please do not hesitate to contact me by email sandra.keeney@highpointnc.gov or call 336.883.3690.

Sincerely,

A handwritten signature in blue ink that reads "Sandra Keeney".

Sandra Keeney
Deputy City Clerk

Profile

Phyllis

First Name

Bridges

Last Name

pbridgesa@gmail.com

Email Address

5040 Samet Drive -Apt. 3E

Street Address

Suite or Apt

Jamestown

City

NC

State

27282

Postal Code

What district do you live in? *☒ Within High Point Corporate Limits

Home: (336) 989-0047

Primary Phone

Home:

Alternate Phone

Employer

Which Boards would you like to apply for?

Theatre Advisory Commission: Submitted

0

Ward you reside in?

Interests & Experiences

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

See resume.

[GalleryResume.doc](#)

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:

Gender

☒ Female

Yaliks Modern Art



115 Parkview Terrace Lane Jamestown NC 27282
(336) 989-0047

webmaster@yaliksmodernart.com

Phyllis Bridges, CEO
Yalik's Modern Art

MISSION

To inspire lifelong learning, advance knowledge and strengthen our community's awareness of African American contribution.

EDUCATION

Guildford College, Greensboro, NC

Major: African American Studies

Minor: Visual Art & Art History

High Point University, High Point, NC

Major: Interior Design

EXPERIENCE

Yalik's Modern Art, CEO

October 2008 – Current

Responsible for daily operations oversight and management of art gallery, inventory, developing long term projects for purchase and sales of artwork, website management, client development, press releases, installing of exhibitions and responsible for all marketing & advertising, develop relationships with artists, Oversee hosting of monthly opening receptions.

High Point Historical Preservation Commission

Board of Directors

February 2013 – 2015

Housing Authority of the City of High Point

Art Program Director

January 2014 – 2015

President

High Point Fine Art Guild – A non-profit art organization, founded in 1964.
March 2010 – June 2011

High Point Preservation Society

Jan 2017 – Present

Organization Position - Vice-Chair

A citizen-based nonprofit organization to promote and advocate for the historic buildings and properties that represent the unique history of High Point.

Alpha Art Club

Sept 2015 – Present

Organization position - member

High Point's oldest African-American club

The City of High Point Facade Improvement Program

Sep 2012 – Present

Organization position - Committee Member

Piedmont Triad Film Commission

March 2018- Present

Organization position – Committee Member

Awards: **2014 Paul Green Multi-Media Award**, presented by the NC Society of Historians. Winner for film titled, High Point: The Memoir of An African American Community.

2015 North Carolina Black Film Festival - Documentary film titled, The Memoir of An African American Community was chosen for the Best documentary category.

2017 Multi-Media Award & Presidents Award presented by the NC Society of Historians, for the documentary film; The March On An All-American City.

McDonald's 2018 Rhythms of Triumph Awards

Recognizing African Americans who give back to their community.

Past Projects: **John Coltrane vs. the Jazz Critics: 1961 – 1966.** This photographic and documentary exhibit coincided with the 2012 John Coltrane International Jazz and Blues Festival, in High Point, NC. It was underwritten by the Hayden-Harman Foundation, Friends of John Coltrane and the High Point Museum.

How Far We've Come: This photo exhibit was present during the Annual Board Members Luncheon for Housing Authority of the City of High Point. It showed a timeline of history for High Point's Housing Authority 74 years of history.

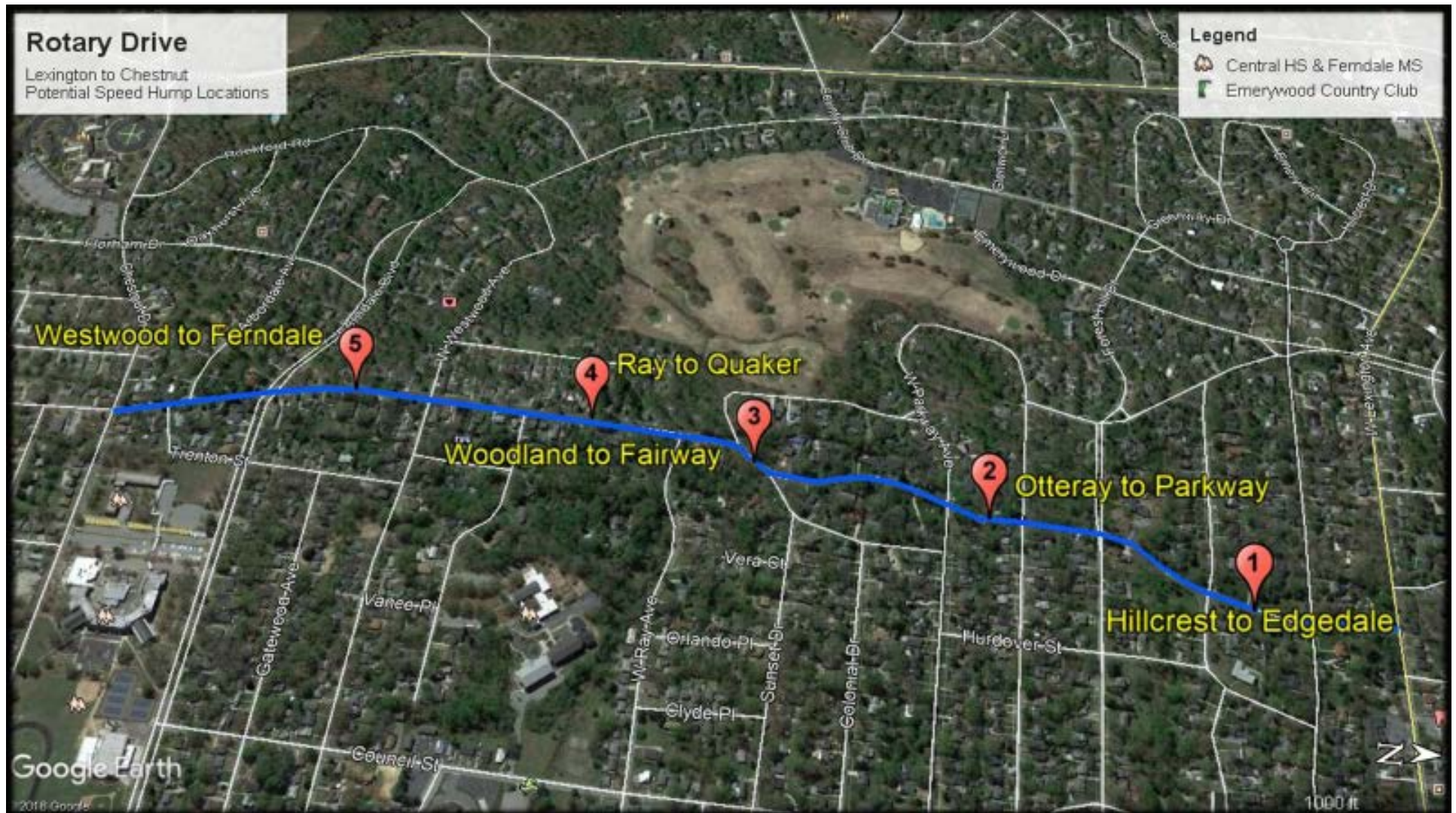
Award winning film, High Point: A Memoir of the African American Community. A 50 min. documentary exploring the deep-rooted history of struggle, foresight, family, equality and courage of High Point's African American community. We explore the early era of the Negro history throughout the Civil Rights Movement.

Award winning film, The March On An All-American City. The March On An All-American City is a documentary film which gives a chronological timeline of how an African American community and an All-American City survived the racial tension of the 1960's.

This film gives you a glimpse into the history of High Point's African American community when it was fighting for integration and equality during the Civil Rights Movement. Key leaders of the Civil Rights Movement marched, lead and propelled people to embrace change, in the city of High Point, NC. Late greats like Rev. B. Elton Cox, James Farmer and Floyd McKissick Sr., just to name a few.

Prominent citizens of High Point's share their stories, experiences and knowledge about a critical time in the city's history as the walls of segregation came tumbling down.

Attachment 1 – Location Map



Attachment 2 – Rendering of Typical Installation



CITY OF HIGH POINT

AGENDA ITEM



Title: HRC – 2018 6-month Work Plan

From: Fanta Dorley, Human Relations Manager
Willie Davis, HRC Chair

Meeting Date: August 6, 2017

Public Hearing: N/A

**Advertising Date /
Advertised By:** N/A

Attachments: Work Plan July – December 2018

PURPOSE:

Seeking City Council approval for the July- December 2018 Work Plan for the Human Relations Commission.

BACKGROUND:

The Ordinance for the High Point Human Relations Commission requires a semi-annual submission of the intended work plan to City Council in order to document and track the work and areas of focus of the Commission. A layout of the plan is to be submitted to clearly illustrate the intended work to be accomplished and provide a summation of work that is to follow. A brief report on past tasks of former work plans will be given to City Council at the presentation of the future work plan.

BUDGET IMPACT:

No funds requested

RECOMMENDATION / ACTION REQUESTED:

Approval of attached document.



**City of High Point
Human Relations Commission**

Work Plan: July 2018 - December 2018

- I. Action Items: July 2018 – December 2018
- II. Individual Work Plans for Action Items July 2018 – December 2018
- III. Possible future work items

I. Action Items: July 2018 – December 2018

- Triad Meet & Greet planning
- International Dinner/Potluck
- HRC meetings in the community
- Host Ramadan Dinner

Recommended Human Relations Work Plan: Continue outreach through community and educational awareness.

1. <i>Refine the identified highest priority initiatives into specific statements to be achieved.</i>	<u>RECOMMENDED INITIATIVE:</u> Start having HRC meeting in the community
2. <i>Identify when progress toward or successful completion of the initiative will be measured.</i>	<u>RECOMMENDED TIMELINE:</u> Starting at the May HRC Meeting, we will host our meetings at different City owned facilities throughout the area. It would be preferable to set these dates in advance in order to publicize. It would be ideal to make this an ongoing initiative that goes beyond the current workplan's timeline.
3. <i>Identify the results or evidence to document successful completion of the initiative.</i> ID meaningful milestones to measure progress when initiative completion is beyond the Work Plan cycle.	<u>RECOMMENDED SUCCESS INDICATORS</u> - Having a quorum available at each meeting at different sites throughout the city. - Listing meeting locations a minimum of three weeks before each meeting.
4. <i>Identify the resources needed for this initiative to be successful.</i>	<u>RESOURCES:</u> List of all city owned facilities which have a meeting space large enough for the commission and has easy public access. Human Relations Manager to reserve the spaces with enough time to publicly announce
5. <i>What else does the Commission need to move forward successfully?</i>	<u>OTHERS:</u> The purpose of hosting meetings in different locations is for those in the community to see our work and have an opportunity to interact with the commission without having to go out of their way to get to City Hall.

Recommended Human Relations Work Plan: Organize Triad HRC Dinner

1. <i>Refine the identified highest priority initiatives into specific statements to be achieved.</i>	<u>RECOMMENDED INITIATIVE:</u> The HRC would like to invite commissioners and Human Relations staff from the Winston-Salem, Reidsville, Durham, Burlington and Greensboro Human Relations Commissions to a dinner with the High Point HRC.
2. <i>Identify when progress toward or successful completion of the initiative will be measured.</i>	<u>RECOMMENDED TIMELINE:</u> August 2018 or September 2018 depending space availability (i.e. Deep River Recreation Center, Oak View Recreation Center, High Point Museum and other community space).
3. <i>Identify the results or evidence to document successful completion of the initiative.</i> ID meaningful milestones to measure progress when initiative completion is beyond the Work Plan cycle.	<u>RECOMMENDED SUCCESS INDICATORS:</u> Successful hosting of the Triad HRC Dinner with other local HRC and sharing best practices of past and present years. Hosting the 2nd Triad HRC Dinner hosted by High Point HRC.
4. <i>Identify the resources needed for this initiative to be successful.</i>	<u>RESOURCES:</u> City Council Attendance to this event and Commissioner availability. We will need a caterer and a location to host the event. HRC will need an agenda, plates, glasses and silverware for this event. HRC will need to send out invitation to the HRC in the following locations: Burlington, Alamance, Winston-Salem, Greensboro, Durham, Reidsville and Hillsborough.
5. <i>What else does the Commission need to move forward successfully?</i>	<u>OTHERS:</u> The HR commission will need \$300.00 to cover approximate food expenses for 30 people. Participation and attendance from all High Point HR Commissioners and help from the Human Relations Staff for the event. City Council will also be invited to attend.

Recommended Human Relations Work Plan: International Community unity

1. Refine the identified highest priority initiatives into specific statements to be achieved.	<u>RECOMMENDED INITIATIVE:</u> Host an International Potluck Dinner. Establish an International Day of “Giving Thanks” <i>Commissioners to work on this item Esther Idassi, Latishia Bahena, Daniel Gardner</i>
2. Identify <i>when</i> progress toward or successful completion of the initiative will be measured.	<u>RECOMMENDED TIMELINE:</u> HRC will host an International Dinner that will form the unity amongst the community members, the proposed date for the dinner is November 17
3. Identify the results or evidence to document successful completion of the initiative. ID meaningful milestones to measure progress when initiative completion is beyond the Work Plan cycle.	<u>RECOMMENDED SUCCESS INDICATORS</u> • HRC will partner with World Relief & Latino Family Center to make sure that we reach the international community members • Proposed date will establish Annual International Day of Giving Thanks. • Multiple cultures represented at event • Presentation of Traditional Thanksgiving • Getting City Council to pass a Resolution Recognizing International Day of Giving Thanks <u>RESOURCES:</u> • City partnership (A space to hold the event) • World Relief partnership • Local Partnership to show/give Thanksgiving Traditions • Commissioner's need availability of venues (Morehead Recreation center, Allen Jay, Deep River or Oak View • Drinks : Tea , water paper plate products and tablecloth.
4. Identify the resources needed for this initiative to be successful.	<u>OTHERS:</u> HRC need assistance from High point city's office of Communications website and social media to inform Highpoint community of this event.
5. What else does the Commission need to move forward successfully?	

Recommended Human Relations Work Plan: Annual Ramadan Dinner

1. Refine the identified highest priority initiatives into specific statements to be achieved.	<u>RECOMMENDED INITIATIVE:</u> Continued partnership with the Community Mosque of High Point and Divan Center to host the Ramadan Dinner to raise awareness about cultural and religious diversity in the city.
2. Identify <i>when</i> progress toward or successful completion of the initiative will be measured.	<u>RECOMMENDED TIMELINE:</u> Host the dinner on June 20 at 6.30pm
3. Identify the results or evidence to document successful completion of the initiative. ID meaningful milestones to measure progress when initiative completion is beyond the Work Plan cycle.	<u>RECOMMENDED SUCCESS INDICATORS:</u> - Diverse group of attendees including City Council and other city officials - Increased sensitivity and awareness about diverse cultural and religious practices in the community
4. Identify the resources needed for this initiative to be successful.	<u>RESOURCES:</u> The Community Mosque of High Point and Divan Center will cater the food.
5. What else does the Commission need to move forward successfully?	<u>OTHERS:</u> Support from Human Relations staff in securing location, organizing, and promoting the event.

Other Workplan items or upcoming events

1. Community awareness workshops/seminars on needs for more refugee friendly driving test process
2. HPPD Seminar on Complaint Review process

The City Council of the City of High Point, North Carolina met in a regular meeting in the Council Chambers of the Municipal Building located at 211 South Hamilton Street in High Point, North Carolina, the regular place of meeting, at 5:30 p.m. on August 6, 2018.

Present: Mayor Jay W. Wagner, presiding, and Council Members Christopher Williams, Britt Moore, Donald Scarborough, Jeffrey Golden, Monica Peters, Wesley Hudson, Victor Jones, and Jason Ewing

Absent: None

Also Present: Greg Demko, City Manager; Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; Jeff Moore, Director of Financial Services; JoAnne Carlyle, City Attorney, and Lisa Vierling, City Clerk

* * * * *

Mayor Wagner introduced the following resolution the title of which was read and a copy of which had been previously distributed to each Council Member:

RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AND AUTHORIZING AND RATIFYING THE FILING OF AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION IN CONNECTION WITH THE PROPOSED ISSUANCE OF MUNICIPAL BUILDING BONDS BY THE CITY OF HIGH POINT, NORTH CAROLINA

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

Approved
High Point City
Council
August 6, 2018

Section 1. The City Council does hereby find and determine that:

(a) Preliminary studies have been completed to demonstrate the need for the acquisition, construction, renovation, equipping and furnishing of buildings and facilities to be used by the

City for various governmental purposes, including, without limitation, a police and public safety facility.

(b) The City Council wishes to commence the procedures for the issuance of not to exceed \$6,600,000 Municipal Building Bonds at this time for the purpose of providing funds, together with any other available funds, to pay the costs of the projects described above.

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

Section 2. The filing of an application of the City with the North Carolina Local Government Commission for approval of the issuance of said Municipal Building Bonds of the City is hereby authorized, ratified and approved.

Section 3. The law firm of Womble Bond Dickinson (US) LLP is hereby appointed to serve, but solely at the pleasure of the City Council, as bond counsel to the City in connection with the authorization, sale and issuance of the said bonds.

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

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

Upon motion of Mayor Wagner, seconded by Council Member Ewing, the foregoing resolution entitled "RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AND AUTHORIZING AND RATIFYING THE FILING OF AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION IN CONNECTION

WITH THE PROPOSED ISSUANCE OF MUNICIPAL BUILDING BONDS BY THE CITY OF HIGH POINT, NORTH CAROLINA” was adopted by the following 9-0 unanimous vote:

Ayes: Mayor Wagner, and Council Members Williams, Moore, Scarborough, Golden, Peters, Hudson, Jones, and Ewing

Noes: None

Thereupon, Mayor Wagner introduced the following order authorizing bonds the title of which was read and a copy of which had been previously distributed to each Council Member:

**ORDER AUTHORIZING
\$6,600,000 MUNICIPAL BUILDING BONDS**

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

1. That pursuant to the Local Government Bond Act, as amended, the City of High Point, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue Municipal Building Bonds in an aggregate principal amount not exceeding \$6,600,000 for the purpose of providing funds, together with any other available funds, to acquire, construct, renovate, equip and furnish buildings and facilities to be used by said City for various governmental purposes, including, without limitation, a police and public safety facility.

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

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

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people within 30 days after the date of its publication as

introduced as provided in G.S. 159-60, in which event it will take effect when approved by the voters of said City at a referendum as provided in said Act.

5. That this order is adopted pursuant to the provisions of G.S. 159-49, which authorizes the issuance of bonds without a vote of the people for the purposes specified therein in an amount not exceeding two-thirds of the amount by which the outstanding indebtedness of said City has been reduced in the preceding fiscal year.

Upon motion of Mayor Wagner, seconded by Council Member Ewing, the foregoing order entitled "ORDER AUTHORIZING \$6,600,000 MUNICIPAL BUILDING BONDS" was adopted upon introduction by the following 9-0- unanimous vote:

Ayes: Mayor Wagner, and Council Members Williams, Moore, Scarborough, Golden, Peters, Hudson, Jones, and Ewing

Noes: None

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

Thereupon, the Financial Services Director of the City caused to be filed with the City Clerk, in the presence of the City Council, the sworn statement of debt and the statement of total

estimated interest as so required.

Thereupon, the City Council fixed 5:30 p.m., August 20, 2018, in the Council Chambers of the Municipal Building located at 211 South Hamilton Street in High Point, North Carolina, as the hour, day and place for the public hearing upon the order entitled "ORDER AUTHORIZING \$6,600,000 MUNICIPAL BUILDING BONDS" and directed the City Clerk to publish said order, as required by The Local Government Bond Act, as amended, once in the High Point Enterprise not later than the sixth day before said date.

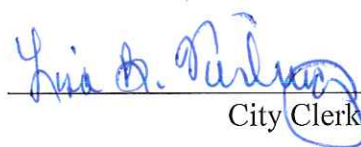
* * * * *

I, Lisa B. Vierling, MMC, City Clerk of the City of High Point, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of the City Council of said City at a regular meeting held on August 6, 2018, as it relates in any way to the adoption of the foregoing resolution and bond order authorizing general obligation bonds of said City and the calling of a public hearing thereon and that said proceedings are to be recorded in the minutes of said City Council.

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

WITNESS my hand and the official seal of said City this 6th day of August, 2018.





City Clerk

Office of the Mayor
City of High Point
North Carolina

PROCLAMATION...

WHEREAS, the National Association of Town Watch (NATWA) is sponsoring a nationwide crime, drug and violence prevention program on August 7, 2018 entitled "National Night Out"; and

WHEREAS, the "35th Annual National Night Out" provides a unique opportunity for High Point to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, the City of High Point, Neighborhood Associations, Neighborhood Watch Groups, High Point Community Against Violence, High Point Fire Department and Community Development and Housing Department plays a vital role in assisting the City of High Point Police Department through joint crime, drug and violence prevention efforts in High Point and is supporting "National Night Out 2018" locally; and

WHEREAS, it is essential that all citizens of High Point be aware of the importance of crime prevention programs and impact that their participation can have on reducing crime, drugs, and violence in the City of High Point; and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the "National Night Out" program;

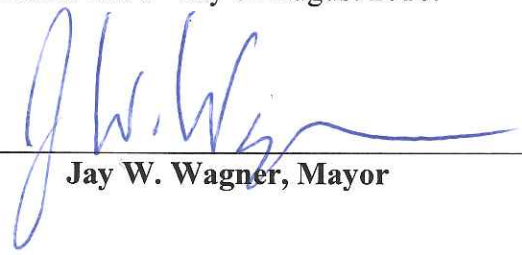
NOW, THEREFORE, I, Jay W. Wagner, Mayor, do hereby proclaim, Tuesday, August 7, 2018 as

"National Night Out"

and call upon all citizens of the City of High Point to join the High Point Police Department, and the National Association of Town Watch in supporting the "35th Annual National Night Out."



IN WITNESS WHEREOF, I have hereunto set my hand on and caused the seal of the City of High Point to be affixed this 6th day of August 2018.


Jay W. Wagner, Mayor



August 5, 2018

To: Randy McCaslin, Deputy City Manager

From: Michael E. McNair, Director of Community Development & Housing

Subject: Code Enforcement Activity Report for July 2018

This report serves to summarize Code Enforcement activity for the month of July. During this period, staff processed 28 new minimum housing complaints; 130 new public nuisance complaints and collected 94 signs. Additionally:

- The backlog of minimum housing cases from the old system dropped from 270 (June 2016) to 1 for this reporting period.
- Local Code Enforcement Staff recorded 37 zoning complaints during the month.
- A total of 150 Public Nuisance cases were abated during the month. Due to the lack of rain in July the public nuisance complaints decreased but given most recent rains we anticipate an increase of complaints in August.
- Local Code Enforcement Officers worked on Saturday July 28, 2018. They collected 65 signs that were illegally placed in the City Right of Way. They also performed 6 inspections on complaints about commercial tractor trailers being in residential neighborhoods.
- Demolition bids were received for 9 properties on July 30; they are in the process of having contracts issued. The demolition process for 8 additional properties will commence with the asbestos inspection, removal and bidding for the demolition.
- There currently are 608 total active cases
 - 271 minimum housing cases
 - 195 public nuisance cases
 - 142 zoning cases

Please see the attachments containing a table summarizing detailed activity and sample pictures.

Local Codes Enforcement Monthly Activity								
		<u>Jan-18</u>	<u>Feb-18</u>	<u>Mar-18</u>	<u>Apr-18</u>	<u>May-18</u>	<u>Jun-18</u>	<u>Jul-18</u>
1. Minimum Housing								
	a. Minimum Housing Complaints	43	21	32	39	26	34	28
	b. Active Minimum Housing Cases	304	293	295	292	278	277	271
	c. Active Backlog Cases (270 original)	17	13	9	7	7	7	1
	d. Cases Taken Before City Council							
	i. For Demolition	4	3	5	3	5	5	2
	e. City Demolished Houses	0	4	0	1	9	0	0
2. Public Nuisance								
	a. Public Nuisance Complaints (incl. unsecured dwellings)	13	29	44	96	286	180	130
	b. Active Public Nuisance Cases	36	40	49	165	329	208	195
	c. City abated PN Cases	15	2	2	5	26	80	56
	d. Owner abated PN Cases	35	19	23	38	166	176	94
3. Zoning								
	a. Zoning Complaints (Vehicles, Signs, Banners)	12	30	18	27	32	25	37
	b. Active Zoning Cases	X	X	X	X	X	130	142
	c. Signs collected	128	372	113	68	70	87	94
		TOTAL ACTIVE CASES - 608						



DYNASTY FURNITURE OUTLET
MOVING
SALE
EVERYTHING MUST GO

Great Out.
Great Price.
Great Clips
→



























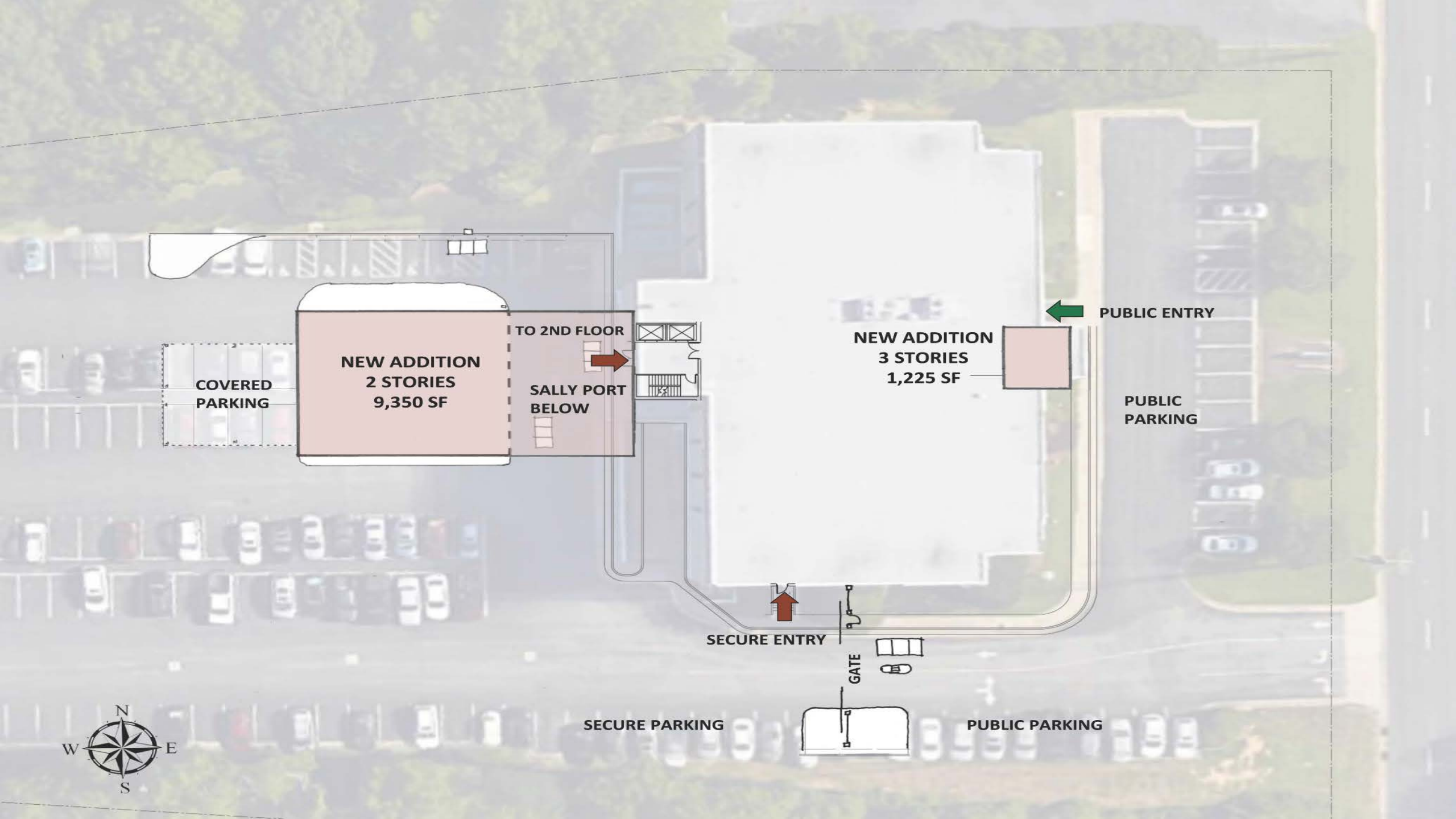












COVERED
PARKING

NEW ADDITION
2 STORIES
9,350 SF

TO 2ND FLOOR

SALLY PORT
BELOW

NEW ADDITION
3 STORIES
1,225 SF

PUBLIC ENTRY

PUBLIC
PARKING

SECURE ENTRY

GATE

SECURE PARKING

PUBLIC PARKING





1730 Westchester Drive

Cost Estimates

Purchase Price	\$ 2.5 Million
Building Renovations	\$10.5 Million
Furnishings	\$ 2.0 Million
Total	\$15.0 Million

1730 Westchester Drive

Revenue Sources

2/3 Bond Issue	\$6.6 Million
Private Placement Financing*	\$10.0 Million (up to)
Total	\$16.6 Million

* Using building as collateral

**RESOLUTION of the HIGH POINT CITY COUNCIL
APPROVING CONVEYANCE
OF REAL PROPERTY
TO A NONPROFIT CORPORATION**

WHEREAS, the City of High Point owns a tract of land located at 208 Morgan Place in the City of High Point and more particularly described in Deed Book 8056, Page 1 of the Guilford County Registry ("Property"); and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation which carries out a public purpose, in lieu of or in addition to the appropriation of funds; and

WHEREAS, the City of High Point has negotiated with Core City CDC ("CDC") and the parties agree that the consideration of the conveyance of the above property will be for the public purpose of furthering the mission of providing low to moderate, owner-occupied housing in the City of High Point.

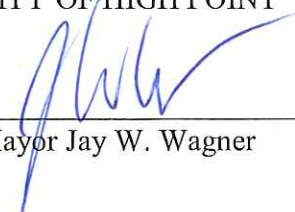
**THEREFORE, THE CITY COUNCIL FOR THE CITY OF HIGH POINT
RESOLVES THAT:**

1. The Mayor of the City of High Point is authorized to execute all documents necessary to convey title to the Property located at 208 Morgan Place in the City of High Point, and is more particularly described in Deed Book 8056, Page 1 of the Guilford County Registry.
2. The consideration of the conveyance is CDC's agreement to use this property only for the public purpose of furthering the mission of providing low to moderate, owner-occupied housing. If for any reason the property ceases to be used for a "public" purpose, the property shall revert back to the City of High Point. A statement to this effect shall be placed in the deed of conveyance.
3. The City Clerk shall publish a notice summarizing the contents of this resolution and the conveyance of the property may be consummated at any time after 10 days of publication of the notice.

ADOPTED this the 6th day of August, 2018.

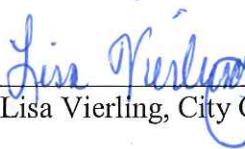
CITY OF HIGH POINT

By



Mayor Jay W. Wagner

Attested to:



Lisa Vierling, City Clerk



APPROVED
High Point City Council
August 6, 2018

**RESOLUTION of the HIGH POINT CITY COUNCIL
APPROVING CONVEYANCE
OF REAL PROPERTY
TO A NONPROFIT CORPORATION**

WHEREAS, the City of High Point owns a tract of land located at 603 and 605 Ridgerock Court in the City of High Point and more particularly described in Deed Book 7887, Page 1069 of the Guilford County Registry ("Property"); and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation which carries out a public purpose, in lieu of or in addition to the appropriation of funds; and

WHEREAS, the City of High Point has negotiated with Core City CDC ("CDC") and the parties agree that the consideration of the conveyance of the above property will be for the public purpose of furthering the mission of providing low to moderate, owner-occupied housing in the City of High Point.

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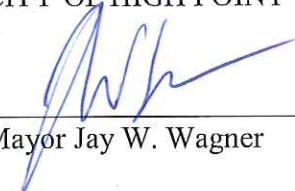
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3. The City Clerk shall publish a notice summarizing the contents of this resolution and the conveyance of the property may be consummated at any time after 10 days of publication of the notice.

ADOPTED this the 6th day of August, 2018.

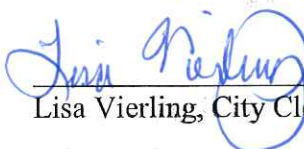
CITY OF HIGH POINT

By



Mayor Jay W. Wagner

Attested to:



Lisa Vierling, City Clerk



APPROVED
High Point City Council
August 6, 2018

**RESOLUTION of the HIGH POINT CITY COUNCIL
APPROVING CONVEYANCE
OF REAL PROPERTY
TO A NONPROFIT CORPORATION**

WHEREAS, the City of High Point owns a tract of land located at 839 Howard Place in the City of High Point and more particularly described in Deed Book 7988, Page 2913 of the Guilford County Registry ("Property"); and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation which carries out a public purpose, in lieu of or in addition to the appropriation of funds; and

WHEREAS, the City of High Point has negotiated with Core City CDC ("CDC") and the parties agree that the consideration of the conveyance of the above property will be for the public purpose of furthering the mission of providing low to moderate, owner-occupied housing in the City of High Point.

THEREFORE, THE CITY COUNCIL FOR THE CITY OF HIGH POINT RESOLVES THAT:

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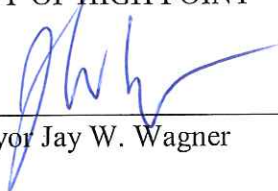
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ADOPTED this the 6th day of August, 2018.

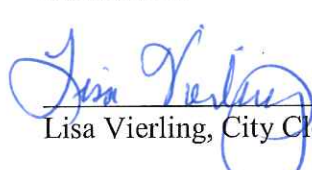
CITY OF HIGH POINT

By



Mayor Jay W. Wagner

Attested to:



Lisa Vierling, City Clerk



APPROVED
High Point City Council
August 6, 2018

**RESOLUTION of the HIGH POINT CITY COUNCIL
APPROVING CONVEYANCE
OF REAL PROPERTY
TO A NONPROFIT CORPORATION**

WHEREAS, the City of High Point owns a tract of land located at 900 Putnam Street in the City of High Point and more particularly described in Deed Book 7988, Page 2909 of the Guilford County Registry ("Property"); and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation which carries out a public purpose, in lieu of or in addition to the appropriation of funds; and

WHEREAS, the City of High Point has negotiated with Core City CDC ("CDC") and the parties agree that the consideration of the conveyance of the above property will be for the public purpose of furthering the mission of providing low to moderate, owner-occupied housing in the City of High Point.

THEREFORE, THE CITY COUNCIL FOR THE CITY OF HIGH POINT RESOLVES THAT:

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3. The City Clerk shall publish a notice summarizing the contents of this resolution and the conveyance of the property may be consummated at any time after 10 days of publication of the notice.

ADOPTED this the 6th day of August, 2018.

CITY OF HIGH POINT

By

Mayor Jay W. Wagner

Attested to:

Lisa Vierling, City Clerk



APPROVED
High Point City Council
August 6, 2018

**RESOLUTION of the HIGH POINT CITY COUNCIL
APPROVING CONVEYANCE
OF REAL PROPERTY
TO A NONPROFIT CORPORATION**

WHEREAS, the City of High Point owns a tract of land located at 1108 Gordon Street in the City of High Point and more particularly described in Deed Book 7988, Page 2911 of the Guilford County Registry ("Property"); and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation which carries out a public purpose, in lieu of or in addition to the appropriation of funds; and

WHEREAS, the City of High Point has negotiated with Core City CDC ("CDC") and the parties agree that the consideration of the conveyance of the above property will be for the public purpose of furthering the mission of providing low to moderate, owner-occupied housing in the City of High Point.

THEREFORE, THE CITY COUNCIL FOR THE CITY OF HIGH POINT RESOLVES THAT:

1. The Mayor of the City of High Point is authorized to execute all documents necessary to convey title to the Property located at 1108 Gordon Street in the City of High Point, and is more particularly described in Deed Book 7988, Page 2911 of the Guilford County Registry.

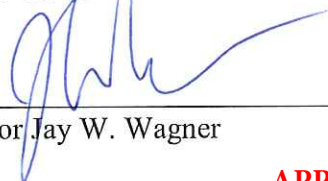
2. The consideration of the conveyance is CDC's agreement to use this property only for the public purpose of furthering the mission of providing low to moderate, owner-occupied housing. If for any reason the property ceases to be used for a "public" purpose, the property shall revert back to the City of High Point. A statement to this effect shall be placed in the deed of conveyance.

3. The City Clerk shall publish a notice summarizing the contents of this resolution and the conveyance of the property may be consummated at any time after 10 days of publication of the notice.

ADOPTED this the 6th day of August, 2018.

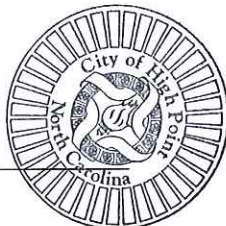
CITY OF HIGH POINT

By


Mayor Jay W. Wagner

Attested to:


Lisa Vierling, City Clerk



APPROVED
High Point City
Council
August 6, 2018

City Clerk's Office

Sandra Keeney

DEPUTY CITY CLERK



August 7, 2018

Brian Petty
1903 La Vista Drive
High Point, NC 27265

RE: Reappointment – Parks & Recreation Commission

Dear Brian Petty:

During an official meeting of the High Point City Council held on August 6, 2018, you were unanimously reappointed to serve as a member on the Parks & Recreation Commission. Your reappointment will be effective immediately and will expire July 1, 2021.

Our Boards and Commissions play an important role in our community, and in order to carry out this role, we need interested volunteers such as yourself who are willing to give of their time and talents while carrying out the duties and responsibilities they assume as members.

We sincerely appreciate your willingness to serve as a Member of this very important Board. If I can be of any further assistance to you, please do not hesitate to contact me by email sandra.keeney@highpointnc.gov or call 336.883.3690.

Sincerely,

A handwritten signature in blue ink that reads "Sandra Keeney". The signature is fluid and cursive.

Sandra Keeney
Deputy City Clerk



Assistance Policy Urgent Repair Program – 2018 Cycle

What is the Urgent Repair Program? The City of High Point has been awarded \$50,000 by the North Carolina Housing Finance Agency ("NCHFA") under the 2018 cycle of the Urgent Repair Program ("URP18"). The City shall contribute an additional \$10,000 from General Funds that are allocated toward affordable housing on an annual basis to supplement URP18 project activities. This program provides funds to assist very-low and low-income households with special needs in addressing housing conditions which pose imminent threats to their life and/or safety or to provide accessibility modification and other repairs necessary to prevent displacement of very-low and low-income homeowners with special needs such as frail elderly and persons with disabilities. A total of 10 households are projected to be assisted under URP18.

This Assistance Policy describes who is eligible to apply for assistance under URP18, how applications for assistance will be received, what the form of assistance is and how the repair/modification process will be managed. The City has tried to design this URP18 project to be fair, open, and consistent with the City's approved application for funding and with NCHFA's URP Program Guidelines.

The funds provided by NCHFA come from the North Carolina Housing Trust Fund.

Eligibility: To be eligible for assistance under URP18 applicants must meet the following requirements.

- 1) Must reside within the City of High Point and own and occupy the home in need of repair.
- 2) Must have a household income which does not exceed 50% of the State median income for the household size (see income limits below).
- 3) Must have one or more fulltime household members with special needs (i.e., be elderly (≥ 62 years old), handicapped or disabled, a single parent household with at least one dependent child in residence, a large family with ≥ 5 household members, a household with a child below the age of six with an elevated blood lead level (between 10 $\mu\text{g}/\text{dl}$ and 20 $\mu\text{g}/\text{dl}$) or a military veteran who was discharged or released under conditions other than dishonorable).

- 4) Must have urgent repair needs, which cannot be met through other state or federally- funded housing assistance programs.

**URP18 Income Limits
(Statewide non-Metro)***

<i>Number in Household</i>	<i>30% of Median Income (very low income)</i>	<i>50% of Median Income (low income)</i>
1	\$13,300	\$22,150
2	\$15,200	\$25,300
3	\$17,100	\$28,500
4	\$19,000	\$31,650
5	\$20,500	\$34,200
6	\$22,050	\$36,700
7	\$23,550	\$39,250
8	\$25,050	\$41,800

**Income limits are subject to change based on annually published HUD income limits.*

Outreach Efforts of the Urgent Repair Program: The City of High Point will advertise or publish an article about the Urgent Repair Program in the local newspaper serving the City (The High Point Enterprise), at senior centers throughout the City, with veteran's organizations that serve City residents, and on the City's website.

Selection of applicants: The City shall select recipients on a first-come, first-served based on applications received from eligible applicants. NOTE: For a true emergency situation (e.g., tree falls on roof, sewer backup, etc.), the application and eligibility assessment shall be expedited and work shall begin as soon as feasibly possible (see Item #10 of Procurement Policy for more information).

The NCHFA Program guidelines require that a minimum of 50% of the households assisted must have incomes which are less than 30% of the area median income for the household size, and no household with an income exceeding 50% of the area median income will be eligible. This guideline will be adhered to strictly and will be a key factor in selection of those households served under the grant.

Recipients of assistance under the URP18 will be chosen by the above criteria without regard to race, creed, sex, color, or national origin.

The definitions of special needs' population under the URP18 are as follows:

- Elderly: An individual aged 62 or older.
- Disabled: A person who has a physical, mental or development disability that greatly limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment.
- Large Family: A large family household is composed of five or more individuals, with at least four being immediate family members.

- **Head of Household:** The person or persons who own(s) the house.
- **Household Member:** Any individual who is an occupant (defined below) of the unit to be rehabilitated shall be considered a "household member" (the number of household members will be used to determine household size and all household members are subject to income verification).
- **Occupant:** An occupant is defined as any immediate family member (mother, father, spouse, son/daughter of the head of the household, regardless of the time of occupancy); or non-immediate family member who has resided in the dwelling at least three months prior to the submission of the family's application.
- **Child with elevated blood lead level:** A child below the age of six with an elevated blood lead level between 10 µg/dl and 20 µg/dl.
- **Veteran:** A person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.
- **Emergency:** A situation where a household member has an immediate threat of being evicted or removed from a home due to health or safety issues within a time frame that the program can complete a repair to stop eviction or removal.

Client Referral and Support Services: Many homeowners assisted through the Urgent Repair Program may also need other services. When City staff meet the homeowner during the in-take and work write-up process, they will discuss the resources and programs available in the City and provide pamphlets and agency contact information when appropriate.

What is the form of assistance under URP18? The City will provide assistance to homeowners, whose homes are selected for repair/modification in the form of a loan. Homeowners will receive an unsecured deferred, interest-free loan, forgiven at a rate of \$1,000 per year, until the principal balance is reduced to zero.

What is the amount of the loan? The amount of the loan will depend on the scope of work necessary to address the identified imminent threats to life and/or safety, and that will be determined by the City's rehabilitation specialist. There is no minimum to the amount of the loan; however, the maximum life-time limit according to the guidelines of the City's program is \$8,000.

What kinds of work will be done? Only repairs that alleviate housing conditions which pose an imminent threat to the life and/or safety of occupants of the dwelling unit or accessibility modifications will be performed under the City's URP. It should be noted that all deficiencies in a home may not be rectified with the available funds.

All work that is completed under URP18 must meet or exceed NC State Residential Building Code standards and be done in compliance with all state or local permitting, inspections, licensing and insurance requirements.

Who will do the work on the homes? The City is obligated under URP18 to ensure that quality work is done at reasonable prices and that all work is contracted through a fair, open and competitive process. To meet those very difficult requirements, the City will invite bids only from contractors who are part of an approved contractors' list. Please request a copy of the City's

Procurement and Disbursement Policy for further information.

A minimum of three approved contractors will be invited to bid on each job, and the lowest responsive and responsible bidder will be selected for the contract. "Responsive and responsible" is described in the Procurement and Disbursement Policy.

The City has an existing approved contractors' list for its existing rehabilitation programs. If other contractors wish to apply they are welcome to do so through the following process:

- 1) Fill out a contractor's questionnaire form which includes references, financial information, and recent jobs completed (contact: Ed Brown @ 336-883-8522).
- 2) Provide appropriate documentation, including licenses and liability insurance.

The City of High Point is an equal opportunity employer, implements non-discriminatory practices in its procurement/disbursement and will make special outreach efforts to include M/WBE (Minority/Women Business Enterprise) businesses within its contractor and subcontractor pool.

What are the steps in the process, from application to completion? Now that you have the information about how to qualify for the City of High Point's URP18, what work can be done, and who will do it, let's go through all the major steps in the process:

- 1) **Completing an Application form:** Homeowners who wish to apply for assistance should call (336) 883-3349 or visit the City's website at www.highpointnc.gov/cd. Proof of ownership and income will be required. Those who have applied for housing assistance from the City in the past will not automatically be reconsidered. A new application will need to be submitted.
- 2) **Preliminary inspection:** The City's Project Manager will visit the homes of applicants to determine the need and feasibility of repairs/modifications.
- 3) **Screening of applicants:** Household income will be verified for program purposes only (information will be kept confidential). Ownership of property will be verified along with other factors.
- 4) **Applicant interviews:** Approved applicants will be provided detailed information on assistance, program repair/modification standards and the contracting procedures associated with their project at this informational interview.
- 5) **Work write-up:** The City's Project Manager will visit the home again for a more thorough inspection. All parts of the home must be made accessible for inspection, including the attic and crawlspace, if any. The owner should report any known problems such as electrical short circuits, blinking lights, roof leaks and the like. The Project Manager will prepare complete and detailed work specifications (known as the "work write-up"). The Project Manager shall review the work write-up with the homeowner and obtain written

acceptance of the work write-up from the homeowner. A final cost estimate will also be prepared by the Project Manager and held in confidence until bidding is completed.

- 6) **Bidding:** The work write-up and bid documents will be sent to a minimum of three contractors on the Approved Contractors' Registry who will be given one week in which to inspect the property and prepare bid proposals. Each will need access to those areas of the house, in which work is to be performed, in order to prepare a bid. Bids will be opened in the City's Community Development & Housing Department.
- 7) **Contractor selection:** Within 24 hours of the bid opening, after review of bid breakdowns and timing factors, the winning bidder will be selected. All bidders and the homeowner will be notified of (1) the selection, (2) the amount, (3) the amount of the City's cost estimate, and (4) if other than the lowest bidder is selected, of the specific reasons for the selection.
- 8) **Execution of loan and contract:** The loan will be executed as well as the repair/modification contract. This contract will be between the contractor and the homeowner, with the City serving as the homeowner's agent. The total loan amount will never exceed \$8,000 for project hard costs.
- 9) **Pre-construction conference:** A pre-construction conference will be held at the home. At this time, the homeowner, contractor and program representatives will discuss the details of the work to be done. Starting and ending dates will be agreed upon, along with any special arrangements such as weekend or evening work hours and disposition of items to be removed from the home (such as old plumbing, etc.). Within 24 hours of the pre-construction conference, the City will issue a "proceed order" formally instructing the contractor to commence by the agreed-upon date. NOTE: A "proceed order" will not be issued until the contract between the contractor and the homeowner has been executed.
- 10) **Construction:** The contractor will be responsible for obtaining any required building permits for the project before beginning work. The permit must be posted at the house during the entire period of construction. Program staff will closely monitor the contractor during the construction period to make sure that the work is being done according to the work write-up (which is made a part of the rehabilitation contract by reference) and in a timely fashion. The project manager will inspect new work for compliance with the State Building Code as required by the guidelines of URP18. The homeowner will be responsible for working with the contractor toward protecting personal property by clearing work areas as much as practicable.
- 11) **Change Orders:** All changes to the scope of work must be reduced to writing as a contract amendment ("change order") and approved by all parties to the contract: the owner, the contractor, the Project Manager and the City's Community Development and Housing Director (or his designee). If the changes require an adjustment in the loan amount, a loan modification stating these changes in the contract amount must be completed by the City, and executed by the owner. If the changes result in a decrease in the loan amount, an estoppel informing the homeowner of these changes in the contract amount will be

completed by the City and conveyed to the owner.

- 12) **Payments to contractor:** The contractor will be paid following the inspection and satisfactory completion of all items on the work write-up as well as the receipt by the City of the contractor's invoice and a release of liens, signed by all sub-contractors employed on the job and by all material suppliers from whom materials for the job were purchased. Please request a copy of the City's Procurement and Disbursement Policy for further information.
- 13) **Post-construction conference:** Following construction the contractor and the Project Manager will sit down with the homeowner one last time. At this conference the contractor will hand over all owner's manuals and warranties on equipment. The contractor and Project Manager will go over operating and maintenance requirements for any new equipment installed and discuss general maintenance of the home with the homeowner. The homeowner will have the opportunity to ask any final questions about the work.
- 14) **Closeout:** Once each item outlined in section 12 has been satisfied and the homeowner has signed a Certificate of Satisfaction, the job will be closed out.

What are the key dates? If, after reading this document, you feel that you qualify for this program and wish to apply, please keep the following dates in mind:

- Applications shall be available to the public starting on the date the NCHFA URP18 Funding Agreement is executed. It is anticipated that the execution of the Funding Agreement will occur on or before October 1, 2018.
- Resources for this program shall be available through November 30, 2019 or when resources have been spent, whichever occurs first.

How do I request an application? Please contact:

April Jones, Administrative Specialist
City of High Point, Community Development and Housing Department
211 S. Hamilton Street, Room 312
High Point, NC 27260
336-883-3348 OR april.jones@highpointnc.gov

Is there a procedure for dealing with complaints, disputes and appeals? Although the application process and repair/modification guidelines are meant to be as fair as possible, the City of High Point realizes that there is still a chance that some applicants or participants may feel that they are not treated fairly. The following procedures are designed to provide an avenue for resolution of complaints and appeals.

During the application process:

- 1) If an applicant feels that his/her application was not fairly reviewed and would like to

appeal the decision made about it, he/she should contact Richard Fuqua, Affordable Housing Manager, within five days of the initial decision and voice their concern. If the applicant remains dissatisfied with the decision, the detailed complaint should be put into writing.

- 2) A written appeal must be made within 10 business days of the initial decision on an application.
- 3) The City of High Point will respond in writing to any complaints or appeals within 10 business days of receiving written comments.

During the repair/modification process:

- 1) If the homeowner feels that repairs or modifications are not being completed according to the contract, he/she must inform the contractor and the Project Manager.
- 2) The Project Manager will inspect the work in question. If he finds that the work is not being completed according to the contract, the Project Manager will review the contract with the contractor and ask the contractor to remedy the problem.
- 3) If problems persist, a mediation conference between the homeowner and the contractor may be convened by the Project Manager and facilitated by the City's Community Development and Housing Director ("Director") or his designee.
- 4) Should the mediation conference fail to resolve the dispute, the Director will render a written final decision.
- 5) If the Project Manager finds that the work is being completed according to the contract, the complaint will be noted and the Project Manager and the homeowner will discuss the concern and the reason for the Project Manager's decision.

Will the personal information provided remain confidential? Yes. All information in applicant files will remain confidential. Access to the information will be provided only to City employees who are directly involved in the program, the North Carolina Housing Finance Agency and auditors.

What about conflicts of interest? No officer, employee or other public official of the City, or member of the City Council, or entity contracting with the city, who exercises any functions or responsibilities with respect to URP18 shall have any interest, direct or indirect, in any contract or subcontract for work to be performed with program funding, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter. Relatives of City employees, Council Members and others closely identified with the City, may be approved for rehabilitation assistance only upon public disclosure before the City's Community Development and Housing Director and written permission from NCHFA.

What about favoritism? All activities under URP18, including the review of applications, inviting bids, selecting contractors and resolving complaints, will be conducted in a fair, open and non-discriminatory manner, entirely without regard to race, color, religion, national origin, sex, familial status and disability.

Who can I contact about URP18? Any questions regarding any part of this application or program should be addressed to:

Thanena S. Wilson
Assistant Director, CD&H Department
211 S. Hamilton St., Rm. 312
High Point, NC 27260
336-883-3351
thanena.wilson@highpointnc.gov

This Assistance Policy is adopted this 6th day of August 2018.

Mayor Jay W. Wagner

ATTEST:

Lisa B. Vierling
Lisa B. Vierling, City Clerk



****TO BE PLACED IN PROJECT FILE****

Acknowledgement of Receipt

I acknowledge receipt of a copy of the URP18 Assistance Policy and was provided the opportunity to review the document with City staff.

Owner

Date



City of High Point

Procurement and Disbursement Policy

2018 URGENT REPAIR PROGRAM

PROCUREMENT POLICY

1. To the maximum extent practical, the City of High Point (the City) promotes a fair, open and competitive procurement process as required under the North Carolina Housing Finance Agency's Urgent Repair Program (URP). Bids are invited from Contractors who are part of the City's approved contractor registry. (To be on the registry, a contractor must complete an application, have their recent work inspected, reviewed and approved by the Project Manager and submit proof of insurance.) Any contractor listed with and approved by the City will receive automatic approval status on the contractor registry.
2. At least three eligible contractors on the City's approved contractor registry shall be invited to bid on each job and the lowest responsive and responsible bidder shall be selected for the contract. "Responsive and responsible" means (a) the contractor is deemed able to complete the work in a timely fashion, (b) that the bid is within 15% on the low end of the City's nominal amount or 15% on the high end of the City's nominal amount and that (c) there is no conflict of interest (real or apparent).
3. Although bid packages may be bundled for multiple job sites, the bids for multiple job sites may be considered separate and apart when awarded and may be awarded to the lowest responsive and responsible bidder(s) for each job site.
4. Bid packages shall consist of an invitation to bid, work write up(s) and bid sheet(s) for each job.
5. Bids must include a cost-per-item breakdown with line item totals equaling the submitted bid price. Discrepancies must be reconciled prior to a contract being awarded.
6. Any change to the original scope of work must be reduced to writing in the form of a change order to be agreed upon and signed by all parties to the original contract and two

representatives of the City. The change order must also detail any changes to the original contract price.

7. No work may begin prior to a contract being awarded and executed and a written order to proceed provided to the contractor. In addition, a pre-construction conference and "walk thru" shall be held at the work site prior to commencement of repair work.
8. The City reserves the right to reject any or all bids at any time during the procurement process.
9. In the event of a true emergency situation, the City reserves the right to waive normal procurement procedures in favor of more expedient methods, which may include seeking telephone quotes, faxed bids and the like. In the event phone bids are used, the City of High Point will call the first three responsive contractors on the approved contractor registry. The City will track who has been called and responsive and will rotate through the list before starting through the rotation again. Should such methods ever become necessary, the transaction will be fully documented.
10. If the nature of a repair is such that the repair can be made during the contractor's initial inspection, or service or diagnostic call and the repair is less than \$500, no write-up, quotes or bids will be required. Should this method of repair be used, the transaction will be fully documented.
11. All sealed bids will be opened publicly at a time and place to be announced in the bid invitation. All bidders are welcome to attend.
12. The City of High Point is an equal opportunity employer, implements non-discriminatory practices in its procurement/disbursement and will make special outreach efforts to include M/WBE (Minority/Women Business Enterprise) businesses within its contractor and subcontractor pool.

DISBURSEMENT POLICY

1. All repair work must be inspected by (a) the City's Project Manager, (b) the homeowner, and (c) the building code inspector as appropriate for the project prior to any payments to contractors. If all work is deemed satisfactory and all other factors and written agreements are in order, payment shall be issued upon presentation of an original invoice from the contractor. Contractor should allow 21 business days for processing of the invoice for payment.
2. If any of the work is deemed unsatisfactory, it must be corrected prior to authorization of payment. If the contractor fails to correct the work to the satisfaction of the City's Project Manager, payment may be withheld until such time as the work is deemed satisfactory. (Contractors may follow the City's Urgent Repair Program Assistance Policy complaint process if a dispute occurs; however, contractors shall abide by the final decision as stated in the policy).

3. The City assures, through this policy, that adequate funds shall be available to pay the contractor for satisfactory work.
4. All contractors, sub-contractors and suppliers must sign a lien waiver prior to disbursement of funds.

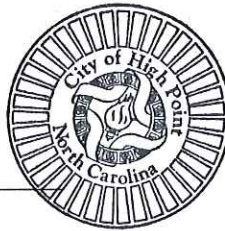
The Procurement and Disbursement Policies, are adopted this the 6th day of August 2018.

City of High Point

BY: _____

ATTEST: _____

Lisa B. Vierling, City Clerk



CONTRACTORS STATEMENT:

I have read and understand the attached Procurement and Disbursement Policy.

BY: _____

COMPANY NAME: _____

WITNESS: _____

**RESOLUTION of the HIGH POINT CITY COUNCIL
APPROVING CONVEYANCE
OF REAL PROPERTY
TO A NONPROFIT CORPORATION**

WHEREAS, the City of High Point owns a tract of land located at 208 Morgan Place in the City of High Point and more particularly described in Deed Book 8056, Page 1 of the Guilford County Registry ("Property"); and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation which carries out a public purpose, in lieu of or in addition to the appropriation of funds; and

WHEREAS, the City of High Point has negotiated with Core City CDC ("CDC") and the parties agree that the consideration of the conveyance of the above property will be for the public purpose of furthering the mission of providing low to moderate, owner-occupied housing in the City of High Point.

THEREFORE, THE CITY COUNCIL FOR THE CITY OF HIGH POINT RESOLVES THAT:

1. The Mayor of the City of High Point is authorized to execute all documents necessary to convey title to the Property located at 208 Morgan Place in the City of High Point, and is more particularly described in Deed Book 8056, Page 1 of the Guilford County Registry.

2. The consideration of the conveyance is CDC's agreement to use this property only for the public purpose of furthering the mission of providing low to moderate, owner-occupied housing. If for any reason the property ceases to be used for a "public" purpose, the property shall revert back to the City of High Point. A statement to this effect shall be placed in the deed of conveyance.

3. The City Clerk shall publish a notice summarizing the contents of this resolution and the conveyance of the property may be consummated at any time after 10 days of publication of the notice.

ADOPTED this the 6th day of August, 2018.

CITY OF HIGH POINT

By

Mayor Jay W. Wagner

Attested to:

Lisa Vierling, City Clerk

**RESOLUTION of the HIGH POINT CITY COUNCIL
APPROVING CONVEYANCE
OF REAL PROPERTY
TO A NONPROFIT CORPORATION**

WHEREAS, the City of High Point owns a tract of land located at 603 and 605 Ridgerock Court in the City of High Point and more particularly described in Deed Book 7887, Page 1069 of the Guilford County Registry ("Property"); and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation which carries out a public purpose, in lieu of or in addition to the appropriation of funds; and

WHEREAS, the City of High Point has negotiated with Core City CDC ("CDC") and the parties agree that the consideration of the conveyance of the above property will be for the public purpose of furthering the mission of providing low to moderate, owner-occupied housing in the City of High Point.

THEREFORE, THE CITY COUNCIL FOR THE CITY OF HIGH POINT RESOLVES THAT:

1. The Mayor of the City of High Point is authorized to execute all documents necessary to convey title to the Property located at 603 & 605 Ridgerock Court in the City of High Point, and is more particularly described in Deed Book 7887, Page 1069 of the Guilford County Registry.

2. The consideration of the conveyance is CDC's agreement to use this property only for the public purpose of furthering the mission of providing low to moderate, owner-occupied housing. If for any reason the property ceases to be used for a "public" purpose, the property shall revert back to the City of High Point. A statement to this effect shall be placed in the deed of conveyance.

3. The City Clerk shall publish a notice summarizing the contents of this resolution and the conveyance of the property may be consummated at any time after 10 days of publication of the notice.

ADOPTED this the 6th day of August, 2018.

CITY OF HIGH POINT

By

Mayor Jay W. Wagner

Attested to:

Lisa Vierling, City Clerk

**RESOLUTION of the HIGH POINT CITY COUNCIL
APPROVING CONVEYANCE
OF REAL PROPERTY
TO A NONPROFIT CORPORATION**

WHEREAS, the City of High Point owns a tract of land located at 839 Howard Place in the City of High Point and more particularly described in Deed Book 7988, Page 2913 of the Guilford County Registry ("Property"); and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation which carries out a public purpose, in lieu of or in addition to the appropriation of funds; and

WHEREAS, the City of High Point has negotiated with Core City CDC ("CDC") and the parties agree that the consideration of the conveyance of the above property will be for the public purpose of furthering the mission of providing low to moderate, owner-occupied housing in the City of High Point.

**THEREFORE, THE CITY COUNCIL FOR THE CITY OF HIGH POINT
RESOLVES THAT:**

1. The Mayor of the City of High Point is authorized to execute all documents necessary to convey title to the Property located at 839 Howard Place in the City of High Point, and is more particularly described in Deed Book 7988, Page 2913 of the Guilford County Registry.

2. The consideration of the conveyance is CDC's agreement to use this property only for the public purpose of furthering the mission of providing low to moderate, owner-occupied housing. If for any reason the property ceases to be used for a "public" purpose, the property shall revert back to the City of High Point. A statement to this effect shall be placed in the deed of conveyance.

3. The City Clerk shall publish a notice summarizing the contents of this resolution and the conveyance of the property may be consummated at any time after 10 days of publication of the notice.

ADOPTED this the 6th day of August, 2018.

CITY OF HIGH POINT

By

Mayor Jay W. Wagner

Attested to:

Lisa Vierling, City Clerk

**RESOLUTION of the HIGH POINT CITY COUNCIL
APPROVING CONVEYANCE
OF REAL PROPERTY
TO A NONPROFIT CORPORATION**

WHEREAS, the City of High Point owns a tract of land located at 900 Putnam Street in the City of High Point and more particularly described in Deed Book 7988, Page 2909 of the Guilford County Registry ("Property"); and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation which carries out a public purpose, in lieu of or in addition to the appropriation of funds; and

WHEREAS, the City of High Point has negotiated with Core City CDC ("CDC") and the parties agree that the consideration of the conveyance of the above property will be for the public purpose of furthering the mission of providing low to moderate, owner-occupied housing in the City of High Point.

THEREFORE, THE CITY COUNCIL FOR THE CITY OF HIGH POINT RESOLVES THAT:

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2. The consideration of the conveyance is CDC's agreement to use this property only for the public purpose of furthering the mission of providing low to moderate, owner-occupied housing. If for any reason the property ceases to be used for a "public" purpose, the property shall revert back to the City of High Point. A statement to this effect shall be placed in the deed of conveyance.

3. The City Clerk shall publish a notice summarizing the contents of this resolution and the conveyance of the property may be consummated at any time after 10 days of publication of the notice.

ADOPTED this the 6th day of August, 2018.

CITY OF HIGH POINT

By

Mayor Jay W. Wagner

Attested to:

Lisa Vierling, City Clerk

**RESOLUTION of the HIGH POINT CITY COUNCIL
APPROVING CONVEYANCE
OF REAL PROPERTY
TO A NONPROFIT CORPORATION**

WHEREAS, the City of High Point owns a tract of land located at 1108 Gordon Street in the City of High Point and more particularly described in Deed Book 7988, Page 2911 of the Guilford County Registry ("Property"); and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation which carries out a public purpose, in lieu of or in addition to the appropriation of funds; and

WHEREAS, the City of High Point has negotiated with Core City CDC ("CDC") and the parties agree that the consideration of the conveyance of the above property will be for the public purpose of furthering the mission of providing low to moderate, owner-occupied housing in the City of High Point.

THEREFORE, THE CITY COUNCIL FOR THE CITY OF HIGH POINT RESOLVES THAT:

1. The Mayor of the City of High Point is authorized to execute all documents necessary to convey title to the Property located at 1108 Gordon Street in the City of High Point, and is more particularly described in Deed Book 7988, Page 2911 of the Guilford County Registry.

2. The consideration of the conveyance is CDC's agreement to use this property only for the public purpose of furthering the mission of providing low to moderate, owner-occupied housing. If for any reason the property ceases to be used for a "public" purpose, the property shall revert back to the City of High Point. A statement to this effect shall be placed in the deed of conveyance.

3. The City Clerk shall publish a notice summarizing the contents of this resolution and the conveyance of the property may be consummated at any time after 10 days of publication of the notice.

ADOPTED this the 6th day of August, 2018.

CITY OF HIGH POINT

By

Mayor Jay W. Wagner

Attested to:

Lisa Vierling, City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Caring Services, Inc. – Adoption of Findings of Fact and Conclusions of Law

From: JoAnne Carlyle, City Attorney

Meeting Date: August 6, 2018

Public Hearing: N/A

Advertising Date:

Advertised By:

Attachments: Findings of Fact

Purpose/Background:

On July 16, 2018 City Council held a Public Hearing on Special Use Permit 18-03 requested by Caring Services, Inc. At the conclusion of the public hearing on the matter, Council voted to approve the request. As part of the process, Council is requested to adopt the Findings of Fact and Conclusions of Law in reference to the approval of Special Use Permit 18-03.

Budget Impact:

There is no budget impact.

Recommendation:

City Council is requested to adopt the Findings of Fact and Conclusions of Law in reference to Special Use Permit 18-03.



Assistance Policy Urgent Repair Program – 2018 Cycle

What is the Urgent Repair Program? The City of High Point has been awarded \$50,000 by the North Carolina Housing Finance Agency ("NCHFA") under the 2018 cycle of the Urgent Repair Program ("URP18"). The City shall contribute an additional \$10,000 from General Funds that are allocated toward affordable housing on an annual basis to supplement URP18 project activities. This program provides funds to assist very-low and low-income households with special needs in addressing housing conditions which pose imminent threats to their life and/or safety or to provide accessibility modification and other repairs necessary to prevent displacement of very-low and low-income homeowners with special needs such as frail elderly and persons with disabilities. A total of 10 households are projected to be assisted under URP18.

This Assistance Policy describes who is eligible to apply for assistance under URP18, how applications for assistance will be received, what the form of assistance is and how the repair/modification process will be managed. The City has tried to design this URP18 project to be fair, open, and consistent with the City's approved application for funding and with NCHFA's URP Program Guidelines.

The funds provided by NCHFA come from the North Carolina Housing Trust Fund.

Eligibility: To be eligible for assistance under URP18 applicants must meet the following requirements.

- 1) Must reside within the City of High Point and own and occupy the home in need of repair.
- 2) Must have a household income which does not exceed 50% of the State median income for the household size (see income limits below).
- 3) Must have one or more fulltime household members with special needs (i.e., be elderly (≥ 62 years old), handicapped or disabled, a single parent household with at least one dependent child in residence, a large family with ≥ 5 household members, a household with a child below the age of six with an elevated blood lead level (between 10 $\mu\text{g}/\text{dl}$ and 20 $\mu\text{g}/\text{dl}$) or a military veteran who was discharged or released under conditions other than dishonorable).

- 4) Must have urgent repair needs, which cannot be met through other state or federally- funded housing assistance programs.

**URP18 Income Limits
(Statewide non-Metro)***

<i>Number in Household</i>	<i>30% of Median Income (very low income)</i>	<i>50% of Median Income (low income)</i>
1	\$13,300	\$22,150
2	\$15,200	\$25,300
3	\$17,100	\$28,500
4	\$19,000	\$31,650
5	\$20,500	\$34,200
6	\$22,050	\$36,700
7	\$23,550	\$39,250
8	\$25,050	\$41,800

**Income limits are subject to change based on annually published HUD income limits.*

Outreach Efforts of the Urgent Repair Program: The City of High Point will advertise or publish an article about the Urgent Repair Program in the local newspaper serving the City (The High Point Enterprise), at senior centers throughout the City, with veteran's organizations that serve City residents, and on the City's website.

Selection of applicants: The City shall select recipients on a first-come, first-served based on applications received from eligible applicants. NOTE: For a true emergency situation (e.g., tree falls on roof, sewer backup, etc.), the application and eligibility assessment shall be expedited and work shall begin as soon as feasibly possible (see Item #10 of Procurement Policy for more information).

The NCHFA Program guidelines require that a minimum of 50% of the households assisted must have incomes which are less than 30% of the area median income for the household size, and no household with an income exceeding 50% of the area median income will be eligible. This guideline will be adhered to strictly and will be a key factor in selection of those households served under the grant.

Recipients of assistance under the URP18 will be chosen by the above criteria without regard to race, creed, sex, color, or national origin.

The definitions of special needs' population under the URP18 are as follows:

- Elderly: An individual aged 62 or older.
- Disabled: A person who has a physical, mental or development disability that greatly limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment.
- Large Family: A large family household is composed of five or more individuals, with at least four being immediate family members.

- **Head of Household:** The person or persons who own(s) the house.
- **Household Member:** Any individual who is an occupant (defined below) of the unit to be rehabilitated shall be considered a "household member" (the number of household members will be used to determine household size and all household members are subject to income verification).
- **Occupant:** An occupant is defined as any immediate family member (mother, father, spouse, son/daughter of the head of the household, regardless of the time of occupancy); or non-immediate family member who has resided in the dwelling at least three months prior to the submission of the family's application.
- **Child with elevated blood lead level:** A child below the age of six with an elevated blood lead level between 10 µg/dl and 20 µg/dl.
- **Veteran:** A person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.
- **Emergency:** A situation where a household member has an immediate threat of being evicted or removed from a home due to health or safety issues within a time frame that the program can complete a repair to stop eviction or removal.

Client Referral and Support Services: Many homeowners assisted through the Urgent Repair Program may also need other services. When City staff meet the homeowner during the in-take and work write-up process, they will discuss the resources and programs available in the City and provide pamphlets and agency contact information when appropriate.

What is the form of assistance under URP18? The City will provide assistance to homeowners, whose homes are selected for repair/modification in the form of a loan. Homeowners will receive an unsecured deferred, interest-free loan, forgiven at a rate of \$1,000 per year, until the principal balance is reduced to zero.

What is the amount of the loan? The amount of the loan will depend on the scope of work necessary to address the identified imminent threats to life and/or safety, and that will be determined by the City's rehabilitation specialist. There is no minimum to the amount of the loan; however, the maximum life-time limit according to the guidelines of the City's program is \$8,000.

What kinds of work will be done? Only repairs that alleviate housing conditions which pose an imminent threat to the life and/or safety of occupants of the dwelling unit or accessibility modifications will be performed under the City's URP. It should be noted that all deficiencies in a home may not be rectified with the available funds.

All work that is completed under URP18 must meet or exceed NC State Residential Building Code standards and be done in compliance with all state or local permitting, inspections, licensing and insurance requirements.

Who will do the work on the homes? The City is obligated under URP18 to ensure that quality work is done at reasonable prices and that all work is contracted through a fair, open and competitive process. To meet those very difficult requirements, the City will invite bids only from contractors who are part of an approved contractors' list. Please request a copy of the City's

Procurement and Disbursement Policy for further information.

A minimum of three approved contractors will be invited to bid on each job, and the lowest responsive and responsible bidder will be selected for the contract. "Responsive and responsible" is described in the Procurement and Disbursement Policy.

The City has an existing approved contractors' list for its existing rehabilitation programs. If other contractors wish to apply they are welcome to do so through the following process:

- 1) Fill out a contractor's questionnaire form which includes references, financial information, and recent jobs completed (contact: Ed Brown @ 336-883-8522).
- 2) Provide appropriate documentation, including licenses and liability insurance.

The City of High Point is an equal opportunity employer, implements non-discriminatory practices in its procurement/disbursement and will make special outreach efforts to include M/WBE (Minority/Women Business Enterprise) businesses within its contractor and subcontractor pool.

What are the steps in the process, from application to completion? Now that you have the information about how to qualify for the City of High Point's URP18, what work can be done, and who will do it, let's go through all the major steps in the process:

- 1) **Completing an Application form:** Homeowners who wish to apply for assistance should call (336) 883-3349 or visit the City's website at www.highpointnc.gov/cd. Proof of ownership and income will be required. Those who have applied for housing assistance from the City in the past will not automatically be reconsidered. A new application will need to be submitted.
- 2) **Preliminary inspection:** The City's Project Manager will visit the homes of applicants to determine the need and feasibility of repairs/modifications.
- 3) **Screening of applicants:** Household income will be verified for program purposes only (information will be kept confidential). Ownership of property will be verified along with other factors.
- 4) **Applicant interviews:** Approved applicants will be provided detailed information on assistance, program repair/modification standards and the contracting procedures associated with their project at this informational interview.
- 5) **Work write-up:** The City's Project Manager will visit the home again for a more thorough inspection. All parts of the home must be made accessible for inspection, including the attic and crawlspace, if any. The owner should report any known problems such as electrical short circuits, blinking lights, roof leaks and the like. The Project Manager will prepare complete and detailed work specifications (known as the "work write-up"). The Project Manager shall review the work write-up with the homeowner and obtain written

acceptance of the work write-up from the homeowner. A final cost estimate will also be prepared by the Project Manager and held in confidence until bidding is completed.

- 6) **Bidding:** The work write-up and bid documents will be sent to a minimum of three contractors on the Approved Contractors' Registry who will be given one week in which to inspect the property and prepare bid proposals. Each will need access to those areas of the house, in which work is to be performed, in order to prepare a bid. Bids will be opened in the City's Community Development & Housing Department.
- 7) **Contractor selection:** Within 24 hours of the bid opening, after review of bid breakdowns and timing factors, the winning bidder will be selected. All bidders and the homeowner will be notified of (1) the selection, (2) the amount, (3) the amount of the City's cost estimate, and (4) if other than the lowest bidder is selected, of the specific reasons for the selection.
- 8) **Execution of loan and contract:** The loan will be executed as well as the repair/modification contract. This contract will be between the contractor and the homeowner, with the City serving as the homeowner's agent. The total loan amount will never exceed \$8,000 for project hard costs.
- 9) **Pre-construction conference:** A pre-construction conference will be held at the home. At this time, the homeowner, contractor and program representatives will discuss the details of the work to be done. Starting and ending dates will be agreed upon, along with any special arrangements such as weekend or evening work hours and disposition of items to be removed from the home (such as old plumbing, etc.). Within 24 hours of the pre-construction conference, the City will issue a "proceed order" formally instructing the contractor to commence by the agreed-upon date. NOTE: A "proceed order" will not be issued until the contract between the contractor and the homeowner has been executed.
- 10) **Construction:** The contractor will be responsible for obtaining any required building permits for the project before beginning work. The permit must be posted at the house during the entire period of construction. Program staff will closely monitor the contractor during the construction period to make sure that the work is being done according to the work write-up (which is made a part of the rehabilitation contract by reference) and in a timely fashion. The project manager will inspect new work for compliance with the State Building Code as required by the guidelines of URP18. The homeowner will be responsible for working with the contractor toward protecting personal property by clearing work areas as much as practicable.
- 11) **Change Orders:** All changes to the scope of work must be reduced to writing as a contract amendment ("change order") and approved by all parties to the contract: the owner, the contractor, the Project Manager and the City's Community Development and Housing Director (or his designee). If the changes require an adjustment in the loan amount, a loan modification stating these changes in the contract amount must be completed by the City, and executed by the owner. If the changes result in a decrease in the loan amount, an estoppel informing the homeowner of these changes in the contract amount will be

completed by the City and conveyed to the owner.

- 12) **Payments to contractor:** The contractor will be paid following the inspection and satisfactory completion of all items on the work write-up as well as the receipt by the City of the contractor's invoice and a release of liens, signed by all sub-contractors employed on the job and by all material suppliers from whom materials for the job were purchased. Please request a copy of the City's Procurement and Disbursement Policy for further information.
- 13) **Post-construction conference:** Following construction the contractor and the Project Manager will sit down with the homeowner one last time. At this conference the contractor will hand over all owner's manuals and warranties on equipment. The contractor and Project Manager will go over operating and maintenance requirements for any new equipment installed and discuss general maintenance of the home with the homeowner. The homeowner will have the opportunity to ask any final questions about the work.
- 14) **Closeout:** Once each item outlined in section 12 has been satisfied and the homeowner has signed a Certificate of Satisfaction, the job will be closed out.

What are the key dates? If, after reading this document, you feel that you qualify for this program and wish to apply, please keep the following dates in mind:

- Applications shall be available to the public starting on the date the NCHFA URP18 Funding Agreement is executed. It is anticipated that the execution of the Funding Agreement will occur on or before October 1, 2018.
- Resources for this program shall be available through November 30, 2019 or when resources have been spent, whichever occurs first.

How do I request an application? Please contact:

April Jones, Administrative Specialist
City of High Point, Community Development and Housing Department
211 S. Hamilton Street, Room 312
High Point, NC 27260
336-883-3348 OR april.jones@highpointnc.gov

Is there a procedure for dealing with complaints, disputes and appeals? Although the application process and repair/modification guidelines are meant to be as fair as possible, the City of High Point realizes that there is still a chance that some applicants or participants may feel that they are not treated fairly. The following procedures are designed to provide an avenue for resolution of complaints and appeals.

During the application process:

- 1) If an applicant feels that his/her application was not fairly reviewed and would like to

appeal the decision made about it, he/she should contact Richard Fuqua, Affordable Housing Manager, within five days of the initial decision and voice their concern. If the applicant remains dissatisfied with the decision, the detailed complaint should be put into writing.

- 2) A written appeal must be made within 10 business days of the initial decision on an application.
- 3) The City of High Point will respond in writing to any complaints or appeals within 10 business days of receiving written comments.

During the repair/modification process:

- 1) If the homeowner feels that repairs or modifications are not being completed according to the contract, he/she must inform the contractor and the Project Manager.
- 2) The Project Manager will inspect the work in question. If he finds that the work is not being completed according to the contract, the Project Manager will review the contract with the contractor and ask the contractor to remedy the problem.
- 3) If problems persist, a mediation conference between the homeowner and the contractor may be convened by the Project Manager and facilitated by the City's Community Development and Housing Director ("Director") or his designee.
- 4) Should the mediation conference fail to resolve the dispute, the Director will render a written final decision.
- 5) If the Project Manager finds that the work is being completed according to the contract, the complaint will be noted and the Project Manager and the homeowner will discuss the concern and the reason for the Project Manager's decision.

Will the personal information provided remain confidential? Yes. All information in applicant files will remain confidential. Access to the information will be provided only to City employees who are directly involved in the program, the North Carolina Housing Finance Agency and auditors.

What about conflicts of interest? No officer, employee or other public official of the City, or member of the City Council, or entity contracting with the city, who exercises any functions or responsibilities with respect to URP18 shall have any interest, direct or indirect, in any contract or subcontract for work to be performed with program funding, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter. Relatives of City employees, Council Members and others closely identified with the City, may be approved for rehabilitation assistance only upon public disclosure before the City's Community Development and Housing Director and written permission from NCHFA.

What about favoritism? All activities under URP18, including the review of applications, inviting bids, selecting contractors and resolving complaints, will be conducted in a fair, open and non-discriminatory manner, entirely without regard to race, color, religion, national origin, sex, familial status and disability.

Who can I contact about URP18? Any questions regarding any part of this application or program should be addressed to:

Thanena S. Wilson
Assistant Director, CD&H Department
211 S. Hamilton St., Rm. 312
High Point, NC 27260
336-883-3351
thanena.wilson@highpointnc.gov

This Assistance Policy is adopted this 6th day of August 2018.

Mayor Jay W. Wagner

ATTEST:

Lisa B. Vierling
Lisa B. Vierling, City Clerk



****TO BE PLACED IN PROJECT FILE****

Acknowledgement of Receipt

I acknowledge receipt of a copy of the URP18 Assistance Policy and was provided the opportunity to review the document with City staff.

Owner

Date

TO THE PUBLISHER OF THE HIGH POINT ENTERPRISE:

Please publish the following once in the High Point Enterprise on Friday, August 24, 2018. If the date of publication is not Friday, August 24, 2018, then please change the date of publication in the final paragraph.

**ORDER AUTHORIZING
\$6,600,000 MUNICIPAL BUILDING BONDS**

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

1. That pursuant to the Local Government Bond Act, as amended, the City of High Point, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue Municipal Building Bonds in an aggregate principal amount not exceeding \$6,600,000 for the purpose of providing funds, together with any other available funds, to acquire, construct, renovate, equip and furnish buildings and facilities to be used by said City for various governmental purposes, including, without limitation, a police and public safety facility.

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

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

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people within 30 days after the date of its publication as introduced as provided in G.S. 159-60, in which event it will take effect when approved by the voters of said City at a referendum as provided in said Act.

5. That this order is adopted pursuant to the provisions of G.S. 159-49, which authorizes the issuance of bonds without a vote of the people for the purposes specified therein in an amount not exceeding two-thirds of the amount by which the outstanding indebtedness of said City has been reduced in the preceding fiscal year.

The foregoing order was adopted on the 20th day of August, 2018, and is hereby published this 24th day of August, 2018. Any action or proceeding questioning the validity of the order must be begun within 30 days after the date of publication of this notice. The Financial Services Director of said City has filed a statement estimating that the total amount of interest that will be paid on the proposed bonds over the expected term of the bonds, if issued, is \$3,211,725. The estimate is preliminary, is for general informational purposes only, and may differ from the actual interest paid on such bonds. Such statement of estimated interest includes certain assumptions upon which such estimate is based, and there is no assurance that the circumstances included in such assumptions will occur. The validity of the proposed bonds is not subject to challenge on the grounds that the actual interest cost on the bonds when issued is different than the estimated interest amount set forth above.

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

CITY OF HIGH POINT

AGENDA ITEM



Title: Property Transfer to Core City CDC

From: Randy E. McCaslin, Deputy City Manager

Meeting Date: August 6, 2018

Public Hearing: N/A

**Advertising Date /
Advertised By:**

Attachments: Map
Resolutions

PURPOSE:

To transfer City acquired residential lots to the newly incorporated Core City CDC for construction of new affordable housing.

BACKGROUND:

The City has acquired several properties located at 603 Ridgerock Court, 605 Ridgerock Court, 1108 Gordon Street, 839 Howard Place, 900 Putnam Street, and 208 Morgan Place. The CDC will then work with various groups to construct affordable housing on these properties for sale to qualified individuals that meet the required income limits.

BUDGET IMPACT:

These properties were acquired through our blight reduction and property infill funds which are annually appropriated. The long-term impact is growth in the City's tax base.

RECOMMENDATION / ACTION REQUESTED:

The City Manager's Office recommends that the City Council adopt Resolutions authorizing the transfer of the above referenced properties to the Core City CDC and that the appropriate City official and/or employee be authorized to execute all necessary documents.

CITY OF HIGH POINT

AGENDA ITEM



Title: Appointment of Beth Earnst to the High Point Economic Development Corp. board

From: Mayor Jay Wagner
Councilman Jason Ewing
HPEDC President Loren Hill

Meeting Date: August 6, 2018

Public hearing: no

Advertising Date: n/a

Attachment: list of High Point EDC board members

Advertised by: n/a

PURPOSE:

- The High Point City Council has a vacancy to fill on the board of the High Point Economic Development Corporation, caused by the resignation of Will Davis of Piedmont Chemical Industries on April 10, 2018.

BACKGROUND:

- The High Point mayor nominates and the City Council appoints seven members to the High Point EDC board for two-year terms.
- The current terms for all seven positions expire on December 31, 2018.
- Mayor Wagner nominates Beth Earnst of 610 Colonial Drive to fill this unexpired term.
 - She is a scientist who serves as a communications professional for Akzo Nobel, a leading global paints and coatings company. Akzo Nobel has 300 employees on its 38-acre campus in south High Point, where the company focuses on wood coatings and adhesives.
 - Beth Earnst previously worked for Ciba Speciality Chemicals in High Point and for BASF Corporation in High Point and other locations.
 - Her involvement in the community includes:
 - serving as past president of the Junior League of High Point;
 - serving as a “Friends of the Library” board member for the High Point Public Library; and
 - participating in Leadership High Point.
 - She was named as one of the Triad Business Journal’s “40 Leaders under 40.”

BUDGET IMPACT:

- There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- Mayor Wagner and Councilman Ewing – who both serve on the High Point EDC board – recommend that the City Council approve the appointment of Beth Earnst to fill this unexpired term on the board of directors of the High Point Economic Development Corporation, effective from the date of her appointment through December 31, 2018.

APPROVAL OF SPECIAL USE PERMIT 18-03 (SU-18-03)
(2314 and 2600 N. Centennial Street)

CITY OF HIGH POINT CITY COUNCIL

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This application for a Special Use Permit ("SUP") for a major social service facility came before the High Point City Council ("Council") on July 16, 2018 for a quasi-judicial hearing ("Hearing"). Based on the testimony of the witnesses, the documentary evidence, the application and related materials, the exhibits, the Staff Report and other evidence presented at the Hearing, the Council finds that the SUP should be approved, and in support thereof, makes the following Findings of Fact and Conclusions of Law as required by N.C. Gen. Stat § 160A-388(e2)(1):

FINDINGS OF FACT

1. Section 2.4.11(C) of the City of High Point Development Ordinance provides as follows:

Special Use Review Standards A special use shall be approved upon a finding that the applicant demonstrates the proposed special use:

- (a) Will not materially endanger the public health or safety if located where proposed;
- (b) Complies with all required standards, conditions, and specifications of this Ordinance, including Chapter 4: Uses;
- (c) Will not substantially injure the value of the abutting land, or the special use is a public necessity;
- (d) Will be in harmony with the area in which it is to be located; and
- (e) Is in general conformity with the City's adopted policy guidance.

2. The property at issue (Parcel ID 0199548; PIN 7801487600 and Parcel ID 0199576; PIN 7801483936) ("Property") is located at 2314 and 2600 N. Centennial Street, lying

approximately 900 feet north of the intersection of Eastchester Drive and N. Centennial Street, between Eastchester Drive and N. Centennial Street, in the City of High Point, and consists of approximately 21 acres of land. The Property is located in the Oak Hollow Lake Watershed Critical Area (WCA) Tier 2 and Tier 3.

3. With the approval of Zoning Map Amendment 18-07 (ZA-18-07), the Property is zoned as Conditional Zoning Institutional (CZ-I) District. The Institutional District is established to accommodate large-sized public, quasi-public, and institutional uses such as colleges, universities, or hospitals in a campus-like setting. Uses in the Institutional District can have substantial land use impacts or traffic impacts on surrounding uses. This district is not intended to accommodate those smaller public and institutional uses that are typically found in residential districts. The district allows a limited range of residential and institutional development as support uses. The adopted Conditional Zoning Ordinance for ZA-18-07 requires the Property to be limited to two (2) points of direct vehicular access to N. Centennial Street and that existing driveways in place as of July 16, 2018, that serve former single family detached dwellings, may remain until that structure is removed or converted to a multifamily dwelling use type or a nonresidential use classification (Conditional Zoning Ordinance #7430 / 59, Section 2, Part II Conditions, B.2.b).

4. John Wesley College, Inc. and Laurel University, Inc. are the record owners of the Property.

5. The applicant is Caring Services, Inc. ("Applicant").

6. The majority of the Property has a moderately sloping terrain with its high elevations lying along Eastchester Drive and N. Centennial Street frontages. The higher perimeter elevations slope northward to a pond at the northern portion of the site. This pond has been converted to a private regional stormwater control device. This stormwater control device drains northward to a perennial stream at the northern boundary of the site, which empties into Oak Hollow Lake.

7. The uses of land adjacent to the Property are: (1) North: single family detached dwellings and undeveloped parcel; (2) South: office, automotive sales and personal service uses; (3) East: commercial building with retail and personal service uses; and (4) single family detached dwellings.

8. The social service use type falls under the residential use classification and is defined as a facility with support and supervisory personnel that provides temporary room and board, housekeeping, personal care, or rehabilitation services for those needing emergency services, post-incarceration services, or drug or alcohol rehabilitation assistance (but not including

those with mental illness who are dangerous to others). Facilities that provide assistance to seven (7) or more people are classified as major social service uses.

9. Pursuant to the City of High Point Development Ordinances ("HPDO"), a SUP is required before a major social service facility may be placed in an Institutional (I) District.

10. A special use sketch plan ("SU Sketch Plan") has been included with this application depicting activity associated with the major social service facility occupying the existing structures on the Property (see SU-18-03 Sketch Plan). The SU Sketch Plan did not depict any future structures or land development. The existing 20,000± square foot university administrative office and classroom building at the center of the campus (Building #1) is proposed to be used for administrative offices, classes and counseling services. The property contains five single-family dwellings (Buildings 2, 3, 4, 6 & 7) and a 12-unit multifamily structure (Building #5) that will be used for client housing. The NC Building Code will permit up to 6 people in each of these former single family structures. The SU Sketch Plan is a binding document as to how the social service use may function on the Property. If there is a proposal to add land area, enlarge an existing structure, construct new structures or change the use of the buildings from what is shown on the SU Sketch Plan, then a new SUP is required.

11. The Applicant conducted a Citizen Information Meeting, per standards of Section 2.3.3 of the HPDO and submitted a Citizen Information Meeting Report to the City of High Point Planning and Development Department. The Citizen Information Meeting Report was part of the staff report for SU-18-03 submitted to the High Point City Council. The Citizen Information Meeting Report included a May 31, 2018 letter from Ms. Rebecca (Becky) Yates, Caring Services, Inc., Executive Director that outlines the scope of Caring Services operation. This letter states that they provide housing and supportive services (treatment) and as long as individuals are enrolled in their program they are required to meet with a counselor, have a sponsor, attend meetings and are randomly screened for drugs/alcohol. Their current facilities operate with monitors and assistant monitors that report any suspicious activities around the property, monitor curfew and notify staff of any problems.

12. The CZ-I District allows higher intensity uses such as multifamily development with a density up to 16 units per acre, major assembly/auditorium uses, schools (elementary to high schools) and office complexes. These uses are permitted by right and require no public hearing review.

13. The general land area occupied by the existing institutional use will not be changing and the reuse of the University's existing structures for a social service use will produce a development of similar intensity to the University. Furthermore, the impervious coverage

limitations in this tier of the Oak Hollow Lake Watershed Critical Area is restricted to 35% built upon area, which will prevent significant increase in intensity.

14. During the Hearing, the Applicant's attorney, Mr. Thomas Terrell, presented testimony from Ms. Rebecca Yates, Caring Services, Inc., Executive Director; Ms. Teresa Hinkle, a Licensed Clinical Social Worker with a Master's Degree in Social Work from the University of North Carolina at Chapel Hill and the Program Director of Caring Services, Inc.; rebuttal evidence on police calls at the existing Caring Services location on Chestnut Street; Impact Analysis of Proposed Alcoholic & Substance Abuse Rehabilitation Facility from Mr. Tim Regan, a North Carolina State Certified General Real Estate Appraiser, which included a matched pairs analysis of numerous abutting residences; a statement of public necessity from Ms. Rebecca Yates, Executive Director of Caring Services, Inc, and a Harmony/Consistency Statement from Mr. R. Reynolds Neely, a Planning Consultant, and former City of Asheboro Community Development Division Director.

15. During the Hearing, Mr. Terrell also called the City of High Point Chief of Police, Kenneth J. Shultz, as a witness. Chief Shultz provided an overview of his May 23, 2018 letter which states that the High Point Police Department and Caring Services has a long history of working together to address community based concerns. Chief Shultz provided an overview of High Point Police Department Crime Analysis of history of call related to the existing Caring Services facility on Chestnut Street and stated that identified calls for service appear to be minimal and are typical of other residential locations through the City. Furthermore, Chief Shultz testified there were no reports of Violent Crimes occurring at other Caring Services location. Finally, Chief Shultz testified that effective drug related crime prevention is a three-part strategy consisting of law enforcement, education and rehabilitative services. All three are required to effectively combat drug relation criminal activity.

16. At the Hearing, speakers in opposition to the SUP did not present rebuttal expert witnesses or competent or material evidence to indicate how a major social service facility would affect or impact the values on abutting properties. Speakers in opposition also failed to present any competent or material evidence or rebuttal experts that the requested major social service facility would pose a public health or safety impact on adjacent lands.

CONCLUSIONS OF LAW

Pursuant to the foregoing FINDINGS OF FACT, Section 2.4.11 of the City of High Point Development Ordinance and other applicable law, the Council, by a unanimous 9-0 vote, makes the following Conclusions of Law:

1. The Applicant bears the burden of proving to the Council, by competent, material and substantial evidence, that the proposed major social service facility meets the standards in Section 2.4.11(C) of the City of High Point Development Ordinance. If the Applicant fails to meet its burden of producing competent, material and substantial evidence as to any one of the standards, the SUP must be denied.

2. In this case, the Council finds that the SUP should be approved, for the following reasons, pursuant to Section 2.4.11(C):

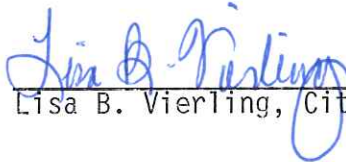
- (a) Based upon evidence presented by the Applicant and findings in the Planning & Development Department Staff Report SU-18-03; the requested major social service facility will not materially endanger the public health or safety if located where proposed.
- (b) Based upon evidence presented by the Applicant and findings in the Planning & Development Department Staff Report SU-18-03; the requested major social service facility complies with all required standards, conditions, and specifications of the Development Ordinance, including Chapter 4: "Uses" of the City of High Point Development Ordinance.
- (c) Based upon the expert testimony of certified real estate appraiser, Mr. Tim Regan, presented by the Applicant and findings in the Planning & Development Department Staff Report SU-18-03; the requested major social service facility will not substantially injure the value of the abutting land;
- (d) Based upon evidence presented by the Applicant and findings in the Planning & Development Department Staff Report SU-18-03; the requested major social service facility will be in harmony with the area in which it is to be located.
- (e) Based upon evidence presented by the Applicant and findings in the Planning & Development Department Staff Report SU-18-03; the requested major social service facility is in general conformity with the City's adopted policy guidance.

ACCORDINGLY, based on the foregoing FINDINGS OF FACT and CONCLUSIONS OF LAW, the Applicant's request for a special use permit for a major social service facility is unanimously APPROVED by a vote of 9-0 subject to the following condition which was offered and agreed to by the Applicant:

1. No man or woman shall be housed on the Property who, after conviction, is listed on the North Carolina Registry of Sexual Offender.

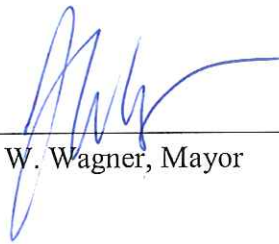
This the 6th day of August, 2018.

ATTEST:



Lisa B. Vierling, City Clerk





Jay W. Wagner, Mayor



City of High Point

Procurement and Disbursement Policy

2018 URGENT REPAIR PROGRAM

PROCUREMENT POLICY

1. To the maximum extent practical, the City of High Point (the City) promotes a fair, open and competitive procurement process as required under the North Carolina Housing Finance Agency's Urgent Repair Program (URP). Bids are invited from Contractors who are part of the City's approved contractor registry. (To be on the registry, a contractor must complete an application, have their recent work inspected, reviewed and approved by the Project Manager and submit proof of insurance.) Any contractor listed with and approved by the City will receive automatic approval status on the contractor registry.
2. At least three eligible contractors on the City's approved contractor registry shall be invited to bid on each job and the lowest responsive and responsible bidder shall be selected for the contract. "Responsive and responsible" means (a) the contractor is deemed able to complete the work in a timely fashion, (b) that the bid is within 15% on the low end of the City's nominal amount or 15% on the high end of the City's nominal amount and that (c) there is no conflict of interest (real or apparent).
3. Although bid packages may be bundled for multiple job sites, the bids for multiple job sites may be considered separate and apart when awarded and may be awarded to the lowest responsive and responsible bidder(s) for each job site.
4. Bid packages shall consist of an invitation to bid, work write up(s) and bid sheet(s) for each job.
5. Bids must include a cost-per-item breakdown with line item totals equaling the submitted bid price. Discrepancies must be reconciled prior to a contract being awarded.
6. Any change to the original scope of work must be reduced to writing in the form of a change order to be agreed upon and signed by all parties to the original contract and two

representatives of the City. The change order must also detail any changes to the original contract price.

7. No work may begin prior to a contract being awarded and executed and a written order to proceed provided to the contractor. In addition, a pre-construction conference and "walk thru" shall be held at the work site prior to commencement of repair work.
8. The City reserves the right to reject any or all bids at any time during the procurement process.
9. In the event of a true emergency situation, the City reserves the right to waive normal procurement procedures in favor of more expedient methods, which may include seeking telephone quotes, faxed bids and the like. In the event phone bids are used, the City of High Point will call the first three responsive contractors on the approved contractor registry. The City will track who has been called and responsive and will rotate through the list before starting through the rotation again. Should such methods ever become necessary, the transaction will be fully documented.
10. If the nature of a repair is such that the repair can be made during the contractor's initial inspection, or service or diagnostic call and the repair is less than \$500, no write-up, quotes or bids will be required. Should this method of repair be used, the transaction will be fully documented.
11. All sealed bids will be opened publicly at a time and place to be announced in the bid invitation. All bidders are welcome to attend.
12. The City of High Point is an equal opportunity employer, implements non-discriminatory practices in its procurement/disbursement and will make special outreach efforts to include M/WBE (Minority/Women Business Enterprise) businesses within its contractor and subcontractor pool.

DISBURSEMENT POLICY

1. All repair work must be inspected by (a) the City's Project Manager, (b) the homeowner, and (c) the building code inspector as appropriate for the project prior to any payments to contractors. If all work is deemed satisfactory and all other factors and written agreements are in order, payment shall be issued upon presentation of an original invoice from the contractor. Contractor should allow 21 business days for processing of the invoice for payment.
2. If any of the work is deemed unsatisfactory, it must be corrected prior to authorization of payment. If the contractor fails to correct the work to the satisfaction of the City's Project Manager, payment may be withheld until such time as the work is deemed satisfactory. (Contractors may follow the City's Urgent Repair Program Assistance Policy complaint process if a dispute occurs; however, contractors shall abide by the final decision as stated in the policy).

3. The City assures, through this policy, that adequate funds shall be available to pay the contractor for satisfactory work.
4. All contractors, sub-contractors and suppliers must sign a lien waiver prior to disbursement of funds.

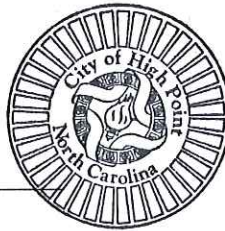
The Procurement and Disbursement Policies, are adopted this the 6th day of August 20 18.

City of High Point

BY: _____

ATTEST: _____

Lisa B. Vierling, City Clerk



CONTRACTORS STATEMENT:

I have read and understand the attached Procurement and Disbursement Policy.

BY: _____

COMPANY NAME: _____

WITNESS: _____

APPROVAL OF SPECIAL USE PERMIT 18-03 (SU-18-03)
(2314 and 2600 N. Centennial Street)

CITY OF HIGH POINT CITY COUNCIL

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This application for a Special Use Permit (“SUP”) for a major social service facility came before the High Point City Council (“Council”) on July 16, 2018 for a quasi-judicial hearing (“Hearing”). Based on the testimony of the witnesses, the documentary evidence, the application and related materials, the exhibits, the Staff Report and other evidence presented at the Hearing, the Council finds that the SUP should be approved, and in support thereof, makes the following Findings of Fact and Conclusions of Law as required by N.C. Gen. Stat § 160A-388(e2)(1):

FINDINGS OF FACT

1. Section 2.4.11(C) of the City of High Point Development Ordinance provides as follows:

Special Use Review Standards A special use shall be approved upon a finding that the applicant demonstrates the proposed special use:

- (a) Will not materially endanger the public health or safety if located where proposed;
- (b) Complies with all required standards, conditions, and specifications of this Ordinance, including Chapter 4: Uses;
- (c) Will not substantially injure the value of the abutting land, or the special use is a public necessity;
- (d) Will be in harmony with the area in which it is to be located; and
- (e) Is in general conformity with the City's adopted policy guidance.

2. The property at issue (Parcel ID 0199548; PIN 7801487600 and Parcel ID 0199576; PIN 7801483936) (“Property”) is located at 2314 and 2600 N. Centennial Street, lying

approximately 900 feet north of the intersection of Eastchester Drive and N. Centennial Street, between Eastchester Drive and N. Centennial Street, in the City of High Point, and consists of approximately 21 acres of land. The Property is located in the Oak Hollow Lake Watershed Critical Area (WCA) Tier 2 and Tier 3.

3. With the approval of Zoning Map Amendment 18-07 (ZA-18-07), the Property is zoned as Conditional Zoning Institutional (CZ-I) District. The Institutional District is established to accommodate large-sized public, quasi-public, and institutional uses such as colleges, universities, or hospitals in a campus-like setting. Uses in the Institutional District can have substantial land use impacts or traffic impacts on surrounding uses. This district is not intended to accommodate those smaller public and institutional uses that are typically found in residential districts. The district allows a limited range of residential and institutional development as support uses. The adopted Conditional Zoning Ordinance for ZA-18-07 requires the Property to be limited to two (2) points of direct vehicular access to N. Centennial Street and that existing driveways in place as of July 16, 2018, that serve former single family detached dwellings, may remain until that structure is removed or converted to a multifamily dwelling use type or a nonresidential use classification (Conditional Zoning Ordinance #7430 / 59, Section 2, Part II Conditions, B.2.b).

4. John Wesley College, Inc. and Laurel University, Inc. are the record owners of the Property.

5. The applicant is Caring Services, Inc. (“Applicant”).

6. The majority of the Property has a moderately sloping terrain with its high elevations lying along Eastchester Drive and N. Centennial Street frontages. The higher perimeter elevations slope northward to a pond at the northern portion of the site. This pond has been converted to a private regional stormwater control device. This stormwater control device drains northward to a perennial stream at the northern boundary of the site, which empties into Oak Hollow Lake.

7. The uses of land adjacent to the Property are: (1) North: single family detached dwellings and undeveloped parcel; (2) South: office, automotive sales and personal service uses; (3) East: commercial building with retail and personal service uses; and (4) single family detached dwellings.

8. The social service use type falls under the residential use classification and is defined as a facility with support and supervisory personnel that provides temporary room and board, housekeeping, personal care, or rehabilitation services for those needing emergency services, post-incarceration services, or drug or alcohol rehabilitation assistance (but not including

those with mental illness who are dangerous to others). Facilities that provide assistance to seven (7) or more people are classified as major social service uses.

9. Pursuant to the City of High Point Development Ordinances (“HPDO”), a SUP is required before a major social service facility may be placed in an Institutional (I) District.

10. A special use sketch plan (“SU Sketch Plan”) has been included with this application depicting activity associated with the major social service facility occupying the existing structures on the Property (see SU-18-03 Sketch Plan). The SU Sketch Plan did not depict any future structures or land development. The existing 20,000± square foot university administrative office and classroom building at the center of the campus (Building #1) is proposed to be used for administrative offices, classes and counseling services. The property contains five single-family dwellings (Buildings 2, 3, 4, 6 & 7) and a 12-unit multifamily structure (Building #5) that will be used for client housing. The NC Building Code will permit up to 6 people in each of these former single family structures. The SU Sketch Plan is a binding document as to how the social service use may function on the Property. If there is a proposal to add land area, enlarge an existing structure, construct new structures or change the use of the buildings from what is shown on the SU Sketch Plan, then a new SUP is required.

11. The Applicant conducted a Citizen Information Meeting, per standards of Section 2.3.3 of the HPDO and submitted a Citizen Information Meeting Report to the City of High Point Planning and Development Department. The Citizen Information Meeting Report was part of the staff report for SU-18-03 submitted to the High Point City Council. The Citizen Information Meeting Report included a May 31, 2018 letter from Ms. Rebecca (Becky) Yates, Caring Services, Inc., Executive Director that outlines the scope of Caring Services operation. This letter states that they provide housing and supportive services (treatment) and as long as individuals are enrolled in their program they are required to meet with a counselor, have a sponsor, attend meetings and are randomly screened for drugs/alcohol. Their current facilities operate with monitors and assistant monitors that report any suspicious activities around the property, monitor curfew and notify staff of any problems.

12. The CZ-I District allows higher intensity uses such as multifamily development with a density up to 16 units per acre, major assembly/auditorium uses, schools (elementary to high schools) and office complexes. These uses are permitted by right and require no public hearing review.

13. The general land area occupied by the existing institutional use will not be changing and the reuse of the University’s existing structures for a social service use will produce a development of similar intensity to the University. Furthermore, the impervious coverage

limitations in this tier of the Oak Hollow Lake Watershed Critical Area is restricted to 35% built upon area, which will prevent significant increase in intensity.

14. During the Hearing, the Applicant's attorney, Mr. Thomas Terrell, presented testimony from Ms. Rebecca Yates, Caring Services, Inc., Executive Director; Ms. Teresa Hinkle, a Licensed Clinical Social Worker with a Master's Degree in Social Work from the University of North Carolina at Chapel Hill and the Program Director of Caring Services, Inc.; rebuttal evidence on police calls at the existing Caring Services location on Chestnut Street; Impact Analysis of Proposed Alcoholic & Substance Abuse Rehabilitation Facility from Mr. Tim Regan, a North Carolina State Certified General Real Estate Appraiser, which included a matched pairs analysis of numerous abutting residences; a statement of public necessity from Ms. Rebecca Yates, Executive Director of Caring Services, Inc, and a Harmony/Consistency Statement from Mr. R. Reynolds Neely, a Planning Consultant, and former City of Asheboro Community Development Division Director.

15. During the Hearing, Mr. Terrell also called the City of High Point Chief of Police, Kenneth J. Shultz, as a witness. Chief Shultz provided an overview of his May 23, 2018 letter which states that the High Point Police Department and Caring Services has a long history of working together to address community based concerns. Chief Shultz provided an overview of High Point Police Department Crime Analysis of history of call related to the existing Caring Services facility on Chestnut Street and stated that identified calls for service appear to be minimal and are typical of other residential locations through the City. Furthermore, Chief Shultz testified there were no reports of Violent Crimes occurring at other Caring Services location. Finally, Chief Shultz testified that effective drug related crime prevention is a three-part strategy consisting of law enforcement, education and rehabilitative services. All three are required to effectively combat drug relation criminal activity.

16. At the Hearing, speakers in opposition to the SUP did not present rebuttal expert witnesses or competent or material evidence to indicate how a major social service facility would affect or impact the values on abutting properties. Speakers in opposition also failed to present any competent or material evidence or rebuttal experts that the requested major social service facility would pose a public health or safety impact on adjacent lands.

CONCLUSIONS OF LAW

Pursuant to the foregoing FINDINGS OF FACT, Section 2.4.11 of the City of High Point Development Ordinance and other applicable law, the Council, by a unanimous 9-0 vote, makes the following Conclusions of Law:

1. The Applicant bears the burden of proving to the Council, by competent, material and substantial evidence, that the proposed major social service facility meets the standards in Section 2.4.11(C) of the City of High Point Development Ordinance. If the Applicant fails to meet its burden of producing competent, material and substantial evidence as to any one of the standards, the SUP must be denied.

2. In this case, the Council finds that the SUP should be approved, for the following reasons, pursuant to Section 2.4.11(C):

- (a) Based upon evidence presented by the Applicant and findings in the Planning & Development Department Staff Report SU-18-03; the requested major social service facility will not materially endanger the public health or safety if located where proposed.
- (b) Based upon evidence presented by the Applicant and findings in the Planning & Development Department Staff Report SU-18-03; the requested major social service facility complies with all required standards, conditions, and specifications of the Development Ordinance, including Chapter 4: "Uses" of the City of High Point Development Ordinance.
- (c) Based upon the expert testimony of certified real estate appraiser, Mr. Tim Regan, presented by the Applicant and findings in the Planning & Development Department Staff Report SU-18-03; the requested major social service facility will not substantially injure the value of the abutting land;
- (d) Based upon evidence presented by the Applicant and findings in the Planning & Development Department Staff Report SU-18-03; the requested major social service facility will be in harmony with the area in which it is to be located.
- (e) Based upon evidence presented by the Applicant and findings in the Planning & Development Department Staff Report SU-18-03; the requested major social service facility is in general conformity with the City's adopted policy guidance.

ACCORDINGLY, based on the foregoing FINDINGS OF FACT and CONCLUSIONS OF LAW, the Applicant's request for a special use permit for a major social service facility is unanimously APPROVED by a vote of 9-0 subject to the following condition which was offered and agreed to by the Applicant:

1. No man or woman shall be housed on the Property who, after conviction, is listed on the North Carolina Registry of Sexual Offender.

This the 6th day of August, 2018.

Jay W. Wagner, Mayor

CITY OF HIGH POINT

AGENDA ITEM



Title: Ordinance to Demolish –403 Cable Street

From: Michael McNair, Director
Community Development & Housing

Meeting Date: 8/6/18

Public Hearing: No

Advertising Date:

Advertised By:

Attachments:

- A. Staff report
- B. Ordinance to Demolish
- C. Photos
- D. Maps

PURPOSE:

A request by Community Development and Housing – Local Codes Section to adopt an ordinance ordering the inspector to demolish the dwelling at 403 Cable Street.

BACKGROUND:

After a Complaint and Notice of Hearing was issued and a hearing held, an Order to Repair or Demolish was issued on 4/19/18. No action occurred by the compliance date of 5/21/08. The necessary repairs to the dwelling exceed its current tax value and the demolition is warranted.

BUDGET IMPACT:

Funds are available in the Department budget for the demolition and asbestos testing of the structure(s), and for the asbestos removal if present.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends the adoption of the requested ordinance to demolish this single family dwelling and any accessory structures on the property.

PENDING ACTION:

The ordinance becomes effective from the date of adoption. If there is no action by the property owner by the effective date of the ordinance, then asbestos testing and the demolition bid process will begin and the structure will be removed by the City. After City demolition, the property owner is billed for the cost. If the bill is unpaid, the City places a lien on the property.

**COMMUNITY DEVELOPMENT AND HOUSING
CODE ENFORCEMENT
HOUSING ENFORCEMENT DIVISION**

**ORDINANCE
REQUEST:**

Ordinance to Demolish

**PROPERTY
ADDRESS:**

403 Cable St.

OWNER:

Heirs of Adele P. Brown

**REASON FOR
INSPECTION:**

Received call from Guilford County Social Services

**FIRST
INSPECTION:**
4/5/18

Summary of Major Violations
1. Repair or replace roof covering
2. Repair or replace water heater
3. Repair or replace siding
4. Repair or replace porch steps, roof and floor
5. Repair or replace material on wall, floors and ceiling throughout

**HEARING
RESULTS:**
4/19/18

No one appeared for the Hearing. During the Hearing it was determined there are several violations of the Minimum Housing Code. There are multiple violations of the minimum housing code in the house that make it unsafe. In its present state, necessary repairs to the dwelling exceed 65% of the value of the structure.

**ORDER(S)
ISSUED:**
4/19/18

Order to Repair or Demolish
Date of Compliance 5/21/18

APPEALS:

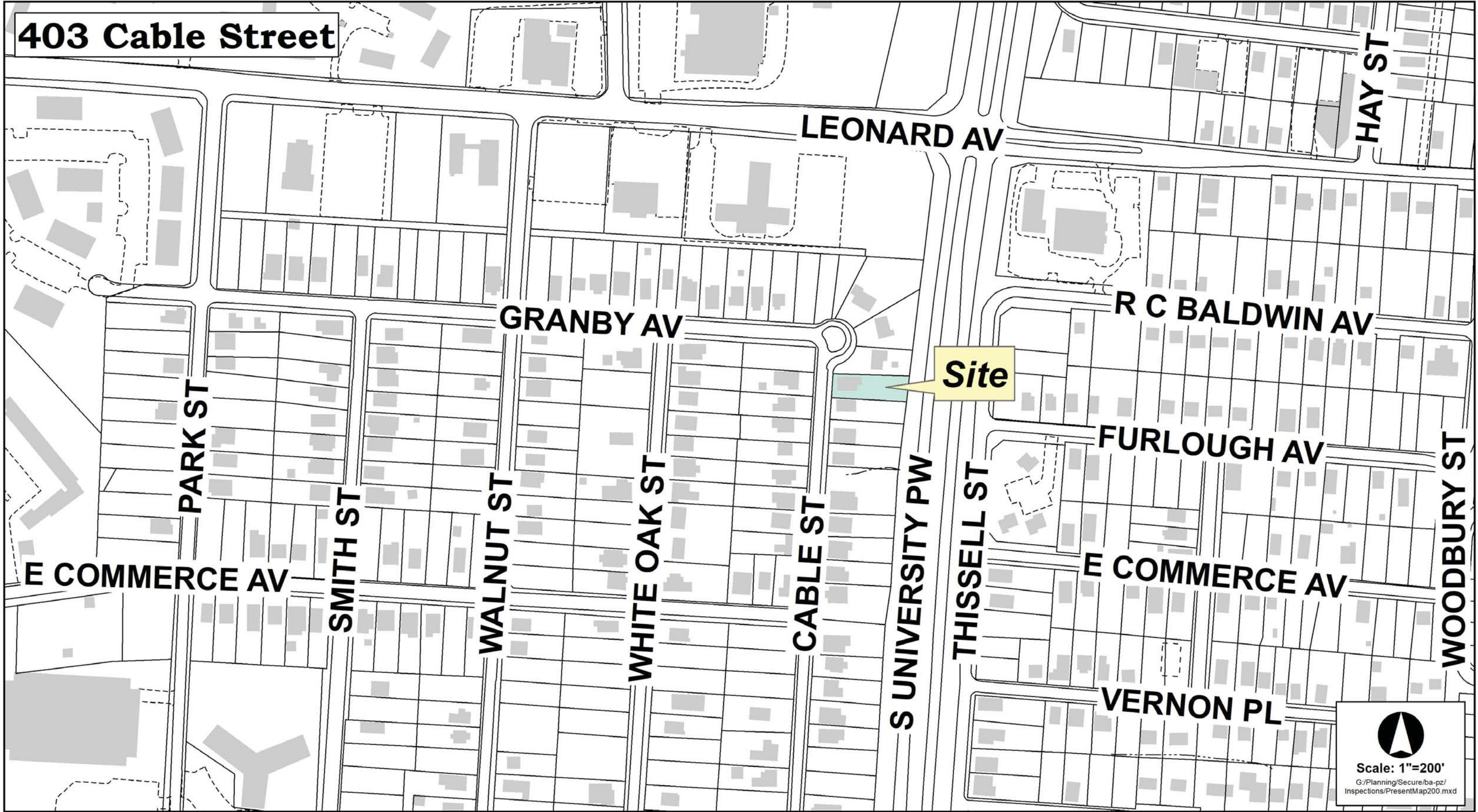
No appeals to date.

**OWNER
ACTIONS:**

None

ADDITIONAL:

Social Services contacted the inspector and advised that they had relocated the occupants as of 4/18/18. The inspector has not been contacted by anyone reference to this property. The property taxes are delinquent in the amount of \$1,329.80 for 3 years.



403 Cable Street

LEONARD AV

HAY ST

GRANBY AV

R C BALDWIN AV

Site

PARK ST

SMITH ST

WALNUT ST

WHITE OAK ST

CABLE ST

S UNIVERSITY PW

FURLOUGH AV

WOODBURY ST

E COMMERCE AV

E COMMERCE AV

VERNON PL


Scale: 1"=200'
G:/Planning/Secure/ba-pz/
Inspections/PresentMap200.mxd













Profile

Beth

First Name

Earnst

Last Name

beth.earnst@gmail.com

Email Address

610 Colonial Drive

Street Address

Suite or Apt

High Point

City

NC

State

27262

Postal Code

What district do you live in? *

☒ Within High Point Corporate Limits

Home: (336) 880-8834

Primary Phone

Business: (336) 491-9146

Alternate Phone

AkzoNobel Coatings

Employer

Which Boards would you like to apply for?

Citizens Advisory Council: Submitted

Economic Development Corporation: Submitted

Piedmont Triad Regional Water Authority: Submitted

Four

Ward you reside in?

Interests & Experiences

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

I am a scientist working in communications for a global, multi-national company. I have a lengthy background in volunteering in High Point and would like to learn more about our municipal government. A few relevant experiences include seven years as a Board member, two as President of The Junior League of High Point, Inc., Board member for Friends of The High Point Library, six years as President of the Steeplegate Home Owners Association when we lived in Trinity from 2005 to 2015. We have lived in the Emerywood neighborhood since 2015

[Beth Earnst Full Resume June 2018.pdf](#)

Upload a Resume

Have you participated in Leadership High Point?

☒ Yes ☐ No

2005

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

Gender

☒ Female

Elizabeth (Beth) Collins Earnst

610 Colonial Drive High Point, NC 27262
336.880.8834(m) beth.earnst@gmail.com

Professional Profile:

Dynamic, results-oriented professional with broad range of experience in communications and public relations working with distinct audiences in multiple locations. Proven track record for creating strategic communications tools that meet business and customer needs. Strong relationship builder with key stakeholders in a shared service environment. Dependable team player and strategic thinker who counsels executives to effectively communicate with diverse employee groups involving multiple layers of an organization and important external audiences.

Demonstrated Skills:

- Creating comprehensive internal and external communications plans
- Strategic business, site-based and executive communications plans
- Public affairs, community relations and crisis/emergency communication
- Leading customer engagement activities for technical conferences and tradeshow

Professional Experience:

AkzoNobel Coatings Inc., High Point, NC 2016 – present

(A Netherlands-based global paints, coatings and chemicals company)

1/18 – present Communications Business Partner, Coatings North America

Responsible for collaborating with AkzoNobel Business Directors in North America to drive commercial objectives as the key communications contact for the coatings business teams. Serves diverse coatings market of Powder, Automotive, Specialty, Yacht, Marine, Protective, Metal and Wood applications and acts as communications lead for media and external relations. Engaged in brand awareness, public affairs and public relations activities involving production sites in the region.

9/16 – 12/17 **Communications Manager for Wood Coatings and Performance Coatings North America**

Responsible for the development of global communication plans supporting the Wood Coatings Strategic Marketing Unit (SMU) and regional support for additional Performance Coatings Strategic Marketing Units with an operational footprint in North America. My role serves as the communications advisor supporting internal engagement, reputation management, external communications, public affairs and emergency communications.

BASF Corporation, Charlotte, NC 2009 – 2016

(A German-based chemical company that acquired Ciba Corporation in April 2009)

12/11 – 8/16 **Employee & Marketing Communications Manager, Dispersions & Pigments Division, North America**

Responsible for managing internal and external communications activities for the Dispersions & Pigments division in the region, serving as a member of the business regional leadership team with a matrix reporting line to NA Corporate Communications. Led all marketing communications efforts for five regional business teams in the division by aligning communications plans to support group objectives and position the division as the preferred supplier to the coatings, construction, printing and packaging and paper industries in the region utilizing a \$1M budget. Internal communications support for a Senior VP and direct reports on varying communications needs. Strong interaction with regional and global corporate communication teams to support the business strategy globally.

10/09 – 12/11 **Internal Communications Manager, Dispersions & Pigments & Paper Chemicals Divisions, North America**

Responsible for managing internal communications activities for two operating divisions in the region, serving as a member of the business regional leadership teams with a matrix reporting line to Corporate Communications. A position created to influence cultural change as both business teams were created following acquisition activity. Primary responsibilities include support to a Senior VP and his direct reports on communications needs and interacting with the regional and global corporate communication teams to support the regional business priorities.

Ciba Specialty Chemicals Corporation, High Point, NC 1997 – 2009

(A Swiss-based specialty chemical company and previously part of CIBA-Geigy)

06/06 – 10/09 Director of Site Communications & Public Affairs, NAFTA Region

Responsible for Communications and Public Affairs for Ciba in the NAFTA Region including budgetary responsibilities with regional and site-based funds. Counselor to site management on optimizing communication and community relation plans specific to site needs. Expertise in regional and site-based internal communications plans, EH&S and labor relations issues management, crisis communications, media relations and training, state and local government relations, and stakeholder management. Demonstrated ability to lead and manage multiple projects at different locations across US. Created regional crisis communications program and tools including site-based training. Experience creating print newsletters, e-newsletters, message development and event planning

The Ciba Foundation Inc., Assistant Director

01/08 – 08/09 Supported the management of the Ciba Foundation Inc. activities in the US which promoted science education and the transition from school to career in Ciba's US communities. Chaired the Foundation Advisory Council and organized workforce development and scholarship programs with non-profit groups, university and community college development offices of \$1.95 million in 2009.

11/04 – 06/06 Manager of Public Affairs, Southeastern USA

Responsible for communications activities impacting Ciba's operations in North Carolina, Virginia, and Arkansas. Managed employee communications, community relations including state and local government relations, community giving, site-based newsletters, and corporate citizenship. Provided strategic communications counsel and managed local media relations issues including advertising, public comment periods, crisis communications, and education initiatives at the sites.

02/03 – 10/04 Manager of Site Communication, Community & State Relations, North Carolina

Professional development role to augment experience in communications and public affairs serving Ciba's Charlotte and High Point, NC sites. Recruited into department by VP of Communications based on demonstrated skills supporting emergency events at sites and in our supply chain

02/99 – 02/03 Manager of Site Safety & Environmental Affairs with responsibility for compliance with environmental and safety regulations for a research and development facility with 240 employees.

11/98 – 05/00 Manager of Product Stewardship and Regulatory Support role in High Point, NC with responsibility for chemical hazard communication, technical customer inquiries and environmental management of a product line.

11/97 - 11/98 EH&S Issues Manager and communication support to a corporate regulatory group in Tarrytown, NY. Manager of Responsible Care® communications involving work with six operating divisions.

Education:

Clemson University, Clemson, South Carolina

Completed courses for MS in Environmental Toxicology, 1997

Clemson University The Institute of Wildlife and Environmental Toxicology, Clemson, SC

March 1995 – December 1997: Graduate Research Assistant with Ciba Specialty Chemicals and Olin Chemical Corporation. An Ecological Risk Assessment on the Prothonotary warbler, a sentinel species found nesting on adjacent Superfund sites in southwest Alabama. A field and laboratory study addressing organochlorine and mercury contaminant impacts on multiple endpoints.

Berry College, Rome, Georgia

Bachelor of Science Degree in Biology, Minors: Chemistry and Education, 1993

Student Teacher Model High School - Floyd County Board of Education, Rome, GA

August – December 1993: Classroom teacher training in HS biology, Georgia Teaching Certificate [T-4] Biology grades 7-12 and graduated with Honors in Education

Awards & Recognition:

- **2013 Outstanding Young Alumni Award from Berry College**
Award for outstanding distinction in one's career and community based on nomination and letters of recommendation reviewed by an external panel of business judges with no affiliation to the college.
- Recognized as a member of the **Forty Leaders Under 40** class by *The Triad Business Journal* in February 2011 representing the 12 county Triad area of central NC including the cities of Winston Salem, Greensboro, High Point and Asheboro.

Professional Affiliations:

- Member of the Board of Directors for **Friends of the High Point Public Library**, 2016-2019, Public Relations Chair to focus attention on the library, stimulate its use, support the development of services and programs for the community, and encourage fundraising
- Member of the **Berry College Board of Visitors**, 2013-2019, an advisory panel that advises the college president and administrative staff on long-term development topics for the college located in Rome, Georgia.
- Past-President for **The Junior League of High Point, Inc.**, a non-profit organization promoting volunteerism by and the development of women in High Point, NC. Served as President of the organization June 2012 through May 2014; prior service includes President-elect, Vice President of Finance, Vice President of Communications and Chair of Capital Campaign. Significant fundraising activities and membership development projects accomplished during leadership experience.
- Board Member 2008-2014, **NC Beautiful**, a non-profit focused on enhancing the natural beauty of the State of North Carolina through environmental education from elementary school to post-graduate research funding. Past service as Board Secretary and Board Treasurer.

Personal Information:

- Married to Dr. W. Tyler Earnst, Chiropractic Physician
- Live, work and actively volunteer in High Point, North Carolina

References Available Upon Request

TO THE PUBLISHER OF THE HIGH POINT ENTERPRISE:

Please publish the following once in the High Point Enterprise on Friday, August 10, 2018:

**ORDER AUTHORIZING
\$6,600,000 MUNICIPAL BUILDING BONDS**

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

1. That pursuant to the Local Government Bond Act, as amended, the City of High Point, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue Municipal Building Bonds in an aggregate principal amount not exceeding \$6,600,000 for the purpose of providing funds, together with any other available funds, to acquire, construct, renovate, equip and furnish buildings and facilities to be used by said City for various governmental purposes, including, without limitation, a police and public safety facility.

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

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

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people within 30 days after the date of its publication as introduced as provided in G.S. 159-60, in which event it will take effect when approved by the voters of said City at a referendum as provided in said Act.

5. That this order is adopted pursuant to the provisions of G.S. 159-49, which authorizes the issuance of bonds without a vote of the people for the purposes specified therein in an amount not exceeding two-thirds of the amount by which the outstanding indebtedness of said City has been reduced in the preceding fiscal year.

The foregoing order has been introduced and a sworn statement of debt has been filed under the Local Government Bond Act showing the appraised value of the City of High Point, North Carolina to be \$9,595,960,388 and the net debt thereof, including the proposed bonds, to be \$73,101,462. The Financial Services Director of said City has filed a statement estimating that the total amount of interest that will be paid on the proposed bonds over the expected term of the bonds, if issued, is \$3,211,725. The estimate is preliminary, is for general informational purposes only, and may differ from the actual interest paid on such bonds. Such statement of estimated interest includes certain assumptions upon which such estimate is based, and there is no assurance that the circumstances included in such assumptions will occur. The validity of the proposed bonds is not subject to challenge on the grounds that the actual interest cost on the bonds when issued is different than the estimated interest amount set forth above.

A tax may be levied to pay the principal of and interest on the bonds if they are issued. Anyone who wishes to be heard on the questions of the validity of the bond order and the advisability of issuing the bonds may appear at a public hearing or an adjournment thereof to be held at 5:30 p.m. on August 20, 2018, in the Council Chambers of the Municipal Building located at 211 South Hamilton Street in High Point, North Carolina.

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

**CITY OF HIGH POINT, NORTH CAROLINA
STATEMENT OF TOTAL ESTIMATED INTEREST PURSUANT TO THE
LOCAL GOVERNMENT BOND ACT, AS AMENDED**

I, Jeffrey A. Moore, Financial Services Director of the City of High Point, North Carolina (the "City"), having been designated by the City Council of the City (the "City Council") to make and file with the City Clerk a statement of total estimated interest pursuant to The Local Government Bond Act, as amended, DO HEREBY CERTIFY as follows:

1. On August 6, 2018, the City Council introduced a bond order authorizing the issuance by the City of \$6,600,000 Municipal Building Bonds (the "Bonds").

2. If the Bonds are duly authorized and issued, I have estimated that the total amount of interest to be paid by the City over the expected term of the Bonds to be \$3,211,725. Such estimate is based on the following assumptions:

(a) All of the Bonds will be issued in the aggregate principal amount of \$6,600,000.

(b) The Bonds will dated and delivered on November 8, 2018, and will mature annually on March 1, 2020 to 2039, inclusive in twenty (20) level annual principal installments of \$330,000.

(c) The Bonds will bear interest from their date at a rate of 4.50% per annum. Such interest rate is a conservative estimate of the average interest rate to be borne by the Bonds and used by the City solely for planning purposes.

(d) The Bonds will not be redeemed prior to their stated maturities.

The total estimated amount of interest on the Bonds over the expected term of the Bonds is preliminary and for general purposes only. The City makes no assurances that the assumptions upon which such estimate is based will occur, and the occurrence of certain of such assumption is beyond the control of the City. Differences between the actual circumstances at the time the Bonds are issued and the assumptions set forth above could result in significant differences between the total amount of estimated interest and the total amount of actual interest to be paid on the Bonds if and when issued. The validity of the Bonds is not subject to challenge on the grounds that the actual interest to be paid on the Bonds when issued is different than the total amount of estimated interest on the Bonds set forth above.

Signed this 3rd day of August, 2018.



Financial Services Director

* * * * *

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of a statement of total estimated interest which was filed with me at a meeting of the City Council of said City held on August 6, 2018, after the introduction and before the public hearing on an order authorizing bonds of said City, and that said statement is open to public inspection in my office.

WITNESS my hand and official seal of said City this 6th day of August, 2018.



Lisa B. Vierling
City Clerk

Rotary Drive Traffic Calming

High Point City Council

August 6, 2018

Rotary Drive

Lexington to Chestnut
Potential Speed Hump Locations

Legend

- Central HS & Ferndale MS
- Emerywood Country Club

Westwood to Ferndale

Ray to Quaker

Woodland to Fairway

Otteray to Parkway

Hillcrest to Edgedale

Location 1: Hillcrest to Edgedale
(looking south)



Location 2: Otteray to Parkway
(looking south)



Location 3: Woodland to Fairway
(looking south)



Location 4: Ray to Quaker
(looking south)



Location 5: Westwood to Ferndale
(looking south)





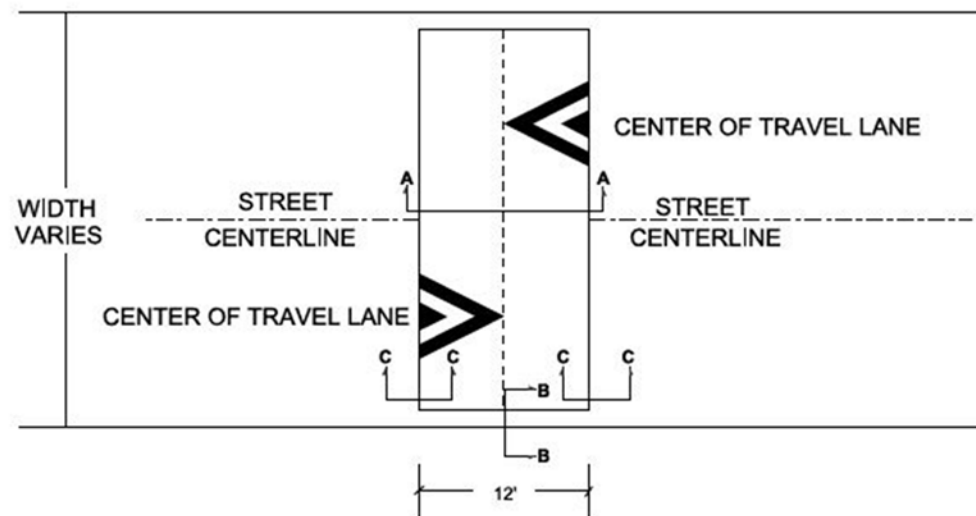
A similar
location
in Raleigh

Estimated cost to install

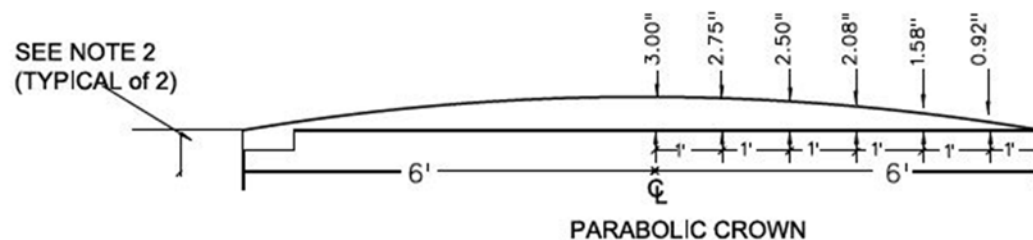
\$4,500 each



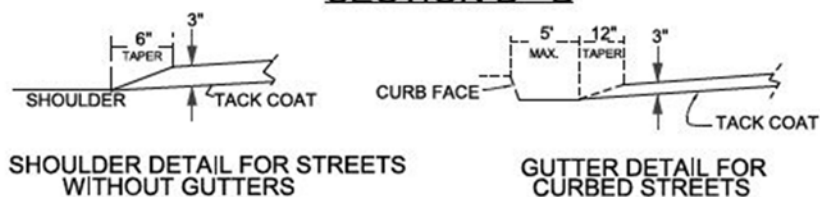
SPEED HUMP DETAIL



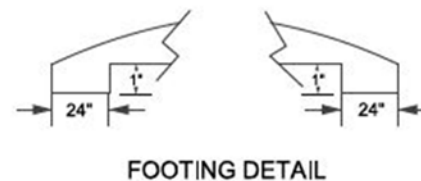
SECTION A - A



SECTION B - B



SECTION C - C



CITY OF RALEIGH
DEPARTMENT OF
TRANSPORTATION



DETAIL SHEET 1

TRAFFIC CALMING PROJECT

2017 TRAFFIC CALMING PROJECTS

DATE:
DRAWN BY: T. FIORELLO
CHECKED BY:
REVISIONS
NO. DATE

SCALES

HSCALE:
VSCALE: N/A
PROJECT
2017 MINOR PROJECTS
SHEET NO.
SHEET 41 of 45
DRAWING NO.
DETAIL SHEET 1



Pre-fab speed
cushion panels
on Hoskins Street

Estimated cost to install

\$4,000 each

RECOMMENDATIONS

- **Reduce the speed limit to 25 mph from Chestnut to Ray**
 - *One consistent speed limit for entire study area*
 - *Install additional SL signing with orange bars above and below*
- **Construct a minimum of three (3) asphalt speed humps at the approximate locations shown**
 - *Notify the nearest property owners*
 - *Meet on-site to show location and explain purpose*
- **Collect new data after six (6) months to assess effectiveness**

Rotary Drive

Lexington to Chestnut
Potential Speed Hump Locations

Legend

- Central HS & Ferndale MS
- Emerywood Country Club

Westwood to Ferndale

Ray to Quaker

Woodland to Fairway

Otteray to Parkway

Hillcrest to Edgedale



Roy L. Jones
Chief Executive Officer

June 7, 2018

Mr. Greg Demko
City Manager
City of High Point
211 S. Hamilton Street
High Point, NC 27260

Re: 2018 American Public Power Association National Lineworkers Rodeo
City of High Point, Resolution No. BDR-5G-18

Dear Greg,

On behalf of the ElectriCities Board of Directors, I would like to express my sincere thank you for your crew's hard work in the construction of the 2018 APPA National Lineworkers Rodeo site. In case you haven't seen it, highlights of the rodeo can be seen on YouTube by searching "2018 Public Power Lineworkers Rodeo in Wake Forest, NC".

Please find enclosed a framed Resolution, which was approved by the Board of Directors on Thursday, May 24, 2018. I would also like to extend an offer to come and formally present the Resolution at a council meeting, or another event taking place in the coming months. Please contact Christy Olive at colive@electricities.org or 919-760-6343 to coordinate this presentation.

Again, thank you for helping to make the 2018 APPA National Lineworkers Rodeo such a great success! We could not have done it without you!

Sincerely,

A handwritten signature in black ink, appearing to be "RJ", written over a horizontal line.

Roy L. Jones

ORDINANCE

AN ORDINANCE REQUIRING THE BUILDING INSPECTOR OF THE CITY OF HIGH POINT TO DEMOLISH CERTAIN PROPERTY PURSUANT TO ARTICLE 19 OF THE GENERAL STATUTES OF NORTH CAROLINA; AND, TITLE 9, CHAPTER 11, ARTICLE E, OF THE MINIMUM HOUSING CODE OF THE CITY OF HIGH POINT.

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

SECTION 1: That the City Council of the City of High Point finds as a fact that the following described property has been ordered to be demolished, and it further finds as a fact that the owner has been ordered to demolish said building at his expense and said Owner has failed to comply with said order.

SECTION 2: That the Inspector of the City of High Point is hereby authorized and directed to proceed with the demolition of the following described building in accordance with code of Ordinances: and, Article 19 of Chapter 160A of the General Statutes of North Carolina.

PROPERTY LOCATIONOWNER (S)

403 Cable St.

Heirs of Adele P. Brown
403 Cable Street
High Point, NC 27260

SECTION 3: That all ordinances or parts of ordinances in conflict with the provisions of this ordinance, are hereby repealed.

SECTION 4: That this ordinance shall become effective from and after its passage as by Law provided.

Adopted by City Council,
This the 6th day of August, 2018

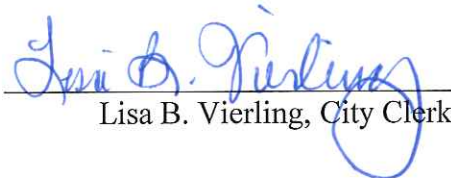
Lisa B. Vierling, City Clerk

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 6, 2018 and upon approval by City Council will be recorded in Book 93 of the Official Minute Books and Ordinance Book XX 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 7th day of August 2018.

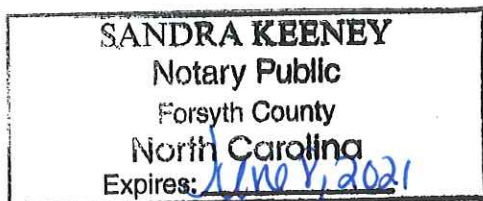

Lisa B. Vierling, City Clerk

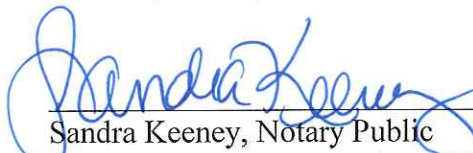


ACKNOWLEDGEMENT

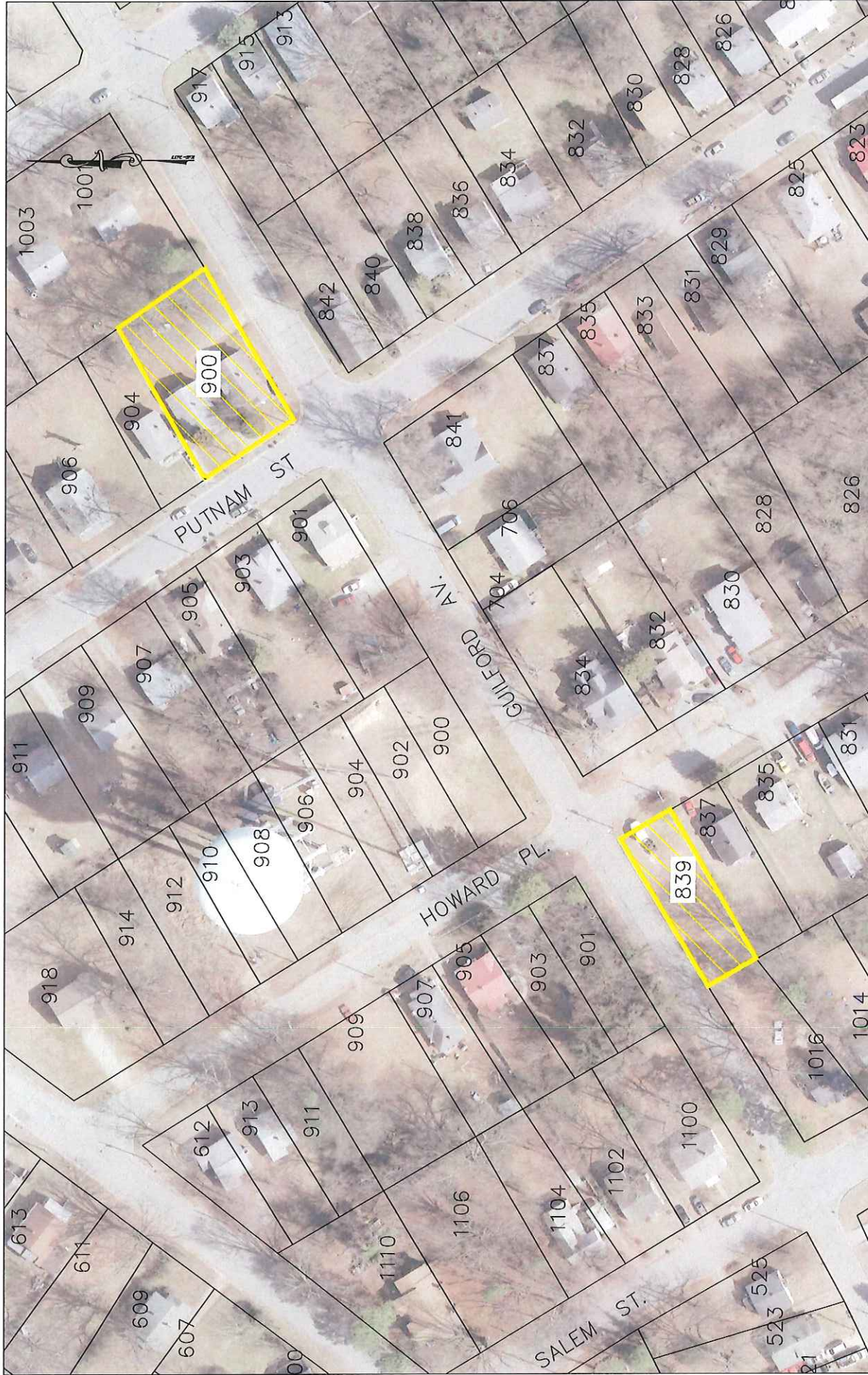
I, Sandra Keeney, a Notary Public of said County and State, do hereby certify that Lisa B. Vierling, is known to me as City Clerk of the City of High Point; that this person personally appeared before me this date; and, upon authority duly given and as an act of said City, issued and executed the foregoing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

WITNESS my hand and official Notarial Seal, this 7th day of August 2018.




Sandra Keeney, Notary Public

Commission Expires: 6/08/2021



CITY OF HIGH POINT
NORTH CAROLINA
ENGINEERING SERVICES DEPARTMENT

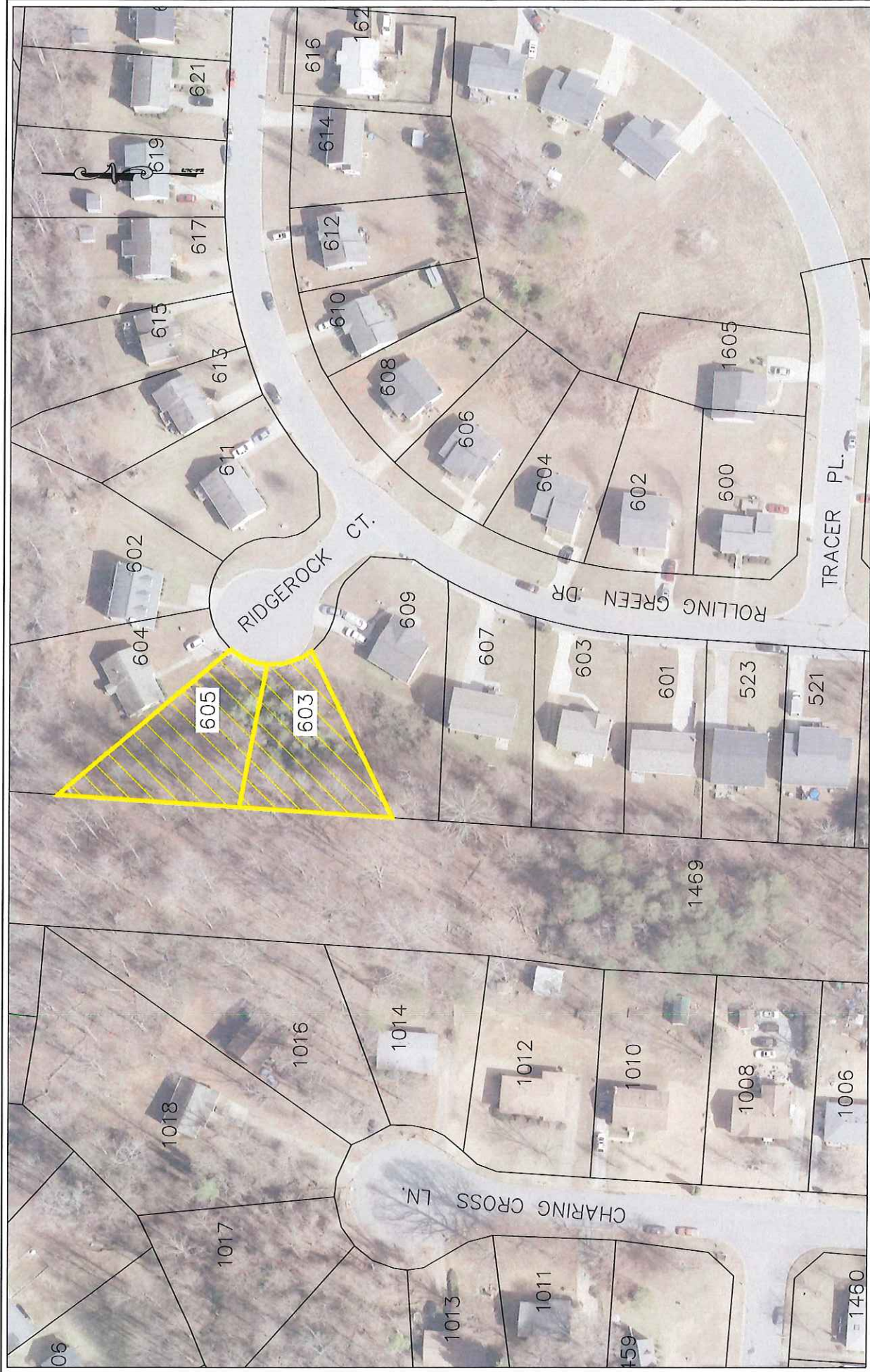
EXHIBIT DRAWING FOR
**839 HOWARD PLACE &
900 PUTNAM STREET**

SCALE: 1"=100'

DATE: AUGUST 2018

DRAWN: JKF

PROJECT: 2528



CITY OF HIGH POINT
NORTH CAROLINA
ENGINEERING SERVICES DEPARTMENT

EXHIBIT DRAWING FOR
603 & 605 RIDGEROCK COURT

SCALE: 1"=100'

DATE: AUGUST 2018

DRAWN: JKF

PROJECT: 2528

**HIGH POINT CITY COUNCIL
SPECIAL MEETING
HIGH POINT MUNICIPAL BUILDING
3rd Floor Lobby Conference Room
July 5, 2018 – 10:00 A.M.**

Present (7):

Mayor Jay Wagner; Mayor Pro Tem Chris Williams (Ward 2); and Council Members Britt Moore, (At Large); Don Scarborough (At Large); Jeffrey Golden (Ward 1), Monica Peters (Ward 3), and Jason Ewing (Ward 6)

Absent (2):

Council Members Wesley Hudson (Ward 4), and Victor Jones (Ward 5)

Staff Present:

Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; Jeron Hollis, Director of Communications & Public Engagement; Eric Olmedo; Budget & Administrative Director; Loren Hill, President- High Point Economic Development Corporation; Jeff Moore, Director of Financial Services; Laura Altizer, Senior Budget Analyst; JoAnne Carlyle, City Attorney; and Lisa Vierling, City Clerk

Others Present:

Jean Kester, Bill Kester, Mark Harris, Leah Price (Convention & Visitor's Bureau- Chair), Chris Amos (Convention & Visitors Bureau), Erik Baukema, Bruce Davis (Convention & Visitors Bureau), Melody Burnett (Convention & Visitors Bureau), Ron Barker (Seven Oak Bed & Breakfast), Judy Stalder (TREBIC), Tim Mabe (Executive Director, Convention & Visitors Bureau), Drew Knauss (TREBIC), and Carlvena Foster (Convention & Visitors Bureau)

News Media Present:

Paul Johnson, High Point Enterprise

Mayor Wagner called the meeting to order at 20:07 a.m.

2018-219

High Point City Council Policy for Allocation of Occupancy Tax

Staff is requesting approval of the High Point City Council Policy for Allocation of Occupancy Tax. Allocation of \$250,000 per year for the next 20 years related to the Stadium Project.

Mayor Wagner explained this policy essentially gives effect to the \$5 million pledge from the Convention & Visitors Bureau for payment of the stadium bonds over the next 20 years and \$250,000 of the occupancy tax funds would be allocated toward the payment of those bonds. He further advised that all remaining funds would still be available for allocation in accordance with the enabling legislation that created the occupancy tax and contractual provisions of the legislation.

He then asked if there was any discussion regarding this matter. There being none, Mayor Wagner entertained a motion.

Council Member Ewing moved to approve the Policy for Allocation of Occupancy Tax. Council Member Scarborough made a second to the motion, which carried by the following unanimous 7-0 vote.

Aye (7): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Ewing, Council Member Golden, and Council Member Peters

Absent (2): Council Member Jones, and Council Member Hudson

2018-199 High Point Convention & Visitors Bureau - 2018-2019 Annual Budget/Contract

City Council is requested to consider the annual budget for the High Point Convention & Visitors Bureau (CVB) for FY 2018-2019 and authorize the City Manager to execute contract between the High Point Convention and Visitors Bureau for FY 2018-2019.

Mayor Wagner advised this item was proposed at the June 18, 2018 Meeting of the High Point City Council. He recommended that Council move forward and approve the Convention & Visitors Bureau (CVB) budget now that the Policy for Allocation of Funds is in place. He further explained that now the policy is in place, this would require reallocation of these funds in the City's 2018-2019 budget.

Council Member Golden asked if the City would only be holding the \$250,000 with the remaining revenues being forwarded to the CVB as in the past. Mayor Wagner confirmed this and pointed out that the CVB would end up with the full allocation of the occupancy tax funds less the \$250,000.

Council Member Golden then moved approval of the CVB Budget and Contract with the following changes:

Deletion of the paragraph that's entitled the City of High Point under section 2 in the Overview & Program for the Work Year 2018-2019 with deletion of \$250,000 restricted income under the Grant Program; and

Deletion of Line 5800.7 of the Expense portion.

Council Member Williams made a second to the motion.

For further discussion, Council Member Peters asked if everybody was okay with this. Mayor Wagner stated that he was not sure, but pointed out the change was reflected in the Policy for Allocation of Funds that was just adopted.

Council Member Peters then asked if anyone present at the meeting would be given an opportunity to offer comments and Mayor Wagner explained this was not a public hearing. He then asked if there was any further discussion or any questions from the Council. There

being none, he called for a vote on the motion. The motion carried by a unanimous 7-0 vote as follows:

Aye (7): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Scarborough, Council Member Ewing, Council Member Golden, and Council Member Peters

Absent (2): Council Member Jones, and Council Member Hudson

CLOSED SESSION (ATTORNEY-CLIENT PRIVILEGE)

At 10:10 a.m., the Mayor announced there was a need to go into closed session pursuant to N.C. General Statute 143-318.11(a)(3) for the purpose of preserving attorney-client privilege.

Mayor Pro Tem Williams then moved to go into closed session for the purpose of preserving attorney-client privilege. Council Member Ewing made a second to the motion, which carried unanimously.

Upon reconvening into open session at 11:00 a.m., Mayor Wagner announced there would be no action taken as a result of the closed session.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 11:00 a.m. upon motion duly made by Council Member Moore and seconded by Council Member Ewing.

Respectfully Submitted,

Jay W. Wagner, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk

**HIGH POINT CITY COUNCIL
SPECIAL MEETING
July 16, 2018 – 3:30 P.M.
3RD FLOOR LOBBY CONFERENCE ROOM**

MINUTES

Present:

Mayor Jay Wagner, Mayor Pro Tem Chris Williams (Ward 2); and Council Members Britt Moore (At Large); Don Scarborough (At Large); Jeffrey Golden (Ward 1); Monica Peters (Ward 3); Wesley Hudson (Ward 4); Victor Jones (Ward 5); and Jason Ewing (Ward 6)

Staff Present:

Greg Demko, City Manager; Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; JoAnne Carlyle, City Attorney; Loren Hill, Economic Development Director; Eric Olmedo, Budget and Administrative Director; Angela Kirkwood, Human Resources Director; Ryan Ferguson, Marketing Manager; Lisa Vierling, City Clerk and Sandra Keeney, Deputy City Clerk

Others Present:

Mark Browder, Vice President, Mark III
Ray Gibbs, Executive Director, Forward High Point
Jim Flannery, Project Manager, Elliott Sidewalk Communities

News Media:

Pat Kimbrough, High Point Enterprise

Note: The following handout was distributed at the meeting and will be attached as a permanent part of these proceedings.

- ***Medical and Dental Plan Renewal 2019 (Exhibit Book, Vol. XIII, Pg. 12)***

Mayor Wagner called the meeting to order at 3:30 p.m. and introduced Angela Kirkwood, Human Resource Director.

Ms. Kirkwood explained this portion of the meeting was to discuss the City's Health and Dental Plan. She stated she has been working with Mark Browder, Account Representative and Vice President with Mark III, reviewing the Health and Dental costs from year to year. She distributed a 2019 Medical and Dental Plan Renewal overview and introduced Mark Browder.

Mr. Browder reviewed the history of the renewal of last year noting the expectation was that it was going to be a very difficult renewal. Most of the responses received last year on the fully insured plan had about a 20% increase, which was expected. He stated the City received a significantly better renewal from Cigna of about 12.2% with no plan changes. He explained they reviewed self-funding as well, and Cigna was also the best self-funding response. The recommendation was to remain on a fully insured basis last year. He noted with a couple of plan changes in the current year 2018, a 12.2% increase was reduced to about 7.85% increase; this change keeps the City very competitive with other Municipalities.

Mr. Browder gave a brief background of his company noting they work primarily in the public sector and have over 100 public sector clients to which about 50 or 60 of those clients are Cities and Counties regarding Medical and Dental Insurance.

He explained this year's plan is trending down and feels that it is positive relative to what the City has experienced in the past few years. He stated the renewal was requested in early June which was earlier than previous years to give the City time to plan and adjust if necessary. He stated both self-funded and fully insured options were reviewed. He explained the plan is currently running at a "break even" for Cigna which is about 82.5 %. The plan is trending down about 3.4% which is lowering cost compared to 2017. He showed comparisons of self-funded and fully insured options and the expectations of the renewals with appropriate funding for each. He stated the renewal rate from Cigna has a 1.58% increase, which is below expectations and budget and is competitive in the market based on last year's bid process. He recommends no plan changes and that the 1.58% increase is accepted.

Mr. Browder explained the City is still budgeting the 5% increase to use the additional dollars to build a reserve for the more difficult years. Cigna is providing \$75,000 in a wellness fund and is also adding "Retail 90" which allows 90 days of supplies for two co-pays at some retail locations primarily CVS locations.

Moving on to "cost drivers" in the Health Plan, Mr. Browder explained one of the items is the difference between contributions and actual claims cost between employee claims, spouse claims and child claims. He compared years 2015, 2016 and 2017 and noted the claim percentage for employees each year continues to drop, but at the same time spouse and dependent claims continue to rise. In total for 2017 48% percent of cost were generated by dependents, however, employees were only contributing to cost 26% of total plan revenue. Which gives a differential of 22% being paid out in claims verses contributions being made for dependent coverage. One of the ways to mitigate this is to review eligibility for spouses. One of the changes being suggested as seen with other clients, is that if a spouse is working at another employer and they have coverage through that employer that they would not be eligible for the City's plan. He noted there is no eligibility criteria change that can be made for dependents under the age of 26. He stated the impact to this historically has been about \$300,000 in claims reduction. He listed other Cities and Counties that have implemented this change such as the city of Rocky Mount and Forsyth County etc. He reminded Council that whether the City is self-insured or fully insured the rate is driven by claims.

In summary he stated the Medical plan renewal is excellent. He said the goal with the dependent eligibility audit and eligibility criteria change is to have further impact on claims without changing benefits or increasing premiums more than the 1.5%, Another goal is to have a good risk management strategy on managing health plan cost and trying to impact future health care spending. He stated in his experience regarding the dependent eligibility audit there is certainly people who could potentially be negatively impacted by the change, but the challenge is there is a constant increase in cost noting medications, hospital stays, and medical service in general are more expensive and as the population gets older the health of the population continues to decline. This is a proven risk management strategy. He noted one of the things that Ms. Kirkwood has been working on is to get in a better position from a cost perspective for employee only coverage and changing that contribution strategy for dependents by raising it slowly.

Council Member Jones asked for clarification that this would only affect employee's spouses that have an employer that has health care benefits. Mr. Browder answered yes, that is correct. Council Member Hudson noted that "offers" benefits. Mr. Browder stated that is correct.

Angela Kirkwood stated that was an overview of how the money for the health care plan would be spent. She noted the next steps should Council agree, is to have Cigna prepare a contract.

At this time, Council Member Ewing made a motion to amend the Closed Session to include §143-318.11 (a) 3 Attorney Client Privilege. Mayor Pro Tem Williams seconded the motion. The motion carried unanimously. (9-0 vote)

Council Member Ewing made a motion to enter into Closed Session pursuant to N.C. General Statute §143-318.11(a) 4 Economic Development and (a) 3 Attorney Client Privilege. The motion was seconded by Mayor Pro Tem Williams. Motion carried unanimously. (9-0 vote)

Mayor Pro Tem Williams made a motion to end the Closed Session and return to Open Session. Council Member Hudson seconded the motion. Motion carried unanimously. (9-0 vote)

Upon reconvening into Open Session at 4:51 p.m., Mayor Wagner announced there would be no action taken as a result of the Closed Session. Council Member Moore made a motion, seconded by Council Member Ewing to adjourn the meeting. Motion carried unanimously. (9-0 vote)

Respectfully Submitted,

Jay W. Wagner, Mayor

Attest:

***Sandra Keeney
Deputy City Clerk***